

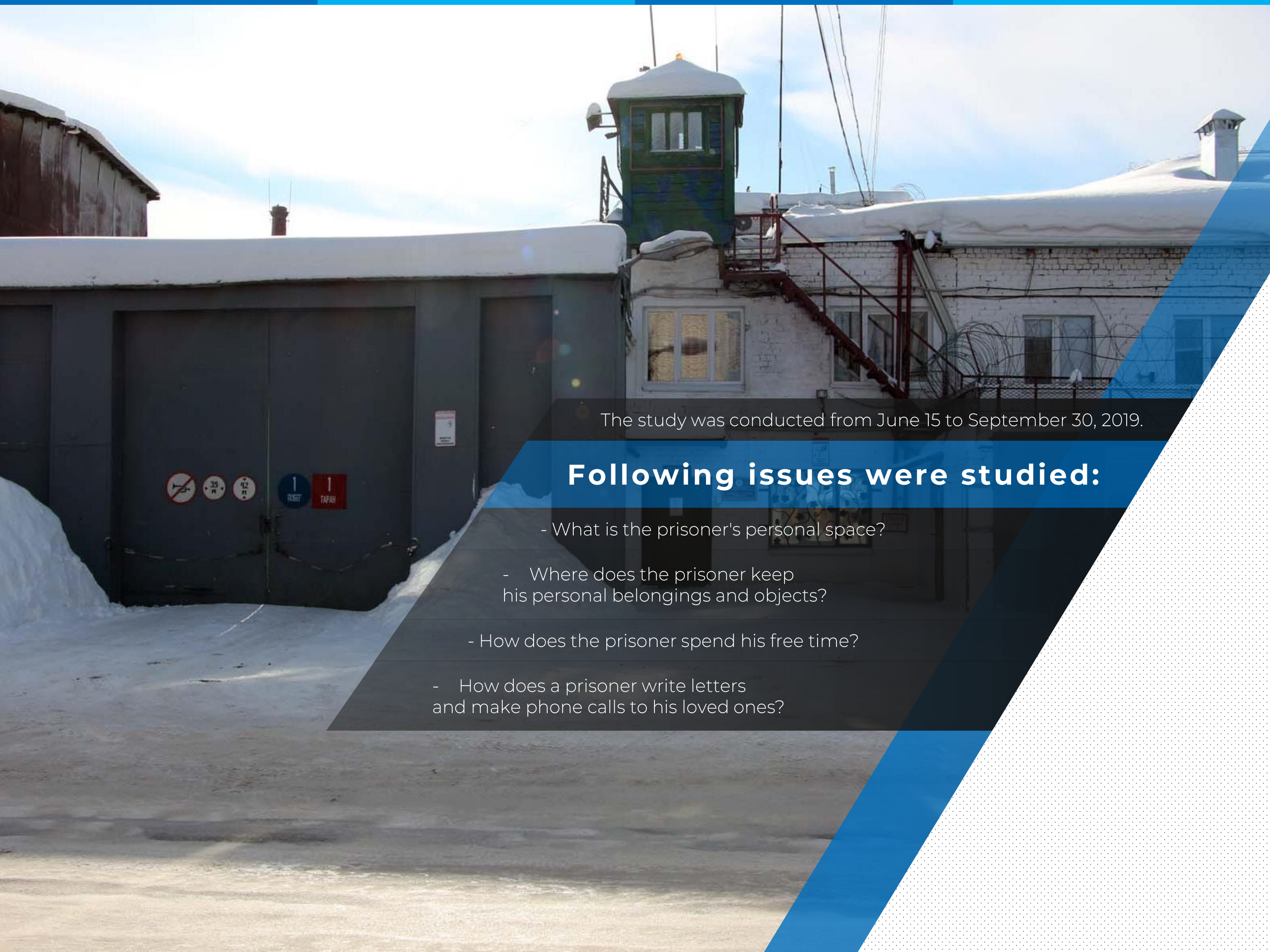
RIGHT TO PRIVACY IN DETENTION FACILITIES

REPORT



NGO Man and Law

Based on the results of the monitoring conducted by 30 members of Public Monitoring Commissions and Public Councils who visited 76 institutions of the penitentiary system in 13 regions of Russia



The study was conducted from June 15 to September 30, 2019.

Following issues were studied:

- What is the prisoner's personal space?
- Where does the prisoner keep his personal belongings and objects?
- How does the prisoner spend his free time?
- How does a prisoner write letters and make phone calls to his loved ones?



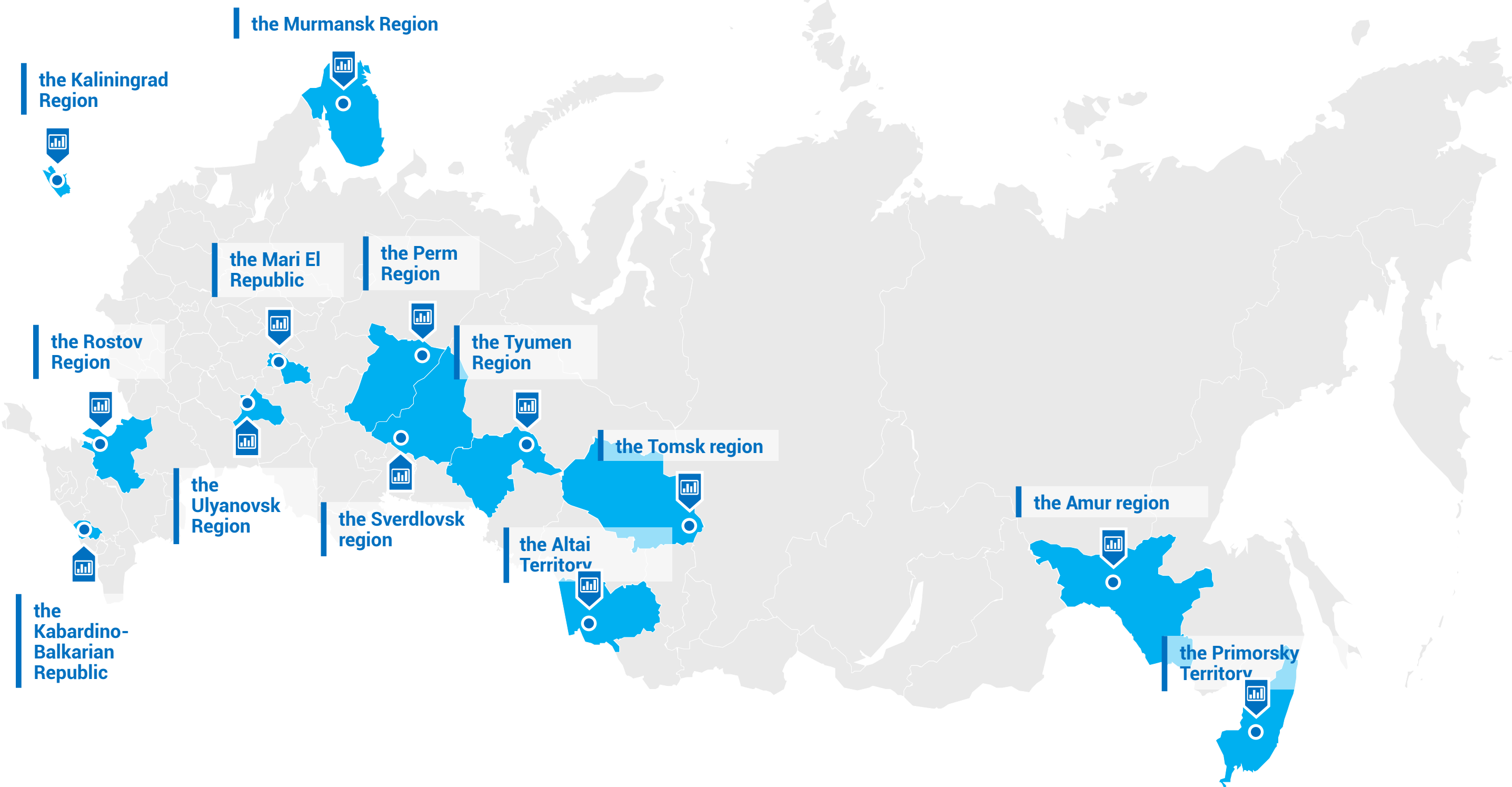
MONITORING

REGIONS OF MONITORING

The study was conducted by **30 public figures** who visited **76 institutions** of the penitentiary system in **13 regions** of Russia

MONITORING

REGIONS OF MONITORING



MONITORING

THE OBSERVERS TALKED

TOTAL

380

EMPLOYEES OF DETENTION
FACILITIES

230

VISITORS TO DETENTION
FACILITIES

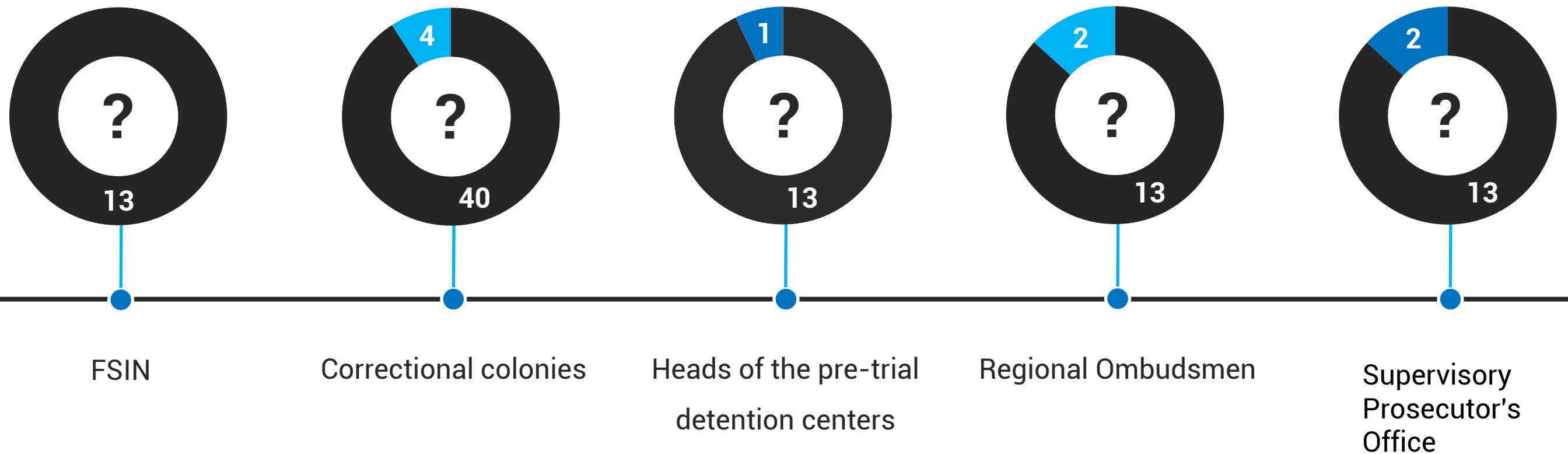
750

PRISONERS



STATISTICS

REQUESTS OF THE OBSERVERS

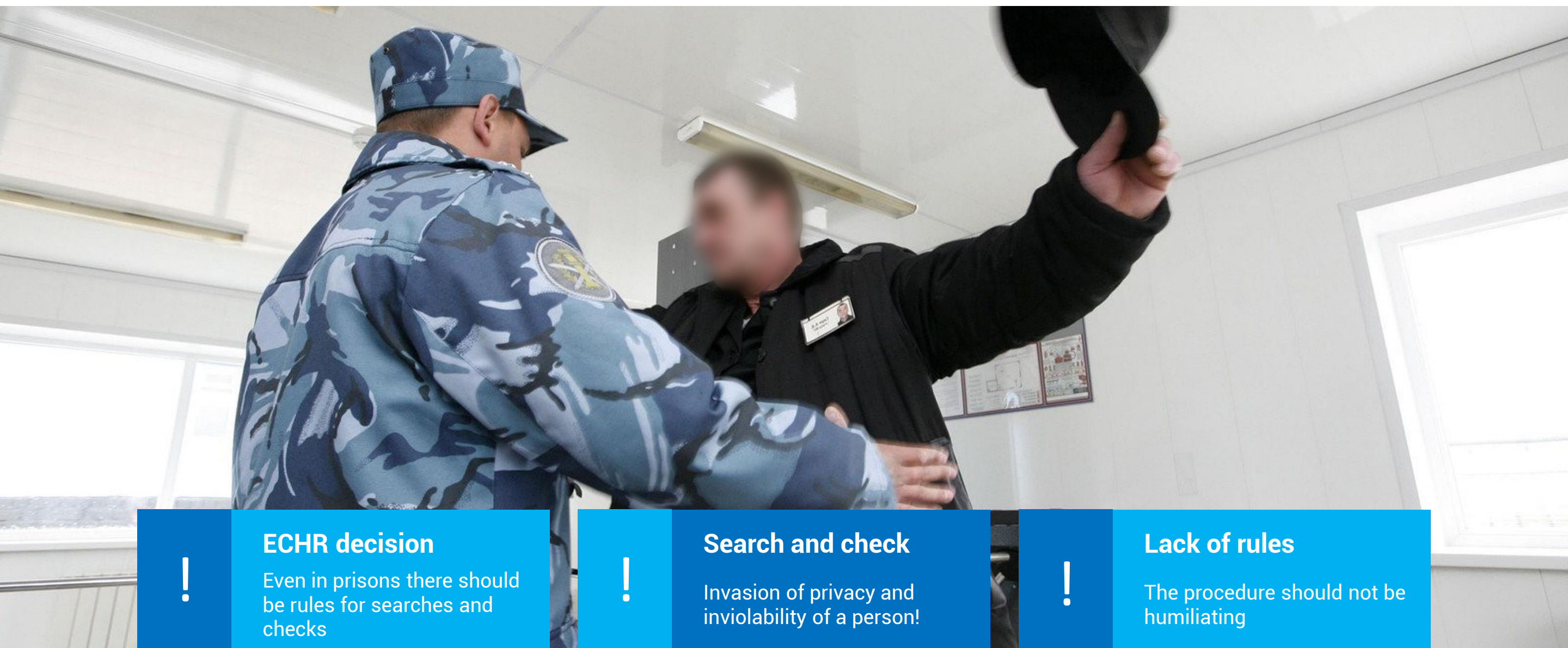


Requests



Refusals

SEARCHES, CHECKS AND PRIVATE LIFE RULES



ECHR decision

Even in prisons there should be rules for searches and checks



Search and check

Invasion of privacy and inviolability of a person!



Lack of rules

The procedure should not be humiliating



Example of a rule

The search and check must be carried out by persons of the same sex as the prisoner



Example of a rule

The procedure must be carried out in the correct form

SEARCHES, CHECKS AND PRIVATE LIFE

PRACTICE OF CONDUCTING

PUNISHMENT CELL

4 times a day



CELL-TYPE ROOM

3 times a day



DETACHEMENT OF STRICT CONDITIONS OF SERVING A SENTENCE

2 times a day



Complaints



Rare, due to ignorance of the rules of their conduct

Complaints



Prisoners are not told about the reasons for the check

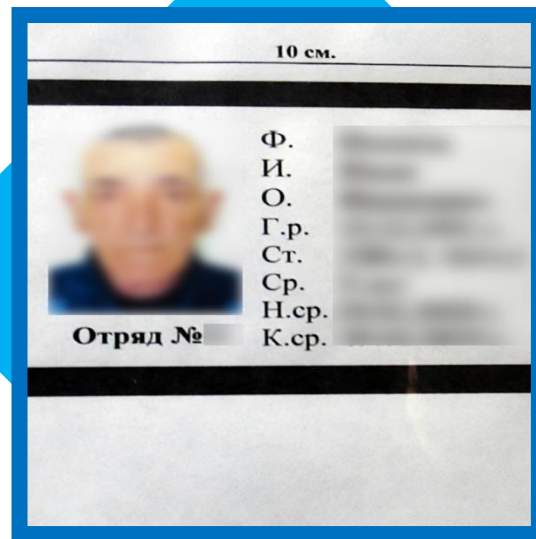
Complaints



Employees are careless with prisoners' belongings

PERSONAL DATA OF THE PRISONER

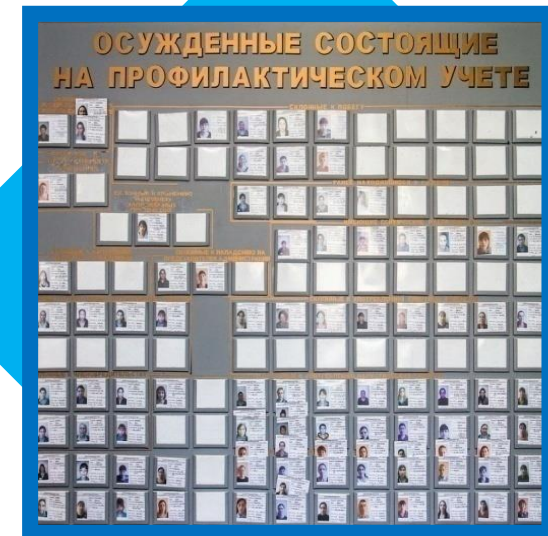
FEATURES OF PROTECTION



A sample of the prisoner's badge



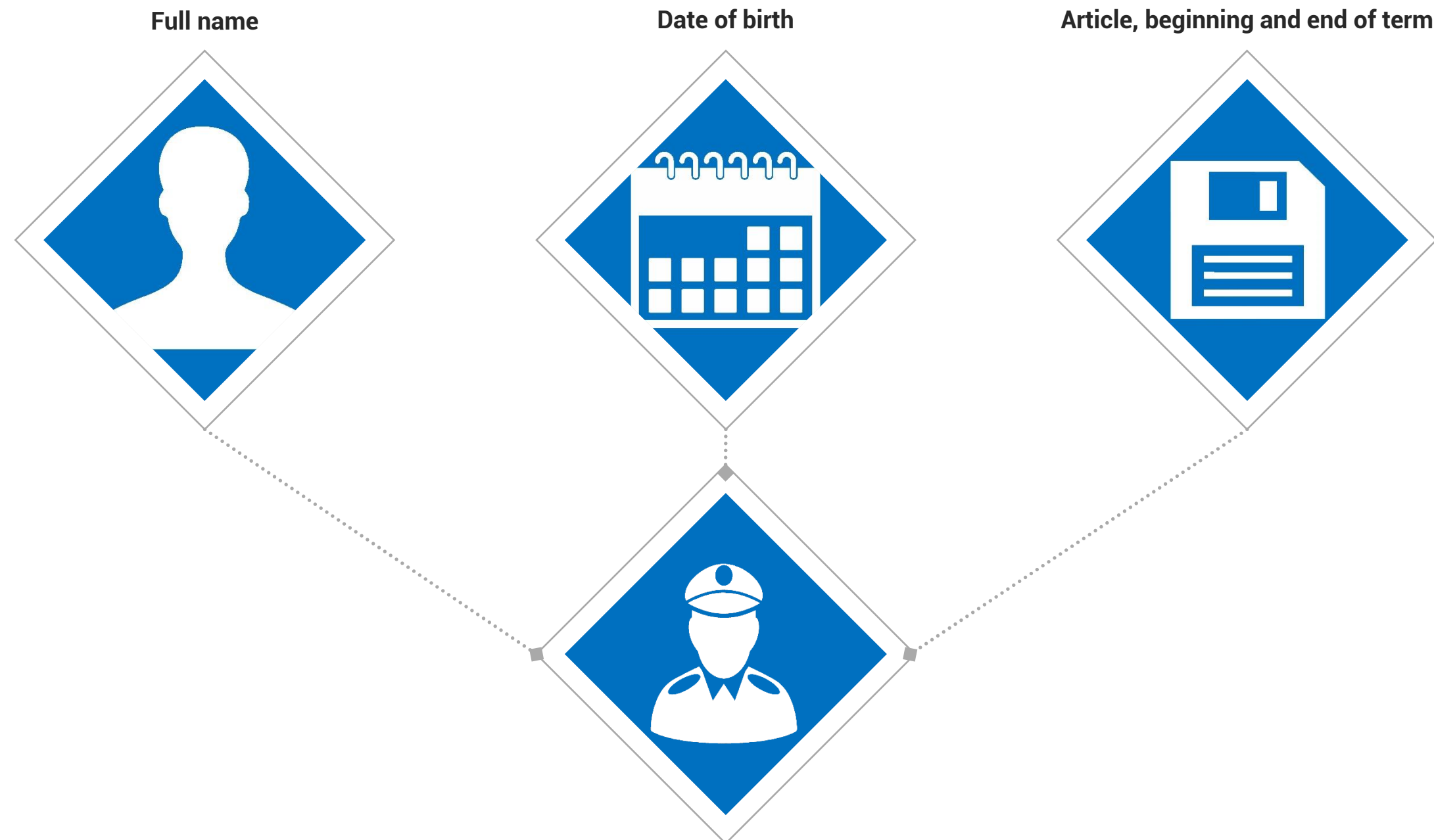
Information about the prisoner and his crime is located on the sleeping place



Information about prisoners under preventive supervision is indicated on the stand

PERSONAL DATA OF THE PRISONER

WHAT IS IT?



**The prisoner must provide these personal data
when contacting an employee**

LIST OF INCLINATIONS OF THE PRISONER

GROUND FOR INCLUSION



Tendency to escape



Suicidal tendencies



**Addiction to alcohol and drug
addiction**



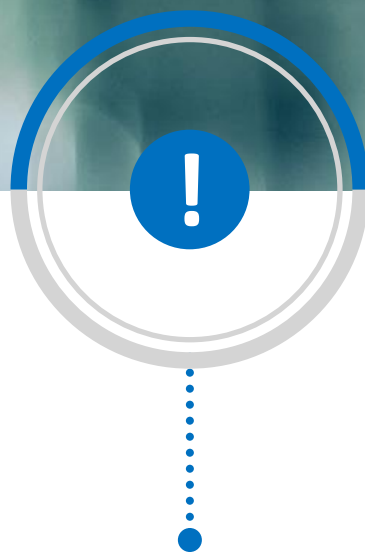
**Propensity to sexual
violence**

| ! | Problem |
|---|--|
| | Documents are closed, which prevents from challenging the status |

| ! | Problem |
|---|---|
| | The information can be in public places |

| ! | Problem |
|---|---|
| | The information on preventive supervision is often indicated on the clothes |

MEDICAL SECRECY IN PLACES OF DETENTION



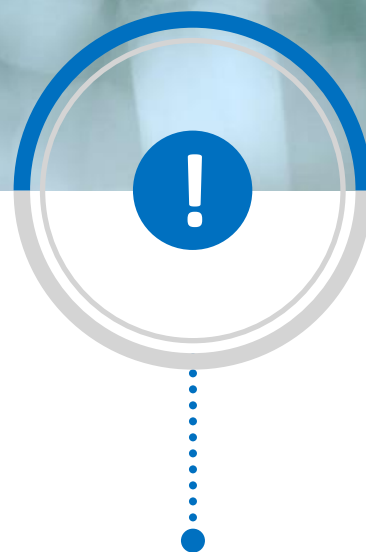
Threat to secrecy

The rules do not define where an employee should be during a medical appointment



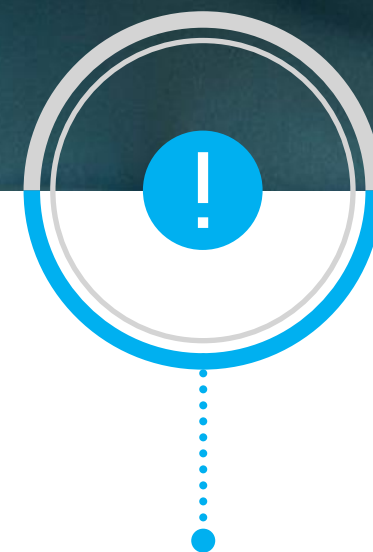
Threat to secrecy

There are cases of prisoners working in the medical unit having access to documents



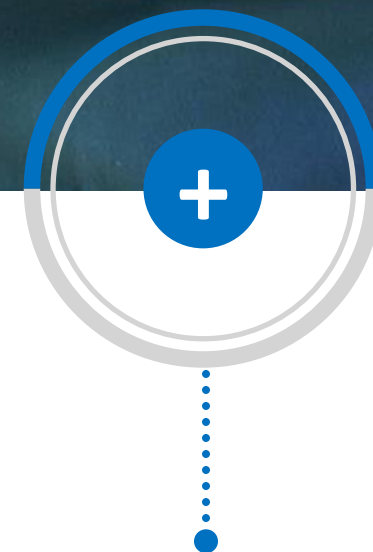
Threat to secrecy

The accompanying employee does not always follow the request to step aside to preserve confidentiality



Threat to secrecy

In one of the colonies, medical information was indicated on bedside tags



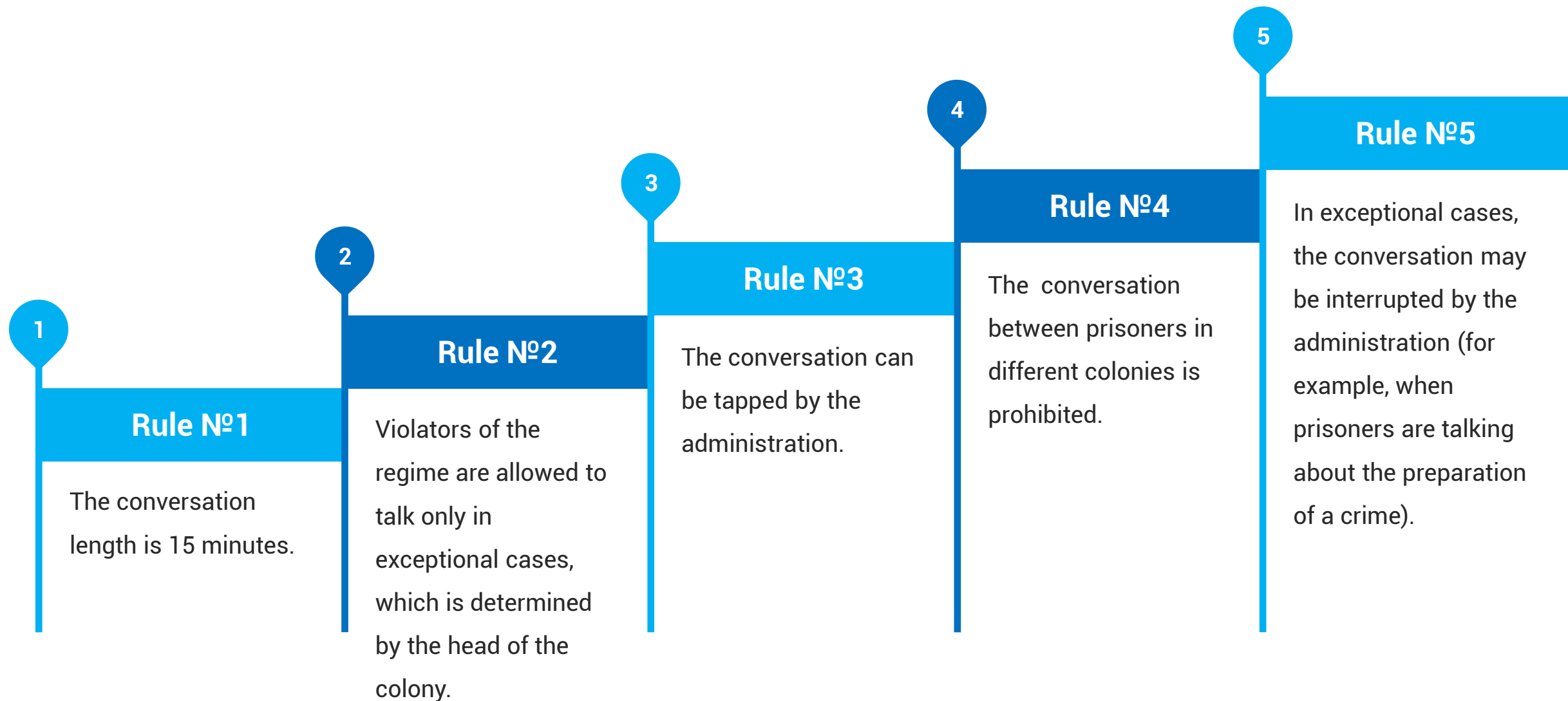
Positive moment

In one of the regions, the accompanying sheet of the patient was with prescriptions, but without a diagnosis



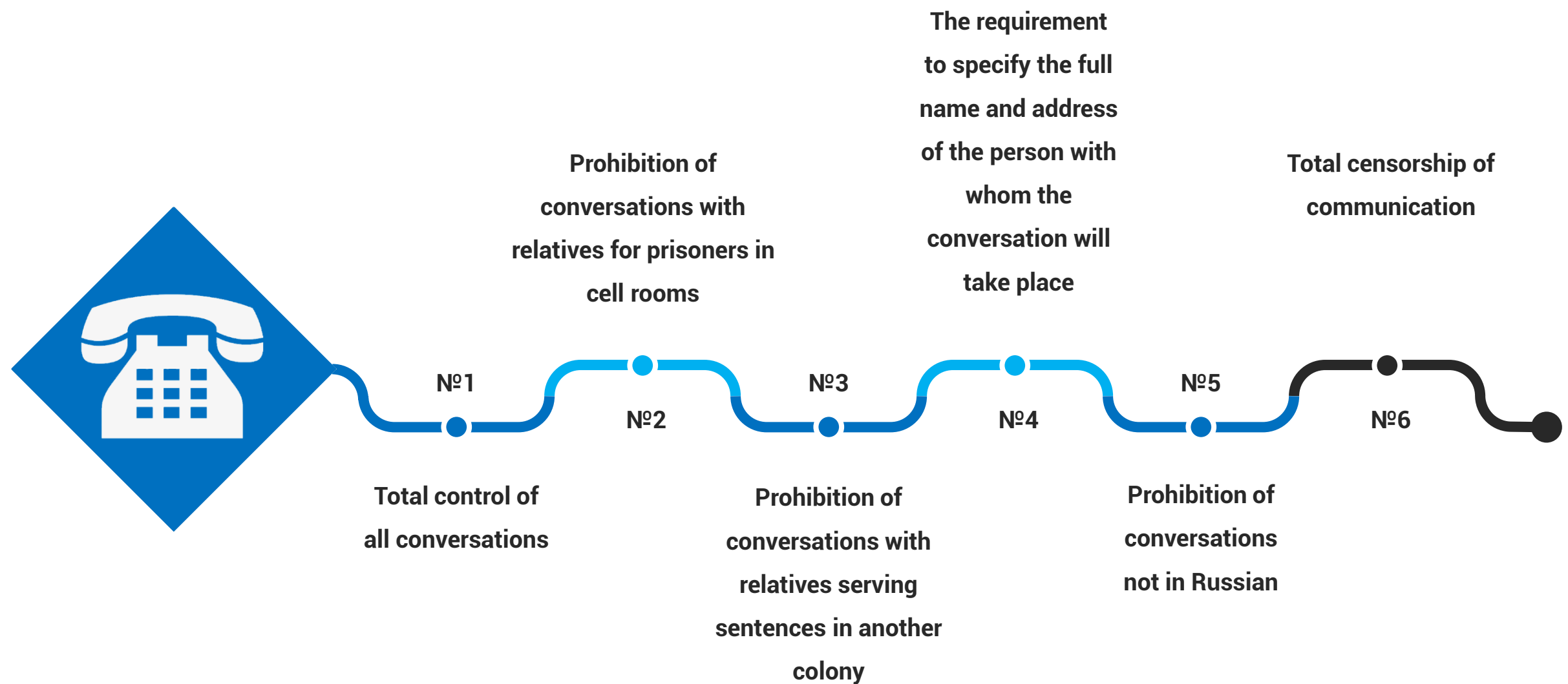
**Privacy of correspondence
and telephone conversations**
in detention facilities

RULES OF CONVERSATIONS



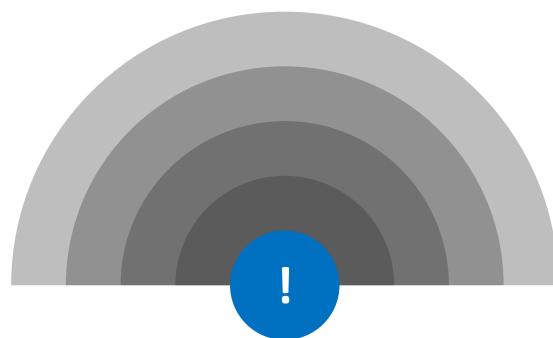
PRIVACY OF CORRESPONDENCE AND TELEPHONE CONVERSATIONS

EXCESSIVE RESTRICTIONS



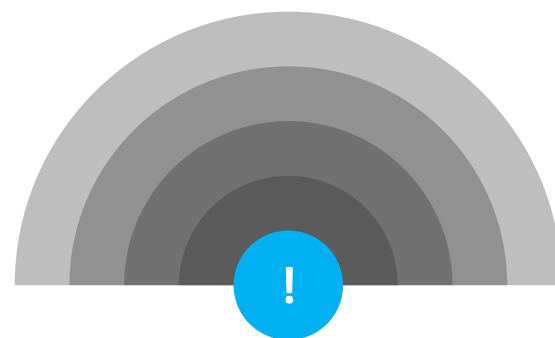
PRIVACY OF CORRESPONDENCE AND TELEPHONE CONVERSATIONS

IMPLEMENTATION OF RIGHTS IN PRACTICE



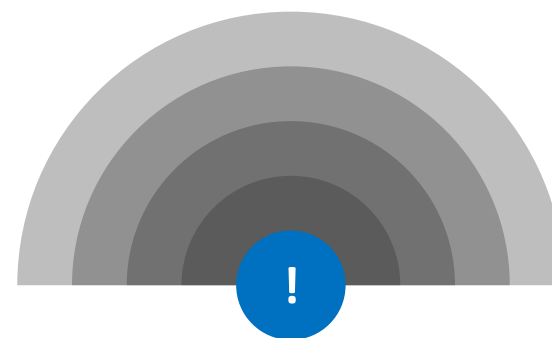
In the course of research, it was established

Most phones are located in public areas where outsiders can hear the conversation.



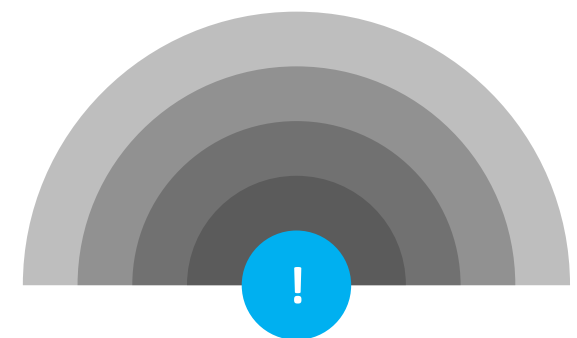
In the course of research, it was established

Prisoners are limited to the Russian language. The employee interrupts the conversation because he does not understand what it is about.



In the course of research, it was established

There are a lot of complaints about the loss of letters. It is unknown whether they are lost in the colony or through the fault of the Russian Post.



In the course of research, it was established

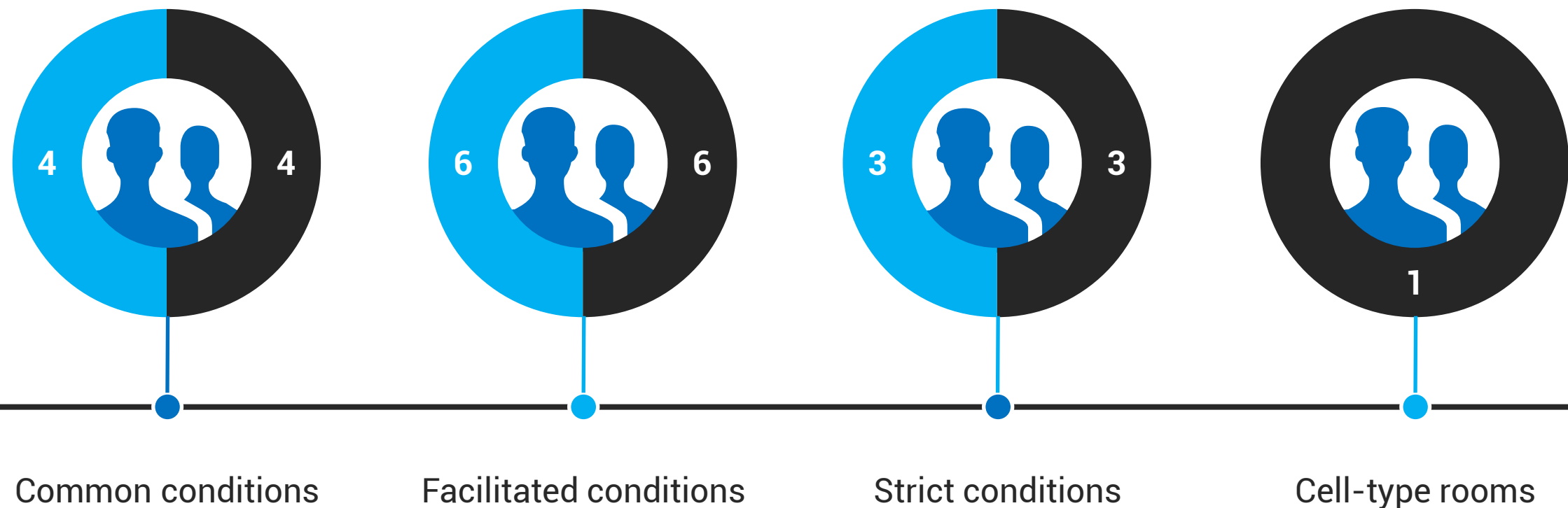
In the pre-trial detention center, you can call only with the permission of the investigator, who, as a rule, prohibits calls.



The right to receive visits
in detention facilities

THE RIGHT TO RECEIVE VISITS

PROVIDING VISITS PER YEAR



Short-term



Long-term

THE RIGHT TO RECEIVE VISITS

A LONG VISIT



Problem

It is rarely possible to walk in the yard, which is hard for children



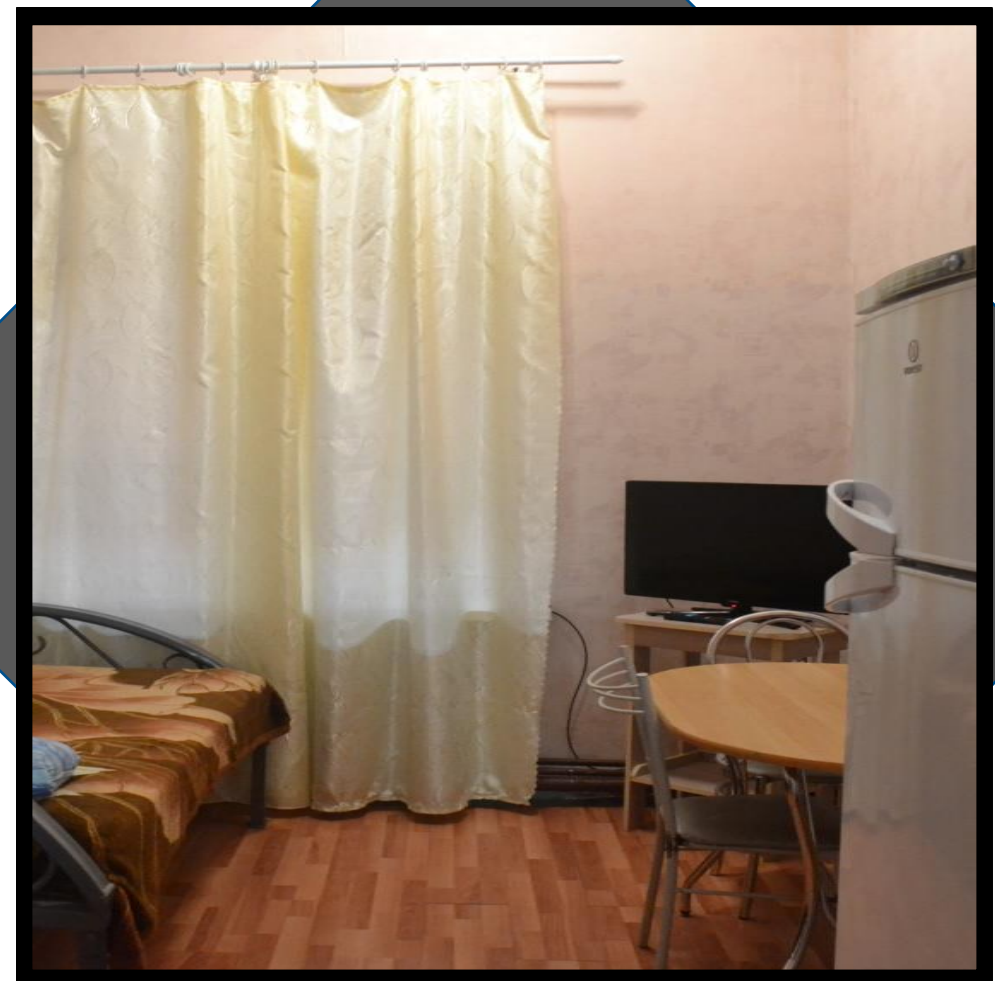
Problem

It's hard to receive a date with a non-relative



Positive moment

Paid services: TV, electric kettle, air conditioning



THE RIGHT TO RECEIVE VISITS A LONG VISIT



!

Problems of visits

Excessive interference of employees
- presence during the visit, listening
to conversations

!

Problems of visits

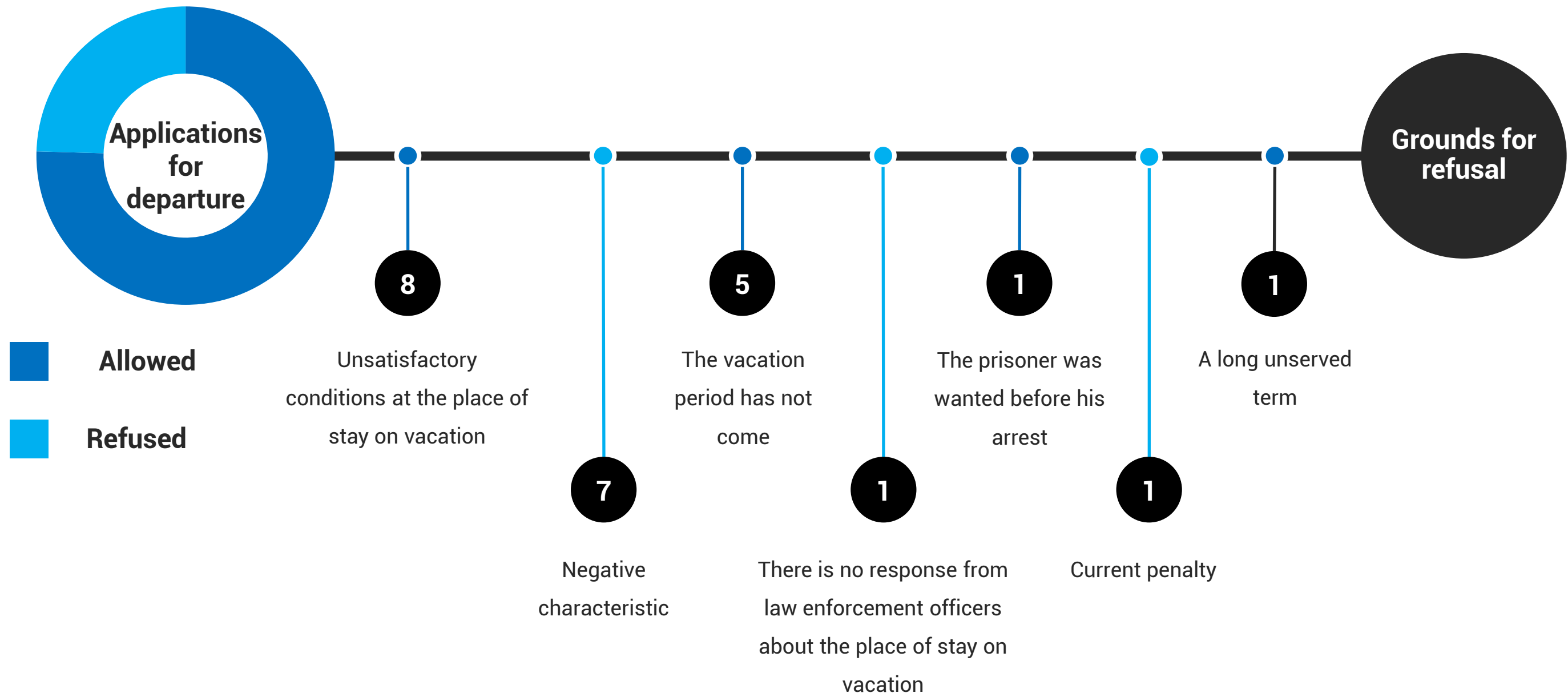
A children's playroom and outdoor
playground are rare

+

Positive moment

In three regions, short-term visits
are allowed in the cafe of the
institution, where you can order
food and drinks

DEPARTURES OF PRISONERS OUTSIDE THE COLONIES STATISTICS



| | | | | | |
|---|--|---|---|---|--|
| ! | Problem These grounds are not based on laws, and therefore are not permissible | + | Positive moment In comparison with 2019, the number of departures has increased | ! | Problem Lack of refusals is achieved by agreeing on a vacation in advance. |
|---|--|---|---|---|--|

DEPARTURES OF PRISONERS OUTSIDE THE COLONIES FOR FAMILY REASONS

Total requests

A prisoner can get such leave if a difficult situation
has occurred at home

27

Satisfied

Death of a relative, the need to restore the
property

18

Refusals

Absence of documents on the reason for
departure, suspicion of repeated offence and
violation of internal regulations

9



PERSONAL TIME AND PERSONAL SPACE

DOES THE PRISONER HAVE THEM?



Problem

Many colonies unreasonably prohibit prisoners from designing premises



Problem

One bedside table for two is allowed in the colony. There are none of them in the pre-trial detention centers at all



Problem

The beds are placed close together



Problem

Paper and electronic books, watches and teapots are prohibited in the pre-trial detention centers for no reason



Optimistic note

There are board games, a library, interest clubs, sports



Optimistic note

As a reward for good behavior, it is allowed to watch sports broadcasts

PRIVATE LIFE AND VULNERABLE CATEGORIES OF PRISONERS

PREGNANT WOMEN AND WOMEN WITH CHILDREN



They have special rooms with a shower, a cooking stove, a changing table and toys



A child under 3 years old lives in a children's home at the colony, but communicates with his mother only a few hours (at best) a day



The Federal Penitentiary Service of Russia has 13 colonies with children's homes, which contain about 500 children



After giving birth, the mother could not see the baby for a month, which led to loss of milk, psychological exhaustion, loss of immunity



At the age of 3, the child is given to an orphanage, relatives, or a foster family, which may interrupt his communication with his mother

PRIVATE LIFE AND VULNERABLE CATEGORIES OF PRISONERS

PRISONERS FROM OTHER REGIONS AND STATES



!

Problem

They are most vulnerable in terms of maintaining family ties. The arrival of loved ones is expensive, and telephone conversations are only in Russian.

!

Problem

There are few books in foreign languages in libraries. Many languages are not represented at all.

!

Problem

Communication with prisoners and employees, understanding of internal regulations and normative acts is difficult. There is isolation from all processes in the institution.

A close-up photograph of a person's arm and hand resting on the handlebar of a wheelchair. The person is wearing a white t-shirt and blue jeans. A blue geometric overlay, consisting of a large triangle and a smaller rectangle, is positioned over the right side of the image. The text is placed within these shapes.

Conditions for visitors with disabilities

Most institutions do not have special conditions for short and long visits for people with disabilities

PRISONERS' COMPLAINTS TO THE AUTHORITIES



Problem

Prosecutors do not keep records of complaints about private life



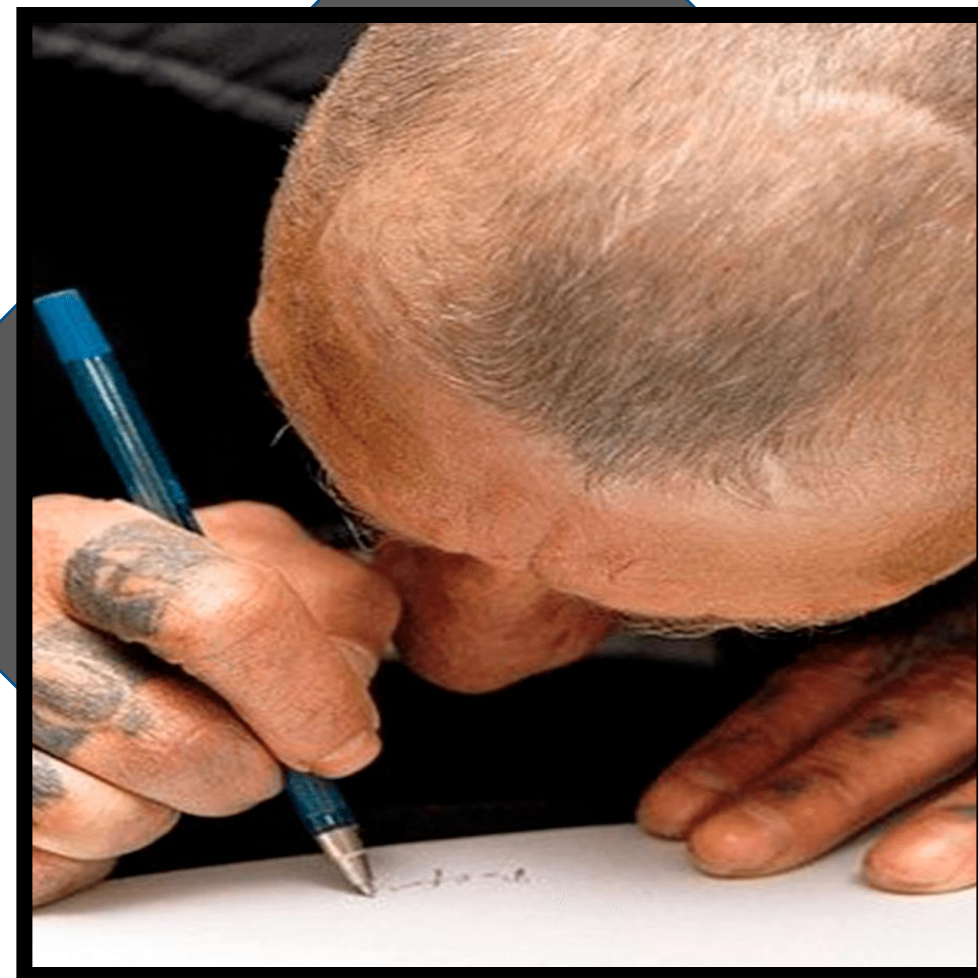
Problem

Ombudsmen do not single out and do not evaluate this area



Problem

Private life is not considered as important



INTERACTION WITH FSIN EMPLOYEES

DURING THE STUDY, THE STAFF DID NOT INTERFERE WITH THE OBSERVERS

In some cases, participation in monitoring prompted prisoners and staff to study the topic. The leadership of the colonies noticed an interest in such information in libraries.



MONITORING RESULTS

MAIN CONCLUSIONS

It is necessary to make available to prisoners all documents that relate to human rights and freedoms.

Conclusion

Nº1

Nº2 Conclusion

It is necessary to ensure the confidentiality of personal data so that they are accessible only to employees.

Conclusion Nº3

It is necessary to ensure confidentiality during the examination of a prisoner by a medical professional.

Nº4

Conclusion

It is necessary to enter an exhaustive list of cases when employees can view letters.

Conclusion

Nº5

Excessive control of all telephone conversations without exception, even with family members without reasonable suspicion.

Nº6

Conclusion

It is necessary to create conditions for confidential communication.

Conclusion

Nº7

It is necessary to provide the prisoner with the right to receive a meeting and conversation without the consent of the investigator.

№8

Conclusion

The right to receive visits and to have a telephone conversation with loved ones should be unconditional and not depend on the person's characteristics.

Conclusion

№9

It is necessary to improve long-term visiting rooms, taking into account the fact that elderly people, children, and people with disabilities can live there. It is necessary to give opportunity to go outside.

№10

Conclusion

A meeting through glass or in the presence of an employee is an excessive restriction. It should be used only in exceptional cases.

Conclusion

№11

The opportunity to see relatives or say goodbye to a loved one in case of death or serious illness is an important element of the right to family life.

Nº12 Conclusion

It should be noted that there is a positive trend in the implementation of the right to go on leave outside the colony in recent years, which needs to be developed.

Conclusion Nº13

It is necessary to continue to reduce the percentage of prisoners serving sentences in regions far from their place of residence.

Nº14

Conclusion

It is necessary to replenish the library collections of places of deprivation of liberty with literature in the languages of people held in institutions, to look for ways to attract translators.



ABOUT OUR ORGANIZATION CONTACTS

"Man and Law" is an
interregional non-
governmental human rights
organization that protects
human rights in 42 regions
of Russia



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the Law" is
included in the
register of NGOs
performing the
functions of a
foreign agent.

The materials used to create
this presentation were taken
from the Internet, where they
are freely available.

ЧЕЛОВЕК ДОСТОИНСТВО

ПРАВО СВОБОДА

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**THANK YOU
FOR YOUR
ATTENTION**

