



EAST WEST UNIVERSITY

DISSERTATION

On

Solitary Confinement in Bangladeshi Prison a Comparative Study

Course Title: Supervised Dissertation

Course Code: Law 406

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Department of Law

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ID: 2018-2-63-002

Semester: Fall – 2023

Word Count: 6602 (Excluding Footnote and Bibliography)



Consent Form

The dissertation titled “**Solitary Confinement in Bangladeshi Prison a Comparative Study**”
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406(Supervised Dissertation) for LL.B (Hons.) degree offered by the Department of Law, East
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Acknowledgement

I am deeply grateful to my supervisor Mohammed Shahjalal for his guidance and assistance throughout this project. His guidance helped me finish my thesis. Mohammed Shahjalal guided my research and provided valuable criticism throughout the thesis creation process. His passion to quality, deep area knowledge, and readiness to invest time and effort in my academic advancement helped me finish this thesis. I appreciate his patience, support, and constructive critique, which improved this work and deepened my comprehension of the subject.

In conclusion I would like to thank my Chairperson & Assistant Professor Dr. Dr. Nabaat Tasnima Mahbub and former Chairperson & Assistant Professor Dr. Md. Mehedi Hasan also thanks Professor Dr Romana Islam.

Also, to my family members, specially, my parents for their continuous support and encouragement for me to pursue a Bachelor of Law as I always had thirst and passion on this subject.

Declaration

I, Mt. Asmaul Husna, Student ID: 2018-2-63-002, declare that the work in this dissertation titled “**Solitary Confinement in Bangladeshi Prison a Comparative Study**” has done by me. This is my original work and the information used for this research has been duly acknowledged. I have not published this work in any, website, Newspaper or Journal.

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Abstract

The topic “Solitary Confinement in Bangladeshi Prison and Comparative Study” Solitary confinement, a controversial practice in corrections involves isolating individuals in a confined space for extended periods. This abstract explores its psychological and physical effects on prisoners raising ethical concerns about potential human rights violation. The discourse includes debates on its effectiveness as a disciplinary tool and the ongoing efforts to reform or abolish solitary confinement within the criminal justice system.

List of Abbreviation

SC	Solitary Confinement
SHU	Special Housing Unit
ADSEG	Administrative Segregation
SMU	Security Management Unit
PC	Protective Custody
ICR	Involuntary Cell Restriction
SEG	Segregation
MAX	Maximum Security
23/1	23 Hours in Confinement, 1 Hour Out
ASU	Administrative Segregation Unit

Solitary Confinement in prison

Chapter-1

1.1 Introduction:

A comparative study of Solitary confinement and traditional prison setting reveals distinct differences in their impact on mental health .Solitary Confinement characterized by isolation for 22 to 24 hours a day, often leads contrast, traditional prisons provide more social interaction but they may foster violence and limited rehabilitation opportunities .Balancing the need for security with humane treatment remains a challenge in both systems, promoting ongoing debates on reforming prison practices .While it's used for various reasons, concerns exist about its impact on mental health. Critics argue it can lead to severe psychological effects ,prompting discussions on it's ethical implications and alternatives. . This thesis covers the topic of solitary confinement in Prison ,In the Second Chapter it covers the overview of Solitary confinement ,In third Chapter it covers the topic “Effects of Solitary Confinement”. In fourth Chapter it covers the topic “which country uses Solitary Confinement the most? The fifth Chapter covers the “Conclusion “ part.¹²

1.2 Aims and objective of Solitary Confinement in Prison:

The purported aims and objectives of Solitary Confinement in prison typically included:

Inmate Safety : Isolating certain individuals is seen as a measure to protect both inmates and staff when an individual poses a threat to others.

Punishment and Deterrence: It used as a tool to deter inmate from engaging in disruption or violent behavior.

Security Measures:

Isolation is employed to control high risk inmates, preventing them from coordinating with others to carry out illicit activities within the prison.

¹<https://www.apr.ch>dfd> .solitary.

² Lobel, “PROLONGED SOLITARY CONFINEMENT AND THE CONSTITUTION.”

However, critics argue that the prolonged use of Solitary confinement can lead to severe mental health issues and question its effectiveness. Security concerns with the humane treatment of prisoners remains a subject of ongoing debate and reform efforts.

1.3 The Justification and significance of Solitary Confinement are often due to the following reasons:

Inmate Safety and Security:

Solitary Confinement is justified as a measure to ensure of both inmates and prison staff by isolating individuals who may pose a threat to others. It helps prevent violence and disruptions within the prison environment.

Preventing Gang Activity:

Isolation can be used to separate individuals involved in gang activities, preventing them from coordinating or exerting influence on other inmates.

Protecting Vulnerable Inmates:

In some cases, Solitary Confinement is used to protect vulnerable inmates, such as those from others. This may include individuals with a history of victimization or those who require special protection.

However, the significance of solitary confinement is often questioned due to concerns about its long term effects on mental health, the potential for abuse and its limited success in achieving rehabilitation and addressing the root causes of inmate behavior may be more

effective in the long run. Ongoing efforts seek to balance the need for security with ethical and human treatment of prisoners.

1.4.Literature Review:

The research on solitary confinement in prison would encompass studies exploring its psychological effects, impact on mental health, potential for rehabilitation and ethical considerations. The author P.S smith delves into the long- term consequences for inmates subjected to isolation, examining factors such as increased rates of depression, anxiety and even hallucinations. Scholars also discuss alternative methods of punishment and rehabilitation that might be more effective and humane than solitary confinement. Additionally ethical debates resolve the balance between maintaining order in prisons and respecting human rights. A literature review on solitary confinement reveals a broad spectrum of perspective .Studies highlight the psychological toll ,potential long-term effects on mental health and exhibit risk of self -harm among isolated inmates .Some research suggests alternatives like rehabilitative programs could be more effective in addressing issues. However, debates persist on balancing security needs with humane treatment in correctional systems.

1.5 Research Questions:

How does legally prolonged Solitary confinement impact the mental health and overall well being of inmates?

1.6 Methodology :

A comprehensive methodology for researching Solitary Confinement in prisons could involve both quantitative and qualitative approach. Select a diverse sample of inmates who have experienced solitary confinement, considering factors such as duration, age, gender and

offence type. Compare this group with a control group of inmates who haven't experienced solitary confinement. Gather numerical data on mental health, indicators. For example : depression, anxiety, behavioral changes and rehabilitation outcomes through standardized surveys and assessments .Conduct in depth interviews and focus group discussions with inmates, prison staff and mental health professionals to capture personal experiences, perspectives and contextual insights. Administer validated psychological assessments to measure the cognitive and emotional well- being of inmates before during and after solitary confinement. Analyze official prison records to track incidents of self harm,disciplinary actions and any observable changes in behavior during and post - solitary confinement. Incorporated a thorough review of existing literature to contextualize findings and identify gaps in current knowledge. Remember to adapt the methodology based on the specific goals of your research and the available resources.

1.7 Limitations and Scope of Research :

Ethical considerations may restrict to extent of data collection, particularly in sensitive areas such as psychological assessment and personal interview. Long- term follow up may be hindered by factors such as inmate transfers, parole or disengagement from the study potentially impacting the ability to track the enduring effects of solitary confinement. The research primarily concentrates on the psychological impact of Solitary confinement, potentially overlooking broader aspects of rehabilitation social reintegration and institutional policy implications. The scope might be confined to a specific region or country and findings may not be universally applicable due to variations in prison system and practices globally. Clearly outlining these limitations and the scope of the research helps contextualize the

study's findings and informs readers about the constraints and considerations affecting the interpretation of result.³⁴

1.8 Conclusion:

The effects of solitary confinement vary, but many studies suggest it can lead to serious psychological consequences ,including anxiety and depression .Some argue for its limited use ,while others advocate for alternative approaches to prison discipline and rehabilitation. The practice of isolating prisoners does not have a historical for most of country's history, the act was frowned upon.

³ Suedfeld et al., "Reactions and Attributes of Prisoners in Solitary Confinement."

⁴ Metzner and Fellner, "Solitary Confinement and Mental Illness in US Prisons: A Challenge for Medical Ethics."

Chapter- 2

Solitary confinement in Prison, A brief overview

2.1:Introduction:

Solitary confinement, a controversial prison practice, entails isolating inmates in small cells for most of the day, often as a disciplinary measure or for protective purposes. The ethical implications and potential psychological impacts of prolonged isolation have sparked debates within the criminal justice system. Critics highlight concerns about mental health, which proponents argue for its necessity in maintaining prison order and security. This Chapter covers in the Second part" Concept of Solitary Confinement " In third part the" Cell Confinement" in the fourth part cases and judgement of Solitary Confinement in Prison, In the fifth part" Conclusion “.⁵

2.2: Concept of Solitary Confinement:

Solitary Confinement is a form of punishment where an inmate is isolated from human contact for extended periods. It's intended for disciplinary or protective reasons, but its psychological impact is significant. Prolonged isolation can lead to severe mental health issues, sparking debates on its ethical implications and long term effects on prisoners. Solitary confinement is significant in the context of prison discipline, as it aims to isolate disruptive or dangerous inmates. However, it has drawn criticism for potential severe psychological consequences, such as anxiety, depression and hallucinations raising ethical

⁵ Ibid n 3 and n 4.

and human rights concerns. Balancing security needs with the well-being of prisoners remains a complex issue in criminal justice systems.⁶

2.3 Cell Confinement:

Cell Confinement typically refers to the restrictions or confinement of cells, often in a laboratory setting. This can be done for various purposes, such as studying cell behaviour ,conducting experiments or creating controlled environments for cell cultures .The Confinement can be achieved through techniques like microfluidic devices, cell culture chambers or specialized substrates. If someone has a specific aspect or application in mind, feel free to provide more details for a more targeted response.⁷

2.4 Relevant Cases

There have been numerous cases highlighted concerns and controversies surrounding solitary confinement. One notable example is the case of Kalief Browder spent almost two years in pretrial solitary confinement at Rikers Island, facing harsh conditions and no conviction. His tragic story brought attention to the negative impact of prolonged solitary confinement on mental health and raised awareness about reforming the practice.⁸

Additionally , various human rights organizations continuously advocate against the use of solitary confinement due to it's potential for severe psychological effects. For the latest and specific cases ,I recommend checking recent legal news sources or human right reports.⁹

Second Case: Detainee Jose Padilla.

⁶ Matei, "Solitary Confinement in US Prisons."

⁷ ibid

⁸ Ibid n 6

⁹ Ibid n 6

Jose Padilla, a U.S citizen ,was detained in 2002 and held as an enemy combatant by the U.S government. He was initially accused of planning to detonate a dirty bomb and held in military custody without formal charges.Padilla’s detention raised legal and constitutional questions about the scope of executive power.

Eventually, Padilla was transferred to civilian custody and in 2007, he was convicted on unrelated charges of conspiracy to commit terrorism. However, his case raised concerns about the government’s use of prolonged detention and the treatment of detainees. It underscores the legal complexities surrounding the handling of individuals accused of terrorism related activities, particularly in the post 9/11 era.

3rd Case:

Certainly, one notable case involving solitary confinement is that of Kalief Browder. Browder, a young man from New York city, spent nearly two years in pretrial solitary confinement at Rikers Island. His case gained significant attention as he faced harsh conditions and ultimately took his own life after his release. Browder’s story became a catalyst for discussions about the detrimental effects of solitary confinement on mental health and the need for criminal justice reform. It underscored the challenges associated with extended periods of isolation in prison.

In Fourth Case:

The Madrid Case

Judicial position on supermax prisons, which are high security facilities often using long term solitary confinement has been a subject of legal and human rights scrutiny. Courts have addressed concerns related to the conditions within supermax prisons, particularly the prolonged isolation of inmates. Challenges often involve claims of cruel and unusual punishment which may violate cases and legal discussions have explored the balanced between prison security and the humane treatment of prisoners in the context of supermax facilities.

2. 4.1. Criticism of Solitary Confinement in Prison :

Critics of Solitary Confinement in Prison argue that it can have severe psychological and physical effects on inmates. Prolonged isolation may lead to mental health issues such as anxiety, depression and hallucinations. Additionally critics express concern about the lack of human contact and meaningful activities, which can exacerbated the negative impact on an individuals well- being. Some argued that alternative rehabilitative approaches should be explored to address issues without resorting to extended periods of isolation. Prolonged isolation can lead to severe psychological consequences, including anxiety ,depression ,hallucinations and even suicidal tendencies. It has been criticized as a form of cruel and unusual punishment .Critics argue that confining individuals to small cells foe extended periods with minimal human contract and restricted access to natural light can be dehumanizing and violate basic human rights. Solitary confinement is often seen as counterproductive to rehabilitation as isolated individuals may struggle to reintegrate into society after release due to the adverse effects on their mental health .Concerns arise when

solitary confinement is disproportionately applied to vulnerable populations such as individuals with mental health issues, juveniles or those with pre-existing conditions. There are debates about whether extended periods of solitary confinement violate constitutional protections against cruel and unusual punishment, sparking legal challenges and calls for reform. Some critics argue that solitary confinement may not be an effective deterrent and could contribute to a cycle of recidivism rather than prompting positive behavioral changes. These criticisms have led to increased advocacy for reforming solitary confinement practices and finding alternative methods for managing inmate behaviour while respecting human rights.¹⁰¹¹¹²

2.5 : Conclusion :

Solitary Confinement in Prison involves isolating inmates in a confined space for extended periods. While proponents argue it can be a necessary tool for managing dangerous individuals, critics highlight its severe psychological impact contributing to mental health issues. Balancing security concerns with the well-being of inmates is a complex challenge, promoting ongoing discussions about alternative approaches to punishment and rehabilitation within the criminal justice system.¹³¹⁴¹⁵

¹⁰ Lobel, "Prolonged Solitary Confinement and the Constitution."

¹¹ Metzner and Fellner, "Solitary Confinement and Mental Illness in US Prisons: A Challenge for Medical Ethics."

¹² Cloud et al., "Public Health and Solitary Confinement in the United States."

¹³ Metzner and Dvoskin, "An Overview of Correctional Psychiatry."

Smith, "The Effects of Solitary Confinement on Prison Inmates: A Brief History and Review of the Literature."

¹⁵ Shalev, "Solitary Confinement and Supermax Prisons: A Human Rights and Ethical Analysis."

Chapter -3

Effects of Solitary Confinement

3.1: Introduction :

Solitary Confinement, a practice involving isolating individuals in a small cell for extended periods has profound effects on mental health and overall well-being. This introduction explores the psychological, emotional, and social consequences of prolonged isolation, shedding light on the challenges faced by those subjected to this. It may also cause disruptions in sleep patterns, cognitive functions and social skills. Prolonged isolation can have lasting consequences on mental health, making reintegration into society challenging for individuals who have experienced it. Additionally, there's debate on the ethical implications of this practice. Prolonged isolation can also impact sleep patterns and exacerbate existing mental health conditions. The lack of social interaction and environmental stimulation can be detrimental to a person's mental well-being. This chapter covers in the second part concept of solitary confinement, In the third part covers the can isolation cause insanity?, fourth part covers the case related to Solitary Confinement, and fifth part covers conclusion.

3.2: Concept of Effect of Solitary Confinement:

The concept of the effects of Solitary confinement revolves around the profound impact on an individual's mental and emotional well-being due to prolonged isolation. This includes heightened levels of anxiety, depression, hallucinations, and a deterioration of cognitive functions. The absence of social interaction and sensory stimuli can lead to severe psychological consequences, raising ethical concerns about the use of such practices in various institutions. Solitary Confinement can lead to a range of detrimental effects on an individual's mental and physical well-being. Increased risk of anxiety,¹⁶ depression and

¹⁶ Metzner and Fellner, "Solitary Confinement and Mental Illness in US Prisons: A Challenge for Medical Ethics."

various mental health issues due to prolonged isolation and lack of social interaction. Difficulty concentrating, memory problems and challenges with cognitive functions may arise. Extended periods of isolation can contribute to perceptual distortions, hallucinations and delusional thinking.¹⁷ Solitary Confinement can result in heightened emotional responses, mood swings and increased irritability. Disrupted sleep patterns and insomnia are common, leading to further deterioration of mental health. Difficulty reintegrating into social settings due to the erosion of social skills and interpersonal abilities. Isolation has been linked to higher rates of self-harm and suicide among those subjected to solitary confinement. Lack of physical activity, exposure to natural light and inadequate medical care may contribute to physical health problems. Some individuals may develop symptoms consistent with PTSD after experiencing solitary confinement. Even after release, individuals may struggle with lingering psychological and emotional effects making reintegration into society challenging. Efforts are underway to raise awareness about the negative consequences of solitary confinement, advocating for alternatives that prioritize rehabilitation and mental health.¹⁸

3.3 Can isolation cause insanity:

Isolation can contribute to mental health challenges, including feelings of loneliness and anxiety, but it does not directly cause insanity. However, prolonged isolation may exacerbate existing mental health conditions or lead to the development of new ones. It's important for individuals experiencing isolation to seek support and connect with others.¹⁹ The relationship between solitary confinement and mental health, particularly the potential for including or exacerbating symptoms of insanity, is a complex and debated topic. Research suggests that prolonged isolation in solitary confinement can lead to severe psychological effects,

¹⁷ Cloud et al., "Public Health and Solitary Confinement in the United States."

¹⁸ *ibid*

¹⁹ *ibid*

including anxiety, hallucinations and cognitive disturbances .However ,the extent to which it directly causes insanity remains a matter of ongoing investigation and ethical consideration .Factors such as the duration of isolation ,individual resilience and pre-existing mental health conditions can influence the impact of solitary confinement on a person’s mental state. The mechanisms behind the impact of isolation on mental health are complex and can vary from person to person. It’s crucial for individuals experiencing isolation to seek support and professional help to mitigate potential negative effects on their mental well-being.²⁰

3.4.The Pains of Solitary Confinement :

Solidary Confinement can lead to severe psychological distress, including anxiety, depression and hallucinations due to prolonged isolation and limited sensory stimulation .The lack of social interaction and meaningful activities can exacerbate mental health issues making it a harsh form of punishment with lasting effects on individuals. The extended isolation ,limited human contact and restricted environmental stimuli can lead to sleep disturbances, hallucinations and a decline in cognitive function .Additionally, Individuals in solitary confinement may experience heightened stress levels and an increased risk of developing or worsening mental health conditions. The lack of meaningful social interaction and the monotony of the environment contribute to the overall emotional and mental toll of this form of punishment. Individuals in solitary confinement often suffer from profound emotional and psychological distress. The intense isolation can lead to feelings of extreme human contact and limited stimuli can result in a deterioration of mental health with some experiencing hallucinations ,insomnia and even suicidal thoughts. The enduring impact on an individuals

²⁰ Metzner and Fellner, “Solitary Confinement and Mental Illness in US Prisons: A Challenge for Medical Ethics.”

well-being underscores the contentious nature of using solitary confinement as a punitive measure.²¹

Relevant Cases:

It should be first be noted that judges in these causes were clearly aware of the particular pains of Solitary confinement. This is in line with the Supreme Court 's that Solitary Confinement and inherent difficulties and should be limited to use a last resort.²²²³²⁴

Azram vs State:

In the cases judge indicated that, Man is a social animal take human company away from him.²⁵

IPS v Mugrabi(16.4.2009)

Solitary Confinement required social isolation and reduced environmental simulation that all human being are used to in daily life a impoverishment which may conduct to real psychological tension, nervousness, impatience, shrinking of the personal experience and despair as well as other physical symptoms.²⁶

²¹ ibid

²² Matei, "Solitary Confinement in US Prisons."

²³ Metzner and Dvoskin, "An Overview of Correctional Psychiatry."

²⁴ Shalev, "Solitary Confinement as a Prison Health Issue," 2017.

²⁵ ibid

²⁶ ibid

IPS Vs Saad

The injury of Solitary Confinement without any expert opinion regarding the significance for the prisoner that solitary confinement might hold very serious mental consequences even for a person with great mental resilience. The courts role is to balance these foreseeable harms against the reasons put ahead for the isolation of any person.

One notable case related to solitary confinement is *Davis vs Ayala* (2015), In which the U.S Supreme Court considered the constitutionality of prolonged solitary confinement. The case involved Hector Ayala, who spent nearly 25 years in solitary confinement on death row. The court's decision emphasized the need for lower courts to thoroughly review the impact of extended isolation on prisoners mental health and whether it constitute cruel and unusual punishment in violation of the Eighth Amendment.

Another significant case is *Wilkinson Vs Austin* (2005) in this case, the U.S Supreme Court ruled on the constitutionality of Ohio's supermax prison conditions, including long-term solitary confinement. The decision underscores the importance of adequate procedural safeguards and the need for meaningful reviews to prevent arbitrary and capricious placement in such harsh conditions. The court acknowledges the potential for serious psychological harm from prolonged isolation and highlighted the government's responsibility to address these concerns within the bounds of the Eighth Amendment.

3.5 The Impact of Solitary Confinement:

Solitary confinement can have severe psychological effects, including anxiety, depression and hallucinations. Prolonged isolation may lead to emotional distress, cognitive decline and increased risk of self-harm among individuals subjected to it. It remains a controversial practice due to its potential long-term harm on mental health. Solitary confinement is often used as a disciplinary measure in prisons, isolating inmates from social contact. Its significance lies in its potential to control behavior and maintain order within correctional facilities. However, the practice is contentious, as its impact on mental health raises ethical concerns. Balancing the need for security with the humane treatment of individuals remains a complex challenge in the criminal justice system. Critics argue that the long-lasting consequences emphasize the need for reevaluating and reforming the use of solitary confinement in the justice system. The perceived importance of solitary confinement often revolves around its role in maintaining prison discipline and ensuring the safety of both inmates and staff. It is seen as a tool to isolate disruptive or dangerous individuals. However, the practice is controversial as concerns about its necessary and humane treatment within the criminal system. While, it can be seen as a means to control disruptive behavior and enhance prison security, concerns about its long-term effectiveness and impact on mental health have led to scrutiny. Some argue that alternative rehabilitation approaches may be more effective in addressing underlying issues and reducing recidivism without the detrimental effects associated with prolonged system. A relevant fact on solitary confinement is that many international human rights organizations including the United Nations, have expressed concerns about its use. They argue that solitary confinement, especially for extended periods can amount to cruel, inhuman or degrading treatment and may violate fundamental human rights. This has prompted calls for reforms and limitations on the use of solitary confinement in various legal systems worldwide. One of the most significant facts about

solitary confinement is its profound impact on mental health. Extended periods of isolation can lead to severe psychological distress including increased risk of self-harm. This aspect has been a focal point in discussions about the ethical implications and potential human rights violations associated with the use of solitary confinement. ²⁷

Women:

Women in solitary confinement face unique challenges as the isolation can exacerbate existing issues such as trauma and mental health concerns. There are instances where women in solitary experience heightened vulnerability and are at risk of suffering disproportionately from the psychological effects. Critics argue that the impact on women's mental health underscores the need for gender-specific policies and alternatives to solitary justice system. Women may be subjected to solitary confinement as a disciplinary measure in prisons, similar to men. However, concerns arise regarding the specific impact on women due to factors such as a higher prevalence of trauma and mental health issues. Critics argue that solitary confinement as a punishment for women may be particularly harsh, emphasizing the importance of gender-sensitive approaches to the unique needs and vulnerabilities of female inmates. The importance of considering women in the context of solitary confinement lies in recognizing their unique needs, vulnerabilities and the potential impact on their mental health. Women may face distinct challenges during isolation, including the exacerbation of trauma or the influence of reproductive health factors. Acknowledging these differences is crucial for developing gender-specific policies, promoting humane treatment and addressing the potential consequences of solitary confinement on women within the criminal justice system. ²⁸

Conclusion:

In conclusion, solitary confinement can have severe psychological and physical effects on individuals, including increased risk of mental health disorders, sensory deprivation and social withdrawal. Long-term isolation can lead to lasting harm, emphasizing the need for humane alternatives and reform in correctional practices.

Correctional practices refer to the methods and strategies employed within the criminal justice system to manage and rehabilitate individuals who have committed offences. Effective correctional practices aim to balance punishment with rehabilitation, promoting the reintegration of offenders into society while ensuring public safety. It involves various programs, such as counselling, education, vocational training and community-based alternatives to incarceration. Continuous evaluation and improvement of correctional practices are crucial for fostering positive outcomes for both individuals and society. ²⁹

²⁷ James and Vanko.

Shalev, "Solitary Confinement and Supermax Prisons: A Human Rights and Ethical Analysis."

²⁹ Shalev, "Solitary Confinement as a Prison Health Issue," 2017.

Chapter-4

Which country uses solitary confinement the most

4.1 Introduction:

The use of solitary confinement varies across countries and regions and data on its prevalence can be complex to assess. The United States has been criticized for its high use of solitary confinement in the past, but practices can change over time and other countries may also employ this measure to varying extents. It's essential to refer to recent and specific reports for the most accurate information. Solitary confinement is a controversial practice with potential negative effects on mental health. Many argue for its reform or elimination due to concerns about its impact on inmates. If you have specific questions or concerns about a particular country's use of solitary confinement, it's advisable to research local news sources or contact relevant authorities for more information. This chapter covers, imprisonment, Elmira system, Irish system, extraordinary rendition.

4.2 Solitary Confinement as a protection measure:

Solitary confinement is controversial as a protection measure. While it may be used to isolate dangerous individuals, it can lead to severe mental health issues and is criticized for its long-term effects on prisoners. Striking a balance between safety and humane treatment remains a challenge in the criminal justice system. Criminal justice systems encompass law enforcement, courts and corrections. They aim to maintain social order, deter crime and ensure fair and just treatment of individuals accused of offenses. However, challenges such as biases, overcrowded prisons and disparities in sentencing highlight the need for ongoing reform and improvement in these systems globally. The authorities may exceptionally have to place a person in solitary confinement to protect the detainee from the risk of violence from other inmates. The consent of the person concerned is then required. Placement in solitary confinement should also be possible at the request of a person under threat. Solitary confinement should not be seen by the authorities as a long-lasting and satisfactory solution to address specific situations where detainees are at risk. On the contrary, authorities should take all preventive measures and all corrective measures or wings or promotion of peaceful settlements of dispute to avoid the use of solitary confinement. Solitary Confinement may be used as a disciplinary sanction, but it must be restricted to the most serious disciplinary offenses. The use of solitary confinement must be strictly regulated including limitation in time to at least mitigate its negative effects. Whenever solitary confinement lasts more than a few hours there should be controls in place to avoid any systematic and or discriminatory use of the measure. Once the measure is decided upon, the person concerned must be promptly informed of the decision. The detainee must be able to challenge this decision through an internal complaints system or using legal recourse. The person concerned has the right to a lawyer. Certain categories of particularly vulnerable detainees such as children, pregnant women, nursing women, women detained with young children and people with mental disabilities should never be subjected to solitary confinement.³⁰

³⁰ Shaun Gallagher, 'The Cruel and Unusual Phenomenology of Solitary Confinement' (2014) 5 *Frontiers in Psychology*
<<http://journal.frontiersin.org/article/10.3389/fpsyg.2014.00585/abstract>> accessed 18 December 2023.

4.3 The Role of Medical Personnel:

Medical personnel play a crucial role in healthcare, providing patient care, diagnosis and treatment. They include doctors, nurses, technicians and support staff, working collaboratively to maintain and improve people's health. Their responsibilities range from conducting medical procedures to offering emotional support to patients. Effective communication and teamwork are essential in this field to ensure comprehensive and compassionate healthcare delivery. Medical personnel encompass a diverse group of professionals dedicated to promoting and maintaining health. This includes doctors who diagnose and treat illnesses, nurses who provide hands-on patient care and various specialists, such as radiologists and pharmacists. Support staff, like medical assistants and administrative personnel, contribute to the efficient functioning of healthcare settings. Together, they form a cohesive team addressing various aspects of patient well-being, emphasizing prevention, treatment and ongoing support.³¹

4.4 Solitary Confinement in the United States:

Solitary confinement cells generally calculate from 6*9 to 8*10 feet. Some have bars have metal doors. Meals generally come through slots in the doors, as do any reporting with prison staff. Within these cells, people live of enforced idleness. They are often conduct the opportunity to work or attend prison programming, and are sometimes prohibit from having radios, art supplies and even reading materials in their cells. Terms in Solitary range from a few days to several decades. Precise figures are scarce. In response to a 2016 survey, federal and state prisons reported that 11 percent of the people they held in restricted housing had been there for three years or more, and 5.4 percent had been there for six years or more. Evidence suggests that some jurisdiction may have under-reported lengths of stays. In

³¹ ibid

California in 2011 observes to the series of mass hunger strikes and legal challenges that led to reforms nearly all of the 1100 men in the SHU at Pelican Bay State prison had been in solitary for five years or more about half for ten years or more over 200 for 15 years or more; and 78 for 20 years or more. The group of people incarcerated in Louisiana known as the Angola 3 spent what are likely to be the longest spans of time in solitary. In testimony before the California Assembly's Public Safety Committee in August 2011, Dr Craig Haney contribute the effects of Solitary Confinement. ³³In short, prisoner in these units complain of chronic and overwhelming feelings of sadness, hopelessness and depression. Rates of suicide in the California lockup units are by far the highest in any prison housing units anywhere in the county. Many people held in the deeply and unshakably paranoid and pre profoundly anxious around and afraid of people those rare occasions when they are allowed contact with them. Some begin to lose their grasp on their sanity and badly decompensate. Critics argue that prolonged isolation can lead to severe psychological and emotional consequences and there have been calls for reforms to reduce it's us, Some states have implemented changes to address concerns about the impact of solitary confinement on mental health, while others continue to faces scrutiny and legal challenges regarding the conditions in which it is applied. The debate surrounding the ethics and effectiveness of solitary confinement persists in the United States. ^{3435 3637}

³² Jeffrey L Metzner and Jamie Fellner, 'Solitary Confinement and Mental Illness in US Prisons: A Challenge for Medical Ethics' (2013) 1 Health Hum. Rights Chang. World 316.

³⁴ Anna Conley, 'Torture in US Jails and Prisons: An Analysis of Solitary Confinement under International Law' (2013) 7 ICL Journal 415.

³⁵ Nan D Miller, 'International Protection of the Rights of Prisoners: Is Solitary Confinement in the United States a Violation of International Standards' (1995) 26 Cal. W. Int'l LJ 139.

³⁶ Sharon Shalev, *A Sourcebook on Solitary Confinement* (Mannheim Centre for Criminology, London School of Economics and Political Science 2008).

³⁷³⁷³⁷³⁷³⁷³⁷³⁷³⁷³⁷ Tracy Hresko, 'In the Cellars of the Hollow Men: Use of Solitary Confinement in US Prisons and Its Implications under International Laws against Torture' (2006) 18 Pace Int'l L. Rev. 1.

4.5 Solitary confinement legal in India:

As of my last knowledge update in January 2022, solitary confinement is not explicitly prohibited under Indian law. However, the use of such confinement is subject to certain guidelines to prevent its abuse. Laws and regulations may change, so it's advisable to check the most recent legal sources for the latest information. Solitary confinement as a form of punishment is allowed in India under certain circumstances, often regulated by prison authorities and legal guidelines. However, the specific conditions and duration of solitary confinement may vary and it is generally subject to legal scrutiny to ensure it complies with human rights standards. For accurate and up to date information, it is recommended to refer to the latest legal sources or consult legal professional familiar with current Indian laws and prison regulations. Solitary confinement in India is often used as a disciplinary measure in prisons, aimed at isolating an inmate from others for a specified period. The significance can be attributed to several reasons. Solitary confinement is often employed as a punishment for inmates who violate prison rules or engage in disruptive behavior. It is seen as a way to deter undesirable conduct within the prison system. In cases where an inmate poses a threat to the safety of others or is at risk of being harmed by fellow inmates, solitary confinement may be used to maintain security within the prison environment. Some argue that isolation can provide individuals with an opportunity for self-reflection and rehabilitation. However, this perspective is debated as prolonged solitary confinement has raised concerns about its impact on mental health. Solitary confinement may also be used for administrative reasons, such as separating certain inmates from the general population due to ongoing investigations or specific safety concerns. It's important to note that the use of solitary confinement is a controversial practice globally due to its potential negative impact on mental health and many human rights advocates call for its limited and humane application. Legal frameworks

and guidelines in India and elsewhere are subject to ongoing scrutiny and may evolve over time.

These case known as the Pelican Bay State Prison SHU class action lawsuit, was a landmark legal challenge regarding the use of long- term solitary confinement in California prisons. In 2015, the plaintiffs, who were inmates held in Security Housing Units(SHUs) reached a settlement with as settlement resulted in significant changes to the use of solitary confinement, including limiting the duration of such placements and implementing reforms to the conditions of confinement. It aimed to address concerns about the potential for long term solitary confinement to amount to cruel and unusual punishment. For the most recent development or updated, you should check the latest legal sources or news reports.

Ruiz v Johnson

These case was a class action lawsuit filed in the late 20 th century regarding the conditions of confinement in the Texas Department of Criminal justice (TDCJ) filed in 1972, the 'CONSTITUTION'. Case addressed issues such as overcrowding, medical care and overall living conditions in Texas prisons. The case went through various phases and resulted in several court orders aimed at improving conditions within the TDCJ. It is considered a significant case in the context of prison reform litigation . For the most recent information or updates, it is recommended to check recent legal sources or news reports for any developments.

4.7 Conclusion:

concerns about its impact on mental health. As of my last knowledge update in January 2022, I don't have specific details on the current status of solitary confinement usage by country. It's advisable to check the latest sources or news for the most up to date in

Solitary confinement is used in various countries and its prevalence can vary. The decision to use solitary confinement is typically made by prison authorities or government agencies. The practice has faced criticism due to formation.

<https://www.penalreform.org>>

<https://bdlaws.minlaw.gov.bd>>

www.theguardian.com>

Chapter-5 Conclusion

5.1 Overview:

Solitary confinement involves isolating prisoners often used as a disciplinary measure or to protect others, but concerns about its impact on mental health and human rights have led to debates on its use in the criminal justice system. Critics argue that prolonged isolation can lead to psychological harm, while proponents emphasize its necessity for safety and security. Prisons are institutions designed for the incarceration and rehabilitation of individuals convicted of crimes. They observe various purposes, including punishment, deterrence and societal protection. Inmates are typically confined to cells and their daily activities are regimented. Rehabilitation programs, education and vocational training may be offered to support reintegration into society. However, concerns about overcrowding, recidivism and the effectiveness of punitive measures continue to shape discussions about prison systems globally. Confinement refers to the state of being restricted to the state of being restricted or enclosed within a certain space. It can apply to various contexts, such as imprisonment in a confined space, quarantine or isolation for health reasons or restrictions imposed for disciplinary measures³⁸. Confinement may have different implications depending on the context, ranging from legal consequences to considerations of mental and physical well-being. This practice is often used as a disciplinary measure for protection or during pre-trial detention.³⁹ However, concerns have been raised about its potential negative impact on mental health.⁴⁰ The debate surrounding solitary confinement centers on balancing the need for security with the ethical treatment of individuals in the criminal justice system.^{41,42}

³⁸ Peter Scharff Smith, 'The Effects of Solitary Confinement on Prison Inmates: A Brief History and Review of the Literature' (2006) 34 Crime and Justice 441.

³⁹ Nan D Miller, 'International Protection of the Rights of Prisoners: Is Solitary Confinement in the United States a Violation of International Standards' (1995) 26 Cal. W. Int'l LJ 139.

⁴¹ Jules Lobel, 'Prolonged Solitary Confinement and the Constitution' (2008) 11 U. Pa. J. Const. L. 115.

⁴² Miller (n 2).

5.2 Findings:

Solitary confinement faces criticism for its potential to cause severe psychological harm, exacerbating mental health issues. Critics argue that prolonged isolation can lead to anxiety, depression, hallucinations and even long-term cognitive impairment. Additionally ,concerns

about the lack of transparency, oversight and potential abuse in implementing solitary confinement. Critics argue that solitary confinement can lead to detrimental psychological effects, including anxiety, depression and hallucinations. Prolonged isolation may exacerbate existing mental health issues and hinder the rehabilitation of prisoners. There are concerns about the potential misuse and lack of transparency in implementing solitary confinement, raising questions about human rights violations. Additionally, some argue that alternative methods should be explored as solitary confinement is viewed as an extreme and inhumane punishment.

5.3 Conclusion:

In conclusion, the criticism of solitary confinement centers around its adverse psychological impacts, potential human rights violations and the need for more humane and effective alternatives. As the debate continues there is a growing call for reforms in prison systems to address these concerns and find methods that balance security with respect for the well-being and rights of individuals in custody.

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