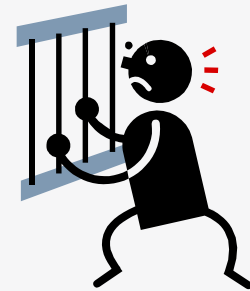




# MASARYK UNIVERSITY FACULTY OF LAW

## The Czech Prison System





# Legal Regulation

- **Act No. 169/1999 Coll., Prison Act, as amended amended.**
- **Act No. 40/2009 Coll., Criminal Code, as amended**
- **Act No 141/1961 Coll., Code of Criminal Procedure, as amended**
- **Prison Rules**



# Czech Prison System

- The prison system = a system of State institutions.
- The Prison Service of the Czech Republic as a department of Ministry of Justice administers the prison system.
- The Minister of Justice manages the Prison Service through a Director General, who is responsible to him for the operation of the Prison Service.



# The Prison Service

- is structured into Prison Guard, Judicial Guard and Administration Service.
- *The Prison Guard* guards, transports and escorts detainees and convicts, guard detention houses, prisons and local prisons and maintain peace in these facilities.
- *The Judicial Guard* maintain peace, security and safety in buildings of the Ministry of Justice, courts and Public Prosecutor's Office.
- *The Administration Service* makes decisions within the framework of administrative procedures according to special regulations and provides organisational, economic, educational and other similar activities. The Medical Service is a part of the Administration Service.



## Types of Prison

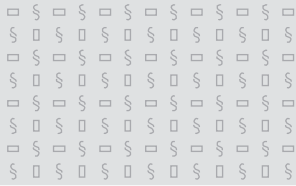
- open prison
  - prison under supervision
  - prison especially guarded
  - top security prison
- 
- distinguished according to the method of external guarding and security.
  - special prison designed for juveniles





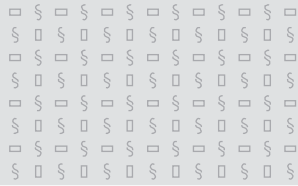
# Types of Prison

- When imposes a sentence of imprisonment, the court shall specify the type of prison in which the sentence will be served.
- The court may also change the type of prison. Its decision depends on the convict`s behaviour during the service of a term of imprisonment.



# Open Prison

- free movement inside the institution without limits,
- as a rule, work is allocated outside the institution, the supervision of a tutor is performed at least once in the week,
- free movement outside the institution after work without any supervision (sport, culture) is possible,
- as a rule, visits without surveillance are allowed.
- No special technical means and armed guards to prevent from escaping. The tutors perform the control.



# Prison Under Supervision

- as a rule, the movement inside the institution under the supervision of an employee of Prison Service, free movement can be permitted,
- work is allocated outside the institution, supervision of an employee of Prison Service is performed at least once in an hour,
- the movement outside the institution after work (sports, culture), is possible under the supervision,
- as a rule, visits without surveillance are allowed.
- No special technical means and armed guards. The supervisors perform the control.





# Prison Especially Guarded

- the organized movement inside the institution under the supervision of an employee of Prison Service, free movement can be exceptionally permitted,
- as a rule, the convicts work inside the prison or outside the prison on the guarded workplaces, the supervision of an employee of Prison Service is performed once in 45 minutes,
- the movement outside the institution after work (sports, culture) is possible under the supervision,
- as a rule, visits with surveillance are allowed.
- Special technical means and armed guards.



# Top Security Prison

- the organized movement inside the institution under the supervision of a guard,
- the convicts work on workplaces inside the prison or in their cells, the supervision is performed once in 30 minutes,
- free movement can not be permitted,
- as a rule, visits with surveillance are allowed.
- Special technical means and armed guards.



# Rights of convicts

- Basic social rights include regular meal, bed and place for personal things, eight hours a day for sleeping, time for personal ablution and cleaning, at least one hour for walking, adequate spare time and medical treatment, clothes suitable for the weather conditions and sufficient to protect their health.
- Visits, correspondence, using the phone and spiritual and social services are also granted.
- The convicts can read books, newspapers, magazines, they can play games etc. They are entitled to order daily newspapers, magazines and books at their own expense and may borrow various publications including legal regulation. They also have the right to buy food and personal articles in the prison shop. Each prisoner has the right to receive a parcel containing food and personal articles weighing up to 5 kg, usually for his birthday and Christmas.



# Duties of convicts

- the convicts have to keep order and discipline
- For example, it is prohibited to drink alcohol and use drugs, to gamble, to tattoo oneself or the others etc.
- Prisoners are obliged to work if prison have work for them to do.



# Programmes of treatment

- Working activities: prisoners work either in prison`s workshops or manufacturing centres, or in companies outside.
- Educational activities: full-time study in prison`s schools, distance learning, correspondence course, requalification.
- Special educational activities: psychotherapy, artetherapy, social treaning, socially - legal counselling.
- Activities of interests: hobbies, amateurs clubs
- Extramural activities: preparation for release



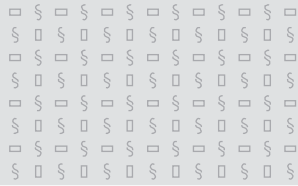
## Conditional Release/Parole

- the court may release a prisoner on parole if he has served one-half of the term of imprisonment or one-third of the term of imprisonment (no particular serious crime, no previous conviction to a prison sentence)
- In cases of minor offence earlier
- persons who are sentenced for serious crimes, the list of which is given in CC + who are sentenced to an exceptional term of imprisonment of between 20 and 25 years after twothird of their sentence
- life convicts after at least 20 years



# Conditional Release/Parole

- probationary period up to three years (minor offence) and between 1 to 7 years (crime)
- **supervision can be ordered and restrictions or duties can be imposed**
- obligation to stay home during time defined in the judgment can or
- obligation to perform work for the public benefit or
- obligation to pay some money for public benefit can be imposed



# Change into house arrest

- the court may change the prison sentence into house arrest if the convict has served one-half of the term of imprisonment which was imposed for minor offence





# Joint Execution of Imprisonment

- of mothers together with their children
- up to 3 years of age (exceptionally up to 5 years)
- not in top security prison
- special department since 2004



Thank you for your attention.