

REPORT ON PSYCHOLOGICAL ASSISTANCE IN DETENTION AND REMAND CENTRES

Excerpt from the findings of the 51 visits conducted by NPM between 2015-2020

In the period 2015-2020, the People's Advocate institution, through its Department on Prevention of Torture (NPM) made a number of 51 visits to detention and remand centres in Romania in accordance with Art. 34 para. (3) of Law no. 35/1997 on the organization and functioning of the People's Advocate institution, republished. The 51 detention and remand centres (CRAPs) are subordinated to the General Inspectorate of the Romanian Police within the Ministry of Internal Affairs, being guided, coordinated and controlled by the Coordination Service of Detention and Remand Centres.

During all these visits, our access was unrestricted, the management and staff of the centres collaborated with the visiting team and made available to the visiting team the documents requested during, before or after the visit, according to law, including during the Coronavirus pandemic.

As a general remark, it has been noticed that, in recent years, improvements have been made both in terms of accommodation conditions and the treatment applied to persons deprived of their liberty.

According to the official information from the General Inspectorate of Romanian Police, the total accommodation capacity of the detention and remand centres and their degree of occupation, in 2020, was 1576 accommodation places. The total number of persons in situations of vulnerability deprived of liberty in these centres in the period 2019 – 2020 was 7,536, as follows: 1,984 minors, 2,242 drug users, 1,191 women, 58 people with disabilities, 1,284 people with psychiatric disorders in evidence, 480 foreigners, 6 LGBTI, 291 elderly people (over 65 years old).

Regarding the provision of psychological assistance, the report analysed the categories of vulnerable people. Vulnerable people who have not received adequate psychological assistance were mainly minors.

In many of the centres visited, it was found that no minor was assisted from a psychological point of view. Some examples: at CRAP Sălaj, in 2016, 13 minors were detained, and in 2017, until the date of the visit, 23 minors. According to the visit report of March 2, 2017, none of them had received psychological assistance.

At CRAP Harghita, none of the 7 minors detained during 2016-2017 received psychological assistance. It is particularly serious that only 3 minors out of a total of 89

minors detained by CRAP Braşov (2019-2020) benefited from psychological assistance. The People's Advocate Institution recommended to the management of the centre and to the psychological officers to treat with priority the situation of the minors in the centre and to provide psychological assistance in the case of each minor.

Also, when requests were made by the persons deprived of liberty, in many cases there were significant delays, sometimes up to a few days from the date of the request for psychological assistance until the actual arrival of the psychologist in the centre.

During the NPM visits, it was found that no clinical assessments of persons deprived of their liberty were performed and no clinical assessment tools (tests) were used by psychological officers (e.g., psychological tests, scales and questionnaires to detect anxiety, depression, suicidal ideation, personality tests). Also, the number of psychologists was small (59) compared to the number of people in custody. Overall, a number of 14 positions were vacant in 2020.

The report contains a number of recommendations, including:

1. Ensuring the psychological evaluation, at the time of arrest, for identifying any needs for psychological assistance; assessment of the mental status, risks of each person deprived of liberty; identify the persons undergoing psychiatric treatment to establish a treatment plan that includes (or not) a psychological / psychotherapeutic intervention together with the psychiatric treatment.

2. Ensuring services of clinical psychology and psychotherapy through psychologists specialized in clinical psychology and psychotherapy, expanding the services so as to respond to the needs of psychological assistance, psychological counselling and psychotherapy of the persons in custody. People with mental illness who need to be clinically evaluated cannot be assisted by psychologists whose job involves applied psychology in the field of national security.

3. Hiring psychologists or contracting the services of psychologists with competence in clinical psychology and psychotherapy to serve detention and remand centres.

4. The authorities should make sure that psychologists are truly independent from the staff of the detention and remand centre; for this purpose, the transfer of responsibility to the Ministry of Health must be seriously considered.

5. Accommodation of at least two persons in the detention room in order to reduce the risk of suicide and the feeling of isolation (depending on each case) and the risk of suicide should be assessed by specific scales / psychological tools.

6. Streamlining collaboration with psychiatric medical units in the case of people with a psychiatric diagnosis or in need of psychiatric evaluation and providing psychiatric care to adults and minors.

7. Evaluation and testing of drug users and ensuring treatment according to the clinical needs of each person and streamlining collaboration with regional centres for drug prevention, evaluation and counselling for drug users.

8. Streamlining the collaboration with the general directorates of social assistance and child protection in the case of minors from residential centres.

9. Set up, in the police units, rooms / sections specially designed for the custody of minors, that should be different from those used for the custody of adults (different equipment, arrangement, facilities), so that minors can benefit from special conditions that minimize the impact of incarceration.

10. Rearrange the visiting sector and grant minors the right to have visits without separation devices in order to reduce the negative effects of deprivation of liberty on their physical, mental or moral development, also in the situation of the minor visitor.

11. In the situations in which female persons are detained, the head of the inspectorate should appoint, by order, female agents to ensure the guarding, supervision and transfer of the female persons deprived of liberty.

12. Adaptation of at least one room and a bathroom to be used by people with disabilities.

13. Provide professional training for police officers on how to approach people with mental illness and other vulnerable categories (minors, LGBTI, etc.). Adopt internal strategies, policies, regulations and manuals for the proper protection and treatment of LGBTI detainees.

14. Ensuring that a reasonable part of the day (i.e., eight hours or more) is spent outside the rooms, people are involved in various activities (vocational work, education, sports and recreation). Creating spaces for joint activities and providing a program of daily activities for minors.