

Summary of the visit to the Juvenile Penitentiary Institution (AJB-685/2017)

On June 28–29, 2016, the National Preventive Mechanism (hereinafter the “NPM”) made a visit to the Juvenile Penitentiary Institution (hereinafter the “Institution”). The prime objective of the visit was to check, within the frameworks of a follow-up inspection, the implementation of the recommendations set forth in the report on the visit made thereto in 2015 (AJB-1423/2015). In the course of the 2015 visit, the NPM established that the cells in the cell block, the sanitary units in particular, were in deplorable condition. Furthermore, the ventilation and lighting of the cells were not adequate, and the statutory minimum living space was not ensured, either. The transfer cell (“csurma”) was over-crowded to the extent that several detainees had to stand as there were not enough seats for everyone. The detainees complained that they had been abused by the members of the Institution’s personnel.

As a result of the 2015 report, there were some organizational changes carried out in the Institution. The Tököl National Prison seceded from the Juvenile Penitentiary Institution and started its independent operation on May 1, 2016. The report on the follow-up inspection has pointed out that the organizational developments contributed to increasing the personnel’s motivation. Nowadays the Institution’s name is in conformity with the composition of the inmates, since there are only juvenile detainees held there.

The cells in the cell block have been renovated, toilet bowls, washbasins, light fittings, doors and windows have been replaced. The provision of statutory living space has been made possible through chiseling away parts of the cells’ walls. Benches have been installed in the “csurma” during its renovation, and closed-circuit cameras have been installed in order to promote the protection of people and property.

The detainees claimed to have been abused by their fellow inmates. In his report, the Commissioner for Fundamental Rights has pointed out that the custodial staff’s tasks should also include the protection of inmates from other inmates intending to cause harm to them. There were trainings held in the Institution on preventing the mistreatment of detainees and violence among inmates, thus implementing the relevant recommendations of the 2015 report.

According to the detainees, they could participate in a higher number of and more interested programs than before. In connection with the detainees’ education, László Székely has emphasized that, in order to ensure their long-term social reintegration, illiterate inmates should be encouraged to participate in primary education. According to Section 1, Subsection (2), Paragraph a) of Act CXI of 2011 on the Commissioner for Fundamental Rights, in the course of his activities, the Commissioner for Fundamental Rights pays special attention, in particular through his ex officio proceedings, to the protection of the rights of the child. Several international legal documents (e.g., the Nelson Mandela Rules) stress that the education of illiterate prisoners and of young prisoners shall be compulsory. Graduation from primary school would provide additional opportunities to young prisoners to reintegrate into society, e.g., to obtain their driving license. The knowledge acquired by them would give them moral strength, earn them recognition and provide them with an opportunity to escape their earlier, disadvantaged social environment.

The Ombudsman has pointed out that maintaining contact is extremely important in the case of juvenile detainees, that is why measures have to be taken in order to let detainees make full use of the time provided for phone communication with the outside world.