



# Protocols for treatment of mentally challenged offenders in Forensic Facilities

Ensuring justice

Enhancing human rights protection  
for detained and sentenced persons  
in Bosnia and Herzegovina

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**PROTOCOLS FOR TREATMENT OF MENTALLY  
CHALLENGED OFFENDERS IN FORENSIC  
FACILITIES**

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## Foreword

These Protocols have been prepared for staff at the Public Health Care Facility of the Institute for Forensic Psychiatry Sokolac within the Joint Programme of the European Union and the Council of Europe Horizontal Facility for the Western Balkans and Turkey I - "Enhancing human rights protection for sentenced and detained persons in Bosnia and Herzegovina".

The purpose of the Protocols is three-tiered and they may be used as:

- supporting material in the initial training of newly employed staff, i.e., as a way to introduce the topic of human rights protection
- assistance in professional development of more experienced medical staff in the area of human rights protection
- basis for future operational procedures or instructions for some work posts at the Public Health Care Facility of the Institute for Forensic Psychiatry Sokolac

The Protocols and standards of human rights protection for forensic patients contained in this paper are not meant to replace in any way the existing good practice, but instead to enrich and complement it by recommendations provided by European Committee for Prevention of Torture, Inhumane and Degrading Treatment or Punishment (CPT).

For the purpose of this paper, the protocol means a series of steps to be undertaken in a sequence, as a response to a certain situation implying the risk of violation of human rights of forensic patients.

The Chapter "Control and Restraint" relates to staff at the Public Health Care Facility of the Institute for Forensic Psychiatry Sokolac dealing directly with patients and does not in any way prejudice the description of duties of medical staff or security department employees.

Sections of the Protocols are based on the previously prepared Training manuals on core and advanced competencies for prison staff, the Guidelines on dealing with persons deprived of liberty in closed environment and the Protocols for enhancing health care and human rights in closed environment.

The languages in which the documents are written are Bosnian, Serbian and Croatian, in accordance with personal preferences of the authors. The alphabets used in the texts are Latin and Cyrillic- reflecting personal preference of the authors as well.

All references to staff in this paper are equally made to both male and female persons and do not in any way prejudice gender identity.

The Protocols' legal framework is based on the following pieces of legislation:

- the Law on health care
- the Law on health insurance

- the Law on patients' rights, obligations and responsibilities
- the Law on apothecary
- the Law on blood and blood derivatives
- the Law on transplantation of organs and tissues for treatment purposes
- the Law on the protection of citizens from transmissible diseases
- the Law on the protection of persons with mental disorders
- the Law on improving the systems of quality, safety and accreditation in the health care sector
- the Law on medicines and medical equipment
- the Law on radiation and nuclear security in BiH
- the Law on managing medical waste
- the Law on preventing misuse of drugs
- the law on records in the health care sector
- the Law on dentistry
- the Law on restricted use of tobacco derivatives
- the Law on medicines in the Federation of BiH
- the Law on medical profession
- the Law on nurses and midwives

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The purpose of Protocols and human rights standards contained herein is not to replace the good existing local practices but to complement and enrich them with recommendations of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT). The Council of Europe, as the implementing partner in the project, believes that this material will directly contribute to upholding human rights and that will also be a valuable complement to the institutional training framework in the Public Health Care Facility of the Institute for Forensic Psychiatry Sokolac.

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The Council of Europe is the continent's leading human rights organisation. It comprises 47 member states, including all members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.

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