

CONCLUSION CUSTODY REMAND CHANGES:

- Checking the correspondence, non-granting the approval with the visitation by a close person, withholding the correspondence, telephone calls.
- The law specifically stipulates, which correspondence cannot be checked.

CONCLUSION CUSTODY REMAND AND LAWYER VISITS:

· If a relevant authority involved in criminal proceedings or a court, which decided on its presence at the remanded prisoner's meeting with a lawyer or a notary, does not turn out at the meeting, the meeting will happen without their presence.

CONCLUSION CUSTODY AND TELEPHONE CALLS WITH A LAWYER:

- Remanded prisoner can make phone calls to their lawyer, representing them in a different legal matter, minimally 30 minutes per day.
- Neither PCGS facilities nor the Directorate are entitled to monitor and record the content of such phone calls.

VIDEOCALLS:

· Presenting the remanded prisoner by the PCGS officer in front of the relevant authority involved in criminal proceedings, court, defence lawyer or probation and mediation officer on working days between 7.00 and 18.00 and on Saturday between 7.00 and 15.00, can be done via videocall, if the technical conditions of the facility allow. The same is possible for presenting the prisoner in front of the lawyer or a notary.

RIGHT FOR PERSONAL BELONGINGS AND AUDIO RECORDINGS OF COURT PROCEEDINGS:

· Apart from the remanded prisoners right to have watch, photos, books, magazines and study materials in the cell, the right to have the audio recordings of court proceedings or other legal matters of the remanded prisoner has been established.

How and when can the Public Defender of Rights help you (PDOR)?

Public Defender of Rights (hereinafter PDOR) is the authority protecting basic human rights and freedoms of persons interacting with the public administration authorities.

Competencies of PDOR:

- state authorities (ministries, regional authorities, labour offices),
- local authorities (municipalities, higher self governing regions), other institutions, deciding in public administration (Prison and Court Guard Service – hereinafter PCGS, Police, Social insurance office).

PDOR however does not have any competences in criminal proceedings and cannot examine steps and decisions / rulings of:

- courts,
- investigators,
- prosecutors.

PDOR can however investigate undue delays of investigation of criminal acts and court proceedings.

PDOR does neither have any competencies related to:

- National Council of the Slovak Republic,
- Government of the Slovak Republic,
- President of the Slovak Republic,
- intelligence services.

Prison related types of cases, the PDOR gets involved most often:

- Use of force and means of force by the PCGS officers,
- Conditions in facilities (food, temperature in cells, hygiene, clothing),
- Access to medical care (the possibility of checks/examinations, not whether the right medical care/treatment is provided – this is the competence of the Public Healthcare Surveillance Authority),
- Financing of medicaments and medical accessories (such as glasses, wheelchair, etc..),
- Disciplinary punishment issuance,
- Providing of information based on the applications for information access.

Types of cases, where PDOR cannot get involved:

- Where the complaint relevant authority is outside of the scope/competency of PDR (i.e. criminal court ruling, decision on remand, decision on conditional release, prosecutor's indictment decision, investigator's decision on charge/s),
- Where a court or a prosecutor has already been dealing with the same issue/matter,
- PDOR is not competent to provide legal counselling (i.e. help with appeals, etc.), because this is the competence of lawyers.

WHAT DO YOU NEED TO STATE IN YOUR COMPLAINT, SO THAT THE PDR CAN INVESTIGATE:

- which body/authority are you complaining about,
- what exactly are you complaining about in the activity/steps of the relevant authority, with as detailed description of events as possible, possibly with the specification of witnesses and evidence,
- what are you claiming,
- what bodies/authorities have you already approached with the issue (if any),
- enclose any relevant written documentation, if any.

WHERE TO SEND YOUR COMPLAINT:

By mail: Kancelária verejného ochrancu práv, Grösslingová 35, 811 09 Bratislava

By e-mail: podnet@vop.gov.sk

Important! Your correspondence addressed to the PDOR does not comply to the official checks.

SOME CHANGES OF THE REMAND ACT, VALID AS OF 01.01.2023

VISITATIONS:

- The change stipulates a combination of physical and video visits, with a possibility of one extra video visit in a minimal duration of one hour if the remanded prisoner has minor children.

CELLS:

- Minimum area of a locked cell is 4 m² and unlocked cell 3,5 m², however this accommodation area can be decreased for a necessary period, if the general remand or sentenced population increases.

REWARDS:

- Wages for prisoner work are no longer regulated by decision of the Government of the Slovak Republic, they are now regulated by the Remand Act and its amendment. The basic minimal work wage corresponds to 40 % amount of the minimal wage, where for the enlisting the remanded prisoner for work, the court or relevant authority dealing with the criminal proceedings approval is no longer required.

INTERNET:

- enabling internet access, where technical conditions of the facility are allowing,
- remanded prisoner has access to webpages containing legal information, authorities' websites, and other websites stipulated by the facility Governor.

TELEPHONE:

- right to make a telephone call minimally 4 days in a calendar month in a minimum duration 30 minutes per day.

REMANDED MINORS:

- ensuring that remanded minors are staying outside the cell minimally 8 hours per day and providing educational, hobby, sports and other activities.

COMPENSATION RELATED TO REMAND:

- change from originally 180 calendar days to the first 90 calendar days.

NEW INSTITUTE:

- Examining of the decision outside the appeal proceedings, for the purposes of cancellation or change of legally issued disciplinary punishment.