

Summary of case No. AJB-474/2018

OPCAT visit to the Márianosztra Strict and Medium Regime Prison (March 13-14, 2017)

The National Preventive Mechanism (NPM) paid an unannounced visit to the Márianosztra Strict and Medium Regime Prison (the Institute) on March 13–14, 2017, at which time the institute had a capacity for 524 inmates. The registered prison population was 731, the actual number of detainees was 624, which means a saturation of 119.08%.

Although some renovation had taken place in the period preceding the visit, the overall physical conditions raised serious concerns. In many cells, the headcount limit was exceeded, so the floor area for one inmate was far behind the minimum space required by the Hungarian and international requirements. Bedbug infection was still present, despite the measures taken by the Institute. The sizes and conditions of the disciplinary cells were not appropriate, and the NPM also established improprieties related to security isolation.

It also raised concerns that some of the relatives who came to visit the inmates had to undergo controls beyond a simple clothes check. The makeover of the reception room also jeopardized the natural maintenance and development of family relations. Improprieties related to keeping contact on the phone were also disclosed by the NPM.

The health care staff was overburdened, which also affected the services provided to the inmates. As regards access to medicines, it raised especially serious concerns that the inmates with asthma were not allowed to keep asthma inhalers in their cells. Since September 2016, two psychologists have been working for the Institute as employees but the number of detainees per psychologist is still too high. An incident that happened in the Institute at the time of the visit drew the attention of the NPM to a systemic problem in the field of action against self-harming. The NPM, after reviewing the rules on single cells, i.e. isolated placement, explored that in the case of certain types of such placement, the inmates were not examined at all, and in some other cases, it was doubtful whether their mental state was appropriately assessed in the course of their placement.

The nutritionist taking part in the visit concluded that in the food provided as ordinary diet was in harmony with the food defined in the requirements but in the special diet menu, there were some meals that were not in line with the rules. Related to the normative support provided for feeding inmates, the NPM pointed out that the detailed rules had not been defined on the level of decrees.

As regards the employment of the inmates, the facts that the protective gears are sometimes not worn, and the condition of the bathrooms and the dining rooms also raise concerns. The involvement of illiterate inmates in education was not properly ensured and several detainees complained that they had no opportunity to participate in organized programs. The NPM called attention to that, with regard to the physical conditions, the factors contributing to the alleviation of the situation are of special importance, for instance, the inmates should be given the opportunity to spend some of their time outside their cells every day, with work or by taking part in training programs.

The detainees said that there is a lot of tension in the Institute, which results in conflicts, sometimes even in physical assaults. Regarding the behavior of the staff towards the inmates, the NPM also became aware of racist remarks and other verbal, as well as physical abuse. The NPM called the attention of the heads of the Institute to the need to take action against such behavior.

The lack of staff at the Institute was 12.5%, which mainly affected the positions of line officers. The high rate of inmates per one staff member, as well as significant overtime were typical. The extra high workload of the employees and the unfavorable work conditions may significantly affect fulfilling the everyday obligations at work, the behavior of the staff towards the detainees and the effectiveness of preventing violence between the inmates.