

## **Inspection visits to open prisons**

The advisors of the Chancellor of Justice inspected the open prison part of the Maardu unit of Tallinn Prison on 13 April 2016, the open prison of Tartu Prison on 21 April 2016 and the open prison of Viru Prison on 25 April 2016.

During the visits, the advisors talked to a total of 27 detainees of the open prisons, made a tour on the premises of the open prisons and communicated with various officials of the open prisons. They also conducted random checks of documents.

As for the living conditions, the open prisons of the Prisons of Tallinn, Tartu and Viru are very different, but the regime and practice applied therein allow for drawing certain common conclusions. As a result of the visits, the Chancellor of Justice made the following suggestions and recommendations to the prisons:

- the prisons, in cooperation with the Ministry of Justice, must revise the legal rules and prison practices of using computers and the Internet in an open prison so they serve the purposes of modern imprisonment, allow the detainees to acquire skills and knowledge required for managing in modern society, support detainees in their efforts to start or continue unfinished studies;
- prisons, in cooperation with the Ministry of Justice, should revise the legal rules and prison practices of using a mobile telephone by open prison detainees outside the prison and allow open prison detainees to use the mobile telephone when outside the prison (subject to certain necessary restrictions);
- Viru Prison must change its practice and allow open prison detainees to use a bank card;
- Tallinn Prison and Viru Prison must allow open prison detainees to use an umbrella outside the prison if the weather conditions call for it;
- Tallinn Prison must create opportunities in the open prison for organising short meetups between detainees and their family members, especially children, without separation;
- Tartu Prison must create opportunities for day-to-day physical activity and training by the female detainees of the open prison;
- a large share of the detainees who talked to the advisors of the Chancellor of Justice in Viru open prison argued that some of the guards do not perform their duties in the most suitable way. Some guards are used to, for instance, bang doors, shine flashlights in the faces of detainees, loudly clap their hands next to the ear during a wakeup, push detainees upon escorting them and act verbally provocatively; in a conversation with the manager of the Viru open prison unit following the inspection it became evident that the prison is aware of the problem and has tried to solve the issue with conversations. The Chancellor of Justice has limited opportunities for identifying how exactly guards treat detainees. If what the detainees say is true, it qualifies as behaviour that is in conflict with the principles of the Code of Ethics of prison staff (respect, politeness, supportiveness) as well as with the goals of imprisonment (to support, guide and advise detainees upon their release). Viru Prison must pay close attention to the actions of the guards of the open prison, investigate the allegations of the detainees and inform the Chancellor of Justice about the prison's investigation results.