

# UPR Briefing Note: Solitary Confinement

March 2026

## Background:

This Note addresses the use of solitary confinement as a disciplinary measure and of voluntary exclusion from association in Danish prisons.

Solitary confinement in prison can have serious consequences for the mental health of the individual in question.<sup>i</sup>

Disciplinary sanctions should never amount to torture or other cruel, inhuman or degrading treatment or punishment (ill-treatment), cf. Article 1 and 16 of the UN Convention against Torture. According to the Mandela Rules, it should be *“used only in exceptional cases as a last resort, for as short a time as possible”* and employed for a maximum of 15 days.<sup>ii</sup>

International committees have been critical of the use of solitary confinement in Danish prisons. In 2024 the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) reiterated its recommendation for Denmark to abolish the use of solitary confinement for over 14 days and ban solitary confinement of children.<sup>iii</sup>

## Disciplinary Sanctions:

The use of solitary confinement as a disciplinary sanction is permitted, cf. the Sentence Enforcement Act (SEA). As a main rule, solitary confinement is limited to

14 days for adults; however, in exceptional cases permitted up to 28 days.<sup>iv</sup> In 2025, disciplinary measures were used in a total of 2.175 cases for adults. Of these 96 cases were over 14 days.

Regarding children (between the age of 15 and 18) solitary confinement most often has a duration of three days, but with an upper limit of seven days. In exceptional cases concerning violence against prison staff the duration can be longer and up to 14 days.<sup>v</sup>

In 2025, 51 children were placed in solitary confinement (an increase of 59% when compared to 2024 (32)).<sup>vi</sup> The duration was one – three days in most cases (38) and four – ten days in the rest (13 cases).

## Voluntary Exclusion from Association:

Prisoners can decide to go into voluntary exclusion from association<sup>vii</sup> with no limitations on the duration.<sup>viii</sup> In practice, app. under half of these cases last for periods of over 14 days<sup>ix</sup>, and for some inmates it might last for years.<sup>x</sup>

## Recommendations:

Immediately abolish the use of solitary confinement for children.

Impose an absolute limitation of 14 days of solitary confinement for adult prisoners. Prevent the risk of ill-treatment in cases of voluntary exclusion from association.

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<sup>i</sup> DIGNITY fact sheet “Health # 6 Solitary Confinement”, 2018, see further at [Strafcelle - DIGNITY - Danish Institute Against Torture](#)

<sup>ii</sup> [United Nations Standard Minimum Rules for the Treatment of Prisoners](#), para 43-45.

<sup>iii</sup> Report to the Danish Government on the visit to Denmark carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 23 May to 3 June 2024.

<sup>iv</sup> Sentence Enforcement Act art 70 (1).

<sup>v</sup> Ibid.

<sup>vi</sup> Numbers from Danish Prisons (on file with author).

<sup>vii</sup> Sentence Enforcement Act, art 33 (3).

<sup>viii</sup> Kessing and Taxhjem: “Frivillig isolation i danske fængsler”, Nordisk Tidsskrift for Kriminalvidenskab nr. 1/2026, p 6.

<sup>ix</sup> Ib, p 9.

<sup>x</sup> Ib, p 12.