

DEALING WITH PRISONERS WITH MENTAL DISORDERS

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The various facilities currently holding prisoners with mental disorders

- **Prisons / pre-trial detention centres** in which:
 - prisoners are mixed in with other prisoners or,
 - grouped together in small separate units.
- **“Forensic medicine” wards/departments**
 - separate facilities,
 - forming part of a prison,
 - forming part of a civil mental hospital.
- **Civil mental hospitals**

Which of these various facilities is best ?

- What matters most for patients is to receive appropriate care, regardless of the type of facility (European Court of Human Rights)
- In its 1992 general report, the CPT stated that “That facility could be a civil mental hospital or a specially equipped psychiatric facility within the prison system.”

CPT RECOMMENDATIONS

➔ **PSYCHIATRIC CARE IN PRISONS**

A doctor qualified in psychiatry

➔ **PSYCHIATRIC CARE IN NON-PRISON HOSPITAL SETTINGS**

Difficult to implement

COUNCIL OF EUROPE REGULATIONS AND CASE LAW

European Prison Rules

43.1 The medical practitioner shall have the care of the physical and mental health of the prisoners

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- **EUROPEAN COURT OF HUMAN RIGHTS**

- The judgments are relatively disparate.
- In most cases, the Court ruled against States Parties on the ground of the overall inadequacy of the psychiatric care provided.

SOME OTHER INTERNATIONAL INSIGHTS

- **FRANCE**
- **NETHERLANDS**
- **SWITZERLAND**
- **ALBANIA**
- **FEDERATION OF RUSSIA**

ALBANIA

SKVs : Facilities holding prisoners with various mental disorders.

- **Prisoners are free to refuse to be assigned to them.**
- **Presence of a nurse round the clock and of a psychologist during the day**
- **outdoor exercise and some workshops separate**
- **no compulsory chronic psychiatric treatment but, in emergencies, the psychiatrist can order compulsory treatment for a maximum of 72 hours.**

TURKEY

R-type prisons

- In normal prisons, in addition to problems of access and lack of appropriate medical and psychosocial care, the prisoners concerned may face discrimination, stigma and inappropriate measures taken by prison staff.
- Prisoners with psychiatric disorders are under harassment, exploitation and segregation from the rest of the prison population.

PRELIMINARY CONCLUSIONS



- It is an enormous and dramatic problem
- The European Prison Rules have to be amended, completed
- But it is important not to be too pretentious and to start step by step, may be by creating special wards/units in the penitentiary system.