

Inspection of the Detention Blocks of Haapsalu and Kuressaare Police Stations of the Western Prefecture of the Police and Border Guard Board

On 13 November 2014 advisers to the Chancellor of Justice paid unannounced visits to the detention blocks of Haapsalu and Kuressaare Police Stations of the Western Prefecture of the Police and Border Guard Board. An officer from the Rescue Board was involved in the inspection visit to the Haapsalu detention block. The task of the rescue officer was to assess the fire safety of the Haapsalu detention block.

The inspected detention blocks are structural units of the Police and Border Guard Board where the persons in respect to whom criminal proceedings have been initiated (arrested persons and also convicted persons in respect to whom new criminal proceedings have been initiated), detained persons, persons detained as suspects in criminal proceedings, persons detained within the scope of misdemeanour proceedings and persons taken in for detoxification are held.

The Chancellor of Justice has inspected the Haapsalu detention block on three previous occasions (3 October 2008, 22 April 2010 and 3 November 2011). The building used for the Kuressaare detention block was built in 2012 and the Chancellor of Justice had not inspected it before.

As a result of the inspection the Chancellor of Justice makes three recommendations to the Police and Border Guard Board for guaranteeing the fundamental rights of persons and requests additional information about the detention conditions in new police buildings:

1. The Chancellor of Justice advises the Police and Border Guard Board to continue improving the detention conditions in the Haapsalu detention block. The Chancellor of Justice also requests an overview of the works done in 2014 and planned to be done in 2015 in order to modernise the detention conditions in the Haapsalu detention block and information about the prospects of future use of the Haapsalu police building (proceeding from the demand of the CPT delegation that the Government of Estonia prepare a plan for removing the given detention block from use). The Chancellor of Justice also requests information about the use of the cells (numbers 2, 3 and 4) listed by the CPT – whether they were used to detain persons in 2014 and, if so, when.
2. The Chancellor of Justice is of the opinion that the absence of a walking yard in the Kuressaare detention block contravenes valid law and does not guarantee that the detainees can spend time in the open air for the purposes arising from legal provisions. The Chancellor of Justice would like to know the opinion of the Police and Border Guard Board about the reasons why a walking yard for detainees was not planned in Kuressaare and also Jõgeva police buildings and whether there are plans to continue with this practice in the police buildings that will be completed in the near future. The Chancellor of Justice would also like the Police and Border Guard Board to explain whether and what kind of walking yards could be established for the police building in Kuressaare and the police buildings that will be built in the near future and when it will be possible to establish a walking yard for Kuressaare police building.
3. The Chancellor of Justice advises the Police and Border Guard Board to make sure that the owner of the building of Haapsalu Police Station (Riigi Kinnisvara AS) eliminates the violations highlighted by the rescue officer. The Chancellor of Justice also advises the Police and Border Guard Board to explain the aspects related to the use (switching off) of the ventilation system and to place the fire extinguishers in the detention block in visible places and fasten them according to requirements.