

Sensory deprivation in prisons and places of pre-trial detention

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Sensory deprivation is regulated by national and international legal instruments, which in general do not explicitly define this phenomenon, although it can be subsumed under the prohibition of torture and torture-related conduct. The most important international legal instruments include the European Convention on Human Rights, with its provisions on the prohibition of torture and inhuman and degrading treatment, and the case law of the European Court of Human Rights, in which the case of Ireland v. United Kingdom of 1971 should be highlighted: in this case the court found that a combination of five different interrogation methods, including sensory deprivation, constituted inhuman and degrading treatment. In Slovenia, solitary confinement, as a form of sensory deprivation, is only used as punishment for violation of prison discipline, although in some countries it can be a form of serving a prison sentence.

Nevertheless, the results of presented research studies can be connected to conditions in Slovene prisons. A total isolation, which follows the theory of strict and consistent justice, according to which the punishment must not have any intentional effect on a prisoner, has proven ineffective and harmful. Actually these theories strictly reject punishment in order to have an impact on a prisoner, although the mentioned research studies even confirm the theory of communication, according to which non-communication is not possible and isolation and sensory deprivation therefore exert an influence on the individual.

Key words: sensory deprivation, international legal instruments, torture, correctional institutions, convicts

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