

National Standard

Country	Detention Issues	Key provision	Legal Instrument	NPM Recommendation	NPM Recommendation year	NPM report URL
Germany	Solitary confinement	Solitary confinement is only admissible if necessary to avert threats inherent in the prisoner's person, which could mean the risk of jailbreak, violence against her/himself, violence against other persons or things or suicidal tendencies. Usually, solitary confinement is to be ordered by the prison director and the prison doctor needs to be consulted in advance. The necessity of the measure has to be assessed on a regular basis; prisoners in solitary confinement have to be observed with special attention; more than three days of confinement need to be reported to the supervisory authority.	Federal Prison Act (Strafvollzugsgesetz), Model State Prison Act (Musterentwurf zum Landesstrafvollzugsgesetz)	The NPM noted, that in order to mitigate the negative consequences of solitary confinement on the mental and physical health of the person concerned, sufficient opportunity for appropriate human contact (e.g. extended visiting times) and to engage in purposeful activity is to be provided. Those placed in solitary confinement are also to be regularly visited by a psychiatrist/psychologist. These meetings should be conducted in an appropriate and confidential environment.	2015	http://www.nationale-stelle.de/fileadmin/dateiablage/Dokumente/Berichte/Jahresberichte/Jahresbericht_2015_Nationale_Stelle.pdf
Germany	Solitary confinement	Besides solitary confinement as special security measure (besondere Sicherungsmaßnahme), the isolation of prisoners can also be ordered to enforce discipline: so-called Arrest. The maximum duration is four weeks.	Model State Prison Act (Musterentwurf zum Landesstrafvollzugsgesetz)	The NPM noted, that in order to mitigate the negative consequences of solitary confinement on the mental and physical health of the person concerned, sufficient opportunity for appropriate human contact (e.g. extended visiting times) and to engage in purposeful activity is to be provided. Those placed in solitary confinement are also to be regularly visited by a psychiatrist/psychologist. These meetings should be conducted in an appropriate and confidential environment.	2015	http://www.nationale-stelle.de/fileadmin/dateiablage/Dokumente/Berichte/Jahresberichte/Jahresbericht_2015_Nationale_Stelle.pdf
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