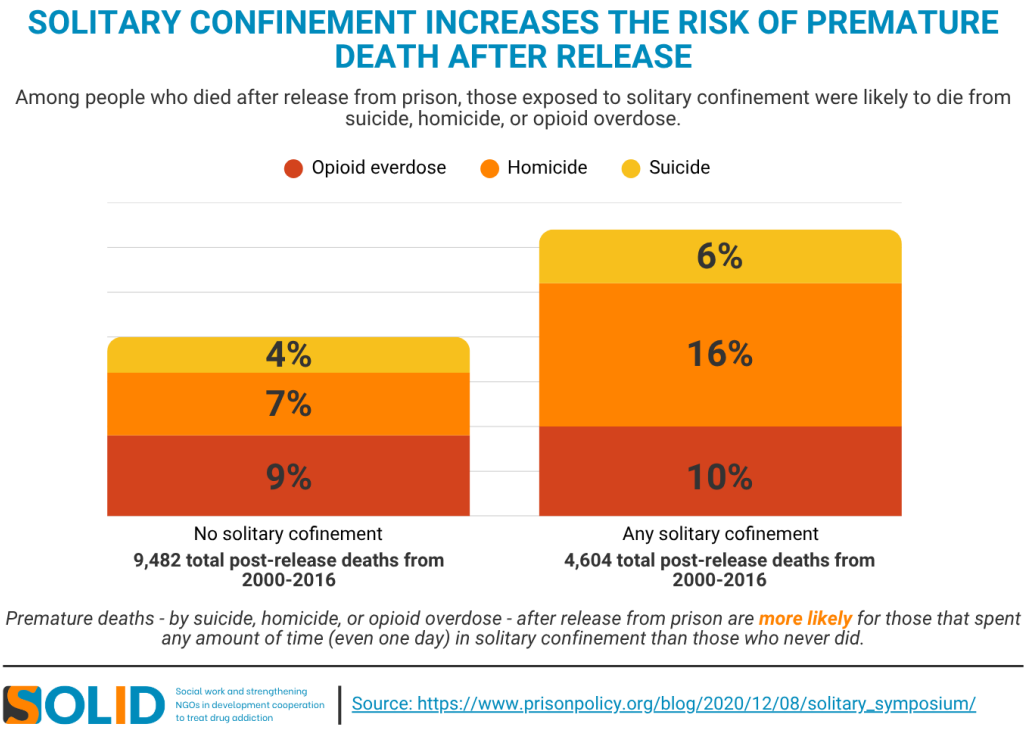
Module 9. Key areas: Restriction of solitary confinement

9.1 Restriction of solitary confinement

These materials will help participants to understand why solitary confinement is a form of torture.

In 2020, around 55,000 to 62,500 people spent the last 15 days in solitary confinement in state and federal prisons, sometimes in cells smaller than a parking space. Recent studies indicate that being in solitary confinement makes lives shorter, even after release. The effects of solitary confinement on mental health can be lethal. Even though people in solitary confinement comprise **only 6% to 8% of the total prison population**, they account for approximately half of those who die by suicide (Kupers, 2008).



Solitary confinement, also known as segregation or isolation, including "special housing units", "administrative segregation", "disciplinary segregation" and "restrictive housing" is a form of imprisonment in which an inmate is confined to a small cell for 22 to 24 hours a day with minimal human contact or environmental stimulation. Solitary confinement should only happen in rare situations, and if it lasts more than 15 consecutive days, it's considered a form of torture.

The problem has gained attention due to reports from various countries where solitary confinement has been used as a punishment, especially for political prisoners. An example is the case of Nelson Mandela, an anti-apartheid activist, and lawyer who spent 27 years in prison, much of it in isolation. Mandela later called solitary confinement the toughest part of prison life. Because of the harmful effects of isolation, the prison standards named after him, the Mandela Rules adopted in 2015, emphasize the ban on solitary confinement, considering it a practice that clearly violates human dignity.

Rule 43 of the Mandela Rules prohibits 'indefinite solitary confinement' and 'prolonged solitary confinement'; Rule 45 states that 'solitary confinement shall be used only in exceptional cases as a last resort, for as short a time as possible and subject to independent review'. To be exact, the Mandela Rules specify that prisoners should not be subjected to solitary confinement for longer than 14 days.

The use of solitary confinement typically involves the following conditions:

- Isolation: Inmates are isolated in small cells, often with no cellmate, and have limited interaction with other prisoners or staff.
- Limited Activities: Inmates in solitary confinement have restricted access to recreational activities, education, work, and social programs.
- Minimal Human Contact: Interaction with prison staff is often limited, and contact with family and friends may be severely restricted.
- Restricted Movement: Inmates may have limited access to the outdoors and are usually confined to their cells for extended periods.

There are many reasons why the use of solitary confinement should be restricted - they have severe mental and physical health consequences. Inmates may experience depression, anxiety, hallucinations, and other psychological disorders. The lack of physical activity and exposure to natural light can also lead to physical health issues. It has to be mentioned that solitary confinement does not promote rehabilitation, as inmates have limited access to educational and rehabilitative programs.

Despite this knowledge of its adverse consequences, solitary confinement is still widely applied in the prison system. To address these concerns, many countries and organizations have called for restrictions on the use of solitary confinement, especially for vulnerable populations. Human rights organisations such as the American Civil

Liberties Union have therefore set up public cam paigns to address the problematic use of long-term solitary confinement in the prisons (ACLU, 2022).

Solitary confinement should be a measure of last resort, used for the shortest duration necessary, and subject to independent oversight to protect the rights and well-being of inmates. Reforms include limiting the duration of confinement, improving the conditions in isolation units, providing mental health support, and enhancing oversight and transparency to prevent abuse and human rights violations.

References

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