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Harry Potter joins the fight to end Czech "cage bed" use

JOINT PRESS RELEASE

Amnesty International and Mental Disability Advocacy Center together with Czech non-governmental organizations: The Center for Mental Health Care Development, Czech Helsinki Committee, Fokus - Association for Mental Health Care, Inclusion Czech Republic, User and Ex-user Organization Kolumbus and Sympathea - Czech National Association of Family Members

A group of non-governmental organizations (NGOs) welcome recent steps by the Czech Minister of Health to end the use of "cage beds" within psychiatric institutions.

On 13 July 2004, the Czech Minister of Health Jozef Kubinyi issued a press statement stating that he had instructed directors of all health institutions to immediately cease use of "cage beds", calling for the elimination of "net beds" by end 2004, and advising replacement of these beds with seclusion rooms and increased numbers of staff to improve care for people with mental disabilities. This decision was made days after the authorities received a letter of concern from Harry Potter author JK Rowling.

"Cage beds" - beds which are fitted with a metal-barred construction above the mattress, or a metal frame covered with netting, designed to enclose a person within their confines - are currently endemic within the Czech (and Hungarian and Slovak) psychiatric and social care systems. The Czech and Slovak authorities make a distinction between "cage beds" and "net beds".

The NGOs call on the Czech authorities to extend the ban with immediate effect to the use of "net beds" in psychiatric institutions. The NGOs also advocate for a similar prohibition in institutions for children and adults with mental disabilities under the authority of the Ministry of Labour and Social Affairs. In addition, Czech authorities should allow NGO representatives to monitor the enforcement of these measures in all relevant institutions as there is no such mechanism to oversee this process.

The NGOs are particularly concerned that the Czech President Vaclav Klaus, in a statement reported on 14 July 2004, criticized the Minister of Health and stated that the cage bed ban "was an unduly hasty step". Furthermore, the president's spokesperson stated that "this decision has been a premature reaction to irresponsible and populist attacks against the quality of health care and protection of human dignity in the Czech Republic".

"President Klaus appears to ignore the internationally-recognized position that the use of 'cage beds' is inhuman and degrading and in violation of international human rights law which the Czech Republic has ratified and is bound to uphold. As the highest public official, who is legally bound to protect the rights of all people in the Czech Republic, president Klaus carries particular responsibility to ensure that people with mental disabilities are treated with respect for their human dignity," the NGOs said.

The NGOs are concerned that there are no plans to remove "cage beds" in long-stay social care institutions for children and adults, which are under the responsibility of the Ministry of Labour and Social Affairs. There is no official data on the numbers and use of "cage beds" in social care homes. The Ministry is reportedly working on guidelines for the use of "cage beds" and "net beds" in exceptional circumstances and has emphasised the need for the re-training of staff. According to the NGOs this does not go far enough - international law does not allow for the regulation of something which is considered inhuman and degrading.

Currently, there is no legislation regulating the use of seclusion and restraints in the Czech Republic. Even if "cage beds" have been eliminated, there is a risk that, without legal regulations of other harmful restraints (such as bed straps and handcuffs), isolation and increased psychiatric medication will be used.

The NGOs call on the Czech authorities to adopt regulations which would ensure that any method of seclusion and restraint practised in establishments caring for people with mental disabilities are in line with international human rights standards and best professional practice. Such regulations should ensure that measures controlling agitated patients should be non-physical. Restraint or seclusion must always be either expressly ordered by a doctor or immediately brought to the attention of a doctor; must be used for as short a time as possible; and never be applied, or their application prolonged, as a punishment. Staff must receive training in both non-physical and manual control techniques to deal with agitated patients.

"'Cage beds' are only one of the issues that the Czech authorities should consider when embarking on a much needed reform of its mental health care system. In order to provide modern mental health services compliant with human rights standards, the Czech government needs to reform its mental health policy, creating community-based alternatives to psychiatric and social care institutions," the NGOs said.

Amnesty International and the Mental Disability Advocacy Center now call on the government of the Slovak Republic to take decisive action to end the use of "cage beds" in Slovakia.

Background

The Czech government has been aware of the international human rights concern about cage beds since a visit by the European Committee for the Prevention of Torture and Inhuman and Degrading Treatment or Punishment (CPT) in 2002. Subsequently the use of "cage beds" in the Czech Republic has been criticized by the European Parliament and Gunther Verheugen, the European Union Enlargement Commissioner. The belated reaction to calls for the withdrawal of "cage beds" only came this week in response to a letter by Harry Potter author JK Rowling. The Czech measure comes only a week after the Hungarian Minister for Health, Social and Family Affairs issued a legally binding ban of "cage beds".

Public Document

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