A call for an end to solitary confinement



© 2017 Daniel Soekov for Human Rights Watch. A prisoner lies in his solitary confinement cell in the safety unit at Lotus Glen Correctional Centre, northern Queensland.

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New research from The University of Queensland has called for an end to solitary confinement in Queensland prisons because of the impact on the mental and physical health of prisoners.

The multidisciplinary report (https://bel.uq.edu.au/research/human-rights/solitary-confinement) was co-authored by Law School (https://law.uq.edu.au/) researcher Professor Tamara Walsh (http://researchers.uq.edu.au/researcher/1463), Director and Principal Solicitor of Prisoners' Legal Service (http://plsqld.com/) (PLS) Helen Blaber and a team of UQ students and PLS volunteers.

The report found many Queensland prisoners are held in solitary confinement for extended periods, some for years, while prisoners with mental health conditions receive inadequate treatment.

Professor Walsh said this was concerning as solitary confinement causes severe, sometimes-permanent psychological harm and worsens pre-existing mental health conditions.

"In solitary confinement, prisoners are isolated in their cells for at least 22 hours per day with little to no contact with others and limited mental stimulation and access to fresh air and natural light," Professor Walsh said.

"It's not uncommon for these prisoners to show signs of psychosis, engage in self-harm and obsessive-compulsive behaviours, become hypersensitive to noise or develop a fear of open spaces.

"As a result, United Nations bodies have determined solitary confinement should only be used as a last resort for periods of 15 days or less, and courts worldwide have conceded these conditions may breach fundamental human rights.

"However, in Queensland, 'separate confinement' is the default option for managing prisoners' behavioural and mental health issues, and there are no hard legal limits on its duration."

Ms Blaber said she had partnered with UQ out of concern for her clients in solitary confinement across the state.

"During this time of COVID-19 shutdowns and restrictions, it can feel as though we are all in solitary confinement of sorts," Ms Blaber said.

"But for many of our clients in Queensland prisons, this is their daily reality – the difference is they have no smart phone or internet and sometimes they don't even have a pen and paper.

"All of the things we can do to keep ourselves well during isolation are just not possible for people in prison.

"Additionally, although Queensland legislation outlines minimum requirements for prisoners in solitary, these requirements don't comply with international best practice, and there is a disconnect between the law, policy and practice.

"For example, prisoners can be placed in cells without access to running water or power and some aren't given the chance to exercise outside for at least two daylight hours per day as required by law."



Legal perspectives on solitary confinement in Queensland (https://vimeo.com/417823405) from UQ BEL Faculty (https://vimeo.com/uqbelfaculty) on Vimeo (https://vimeo.com) .

The research team interviewed Queensland prisoners' lawyers and advocates and analysed client files to learn about prisoners' lived experiences in solitary.

Based on their findings, Professor Walsh said their key recommendation was to abolish solitary confinement.

"We understand solitary confinement can't be eliminated overnight," Professor Walsh said.

"However, there are interim best practice measures that can be taken immediately to improve wellbeing and behavioural outcomes for prisoners in solitary, as well as legitimate, safe and workable alternatives to solitary confinement that focus on prisoner rehabilitation."

Ms Blaber said the report would provide PLS with a single resource to support its client advocacy and legal arguments.

"We hope this may create a pathway to developing alternative measures in Queensland, which we believe will improve the wellbeing of vulnerable people in prison and promote community safety," she said.

Professor Walsh, Ms Blaber and a group of Australian and international solitary confinement experts will answer questions about this report during an upcoming panel discussion video. Find out more and submit your questions here (https://bel.uq.edu.au/human-rights/solitary-confinement-panel).

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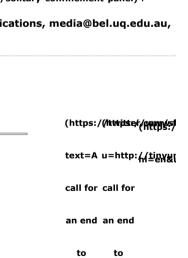


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