

Legal Changes for inmate's digitalization. Two Spanish examples.

Europriis ICT Workshop

Puerto Solar Calvo

Covid impact

1. Covid pandemic has shown ***we are too punitive***. Inmates can be under less restrictive regimes.

April 2020: more than 4000 inmate were put into telematic surveillance (bracelets).

2. Covid pandemic has shown that ***technologies can enter inside prisons*** in a very intensive way without so many security problems as we thought in pre-pandemic time.

Video calls.

Use of mobiles inside prison.

Digitalization for the benefit of inmates

1. Breaking the **technology barrier** that affects inmates.
2. A better way of **managing prisons in relation to Fundamental Rights**.

Two are the main developed projects and both of them start with a normative change:

1. **Penitentiary Regulation.**
2. **Video surveillance Instruction.**

Changing the Penitentiary Regulation

- **Article 4. Rights.**

General way but also concrete such as treatment, work, relations.

- **Article 41.** Communications.

- **Article 47.** Phone calls.

- **Article 127.** Library as an internet access point.

- *Relation with article 128.*

- **Article 129.** Computer.

Technology

- Open possibilities.
 - Internal rules of each Prison.
 - Legal regulations on data protection and technology security.
- No concrete additional budget.
- *From whats up to more secure platforms.*
- *Same with officers.*

Video surveillance

- European control Authorities and Ombudsman.
- Harmonised systems:
 - Rules.
 - Technical.
 - *Control from the Headquarters.*
- **Inmate's Right of Access. Article 15 bis Penitentiary Law.**
- **Guarantees.**

Thank you!

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