

Information on the Service of a Sentence in the Czech Republic

This information contains information selected from the laws regulating the service of a term of imprisonment in the Czech Republic (that is, Act No. 169/1999 Coll., on the service of a term of imprisonment and on the amendments to certain related Acts, and Decree No. 345/1999 Coll., the Penitentiary Confinement Rules) and should provide you with basic information on the service of a sentence in the Czech Republic.

Unless otherwise stipulated by the court in the decision on the recognition and enforcement of a foreign decision, the service of a term of imprisonment will be governed, after your extradition to the Czech Republic, by the laws applicable in the Czech Republic.

What will happen after you register yourself in prison?

What prison will the convict be in?

After a convict from another member state of the European Union is taken over for further service of a term of imprisonment in the Czech Republic, he/she is usually placed to the closest prison based on the method of his/her handover to the Czech Republic. Most frequently, they concern the prisons Prague – Ruzyně (if the convict is brought in by plane) or the prisons in Brno, Plzen, Litoměřice and Hradec Králové (if the convict is brought in by road transport).

What will happen upon arrival of the convict at a prison?

Upon arrival at a prison, the convict's identity is verified, the convict is subject to a personal search, and the necessary hygiene and anti-epidemic measures are carried out. The personal search is always carried out by a person of the same sex as the convict.

After the convict arrives to serve his/her sentence, he/she is accommodated in the prison's admission department. The individual categories of convicts are accommodated separately (men, women, and convicts with infectious diseases).

During his/her stay in the admission department, which does not usually exceed 1 week, the convict undergoes an entry medical check-up, including the necessary diagnostic and laboratory examinations.

Who will the convict meet?

In the relevant prison, convicts are admitted by a professional commission consisting of the head of the Sentence Service Department, a psychologist, a special educator, a social worker, an instructor, or, possibly, other employees of the prison.

Once admitted to prison, newly admitted convicts are accommodated separately from other convicts, that is, in the booking department. The length of stay in the booking department is determined individually and does not usually exceed two weeks. During the stay in the booking department, the professional employees prepare a comprehensive report on the convict and propose his/her 'treatment programme', which is an individual plan of the convict's treatment composed of various activities – work, education, interest, etc.). The convict also familiarises himself/herself with the rules of his/her sentence, the prison's internal rules, and the prison's premises.

What will happen with the convict's property?

The convict may keep written documents relating to the criminal proceedings and other official documents. He may keep a reasonable number of photos, letters, laws, books, magazines, and newspapers. He may also keep his personal belongings, writing implements,

basic hygiene implements, and other things within the scope of the Penitentiary Confinement Rules.

The keeping of other things is determined by the prison's director or the employee authorized by him/her. Other things, including money and valuables, are saved by the prison at the convict's request. Personal identity documents are always saved by the prison.

Is it possible to call from prison?

The convict is entitled to use the phone to contact a close person at the hours defined in the prison's internal regulations. The phone determined by the prison shall be used. All phone calls made by the convict are recorded and are subject to control, except those with the defence lawyer or the attorney-at-law representing him/her in another matter and with the state bodies of the Czech Republic or consular offices and diplomatic missions. The convict shall relay his/her request for a phone call to his/her instructor.

Visits

Visits can be paid during a day, usually on bank holidays or days off. Convicts are entitled to receive visits of their close persons within the scope of 3 hours per calendar month. Visits may be permitted more frequently and outside the originally set hours for urgent family or personal reasons.

Prior to a visit, a convict and his/her visitors are instructed on the rules of behaviour during the visit. The visitors have to prove their identity through valid identity cards. Prior to and after the visit, the convict is subject to a personal search, which is always carried out by a person of the same sex. The visit takes place at the premises designated thereto. In justified cases and for safety reasons, it may take place in a room where the visitors are separated from the convict by a safety window.

How does the cell look like?

Every convict has his/her own bed and a locker for his/her personal belongings. In the accommodation room, there are tables and chairs based on the number of the convicts. If the accommodation room is a cell, it has to be equipped with its own WC and a washbasin with running potable water. It is probable that the convict will be accommodated along with other convicts, whereby consideration is given to preventing the risk of cohabitation of certain groups of persons.

Healthcare in the prison

Convicts are entitled to the provision of healthcare services in compliance with the laws pertaining to the provision of healthcare. In every prison, there is a healthcare centre with a general practitioner, a dentist and other specialists. The prison service also operates 2 hospitals with specialized departments – in Prague and Brno.

Benefits obtained in prison

The convict who exemplarily fulfils his/her obligations and cooperates in the fulfilment of his/her individual programme may obtain a reward:

- commendation
- prolongation of visits up to 5 hours a calendar month
- permission of a one-time extraordinary purchase of goods in the prison's shop
- increased pocket money
- material or pecuniary remuneration
- extended personal time-off to 1 month

- permission to leave the prison for up to 24 hours in connection to a visit or the treatment programme
- interruption of the sentence

Prison procedures

The daily programmes in individual prisons may differ depending on the internal regulations of each individual prison. A daily programme defines the time for individual activities during a prison day (necessary recurring activities, a wake-up signal, time for personal hygiene, a walk, a meal, work/work therapy, optional activities, irregular sporting or cultural events, the library's office hours, shopping in the prison shop, spiritual activities, etc.).

Prisons provide convicts with **spiritual and social services** and convicts may take part in common religious ceremonies and other activities organized within them.

Within their treatment programmes, convicts may also take part in **educational** activities and work activities based on the options of the given prison.

Convicts may receive and send **correspondence** only in writing and by mail. When in prison, convicts may use a library and, through the mail, may receive books, daily press, magazines, and things for correspondence purposes.

Based on the options of the individual prisons and the convicts' abilities, the convicts are assigned to **work**. Unless a convict is released from the obligation to work (for example, by reason of age, disability or health condition), the refusal to work is considered as a disciplinary misdemeanour.

Treatment Programme

On the basis of a comprehensive report on the convict and with regard to the length of the sentence, the characteristics of the convict's personality, and the causes of the given crime, the prison shall prepare a treatment programme for the convict for the period of his/her sentence. The programme shall contain the objective of the sentence, the method of treating the convict, and the method and frequency of his/her evaluation. The determination of the method of employment or the convict's participation in work therapy, education or other activities shall be part of the programme.

Types of Prisons in the Czech Republic

Prisons in the Czech Republic are divided into 2 basic types based on the method of external guarding and the method of ensuring security:

- prison especially guarded
- top security prison

Alongside the basic types, there are special prisons for the youth. Wards of various types may be established within one prison. Some prisons also have a ward for minor offenders and for mothers with children. The inclusion of a convict in the relevant type of prison is determined by the court. In 2017 started to operate the first open prison within the prison facility in Jiřice. Its aim is to prepare prisoners who will soon be released to return to normal life.

Can a convict be transferred to another prison?

The transfer of a convict to a prison of the same type is determined by the General Directorate of the Prison Service in collaboration with the director of the prison to which the convict has been placed to serve his/her sentence.

The transfer of a convict to another type of prison is determined by the court. The convict may ask the prison where he/she is placed for transfer through an application. The prison's director shall forward the application to the court and shall attach the convict's evaluation.

Preparation for Release from Prison

If the total sentence exceeds 3 years, the convict is assigned, usually 6 months prior to the expected completion of his/her sentence, to the ward preparing him/her for his/her release. This department focuses on preparing convicts for their return to normal life. In the event of successful fulfilment of the treatment programme and achievement of the purpose of the sentence, the director may interrupt the service of the convict's sentence, in the form of a benefit, for up to 20 days a calendar year. This period is included in the period of imprisonment.

If the convict's sentence is shorter than 3 years, the treatment programme is updated, 3 months prior to release, in manner such that the convict may prepare himself/herself for self-sufficient life.

If the prison conditions so enable, the convicts in the ward preparing them for release may make their meals by themselves from the raw materials provided by the prison.

When can a convict be released from prison?

- upon the expiration of the period of sentence
- upon decision of the court (for instance, parole)
- upon decision of the public prosecutor in the supervision over the serving of the sentence
- upon pardon granted by the President of the Republic

Parole and Supervision

The parole is governed by the Criminal Code and is determined by the court based on the convict's application and the prison director's affirmative statement. A convict may apply for parole after he/she serves the part of his/her sentence as stipulated in the laws:

- after serving at least 1/3 of a sentence (a convict who has not been convicted of a felony and has been in prison for the first time); If the person convicted of an offence has demonstrated, by their exemplary behaviour and performance of their duties, that further execution of punishment is not necessary, the court may conditionally release them from custody on the basis of petition of the prison director even before they have served 1/3 of the prison sentence;
- after serving 2/3 of a sentence (in the event of the felonies named in the Criminal Code, such as murder, manslaughter, substantial bodily harm, rape, etc.);
- after serving twenty years of a sentence (if life imprisonment has been imposed);
- after serving ½ of a sentence (if none of the rules stated above is applicable)

If the application is rejected, it is possible to file another application upon the expiration of 6 months.

In the event of parole, the convict is subject to a trial period and the court may impose on him/her other obligations or limitations over the observance of which supervision is performed, based on their nature, by a probation service worker who is in touch with the convict.

Convicts' Rights

Convicts have rights, such as:

- right to sleep for 8 hours and walk for 1 hour;
- right to have contact with their defence lawyers;

- right to receive and send correspondence, unless otherwise stipulated in the laws;
- right to receive visitors-close persons for 3 hours a calendar month;
- right to social consultancy and help in this sphere;
- right to buy food and personal things in the prison's shop once a week

Who can a convict turn to in the event of problems?

To protect his/her rights and legitimate interests, a convict may file complaints and applications. Complaints and applications are put in the boxes which are designated thereto and which are collected and recorded by the selected prison workers who then ensure their handover.

If a convict feels he/she is at risk, he/she may turn to the prison's workers.

All reports and information on the possible violation of the convict's rights are verified by the prison and the necessary measures are adopted. The prison takes care that convicts are not accommodated along with aggressive inmates.

The convict may also ask for a meeting with the prison's director, the public prosecutor, or the body controlling the prison.

How is it possible to contact the prison service?

A convict may contact the prison service through the workers of the prison where he/she is placed or, possibly, may turn to the General Directorate of the Prison Service of the Czech Republic:

General Directorate of the Prison Service of the Czech Republic

P. O. Box 3

140 67 Prague 4

www.vscf.cz

Prisons, Remand Prisons and Houses of Detention in the Czech Republic

- Prisons
- Remand Prisons
- Houses of Detention

Věznice, vazební věznice a detenční ústavy v ČR

