

Inspection of the detention house of the Northern Prefecture of the Police and Border Guard Board

On 22 January 2015 advisers to the Chancellor of Justice paid an unannounced inspection visit to the detention house of the Northern Prefecture of the Police and Border Guard Board. Officers from the Rescue Board joined the inspection visit as experts. The task of the rescue officers was to assess the fire safety of the detention house.

The inspected detention house is a structural unit of the Police and Border Guard Board where persons in regard to whom criminal proceedings have been initiated (arrested persons and also convicted persons in regard 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, in certain cases, persons taken in for detoxification are held. There is room for 90 people in the detention house. 47 people were being held in the detention house at the time of the inspection, the majority of them (30 people) under arrest. On average, the detention house was filled to 60% of its capacity in 2014 according to the officials. A detainee spends *ca* 30 days on average in the detention house.

The Chancellor of Justice had inspected said detention house twice before (30 September 2009 and 10 November 2010).

During the inspection, advisers to the Chancellor of Justice spoke to 13 randomly selected detainees. Different types of cells (incl. two cells used for solitary confinement) were inspected in the police building on a random basis and visits were paid to the room of the duty officer and other work premises of officers, the room where food is distributed, wash rooms, rooms for short meetings/proceedings, the vehicle station and the walking yard. The conditions (cells) in the police van in the station were also examined. The room of the duty officer and weapons room of the Lääne-Harju Police Station of the Northern Prefecture of the Police and Border Guard Board were also visited with rescue officers.

The personal files of the prisoners detained in the cells at the time of the inspection and other materials were also checked. The work log of the cells and protocols prepared about the use of solitary confinement were also checked on a random basis. No breaches in the preparation of the aforementioned documents were found during the inspection. There were some issues in documentation and these were immediately pointed out to the officers.

As a result of the inspection the Chancellor of Justice makes six recommendations to the Northern Prefecture and one recommendation to the Police and Border Guard Board for guaranteeing fundamental human rights:

- guarantee that the persons detained in the detention house have sufficient access to public information (e.g. by giving them newspapers regularly and without unreasonable delays);
- consider the possibility of allowing the detainees to use a telephone more than once a week;
- find other options of making it possible for detainees to use a telephone, e.g. by allowing them to make a free telephone call so they can inform their next of kin about the items they need in the detention house (incl. a telephone card) and/or to organise the acquisition of telephone cards via the detention house;

- create a general order list or lists of books lent to the detainees in the detention house library (e.g. based on genre and topic) and make them accessible to the detainees;
- comply with the provisions of Subsection 205 (4) of the Code of Misdemeanour Procedure and inform the court that enforced the arrest if the offender fails to arrive at the detention house when required;
- make sure that the shortcomings highlighted by the rescue officer are eliminated in cooperation with the owner of the building in which the detention house is located (Riigi Kinnisvara AS).

The Chancellor of Justice advises the Police and Border Guard Board to update the materials that outline the rights and obligations of the detainees and are handed out to detainees in detention houses.