

### **Prisons and Health**



## Why does **WHO** engage in prison health?



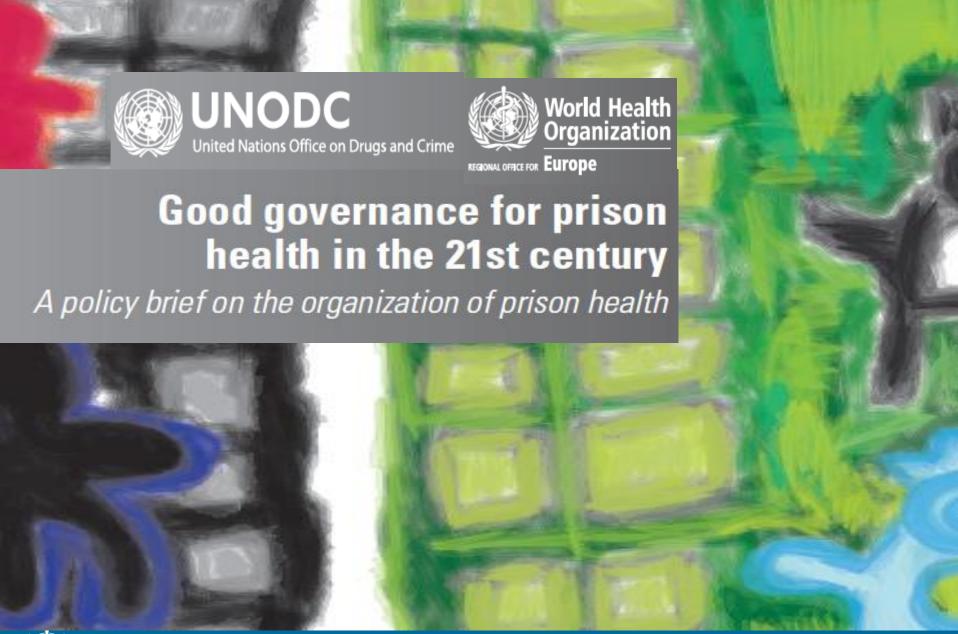
## WHO - Mission and Responsibility

- WHO the authority for health within the UN
- WHO responsible for
  - providing leadership on global health matters
  - > shaping the health research agenda
  - setting norms and standards
  - articulating policy options
  - providing technical support to countries.



#### WHO – Mandate: the WHO Constitution

- The right to health: "The enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being"
- Governance for health: "Governments have a responsibility for the health of their peoples which can be fulfilled only by the provision of adequate health and social measures"





#### **Prison Health is Public Health**

Most prisoners are from vulnerable social groups

Prisoners have higher risks of

- HIV, TB (RR up to145 x general population!) and hepatitis C and B
- Mental health disorders
- Violence
- Suicide

**Transmission of diseases** in prisons (TB,BBV)

Transmission **prisons** → **community**:

In countries with high TB incidence and large prison populations prisons significantly contribute to the regional TB burden.



## Prisoner's right to health

- Prisoners remain bearers of all human rights
- Right to health → International Covenant on Economic, Social and Cultural Rights, Art. 12



## State's special duty of care

- Prisoners must rely on authorities to protect their health
- States have a special duty of health care for prisoners
  - ✓ Entry exam & continuity of treatment and care
  - √ Treatment free of charge
  - ✓ See: CPT-Standards
- This applies also in times of economic difficulties



#### Prison health staff - Mission

Principles of medical ethics, UN General Assembly Resolution 37/194

"It is a contravention of medical ethics for health personnel, particularly physicians, to be involved in any professional relationship with prisoners the purpose of which is not **solely** to evaluate, protect and improve their health"



# Prison health staff - professional independence

Recommendation R (98)7 of the Committee of Ministers to member states concerning the ethical and organisational aspects of health care in prison

"Health care personnel should operate with complete independence within the bounds of their qualifications and competence"



## **Equivalence by integration**

Recommendation R (98)7; Recommendation Rec(2006)2

- Prisoners must have access to the health services available in the country
- Prison health should be organised in close relation with national health administration
- Prison health policy should be integrated into national health policy
- The role of MoH: quality assessment for hygiene, health care, organization of health care in prison



#### Commenatary to Rec(2006)2

"(..) the most effective way (..) is that the national health authority should also be responsible for providing health care in prison, as is the case in a number of European countries"



## Persistent shortcomings (1)

- No prison health service available
- No medical examination on entry
- No continuity of care
- Inadequate care for prisoners with HIV and TB, in some cases with fatal consequences
- Failure to monitor and address the problem of HCV
- Lack of a coherent drug policy (alternatives to imprisonment, prevention, detoxification, substitution, harm reduction)



## Persistent shortcomings (2)

- No special training for health care staff in prisons
- Involvement of prison health staff in body searches and tasks around punishment of prisoners (e.g. solitary confinement)
- Prisoners working as orderlies
- Staff in custodial functions distributing prescribed drugs which are not defaced

## Good governance for prison health in the 21st century

- The management and coordination of all relevant agencies and resources contributing to the health and well-being of prisoners is a whole-of-government responsibility;
- II. Health ministries should provide and be accountable for health care services in prisons and advocate healthy prison conditions.