

CPT/Inf (2025) 04

## **Report**

**to the Latvian Government  
on the visit to Latvia  
carried out by the European Committee  
for the Prevention of Torture and Inhuman  
or Degrading Treatment or Punishment (CPT)**

**from 22 to 31 May 2024**

The Government of Latvia has requested the publication of this report and of its response. The Government's response is set out in document CPT/Inf (2025) 05.

Strasbourg, 26 February 2025

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## EXECUTIVE SUMMARY

The purpose of the 2024 ad hoc visit to Latvia was to examine the treatment of persons held in prisons and to follow up on the situation found in the 2022 visit.

In the report on its 2022 periodic visit, the Committee had expressed its grave concern that many of its long-standing recommendations, some of them dating back to the first visit to Latvia in 1999, remained unimplemented (or only partially implemented). This concerned, in particular, the malignant influence of the informal prisoner hierarchy in Latvian prisons and, subsequently, inter-prisoner violence (the extent of which was largely underestimated by the authorities due to the lack of effective investigation and the rules of the informal prisoner hierarchy forbidding prisoners to complain).

The findings of the 2024 visit, as set out in this report, demonstrate that there is still a lack of progress across a range of critical areas. These include the conversion of dormitory-type accommodation into cellular-type accommodation, the elimination of the pervasively harmful effects of the informal prisoner hierarchy, and the improvement in the recording, reporting and effective investigation of suspected cases of inter-prisoner violence. In addition, there needs to be a significant increase of custodial staff numbers and their presence in the detention areas. Further development of prisoner reintegration, and the provision of adequate assistance to prisoners with substance-related problems should also be put in place.

More specifically, the Committee concludes that the Latvian authorities are still far from fully implementing their duty to protect inmates from inter-prisoner violence as well as to carry out effective investigations when it occurs.

Furthermore, the Committee notes that the informal prisoner hierarchy continues to be deeply embedded in almost every aspect of daily prison life.

The Committee reiterates its view that the situation of prisoners belonging to the lowest caste of the informal prisoner hierarchy, which in some cases could amount to modern slavery (in the form of forced labour), could be considered to constitute a continuing violation of Article 3 of the European Convention on Human Rights. Article 3 prohibits, *inter alia* all forms of inhuman or degrading treatment and obliges state authorities to take appropriate measures to prevent such treatment, including that carried out by private individuals, such as fellow prisoners.

Moreover, staff numbers are totally inadequate for prison staff to be in a position to protect prisoners from other inmates who might wish to cause them harm, or to prevent the influx of prohibited objects, especially illicit drugs, into the prisons. Indeed, the current staffing numbers and approach do not allow for the development of a dynamic security approach or for the establishment of meaningful contact between custodial staff and prisoners, which would enable staff to understand the needs of prisoners, assist them with daily living issues, and motivate them to engage in purposeful activities.

The Committee calls upon the Latvian authorities to significantly enhance their efforts to eradicate the influence of the informal prisoner hierarchy in the prison system, which is *inter alia* undermining the authority of the state, fuelling inter-prisoner violence, and promoting access to illicit drugs in prisons.

## I. INTRODUCTION

### A. The visit, the report and follow-up

1. In pursuance of Article 7 of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (hereinafter referred to as “the Convention”), a delegation of the CPT carried out a visit to Latvia from 22 to 31 May 2024.

The visit was considered by the Committee “to be required in the circumstances” (cf. Article 7, paragraph 1, of the Convention) and its objective was to examine the implementation of the recommendations of the Committee formulated in the report on the periodic visit carried out in 2022 concerning inter-prisoner violence and the influence of the informal prisoner hierarchy in Latvian prisons. It was the Committee’s tenth visit to Latvia.<sup>1</sup>

2. The visit was carried out by the following members of the CPT:

- Victor Zaharia (Head of delegation)
- Dovilė Juodkaitė
- Tinatin Uplisashvili.

3. They were supported by Dalia Žukauskienė of the CPT Secretariat, and assisted by an expert, Marzena Ksel, medical doctor, former Head of the Medical Department of the Polish Prison Service.

4. In the course of the visit, the delegation visited the prison establishments of Daugavgrīva, Jēkabpils, Jelgava, and Valmiera.

5. The report on the visit was adopted by the CPT at its 115th meeting, held from 4 to 8 November 2024, and transmitted to the authorities of Latvia on 15 November 2024. The various recommendations, comments and requests for information made by the CPT are set out in bold type in the present report. The CPT requests that the authorities of Latvia provide within three months a response containing a full account of the action taken by them to implement the Committee’s recommendations, along with replies to the comments and requests for information formulated in this report.

### B. Consultations held by the delegation and co-operation encountered

6. In the course of the visit, the delegation met Kristine Pommere, Deputy State Secretary of the Ministry of Justice, and Dmitrijs Kaļiņš, Head of the Prison Administration, as well as other senior officials from the Ministry of Justice and the Prison Administration.

7. On the whole, during the visit the CPT delegation received excellent cooperation from the Latvian authorities at all levels. The delegation had rapid access to all places of detention it wished to visit, was able to meet in private with those persons with whom it wanted to speak and was provided with access to the information required to carry out its task.

The Committee wishes to express its appreciation for the assistance provided to its delegation during the visit by the management and staff in the establishments visited, as well as for the support offered by its liaison officer from the Ministry of Justice, Kristine Kipena.

8. Nevertheless, the CPT must once again recall that the principle of cooperation between Parties to the Convention and the Committee is not limited to steps taken to facilitate the work of a visiting delegation. It also requires that decisive action be taken to improve the situation in the light of the CPT’s recommendations.

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1. The visit reports and the responses of the Latvia authorities on all previous visits are available on the CPT website: [The CPT and Latvia](#).

In the report on its 2022 periodic visit, the Committee had already expressed its grave concern that many of its long-standing recommendations, some of them dating back to the first visit to Latvia in 1999, remained unimplemented (or only partially implemented). This concerned, in particular, the malignant influence of the informal prisoner hierarchy in Latvian prisons and, subsequently, inter-prisoner violence (the extent of which was largely underestimated by the authorities due to the lack of effective investigation and the rules of the informal prisoner hierarchy forbidding prisoners to complain).

9. The findings of the 2024 visit, as set out in this report, continue to demonstrate a lack of progress in improving the situation in prisons and addressing numerous fundamental shortcomings highlighted by the Committee over many years. Even more concerning, the Committee got the impression that the Latvian authorities do not seem to acknowledge the extent of the problem.

The Committee must stress that if no progress is made to implement its recommendations, it will be obliged to consider having recourse to Article 10, paragraph 2, of the Convention.<sup>2</sup> The CPT hopes that prompt and decisive action by the Latvian authorities to implement the Committee's recommendations will render such action unnecessary.

**The CPT calls upon the Latvian authorities to significantly enhance their efforts to eradicate the influence of the informal prisoner hierarchy in the prison system, which is *inter alia* undermining the authority of the state, fuelling inter-prisoner violence, and promoting access to illicit drugs in prisons.**

10. Regarding publication of CPT visit reports, since the CPT's very first visit to Latvia some 20 years ago, the Latvian authorities have considered it important to follow the standard practice of requesting the publication of the Committee visit reports together with the corresponding government responses. The CPT welcomes this approach.

However, in recent years, both the Committee of Ministers and the Parliamentary Assembly of the Council of Europe have been encouraging member states, in the interest of transparency, to commit to the automatic publication procedure for future CPT visit reports and related government responses. This would allow CPT visit reports to be published one month after they have been transmitted to the authorities. The procedure envisages the possibility for a state to delay publication in a particular case.

**The CPT invites the Latvian authorities to agree with the automatic publication procedure as set out above.**

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2. Article 10, paragraph 2, reads: "If the Party fails to co-operate or refuses to improve the situation in the light of the Committee's recommendations, the Committee may decide, after the Party has had an opportunity to make known its views, by a majority of two-thirds of its members, to make a public statement on the matter."

## II. FACTS FOUND DURING THE VISIT AND ACTION PROPOSED

### A. Prison establishments

#### 1. Preliminary remarks

- a. update on the action taken by the Latvian authorities

11. During the meeting with the senior officials from the Ministry of Justice and the Prison Administration at the beginning of the visit, the CPT delegation was informed about the latest developments concerning the prison system.

12. According to the Latvian authorities, at the time of the visit, the total prison capacity was 4 822 places and the total prison population stood at 3 300 persons, that is, 68.2% occupancy, with the majority of prisoners still being accommodated in large-capacity dormitories.<sup>3</sup> Furthermore, according to the Council of Europe Annual Penal Statistics – SPACE I 2023<sup>4</sup>, Latvia's incarceration rate decreased from 257.2 per 100 000 of population in 2013 to 171.5 in 2023.

This is a notably positive development; however, the incarceration rate in Latvia remains among the highest in Europe and **the CPT would like to receive information from the Latvian authorities regarding their plans to reduce it further, including the use of non-custodial measures at the pre-trial, trial and sentencing, and post-trial stage.**

13. The delegation was also informed that the construction of a prison in Liepāja, which according to the initial plans was supposed to be completed by 2019, was now finally under way, with an expectation that the new 1 200 capacity prison, with solely double-occupancy cells, would enter into service from 2026.<sup>5</sup>

The CPT has repeatedly expressed its view that the risk of intimidation and violence is higher in large-capacity prison dormitories and that such accommodation arrangements are prone to foster the evolution of prison subcultures and to facilitate the maintenance and cohesion of criminal organisational structures. Moreover, apart from rendering proper staff control extremely difficult, if not impossible, such accommodation also inevitably results in a lack of privacy for prisoners in their everyday lives. Therefore, the cellular-type accommodation in the new prison is welcome.

However, the CPT would like to stress that it has serious misgivings about the construction of very large prison complexes, which have historically proven difficult to manage and unable to deliver the targeted services required of the various population groups they contain. Very careful design of the various components of the complex and the management structure will be essential in order to avoid possible negative implications for day-to-day contact between prisoners and staff, and to optimise opportunities for the delivery of a purposeful regime and prisoners' contact with the outside world.

**The Committee calls upon the Latvian authorities to take all possible measures to significantly speed up the process of modernising the prison estate, especially the conversion to cellular-type accommodation within reasonably sized establishments. The CPT requests that the Latvian authorities provide details of the modernisation plans and the current projected timescales for that process.**

14. In parallel with the opening of the new Liepāja Prison, it is expected that a completely new Penitentiary Code will come into force in the spring of 2026. According to the Latvian authorities, one of the key changes will be related to the fact that there will only be two types of prisons, open and closed (partly closed prisons will be abolished). This change is reportedly expected to facilitate the progression of prisoners along the reintegration pathway.

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3. Multiple-occupancy dormitories with up to 30 beds, open throughout the day.

4. According to the [SPACE I 2023 Report](#), the median and average incarceration rate in the Council of Europe member states is 106.5 and 123.9 respectively.

5. At the time of the 2024 visit, it was still not clear which prisons would be closed following the opening of the new prison in Liepāja.

15. While acknowledging the above-mentioned developments, the Committee remains deeply concerned that, despite its long-standing recommendations (including in the report on the periodic visit in 2022), the Latvian authorities have not yet taken robust actions to address the systemic and persistent shortcomings pertaining to the focus of this visit, that is, inter-prisoner violence and the influence of the informal prisoner hierarchy in prisons.

As set out in the sections below, there is still a lack of progress as regards:

- the conversion of dormitory-type accommodation into cellular-type accommodation;
- the elimination of the pervasively harmful effects of the informal prisoner hierarchy;
- the improvement in the recording, reporting and effective investigation of suspected cases of inter-prisoner violence;
- the significant increase of custodial staff numbers and their presence in the detention areas;
- the further development of prisoner reintegration programmes, and
- the provision of adequate assistance to prisoners with substance-related problems.

b. prison establishments visited

16. The CPT delegation carried out visits to Daugavgrīva, Jēkabpils, Jelgava, and Valmiera Prisons.<sup>6</sup>

17. At the time of the visit, Daugavgrīva Prison (capacity 1 191), established in 2008 by the administrative merger of Daugavpils and Grīva Prisons, was accommodating 1 066 adult male prisoners, including 61 life-sentenced prisoners and 110 remand prisoners (all of the latter being held in the Daugavpils Section).

During the 2024 visit, the CPT delegation only visited the Grīva Section of the prison, which was accommodating 675 adult male sentenced prisoners, including 10 life-sentenced prisoners. In line with Article 13 of the Penitentiary Code, which allows closed, partly closed or open prison sections to be organised within a single prison,<sup>7</sup> two prisoners were serving their sentence in an open section, 25 in partly closed, and the remaining 648 in closed prison conditions.

Prisoners were accommodated in 13 units (allocated either in one of the five blocks with multiple-occupancy cells (up to 15 beds, with in-cell sanitary facilities) or in one of the two dormitory buildings with rooms equipped with up to 16 beds).

18. Jēkabpils Prison (capacity 422) was accommodating 264 adult male sentenced prisoners (259 in partly closed and five in open prison conditions). Prisoners were accommodated in nine units; only one provided cellular-type accommodation, while all the rest were composed of dormitories equipped with up to 25 beds.

19. Jelgava Prison (capacity 374), which is a solely closed prison, was accommodating 273 adult male prisoners, including five remand and six life-sentenced prisoners. Prisoners were accommodated in nine units (within five blocks); four units provided cellular-type accommodation with up to five beds.

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6. Daugavgrīva and Jelgava Prisons were last visited during the CPT's 2022 periodic visit, Valmiera Prison was last visited in 2011, and Jēkabpils Prison in 2009.

7. Furthermore, according to Article 50<sup>3</sup> of the Penitentiary Code, sentenced prisoners in closed and partly closed prisons serve their sentence at two regime levels – the lowest and the highest. Levels of the regime for the execution of a sentence are not determined for sentenced prisoners in open prisons and for minors in juvenile correctional institutions.

20. Valmiera Prison (capacity 506) was accommodating 217 adult male prisoners, including 51 on remand; all sentenced prisoners were serving their sentence in partly closed prison conditions. Sentenced prisoners were accommodated in five dormitory-type units with up to 30 beds per room, and remand prisoners were held in a separate block consisting of multiple-occupancy cells furnished with up to four beds. The delegation was informed that a new block with double-occupancy cells (capacity 200) would be opened in the summer of 2024; **the Committee would like to receive confirmation of this development as well as information on the impact that this new block has had on accommodation within the rest of the prison.**

c. ill-treatment by staff

21. The delegation received no allegations of the physical ill-treatment of prisoners by custodial staff in the prisons visited. Overall, inmates interviewed by the delegation stated that they were being treated correctly by prison staff. The delegation did however observe that, due to the lack of staff (which in some prisons has reached catastrophically low levels),<sup>8</sup> there was very little meaningful communication between prisoners and custodial staff.

## 2. Inter-prisoner violence

a. recording of injuries and investigation

22. The Committee notes that many of the prisoners interviewed by the delegation were reluctant to discuss the issue of inter-prisoner violence (including victims and witnesses). This was due to a number of reasons, including the unwritten informal prisoner hierarchy rules against informing on other prisoners, fear of retaliation, and mistrust in the prison staff's ability to protect them if they did make a complaint or provide information about inter-prisoner violence.

However, the delegation was able to build a clear picture of the pervasive nature of the informal prisoner hierarchy and its consequences within the prisons visited (including inter-prisoner violence) through a cross-referencing of the various sources of information. This included an examination of the registers and medical records of injuries, the reports on incidents, the internal inquiry files, and interviewing relevant prisoners and staff members.

23. The delegation was informed that there was no separate legal act establishing the procedure for recording and reporting injuries sustained by prisoners, and that medical staff followed the same procedure as for the medical examination of newly arrived prisoners.<sup>9</sup>

According to the information provided by the Latvian authorities, when a prisoner is admitted to a prison or following an incident, they are thoroughly examined for abrasions, bruises, and other signs of injury. A medical practitioner records the injuries in a dedicated register and completes the injury record form (including a personal body contour form), where the prisoner's complaints, the circumstances of the injury (according to the prisoner), and the objective assessment of the state of health are described; in addition, a photograph is taken whenever possible. After providing medical assistance in case of an injury, a medical practitioner reportedly submits a written report to the on-duty assistant of the prison director.

24. During the visit, the medical member of the delegation checked the registers of injuries and related medical records, focusing on the entries made since the beginning of 2024, that is, during the four and a half months prior to the CPT visit.

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8. See paragraphs 71 and 72 below.

9. Regulation of the Cabinet of Ministers of 2 June 2015 No.276 on Procedure for implementation of healthcare for arrested and sentenced persons.



Regrettably, based on its findings, the Committee must conclude yet again that the recording of injuries continues to be of very poor quality, notably at Daugavgrīva, Jēkabpils and Jelgava Prisons. The descriptions of injuries were generally rather succinct and vague, but of even greater concern was the fact that, in most cases, there was no record in a medical file of the statement made by the examined person regarding the circumstances of their injury;<sup>10</sup> **this is unacceptable, and it must be remedied immediately.**

In those rare cases where such a statement did exist, the records did not contain observations by the medical practitioner as to the possible origin of the injuries or the consistency between the medical findings and the statement made by the examined person. Apparently, according to the relevant legislation, only a forensic doctor has a right to make such an assessment.<sup>11</sup>

Furthermore, except for two very low-quality photographs taken in Jēkabpils Prison,<sup>12</sup> there were no photographs of injuries in the medical files checked by the delegation, and finally, some of the injuries had not been recorded in the dedicated registers at all.

The situation was found to be slightly better in Valmiera Prison, possibly due to an internally organised training on the recording of injuries which had been provided by a forensic doctor.

**25. The Committee once again calls upon the Latvian authorities to ensure that injuries displayed by prisoners are always recorded in a detailed and comprehensive manner.**

**Upon admission to prison, every person should undergo a thorough medical examination following which a detailed record should be established. The same procedure should be followed after a violent incident within a prison establishment or whenever a prisoner is brought back to prison by the police, after having participated in investigative activities.**

**The record of such a medical examination should contain:**

- (i) an account of statements made by the person which are relevant to the medical examination (including the description of their state of health and any allegations of ill-treatment made by them),**
- (ii) a full account of objective medical findings based on a thorough examination;**
- (iii) the healthcare professional's observation in the light of i) and ii), indicating the consistency between any allegations made and the objective medical findings.**

**The record should also contain the results of additional examinations performed, detailed conclusions of the specialised consultations done, treatment applied for the injuries, or any further procedures conducted.**

**Recording of the medical examination in cases of injuries should be made on a special form provided for this purpose, with "body charts" for marking injuries that will be kept in medical file of the prisoner. Injuries should be photographed, and the photographs filed in the medical record of the person concerned. In addition, documents should be compiled systematically in a special trauma register where all types of injuries should be recorded.**

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10. The internal inquiry files, on the other hand, included the statements of the injured prisoners.

11. It is noteworthy that according to the revised Istanbul Protocol on the effective investigation and documentation of torture and other cruel, inhuman, or degrading treatment or punishment, the clinical skills necessary to document physical and psychological evidence of torture and ill-treatment include basic clinical competencies. Conducting evaluations in accordance with the Istanbul Protocol does not require certification as a forensic expert, even though this may be the normative practice in some States and is sometimes used to intentionally exclude the testimony of independent clinicians from court proceedings. See here [Istanbul Protocol](#).

12. One of an injury around the eye which is covered with a patch, and another of scratches on the hands taken while the prisoner concerned is washing his hands with soap.

The existing procedures should be reviewed in order to ensure that whenever injuries are recorded by a healthcare professional which are consistent with allegations of ill-treatment made by a prisoner (or which, even in the absence of allegations, are indicative of ill-treatment), the report is immediately and systematically brought to the attention of the relevant investigative authority.

The healthcare professional should advise the prisoner concerned that the writing of such a report falls within the framework of a system for preventing ill-treatment, that this report automatically has to be forwarded to a clearly specified independent investigative authority and that such forwarding is not a substitute for the lodging of a complaint in proper form. The results of every examination, including the above-mentioned statements and the healthcare professional's opinions/observations, should be made available to the prisoner and to their lawyer.

The national authorities should offer special training to healthcare professionals on the manner in which medical screening of prisoners is to be performed, on the recording of any injuries observed, and on the reporting procedure.

The authorities should also ensure that there are no reprisals against any healthcare professionals in their duty to record and report injuries.

A centralised system for recording injuries should be introduced so as to better monitor the situation, detect incidents and identify potential risks in order to prevent inter-prisoner violence.

26. In every prison visited, the medical member of the CPT delegation found medical records of injuries indicative or suggestive of inter-prisoner violence. As described above, these records rarely contained a statement by the injured person regarding the origins of the injury but, when they did, the majority were explained away by the prisoners concerned as "an accident".

27. In Grīva Section, out of 38 injuries recorded in 2024 prior to the CPT visit, 19 (that is, 50%), were indicative or suggestive of inter-prisoner violence – three prisoners with fractured ribs, six with wounds to the head, and the rest with haematomas and wounds around the eyes and/or various injuries to the face (cheek, forehead or nose). Not a single one of the records on these injuries included a statement by the injured prisoner regarding the origins of their injuries.

Four prisoners with recorded injuries were interviewed by the delegation – two refused to disclose the origin of their injuries, one alleged a sports trauma, and one prisoner acknowledged having been beaten by his cellmates for stealing their cigarettes.<sup>13</sup>

28. In Jēkabpils Prison, out of 15 injuries recorded in 2024 prior to the CPT visit, six (that is, 40%), were indicative or suggestive of inter-prisoner violence – four prisoners with haematomas around the eyes and the other two with different injuries to the face. A statement by an injured prisoner was recorded in only one of these cases and his explanation for the haematomas around both eyes was that he had suffered a sporting accident.

Two prisoners with recorded injuries were interviewed by the delegation – one refused to disclose the origin of his injuries, another one alleged a sports trauma.

29. In Jelgava Prison, out of 16 injuries recorded in 2024 prior to the CPT visit, six (that is, 38%), were indicative or suggestive of inter-prisoner violence – one prisoner with fractured ribs, one with multiple facial fractures and a fractured finger, three with injuries to the head, and one with multiple haematomas on the side and back. Not a single one of the records on these injuries included a statement by the injured prisoner regarding the origins of their injuries.

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13. One of the cellmates interviewed by the delegation had confirmed the allegation.

However, three prisoners with recorded injuries were interviewed by the delegation and, although one refused to disclose the origins of his injury, the other two acknowledged having been injured by fellow inmates (although they refused to disclose their names).

30. In Valmiera Prison, out of 28 injuries recorded in 2024 prior to the CPT visit, nine (that is, 31%), were indicative or suggestive of inter-prisoner violence – one with a fracture of the left arm, one with a wound to the head, six with haematomas around the eyes, and one with abrasions of the knuckles. Seven of these nine cases did contain statements by the injured prisoner regarding the origins of their injuries – two inmates claimed to have fallen, one alleged a sports accident, three claimed to have been attacked by another inmate, and the last (with knuckle abrasions) was the alleged perpetrator in one of these cases.

Five prisoners with recorded injuries were interviewed by the delegation – one claimed to have fallen when walking on ice, the rest alleged a trauma while playing football. Furthermore, a prisoner claimed to have broken a rib in a fight but not to have sought medical help for the persistent pain until a few weeks later. There was no record regarding this accident in the injury register, only a record in the prisoner’s medical file about the pain in his side.

31. The prisoner from Jelgava Prison who suffered multiple facial fractures and a fractured finger was injured several days before the CPT visit to the prison and, at the time of the visit, was being treated in the Olaine prison hospital. According to the incidents register, he was found on the floor of the gym but had denied any inter-prisoner violence, claiming that he slipped and hit his head on the floor. It is noteworthy that on the day of the accident, the CCTV in the gym and in the corridor leading to the gym was not working (the Director blamed insufficient funding). The Committee also notes that one prisoner received a disciplinary sanction for trying to stop prison guards from entering the gym during the time of the incident.

The majority of prisoners interviewed by the delegation in Jelgava Prison knew about the incident but refused to discuss the details, suggesting the delegation talk to the *smotriashij*.<sup>14</sup> The *smotriashij* did, on the other hand, agree to talk about the incident and did not deny that it had been “an authorised” beating.

The delegation was informed that the case had been sent to the Investigation Department of the Prisons Administration. **The Committee would like to receive information on the results of this investigation.**

32. The delegation also examined the registers and files from 2024 (prior to the CPT visit) relating to the internal inquiries carried out in the four prisons visited after finding a prisoner with injuries. It learned that the usual procedure was to interview the prisoner concerned, his cellmates and/or other witnesses,<sup>15</sup> and relevant prison staff.

The Committee notes that in all 54 cases examined by the delegation, without exception, the internal inquiry was closed due to the absence of any evidence of inter-prisoner violence, since all the injured prisoners claimed that the injury had been caused by an accident (slipping on the floor, falling off the bed, falling down the stairs, fainting in the bathroom, sports trauma etc.).

Even in one exceptionally rare case where the internal inquiry file included an opinion of the healthcare staff that the injuries (“periorbital haematomas of both eyes and head injury”) could be the result of inter-prisoner violence, the internal inquiry was still closed because the prisoner himself kept insisting that he did not blame anyone for his injuries.

33. According to the Latvian authorities, upon detecting a prisoner with injuries, prison staff must record the incident in the events register and submit a written report to the prison director. In case of suspected inter-prisoner violence, the related documents are then transmitted to the Investigation Department of the Prisons Administration.

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14. The “top prisoner”; see more on their role in the section on the informal prisoner hierarchy below.

15. Interviewing witnesses was usually entirely unproductive as there was an informal prohibition against cooperating or assisting the administration.

The Investigation Department examines complaints/materials regarding inter-prisoner violence in accordance with Articles 369-373 of the Criminal Procedure Code, deciding to either initiate criminal proceedings according to Chapter XIII of the Criminal Code (Criminal Offences against Health of a Person), or to refuse to initiate criminal proceedings.

34. The Latvian authorities provided the statistics regarding injuries recorded in 2023 and the first quarter of 2024 in the four prisons visited, both those registered as accidents and those deemed by the Prison Administration to be a result of inter-prisoner violence (shown as IPV in the table).

Table 1 below also includes the numbers of injuries recorded during the first quarter of 2024 which, in the view of the medical member of the CPT delegation, were indicative or suggestive of inter-prisoner violence (as described in the paragraphs 27 to 30 above).

35. The Committee notes that only a very small number of injuries sustained by prisoners is deemed by the prison staff recording and reporting the injuries and, therefore, by the Prison Administration, to be the result of inter-prisoner violence.

As can be seen in the Table 1 below, according to the Prison Administration, there were no injuries related to inter-prisoner violence in Jēkabpils, Jelgava and Valmiera prisons during the first quarter of 2024, and only nine cases in Daugavgrīva (combining cases from both Daugavpils and Grīva sections). However, this interpretation is very different to the findings of the CPT delegation, which has thoroughly examined the injury registers and interviewed some of the injured prisoners in these four prisons.

Table 1

Prison	2023 accidents	2023 IPV	1 <sup>st</sup> Q 2024 accidents	1 <sup>st</sup> Q 2024 IPV according to authorities	1 <sup>st</sup> Q 2024 injuries indicative or suggestive of IPV for CPT
<b>Daugavgrīva</b> (capacity 1191)	141	17	35	9	15 (in Grīva)
<b>Jēkabpils</b> (capacity 422)	28	4	10	0	3
<b>Jelgava</b> (capacity 374)	30	3	13	0	3
<b>Valmiera</b> (capacity 506)	28	0	11	0	3

36. Given the situation found in Latvian prisons as described later in the report, the numbers of injuries to prisoners, their attribution as accidents and the lack of investigations raise many concerns, including regarding the credibility of the official data and the state's seeming inability to ensure prisoner safety.

The fact that, in the majority of cases, the medical records did not contain any explanation by the injured prisoner concerning the origins of the injury or any medical interpretation offers no reassurance. **The Committee would like to receive the comments of the Latvian authorities on these issues, including upon their intended methods for establishing the possible causes of injuries when a credible statement from the injured prisoner is unavailable, as well as how they intend to effectively and reliably investigate incidents, so that the risk of injuries to prisoners in future can be properly understood and thus substantially reduced, and to protect victims of inter-prisoner violence from any further repercussions.**

37. The Committee notes that according to Latvian legislation, if a person's bodily injuries, as evaluated by a forensic expert, do not reach the threshold of a slight injury,<sup>16</sup> the incident is not treated as a crime, and criminal proceedings are terminated based on Article 377, paragraph 1, point 2 of the Criminal Procedure Code, according to which the initiation of criminal proceedings is not permitted and initiated criminal proceedings must be terminated if the committed offence does not constitute a criminal offence.<sup>17</sup>

The Committee also notes that according to Article 7, paragraph 2, of the Criminal Procedure Code, criminal proceedings for the offence provided for in Article 130, paragraph 2, of the Criminal Code (intentional infliction of slight bodily injury), can only be initiated if a request has been received from the person to whom harm has been inflicted.<sup>18</sup>

Nonetheless, the Committee further notes that in 2014, Article 130 of the Criminal Code was amended to add, as an aggravating factor, an intentional infliction of slight bodily injury committed by a person in a short-term place of detention or prison. In the Committee's opinion, this could be seen as an important step forward in the efforts to reduce inter-prisoner violence, since it allows a prosecution, even in the case of a slight injury without a request from the person concerned. However, it seems that not a single prisoner has been prosecuted according to Article 130, paragraph 3, point 4 during the last few years. **The Committee would like to receive the comments of the Latvian authorities on the application of the amended Article 130 of the Criminal Code together with information as to whether any prisoner has been sentenced according to this legal norm since it came into force, and if not, the reasons for that.**

38. Table 2 below presents statistics from the four prisons visited by the CPT, as provided by the Latvian authorities, regarding criminal proceedings related to inter-prisoner violence, which had been initiated in 2023 and during the first quarter of 2024, and the number of refusals to initiate criminal proceedings in such cases (all of them based upon Article 377, paragraph 1, point 2 of the Criminal Procedure Code).

The final column of the table presents the number of injuries recorded in the four prisons visited during the first quarter of 2024 which, in the opinion of the medical member of the CPT delegation, are above the threshold of a slight injury, as defined by the relevant legislation.<sup>19</sup>

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16. According to the Criteria for the establishment of the severity level of bodily injury, the level of severity and the causal link are determined by a forensic medical expert. The extent of an ongoing health disorder caused by a bodily injury is also determined during a forensic medical examination and is expressed in percentages. According to the Criteria, slight bodily injuries are those which have caused short-term health disorders from seven to 21 days or an ongoing health disorder, which is less than 10%.

17. Depending on the status of the alleged perpetrator, the case is further investigated (and a person held responsible if found guilty) according to the Code of Administrative Offences or the Penitentiary Code (if the alleged perpetrator is a prisoner).

18. The same article further provides that criminal proceedings may also be initiated without the receipt of a request from the person to whom harm has been inflicted, if such a person is not able to implement their rights themselves due to a physical or mental deficiency.

19. According to the Criteria for the establishment of the severity level of bodily injury, fractures to the breastbone, one or several ribs without damage to internal organs are considered to be moderate (that is, more than slight) bodily injuries.

Table 2

Prison	2023 proceedings	2023 refusals	1 <sup>st</sup> Q 2024 proceedings	1 <sup>st</sup> Q 2024 refusals	1 <sup>st</sup> Q 2024 injuries above the threshold of slight injury for CPT
<b>Daugavgrīva</b> (capacity 1191)	1	6	1	2	3 (fractured ribs, all in Grīva)
<b>Jēkabpils</b> (capacity 422)	1	2	0	0	0
<b>Jelgava</b> (capacity 374)	0	1	0	0	1 (fractured ribs)
<b>Valmiera</b> (capacity 506)	0	0	1	0	0

39. It is noteworthy that the overall official capacity of the four prisons visited by the CPT is 2 493, which is 52% of the total prison capacity of Latvia. Based on the findings described in previous paragraphs, the Committee finds it difficult to believe that there were only 15 cases in 15 months when criminal proceedings into possible inter-prisoner violence were considered (with four cases initiated and 11 cases refused to be initiated after a preliminary examination by an investigator), given the multiple factors contributing to inter-prisoner violence set out in this report.

The Committee further notes that during that same period there were 30 cases in all the other Latvian prisons combined when criminal proceedings into possible inter-prisoner violence were initiated (or refused to be initiated after preliminary examination by an investigator);<sup>20</sup> that is, for the whole Latvian prison population of almost 5 000 prisoners, there were only 45 such cases in 15 months. **The Committee would like to receive the comments of the Latvian authorities on the reasons for such a low number of endeavours to investigate, with a view to prosecute, possible inter-prisoner violence in the four prisons visited by the CPT.**

40. Furthermore, the Committee would like to address certain inconsistencies shown in Table 2, namely the number of criminal proceedings initiated (or refused to be initiated) in Daugavgrīva and Jelgava prisons during the first quarter of 2024, in light of the CPT findings reflected in the last column of the table.

According to the records examined by the delegation, in Daugavgrīva Prison, three prisoners suffered fractured ribs during the first quarter of 2024, and Table 2 shows that during that period criminal proceedings were initiated (and were reportedly still ongoing) into one possible case of inter-prisoner violence. However, in the other two cases there was a refusal to initiate criminal proceedings based on Article 377, paragraph 1, point 2 of the Criminal Procedure Code (the committed offence does not constitute a criminal offence).

**The CPT would like to receive information from the Latvian authorities as to whether these three cases (one of initiated criminal proceedings and two refusals) are linked to the three incidents of fractured ribs and, if so, the result of the case in which criminal proceedings were initiated.**

20. Of which 24 were related to incidents which occurred in Riga Central Prison.

Moreover, the CPT would like to receive information regarding the reasons which led to the refusal to initiate criminal proceedings based on Article 377, paragraph 1, point 2 of the Criminal Procedure Code into the two other cases. Explicitly, was it concluded in these cases by a forensic expert that a fractured rib constituted only a slight injury despite the fact that, according to the relevant Latvian legislation, fractures to one or several ribs without damage to internal organs constitutes a moderate bodily injury?<sup>21</sup>

If, on the other hand, one or more of the three cases (one of initiated criminal proceedings and two refusals) are not linked to any of the three incidents of fractured ribs found by the CPT delegation, **the Committee would like to receive information as to what investigative actions have been taken to establish the nature of these incidents and, if they were a result of inter-prisoner violence, the identities of the perpetrators.**

Turning to Jelgava Prison, according to the records examined by the delegation, during the first quarter of 2024, one prisoner suffered fractured ribs<sup>22</sup> and yet no criminal proceedings were initiated or refused to be initiated into possible inter-prisoner violence in this case. **The CPT would like to receive information on what investigative actions have been taken to establish the nature of this incident.**

41. The Latvian authorities informed the Committee that forensic medical assessment (expertise) is mandatory every time criminal proceedings are initiated into a case of likely inter-prisoner violence which has resulted in an injury, in order to establish the severity of the injury and to establish the level of crime committed. Table 3 below presents the information provided by the authorities on the number of forensic expertise carried out in 2023 and the first quarter of 2024 regarding such cases in the four prisons visited.

Table 3

Prison	2023 forensic expertise	1 <sup>st</sup> Q 2024 forensic expertise
Daugavgrīva	1	1
Jēkabpils	1	0
Jelgava	1	0
Valmiera	0	1

42. The Committee would like to address the inconsistency between the information provided in Table 2 with that of Table 3 in respect of Daugavgrīva Prison.

According to the information in Table 2, during the first quarter of 2024, there was only one decision to initiate criminal proceedings into possible inter-prisoner violence and two refusals. However, Table 3 shows that forensic expertise was requested only once during that period despite the fact that three prisoners in Daugavgrīva Prison suffered fractured ribs during the first quarter of 2024.

**The Committee would like to be informed by the Latvian authorities whether, in the two cases where prisoners sustained rib fractures, a decision was taken to refuse to initiate criminal proceedings (based on the fact that the sustained injury did not reach a threshold of moderate injury) without requesting forensic expertise and, therefore, without having the result of an assessment by a forensic expert on the severity of the injury.**

21. See paragraph 42 below for more information on inconsistencies regarding forensic expertise requested in Daugavgrīva Prison.

22. The case concerning multiple facial fractures is from the second quarter of 2024 and is already addressed by the Committee in paragraph 31 of this report.

43. The Committee has repeatedly stressed that the duty of care which is owed by the prison authorities to prisoners in their charge includes the responsibility to protect them from other prisoners who might wish to cause them harm.<sup>23</sup> Furthermore, there is a procedural obligation upon the state authorities to institute and conduct an effective investigation into all arguable allegations of ill-treatment, including when inflicted by private individuals. Such an investigation should be capable of leading to the establishment of the facts, and identifying, and – if appropriate – punishing those responsible.<sup>24</sup> Finally, Article 3 of the European Convention on Human Rights additionally requires that an official investigation be conducted even in the absence of an express complaint, if there are sufficiently clear indications that ill-treatment might have occurred.<sup>25</sup>

Addressing the phenomenon of inter-prisoner violence will require a multi-faceted approach which will include enhanced ongoing monitoring of the prisoners' behaviour (including the identification of potential perpetrators and victims), the proper reporting of suspected and confirmed cases of inter-prisoner intimidation/violence, the thorough investigation of all incidents and, where appropriate, the adoption of suitable sanctions or other measures, as well as the development of effective violence reduction interventions. The management and staff should pay increased attention to the risk and needs assessment, classification and allocation of individual prisoners with a view to ensuring that prisoners are not exposed to other inmates who may cause them harm.

44. The findings of the 2024 visit show that, due to the persistence of the root causes of inter-prisoner violence, as well as a lamentable lack of trust by the prisoners in the staff's ability to guarantee their safety, the Latvian authorities are still far from fully implementing their duty of care and effective investigation obligations. These root causes of inter-prisoner violence are described in detail in the chapters below (informal prisoner hierarchy, illicit drug use, and extremely low staff presence inside detention areas, in the broader context of a largely prevailing dormitory-type accommodation).

b. multi-faceted causes of inter-prisoner violence

i. *informal prisoner hierarchy*

45. The findings of the 2024 visit show that the informal prisoner hierarchy continues to be deeply embedded in almost every aspect of daily prison life in Latvia as every inmate must belong to one of the three castes – *blatnyje/pacany* (the highest caste), *muzhiki* (the most numerous middle caste), or *levyje* (the prisoners belonging to the lowest caste).

Most of the prison jargon used in Latvian prisons is expressed in the Russian language, and the names of the castes mean, accordingly, “the thieves, the cool ones”, “the men”, and “the wrong/left ones”<sup>26</sup>. Belonging to a particular caste is usually determined by a number of factors,<sup>27</sup> including the crime committed, connections to organised crime (if any), sexual orientation or previous sexual experience, financial situation, existence of previous imprisonment, and debts in prison or outside. Further, even the unintentional violation of one of the many unwritten rules of the informal prisoner hierarchy (such as, for example, taking a cigarette from a lowest caste prisoner or picking it up from the floor) would automatically lead to a demotion in caste.

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23. See also the relevant case law of the European Court of Human Rights, especially in *Premininy v. Russia* (application No. 44973/04, judgment of 10 February 2011, paragraphs 87 – 90) and in *Gjini v. Serbia* (application No. 1128/16, judgment of 15 January 2019, paragraph 77).

24. See also the judgment of the European Court of Human Rights in the case of *X and Others v. Bulgaria* (application No. 22457/16, judgment of 2 February 2021, paragraph 184).

25. See *Gjini v. Serbia* (application No. 1128/16, judgment of 15 January 2019, paragraph 93).

26. Sometimes a Latvian word *kreisie*, meaning “the left ones”, was also used to refer to the lowest caste.

27. Upon entering a cell, every prisoner would be asked the key question “*kto ty po zhizni?*” (meaning, in Russian, “who are you in life?”), the answer to which then determined their caste. Trying to hide any relevant information was not only futile but also very dangerous, potentially leading to severe punishment by other prisoners.



The Committee notes that members of senior management in the four prisons visited were willing to openly discuss the informal prisoner hierarchy<sup>28</sup> and the challenges it created in successfully running a prison. Such frankness is commendable and the CPT trusts that the Latvian authorities will ensure that no staff member (junior or senior level) is subjected to retaliatory action for having openly discussed the situation with the delegation.

46. According to the prison managers and staff met by the delegation, the greatest negative effects of the informal prisoner hierarchy lie in the power of *blatnyje* within the prison. They are able to instigate widespread disobedience (for example, a mass hunger strike, refusal to go out to work or school etc.), control the smuggling and sale of illegal drugs and mobile phones (organised and controlled by *blatnyje*),<sup>29</sup> raise obstacles to prisoners' successful reintegration (including pressure to commit new crimes), and instigate hindrances to drug rehabilitation (due to an unwritten prohibition by *blatnyje* for any caste, except *levyje*, to participate in rehabilitation programmes in the Olaine addiction treatment centre<sup>30</sup>).

The managers explained that a weaker informal prisoner hierarchy made the work of prison staff easier; with less cohesion between prisoners (or when there was no one single representative with whom they had to "negotiate"), it was easier for prison staff to approach individual prisoners and encourage them to be more actively involved in their own reintegration.

Furthermore, the prison managers admitted that, due to the hierarchy's strongly enforced unwritten rules of not informing on the actions of other prisoners, almost all cases of inter-prisoner violence resulting in injuries remained unsolved and unpunished, since the overwhelming majority of victims told the staff that they had just "fallen down the stairs" or "fallen off the bed", or "slipped in the shower" (see also paragraphs 26 to 30 above). According to the staff interviewed, the hierarchy forbade inmates to complain to the prison administration and, moreover, prisoners did not trust the staff's ability to guarantee their safety in the prison if they filed a complaint.<sup>31</sup>

47. As the delegation was frequently told during the dozens of interviews it carried out with prisoners, there was a so-called *smotriaschij*<sup>32</sup> (top prisoner) in every prison<sup>33</sup> with deputies in every block or unit of a prison. All of the deputies were ensuring some semblance of respect for internal prison rules,<sup>34</sup> resolving conflicts between inmates, and authorising punishment for those violating the unwritten informal prisoner hierarchy rules, which could be exercised through the infliction of a beating, extortion, psychological threats, or lowering of a person's caste (for example, by forcing him to transfer to a *levyje* cell).<sup>35</sup>

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28. Including the approximate percentage of each caste in each prison. Further, the delegation noted that custodial staff knew the caste of each prisoner in every cell or dormitory room.

29. A mobile phone allegedly cost between €200 and €1000; see paragraph 61 for information on the price of illicit drugs.

30. See more in paragraph 69 below.

31. In Jēkabpils Prison, management said that prisoners often revealed the names of the perpetrators to the administration but refused to formalise their statements. The management then, reportedly, tried to "punish" the perpetrators unofficially, for example, by transferring them to cellular-type accommodation.

32. The word *smotriaschij* in Russian means "the one who oversees". They are appointed by the so-called *vor v zakone* (thief in law), a criminal at the peak of the criminal hierarchy, to monitor compliance with the rules of the informal prisoner hierarchy (the so-called *vorovskije zakony* (laws of thieves)), act as intermediaries between the administration and prisoners, resolve conflicts between inmates, and manage the common fund, the so-called *obschiak*.

33. The prison management in each prison visited did not deny this and provided information on the identity of these prisoners and their cell/dormitory number. In Grīva Section, the delegation was informed that a previous *smotriaschij* of the prison had been transferred to Riga Central Prison a few months prior due to new criminal charges.

34. As a *smotriaschij* in one prison told the delegation, "we have an agreement with the administration - we ensure that prisoners behave and in return, all of us are left in peace". A *smotriaschij* in another prison said, "the staff are not mistreating us (prisoners) so, in return, we are trying not to cause them any problems".

35. See paragraph 46 above regarding negative effects of the informal prisoner hierarchy.

While acknowledging the crucial impact of staff shortages on prison management, the Committee has nevertheless repeatedly expressed its view that any partial relinquishment of the responsibility for order and security, which properly falls within the ambit of custodial staff, is unacceptable. It exposes weaker prisoners to the risk of being exploited by their fellow inmates. It is also contrary to the European Prison Rules, according to which no prisoner should be employed or given authority in the prison in any disciplinary capacity (see Rule 62).

**The CPT recommends that the Latvian authorities take urgent steps to put an end to the practice of using informal prison leaders, so-called *smotriachije*, to maintain good order in prisons, returning this duty to the staff. Consideration might also be given in this context to segregating the informal leaders and their close circle from the rest of the prison population, based upon a considered individual risk and needs assessment. In order to regain control of the prisons, the Latvian authorities must also increase staff numbers significantly (see paragraphs 71 to 73 below).**

48. Regarding other effects of the hierarchy, the delegation heard several allegations of extortion and psychological threats in the prisons visited. In Jēkabpils Prison, two elderly prisoners (both first time in prison) told the delegation that they had asked to be transferred from Unit 5<sup>36</sup> to a cell-type accommodation after they had started receiving threats from *blatnyje* in Unit 5<sup>37</sup> and demands to buy cigarettes and food from the prison shop (worth at least €30 per month).

In Grīva Section, the delegation interviewed a prisoner who had reportedly been transferred to the medical unit for his own safety. The prisoner (who was convicted of a sexual offence) alleged that he had been beaten by his cellmates upon arrival and then extorted for some five months<sup>38</sup> until he had finally filed an official complaint.<sup>39</sup> The delegation discussed this case with the management of Daugavgrīva Prison who confirmed that an investigation was ongoing; **the Committee would like to be informed of the results of this investigation.**

49. The delegation also learnt from interviews with prisoners that *smotriachije* from different units and even different prisons were in constant contact with each other in order to share information, discuss various plans, or agree a common position on some important issue.<sup>40</sup> A telling proof of such a communication during the CPT visit was the fact that, after the visit to Jelgava Prison, *smotriachije* in the three other prisons visited later seemed to be aware of the particular focus of the visit and even of the key questions the delegation was asking.

50. The Committee notes that depending upon the management style of each prison director and the work of the internal intelligence staff, the influence of the informal prisoner hierarchy varied across the four prisons visited, from quite restricted to rather dominant.

For example, in Jēkabpils Prison, the delegation heard from a number of prisoners that it was much more difficult in this prison to smuggle in illegal drugs or mobile phones and that the staff were expecting every prisoner to follow the internal rules.<sup>41</sup>

The delegation was therefore very concerned to hear that, in this prison, local efforts to fight the informal prisoner hierarchy had not always been properly supported by the central authorities.

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36. A dormitory-type accommodation for prisoners sentenced to a temporary deprivation of liberty of up to three months for a criminal violation.

37. In one case, a prisoner was allegedly threatened that he would be hanged and was even shown a rope. Another prisoner was threatened with a demotion to *levyje*.

38. According to the prisoner, during that time his wife had transferred approximately €1 200 to a specified account.

39. According to the rules of the informal prisoner hierarchy, extortion is allowed only from a prisoner in the same caste, usually relating to some debts or conflicts outside the prison (many *blatnyje* interviewed claimed they would never take anything from a *levyj*), and extortion of the prisoners convicted of a sexual offence seemed to be the most common.

40. See paragraph 69 below regarding the prohibition to participate in drug rehabilitation programmes.

41. Indeed, as one prisoner told the delegation, appearing frustrated and bewildered; "here they want everything to be done in accordance with the law, everything!" The prisoners interviewed in other prisons attested to the "bad" reputation of Jēkabpils Prison in that sense.

Reportedly, some three years ago, a decision of the Director to transfer a *smotriaschij* from dormitory accommodation to a cell (and thus to limit his access to other prisoners and his influence upon them) led to a mass hunger strike (instigated by the said *smotriaschij*) which received a lot of media attention. A few days later, the Director was allegedly instructed by the central authorities to return the *smotriaschij* to his previous accommodation; a move which was seen by the prison management and staff as a serious blow to their authority. **The CPT would like to be informed of the reasons why it was considered inappropriate by the central authorities to place the designated *smotriaschij* in cellular accommodation.**

51. On the other hand, there were prisons among those visited by the CPT in 2024, where the prison administration seemed to be almost co-managing the prison together with the informal prisoner hierarchy.

In one prison, the delegation interviewed a prisoner who turned out to be a bookkeeper for the informal prisoner hierarchy in that prison. Among the “registers” he kept, one had specific information about each prisoner in every cell (name, surname, date of birth, crime committed, and caste).<sup>42</sup>

A second “register” contained information on the turnover of the common fund (so-called *obschiak*<sup>43</sup>) – how much tea and tobacco were received from each cell and how much was given to each.<sup>44</sup> Allegedly, most of the time, the goods were delivered between the cells with the help of the prison guards.<sup>45</sup>

A third “register”, with the title “Debts and goats”<sup>46</sup> on its cover, contained information on every prisoner who had debts within the prison or outside, and on those who were seen by other inmates as collaborating with the administration or who had testified against their accomplices in a criminal case (these were often in danger of being physically abused). According to the bookkeeper, if prisoners needed to talk to sort out some issues, the guards would take them for a walk to the same exercise yard; a practice which was contrary to the rule that only prisoners from the same cell could use the same exercise yard at the same time.

52. It is noteworthy, however, that a number of prisoners, almost exclusively from the middle caste, *muzhiki*, were rather reluctant to discuss informal prisoner hierarchy with the delegation, claiming that they were not allowed to talk about it and that the delegation should speak to the *smotriaschij*. Indeed, it only confirmed the impression of the delegation that many *muzhiki* lived in fear of being relegated to the lowest caste for some violation of the informal rules or other.

Even more concerning was the reaction of several *muzhiki* interviewed by the delegation, who perceived the CPT visit as a threat to their established way of life and were rather hostile in challenging the motives of the delegation (stopping the interviews and saying that the CPT should not be allowed to have any information on the informal prisoner hierarchy in Latvia because it would then destroy it).

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42. He collected this information with the help of the prisoners who were delivering food to the cells and who would pass notes between him and the newcomers, who were required to present themselves upon arrival; the other cells were usually also asked to share any information they might have about a newcomer.

43. In a prison, a common fund is usually formed from food products, cigarettes (tobacco), tea, and other things which prisoners buy in the prison shop, receive from their relatives, or smuggle in (for example, a mobile phone can also be an item in a common fund intended for shared use). A common fund could be used for various purposes – to help different prisoners (newcomers, indigent prisoners, inmates held in disciplinary cells, prisoners going to the hospital etc.), to bribe prison staff, to buy cigarettes, drugs, etc.

44. The bookkeeper, who was accommodated alone in a three-bedded cell, had big bags with tea and tobacco in his cell. It is noteworthy that prisoners in all prisons visited claimed that contributing to *obschiak* had been voluntary for some years, although it was clear that if a person had the means to contribute (for example, money on their account or receiving parcels from home, etc.) and did not, it was viewed negatively by all other prisoners.

45. As explained by the bookkeeper, this was better for everyone – inmates did not need to hide and prison staff was aware of what was being transferred between the cells.

46. The so-called *kozly* (in Russian language), a sub-category of the *levyje* caste.

53. In general, the majority of prisoners interviewed by the delegation claimed that the rules of the informal prisoner hierarchy were slowly changing,<sup>47</sup> becoming vaguer, and the pressure to respect them was becoming less intense, and that even though a violation of the informal rules could sometimes still lead to physical punishment, it was allegedly less cruel than in the past.

54. Regarding the style of physical punishments, a number of prisoners said that there was an instruction, a so-called *progon*,<sup>48</sup> from the Latvia's *vor v zakone*, to avoid visible injuries when beating and to hit the upper body rather than the face.<sup>49</sup> In the Committee's view, this does, to some extent, explain a number of records on prisoners with fractured ribs found by the delegation in 2024 alone (see paragraphs 27 to 30 above). However, it also raises a crucial question on how many more injuries go unrecorded because they are never noticed by prison staff.

55. Upon admission to a prison, newly arrived prisoners were reportedly asked by the staff which caste they belonged to, and within which unit they assumed they could be safely accommodated.<sup>50</sup> The Committee is concerned to note that there was almost no effort to separate first-time prisoners from re-offenders in the prisons visited. This meant that upon entering the cell or dormitory assigned to them, first-time prisoners were immediately subjected to an induction to the informal prisoner hierarchy (including being assigned to a caste) and had virtually no possibility of choosing whether they wanted to belong to it or not.

**The CPT recommends that the Latvian authorities ensure that persons convicted for the first time are kept separate from those who have previously been imprisoned; if necessary, relevant legislative changes should be adopted.**

**Consideration could be given in this context to designating special units/blocks within existing facilities to accommodate persons remanded and sentenced to prison for the first time.**

56. During interviews with the prisoners from the lowest caste, *levyje*, the delegation inquired about the impact of their status on their daily lives.<sup>51</sup> The prisoners explained that they were not allowed to express an opinion on anything or to make any decisions. Some said that being a *levyj* felt "like a second punishment" and that they were "cockroaches who had to adapt to survive".

*Levyje* had to use separate sanitary facilities, eat at separate tables at the canteen, exercise in separate gyms (or use a sports field only when it was not used by the higher castes), and go to the shop last; in some prisons they were not allowed to use the kitchen in the unit, and in others, they had to use a separate cooker, a separate fridge, and a separate table. Further, *levyje* said that they had to stand guard outside a dormitory unit for hours every day<sup>52</sup> and inform other inmates when they saw prison staff approaching the (unstaffed) unit (the delegation witnessed this numerous times in all prisons visited).

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47. As one prisoner said, "commercialisation is happening".

48. *Progon*, an informal law in prison, is used by *vor v zakone* to issue orders to prisoners, to introduce new or change old rules (see also paragraphs 62 and 63 below).

49. Furthermore, everyone was clear that, while beating a *levyj*, it was forbidden to use the hands (since one should not touch them); *levyje* could allegedly only be kicked or beaten with sticks.

50. A prisoner convicted of a sexual offence told the delegation that upon entering the cell of *levyje* (due to the crime committed he was automatically a *levyj*), he was asked by the inmates therein to show all the documents pertinent to his criminal case so that they could decide whether he could stay in the cell or should ask to be isolated (the most common outcome for prisoners convicted of a sexual offence). Allegedly, he was allowed to stay because the cell decided that he had not been granted a fair trial.

51. It is noteworthy that the delegation met several former *blatnyje* who allegedly went for a demotion to *levyje* voluntarily. Some were reportedly tired of the "stupid rules" of the informal prisoner hierarchy, others claimed they needed a rest from being responsible for organising the smuggling and distribution of illegal items, ensuring the turnover of the common fund, taking care of indigent inmates, etc.

52. They were "paid" in cigarettes (for example, two blocks of cigarettes per month for two hours of standing guard every day). It is noteworthy that some prisoners were complaining that they had to contribute to the common fund (from which these payments were made) even if they did not need this service since they did not have any forbidden items.

57. All the maintenance work in common spaces was done (and paid for by the administration) by *levyje* and, of those, only the lowest category, *cherti*,<sup>53</sup> were cleaning the toilets. It is noteworthy that the latter were not able to have any other work (for example, in the prison manufacturing facility) due to security concerns regarding their safety. They spent most of their time locked in their cells, where they were accommodated for their own protection (at their own request or upon a decision of the administration).<sup>54</sup>

**The CPT recommends that the Latvian authorities take urgent steps to ensure that prisoners who are exposed to the risk of abuse by fellow inmates and those who do not (or no longer) wish to be involved in the informal prisoner hierarchy receive the management's full support including, if they so request, by being accommodated in separate living units (established to this end) offering adequate material conditions and regime tailored to their needs, and the necessary supervision by staff.**

58. Officially, all prisoners were supposed to clean their dormitory rooms/cells themselves (rotating the tasks amongst each other) but in reality *levyje* were cleaning not only the corridors and other common spaces but also the rooms/cells of the higher caste prisoners (the latter sometimes "thanked" them with cigarettes, tea, or buying them some food from the prison shop).<sup>55</sup> *Levyje* working in the bedding laundry often also did personal laundry for the higher caste prisoners.

Some *levyje* interviewed by the delegation said that they could refuse to do such tasks if they had enough money on their personal account, and that usually such work was done by those who had no other income (due to lack of support from outside, no work, etc.), since it was the only way to obtain tea, cigarettes, etc. However, *smotriaschij* in one prison told the delegation that *levyje* who wished to live in the dormitory-type accommodation (and thus enjoy a more open regime) did not have the right to refuse menial work assigned to them.

To conclude, it is therefore not surprising that a number of the lowest caste prisoners interviewed by the delegation were expressing a wish to be accommodated in a unit/block free from the control of the informal prisoner hierarchy.

59. The Committee reiterates its view expressed in the report on the 2022 visit that the situation of prisoners belonging to the lowest caste in Latvia, which in some cases could amount to modern slavery (in the form of forced labour), could be considered to constitute a continuing violation of Article 3 of the European Convention on Human Rights. Article 3 prohibits, *inter alia* all forms of inhuman or degrading treatment and obliges state authorities to take appropriate measures to prevent such treatment, including that carried out by private individuals, such as fellow prisoners.

In this regard, a reference should be made to a recent judgment of the European Court of Human Rights in the case of *D. v. Latvia* (application no. 76680/17) of 11 January 2024, where the Court has found that "life in such a hostile environment often resulted in a continuous accumulation of stress, particularly for individuals subjected to inequity, and not solely from immediate or chronic threats. The mere anticipation of such threats could also cause enduring mental harm and anxiety of an intensity exceeding the level of stress caused by detention under normal conditions. The absence of any direct State involvement in acts of ill-treatment that met the condition of severity such as to engage Article 3 did not absolve the State from its obligations under this provision. In particular, the national authorities had an obligation to take measures to ensure that individuals within their jurisdiction were not subjected to torture or to inhuman or degrading treatment or punishment, including such ill-treatment administered by private individuals." The Court accordingly found that the Latvian authorities had not taken adequate steps to protect the applicant from the treatment associated with his belonging to the lowest caste.

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53. The word *cherti* in Russian means devils. In almost all cases these were the prisoners convicted of a sexual offence.

54. Interviews carried out by the delegation confirmed the validity of the security concerns. As one prisoner told the delegation, "the paedophiles are lucky that they are hidden from us in the cells".

55. The reward mentioned by some was, for example, three packets of loose tea and three blocks of cigarettes per month, or €20 worth of products from the prison shop.

The Court further stated that it was for the Latvian authorities to draw the necessary conclusions from the judgment and to take appropriate general measures to address the issue of the informal prisoner hierarchy in a manner that would extend beyond the circumstances of this case in order to prevent future similar violations.

60. During the meeting with the Latvian authorities at the end of the 2024 visit, they informed the CPT delegation that the action plan on the implementation of the judgment in the case of *D. v. Latvia* would be approved by the Government in October 2024.

In the Committee's view, it is crucial that such a plan includes measures to convert the current dormitory-type accommodation into cellular-type accommodation, to significantly increase custodial staff numbers (including ensuring that they are adequately remunerated, appropriately trained, and motivated), to further develop prisoner reintegration (with work, education and meaningful activities), to fight against the smuggling of and trade in prohibited objects, along with provision of adequate assistance to prisoners with substance-related problems, and to overcome the pervasively harmful effects of the informal prisoner hierarchy. **The CPT trusts that all these points have been taken on board in the action plan and would like to receive a copy of the action plan once it is adopted.**

*ii. illicit drug use*

61. The management of the four prisons visited acknowledged that the number of prisoners using drugs and the volume of illicit drugs inside the prisons was increasing every year. A wide range of drugs seemed to be easily obtainable (except, to some extent, in Jēkabpils Prison); the most popular were apparently buprenorphine (Subutex), fentanyl, and amphetamine.

Illicit drugs were reportedly entering the prisons via throw-ins, crossbows, drones, visits, parcels,<sup>56</sup> and through being hidden inside lorries bringing in construction/manufacturing material or products to the prison shop. Prisoners told the delegation that one joint of cannabis cost €30, one gram of fentanyl cost approximately €50, one gram of heroin cost between €30 and €50, and one dose of Subutex could cost between €70 and €100.

62. In general, prisoners were rather reluctant to discuss anything related to illicit drugs with the CPT delegation. *Smotriashije* and *blatnyje* in all four prisons visited kept repeating that drugs were never sold and that inmates were only allowed to share them with each other for free.<sup>57</sup> However, as one staff member told the delegation, in reality inmates regularly contributed to *obschiak*, so that, when the drugs arrived, they would receive their due share.

Nevertheless, many *blatnyje* admitted that adherence to the drug sale prohibition was weakening. Furthermore, many of the lower caste prisoners interviewed by the delegation were rather bitter and disenchanted, claiming that *blatnyje* prohibited the sale publicly but were actually selling the drugs themselves.

The informal prisoner hierarchy is the key element in the illegal trade in drugs (and mobile phones) in Latvian prisons, and in their use to facilitate new crimes. In many cases, these activities are closely linked to organised crime in the community and, as such, need to be tackled much more vigorously by the Latvian authorities.

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56. The delegation was told that prisoners received parcels containing clothes (which they were allowed 12 times per year) which had been pre-soaked in synthetic cannabinoids (such as, for example, so-called Spice). After soaking the clothing item again, the liquid was evaporated leaving the substance which inmates would then smoke. Another way to hide drugs inside the parcel was reportedly to sew crushed tablets in the seams of the garment.

57. They referred to the so-called *progon* from the Latvian *vor v zakone* which allegedly forbade the sale of drugs in prisons, supposedly due to the immorality of making profit from someone's pain and illness.

The CPT is concerned that in the not-so-distant future, when prisoners no longer respect the informal drug sale prohibition and want to take a part in such a lucrative business, there will be a major increase in illicit drug smuggling into the prisons, for which the Latvian authorities seem to be ill prepared. It is therefore crucial to have a comprehensive strategy to fight the supply of drugs into prisons and to provide a full range of medical and psycho-social assistance to prisoners with drug-related problems (see more on this in paragraph 70 below).

63. Another prohibition allegedly imposed by the *vor v zakone*, which appeared only to be respected by the lowest caste prisoners, was the prohibition on using so-called hard drugs, like fentanyl or synthetic cannabinoids. *Smotriashije* and *blatnyje* in the prisons visited claimed that they were “recommending” that the inmates abstain from such drugs since they were especially dangerous, as the risk of overdosing was very high.<sup>58</sup>

Prisoners from the lowest caste interviewed by the delegation confirmed that non-compliance with this rule could lead to physical punishment. However, as with the prohibition on the sale of drugs described above, both prison staff and prisoners from the lowest caste (*levyje*) told the delegation that the ban on using hard drugs only applied in reality to *levyje*, with *blatnyje* and *muzhiki* using any drugs they wished.

The Committee notes that according to the statistics provided by the Latvian authorities, from January 2023 until May 2024, there have been 27 drug overdoses in Daugavgrīva Prison (one leading to death), one in Jēkabpils Prison, and three in Jelgava Prison (one leading to death).

64. The Committee notes that according to the Regulation of the Cabinet of Ministers of 21 June 2022 No. 357,<sup>59</sup> if there is a suspicion that a prisoner is under the influence of narcotic or other intoxicating substances, a rapid detection test is carried out.

If the rapid test is positive, further examination is carried out in a general hospital by a narcologist or other doctor with special training, in accordance with the procedure provided for in the Regulation of the Cabinet of Ministers of 2 June 2008 No. 394.<sup>60</sup>

The delegation learnt that, with the exception of Jelgava Prison, testing to detect illicit drug use was performed by healthcare staff. In the Committee’s view, this essentially non-medical task can affect the therapeutic relationship between healthcare staff and prisoner-patients. **The CPT recommends that the Latvian authorities ensure that healthcare staff in prisons are not involved in testing to detect illicit drug use for disciplinary purposes.**

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58. In reality, the reasons for such a recommendation seemed to be much less noble – the informal bosses appeared to be seeking to avoid the attention and increased supervision and searches which would inevitably follow a prisoner’s death from a drug overdose. As one inmate told the delegation, if a prisoner overdosed and died, the whole cell could expect to be punished by the informal bosses.

59. Procedure for examining a person in a place of imprisonment to determine whether they have used alcohol, narcotics or other intoxicating substances.

60. Procedure for detecting the influence of alcohol, narcotic, psychotropic or toxic substances.

65. The Latvian authorities provided statistics regarding the number of rapid tests performed in the four prisons in 2022, 2023 and the first quarter of 2024, and on the number of positive results.

Table 4

	Tests for narcotic or other intoxicating substances					
	2022		2023		1st quarter of 2024	
	Total	Positive tests	Total	Positive tests	Total	Positive tests
<b>Daugavgrīva</b> (capacity 1191)	46	23	65	30	9	6
<b>Jēkabpils</b> (capacity 422)	44	6	35	9	19	2
<b>Jelgava</b> (capacity 374)	59	21	66	24	44	17
<b>Valmiera</b> (capacity 506)	1	1	17	7	2	2

66. The delegation was informed that, in all prisons visited, the majority of prisoners were refusing to take drug tests (rapid detection and/or in a hospital).<sup>61</sup> This was explained by the simple fact that, according to Article 253<sup>2</sup> of the Criminal Code, unauthorised use of narcotic or psychotropic substances, committed by a person who had already been warned regarding criminal liability for such use, would lead to deprivation of liberty or probationary supervision, or community service, or a fine. Thus, prisoners were reportedly choosing to receive a disciplinary sanction for refusing a test in order to avoid an additional criminal sentence.<sup>62</sup>

The Committee notes that the number of drug tests performed in each of the four prisons seems to be very low considering their official capacities and turnover. However, as the delegation was informed, the Prison Administration did not collect statistics on refusals to have a drug test, therefore, the available statistics in Table 4 can only present a very distorted picture of the number of inmates deemed to be using drugs, preventing the Committee from drawing further conclusions. **The CPT recommends that the Latvian authorities ensure the collection of this statistical data.**

67. Despite the rather widespread use of drugs, including intravenously, the only therapeutic and prevention measure in place in the prisons visited was opioid agonist therapy (methadone and buprenorphine), and even this was not available in Jēkabpils and Valmiera Prisons. Furthermore, under the regulations in force, prison doctors had reportedly no mandate to initiate opioid agonist therapy (OAT); it was only available to those prisoners who had already been receiving such treatment prior to their imprisonment.

The CPT considers that prison should provide an opportunity to address drug use concerns prior to prisoners returning into the community. Given the disproportionate numbers of drug users and the prevalence of HIV, Hepatitis, TB etc. in prisons, the range of services provided should arguably be higher than that in the community. The assistance offered to prisoners with drug-related problems should be varied; detoxification programmes with OAT for patients with drug dependence should be combined with psychosocial and educational programmes. This can best be achieved by close cooperation and communication between prisons and community services, and by integrating prison drug strategies into national strategies.

61. This was confirmed by the information in the registers on disciplinary violations, where refusal to take a drug test was the most frequent violation in all prisons visited.

62. Accordingly, in 2023, there were only two cases of criminal proceedings initiated into unauthorised use of narcotic or psychotropic substances by a prisoner.



Further, prison staff should be educated and trained on harm reduction and OAT, as well as in destigmatisation and the human rights of the drug-using population. More importantly, the approach taken by staff should change to one acknowledging that drug dependence is a condition requiring therapeutic assistance.

68. The Committee also notes that there were no harm reduction interventions to reduce the transmission of blood-borne viruses (needle and syringe exchange programmes, access to condoms, health promotion interventions focused on safer injecting behaviour and reduced sexual risk behaviour etc.). It was therefore not surprising to learn of new cases of HIV and Hepatitis C in the prisons visited.<sup>63</sup> Such a state of affairs is threatening the health and, indeed, even the lives of prisoners and, potentially, also those of prison staff, as well as perpetuating prisons as a reservoir of such diseases which spill back into the community.

**The CPT recommends that the Latvian authorities initiate OAT and the other above-mentioned harm reduction measures in all prisons as a matter of priority. Information, education and counselling on harm reduction should be widely implemented, including raising awareness on the risks of overdosing. Full information on the existence of such harm reduction measures should be given to prisoners by healthcare staff immediately after admission, using relevant and comprehensible formats as required.**

69. The Committee is further concerned to note that the informal prisoner hierarchy in Latvia appears to be powerful enough to sabotage the work of the Olaine addiction treatment centre.<sup>64</sup> As the delegation learned during the visit, since its opening almost eight years ago, the centre has not even operated at half of its capacity<sup>65</sup> due to an informal prisoner hierarchy ban on prisoners from any caste other than the lowest one, *levyje*, attending the centre.<sup>66</sup> Further, as the delegation learnt from interviews with prisoners, even *levyje* upon returning from the Olaine Centre, sometimes had to be accommodated in a separate unit for security reasons like, for example, in Jēkabpils Prison.

This is another very sobering example of how the existence of the informal prisoner hierarchy in Latvia is negatively affecting the health of hundreds of prisoners in need of assistance for addiction-related problems; if an urgent solution is not found, the situation will only get worse. **The Committee would like to receive information on the steps being taken by the Latvian authorities to ensure that the Olaine addiction treatment centre can fully function, and that accommodation therein is not *de facto* limited to the lowest caste prisoners only.**

70. As stated by the CPT in numerous reports, providing support to persons who have drug-related problems is far from straightforward, particularly in a prison setting. The approach towards substance use in prison should be part of a national drugs strategy, and should have, *inter alia*, as its goals:

- decreasing the supply of drugs into prisons;
- provision of medical and non-medical interventions (that is, psycho-social and educational programmes);
- provision of OAT to opioid-dependent prisoners at any stage of their imprisonment and other harm reduction measures;

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63. In 2023, four prisoners tested HIV positive in the prisons visited. In 2024, there was one such prisoner. As regards Hepatitis C, in 2023, 13 prisoners tested positive in the prisons visited and, in 2024, there were 59 such prisoners. The Committee notes that anti-retroviral therapy was available.

64. The Centre reportedly offered two rehabilitation programmes – *Atlantis* (based on working with the person's past and present) and *Pathfinder* (more focused on developing social skills for reintegration).

65. With an official capacity of 50, at the time of the CPT visit, there were only 20 prisoners in the Centre.

66. Reportedly, many prisoners applied to go to the Olaine Centre because it was a requirement in their individual sentence plan. However, despite applying, only a very small number, and only *levyje* or those ready to be demoted, actually went there, due to the informal prohibition.

Allegedly, the main obstacle was the fact that, in the Olaine Centre, inmates from different castes had to keep their food in the same fridges, use the same kettles, eat at the same table etc. *Smotriashije* interviewed by the delegation claimed that they were ready to "lift the ban" if the Prison Administration ensured that prisoners from different castes could co-exist separately in the Centre as they did in prisons but, according to them, the authorities were not willing to make such a compromise.

- ensuring there is appropriate throughcare;
- developing standards, monitoring and research on drug issues;
- provision of staff training and development.

The policy should also highlight the risks of HIV or hepatitis B/C infection through substance use, and address methods of transmission and means of protection. It goes without saying that the multi-disciplinary task of drawing up, implementing and monitoring the programmes concerned must be performed by prison staff, in close cooperation with healthcare and other (psychosocial-educational) staff involved.

**The CPT recommends that the Latvian authorities develop and implement a comprehensive strategy to fight the supply of drugs into prisons and to provide a full range of medical and psychosocial assistance to prisoners with drug-related problems, considering the above remarks.**

*iii. lack of staff presence in accommodation areas*

71. Beyond the informal prisoner hierarchy and the effects of illicit drugs within the prisons, a third major reason contributing to inter-prisoner violence (and indeed to the strong influence of the informal prisoner hierarchy) in the prisons visited, is the lack of an adequate staff presence inside prisoner accommodation areas, as witnessed by the delegation and acknowledged by the prisons' management.<sup>67</sup> Table 5 below gives information on the custodial staff present in the accommodation areas of the four prisons visited in 2024, as well as information regarding vacancies of such staff.

Table 5

	<b>Custodial staff present in the accommodation areas (24-hour shifts)</b>	<b>Complement of such staff</b>	<b>Vacancies of such staff</b>
<b>Grīva section</b> (675 prisoners during the visit)	21	173	5 (3%)
<b>Jēkabpils</b> (264 prisoners)	10	56	18 (32%)
<b>Jelgava</b> (273 prisoners)	11	64	10 (16%)
<b>Valmiera</b> (217 prisoners)	10	79	30 (38%)

In the Committee's view, these numbers are totally inadequate to fulfil the duty of prison staff to protect prisoners from other inmates who might wish to cause them harm, or to prevent the influx of illicit drugs into the prisons and their subsequent sale once inside. Furthermore, the current staffing numbers and approach do not allow for the development of a dynamic security approach or for the establishment of meaningful contact between custodial staff and prisoners, which would enable staff to understand the needs of prisoners, assist them with daily living issues, and motivate them to engage in purposeful activities.

As one prisoner told the delegation, "everything here is an imitation, we imitate discipline, staff imitate resocialisation". In the Committee's opinion, grossly insufficient staff numbers are a key reason for such "imitation".

67. The prisons' managements told the delegation that they were expected by the central authorities to carry on with all of the same and expected duties but with ever-decreasing staff numbers.

72. As the delegation learnt from its interviews with prisoners and staff, most supervision in the dormitory accommodation was performed by prison staff passing by on rounds several times per day, and in the blocks with cells by manning fixed posts and letting prisoners in and out of their cells as required.

Indeed, the numbers of custodial staff present in prisoner accommodation areas in the prisons visited were so low (the ratio mostly fluctuating from 22 inmates to one member of staff, to as much as 32 to one, with a regime that allowed for little contact between staff and inmates), that the CPT could not avoid the impression that staff (and the management) of these prisons had been left to struggle, from day to day, with totally insufficient human resources, without adequate funding, and without the necessary support from the Latvian authorities.

Moreover, during discussions with staff, the delegation heard many doubts as to whether the Prison Administration would be able to find enough staff for the new prison in Liepāja, which is due to open in 2026 with an official capacity almost four times larger than the current prison there. As Liepāja is a long distance away from the majority of other prisons, there were many reservations as to whether it would be able to attract the staff from the prisons which would be closed once it had opened.

73. In the Committee's view, the problem of inter-prisoner violence cannot be solved without the management and staff regaining control over the situation in prisons, instead of relinquishing power to the informal prisoner hierarchy and its leaders. To achieve this, custodial staff must be able to exercise their authority in an appropriate manner. This implies, *inter alia* that the level of staffing must be sufficient to enable prison officers to adequately supervise the inmates, support each other effectively in the performance of their tasks and communicate with prisoners in meaningful ways, building trust and faith in their ability to protect them. Low numbers of custodial staff in prisoner accommodation areas increase the risk of both violence and intimidation between prisoners, and the tension between staff and prisoners, as well as precluding the development of the necessary positive relationships between them.

**The CPT once again calls upon the Latvian authorities to find an urgent solution to significantly increase the numbers of custodial staff working in direct contact with prisoners by providing them with much more attractive working conditions, and to ensure that they are adequately remunerated, appropriately trained, and motivated. If this is not achieved, decreasing the influx of illegal drugs and eradicating the influence of the informal prisoner hierarchy, and thereby substantially reducing inter-prisoner violence, will be virtually impossible.**

**Steps should also be taken to abolish the 24-hour shift pattern for custodial staff since it has an inevitably negative effect on professional standards; related staff concerns should be addressed as necessary.**

**Finally, the Committee would like to receive information on how the Latvian authorities intend to guarantee a full staffing complement in Liepāja Prison once it enters into service.**

### **3. Other issues regarding healthcare in prison**

74. The Committee notes with concern that access to psychiatric care for prisoners in the four prisons visited was inadequate, despite the presence of many inmates with mental health issues, in particular linked to addiction problems. The situation was particularly difficult in Jēkabpils and Valmiera Prisons, which received no input from a psychiatrist at all. In the CPT's view, the regular presence of a psychiatrist in prison enables prisoners with mental health problems to be identified in good time and given appropriate treatment.

**The CPT recommends that urgent steps be taken to ensure the regular presence of a psychiatrist in every prison.**

75. Furthermore, the Committee learned that there was no systematic screening for tuberculosis upon admission to Valmiera Prison.

**The CPT recommends that the Latvian authorities ensure that newly arrived prisoners in all prisons undergo a comprehensive medical examination (including systematic TB screening) by a doctor or a qualified nurse within 24 hours of admission, followed by voluntary testing for HIV and hepatitis B/C.**

76. The Latvian authorities informed the Committee about their plans to place the Prison Hospital under the authority of the Head of the Prison Administration as a separate and independent unit, from 2025. According to the authorities, this will allow more optimal remuneration of healthcare staff to be ensured, as well as improve the overall management of the provision of healthcare in prison. The authorities also informed the CPT about the plans to increase cooperation with the Ministry of Health, in particular on the provision of psychiatric care to prisoners.

The CPT notes in this regard that the policy trend in Europe has favoured prison healthcare services being placed, either to a great extent or entirely, under the responsibility of the Ministry of Health.<sup>68</sup> In principle, the CPT supports this trend. In particular, it is convinced that a greater participation of health ministries in this area (including as regards recruitment of healthcare staff, their in-service training, evaluation of clinical practice, certification and inspection) will facilitate the provision of good quality healthcare for persons held in prison, as well as the implementation of the general principle of equivalence of healthcare in prison with that in the wider community.

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68. See also Rules 40.1 and 40.2 of the European Prison Rules and the Commentary to these rules.