

CHILDREN OF PRISONERS IN THE NATIONAL PREVENTIVE MECHANISM

Conference:

Children with a parent in conflict with the law:
What is their best interest? How to make it a reality?

Lora Vidović, Ombudswoman of Croatia
Zagreb, 20 May 2016.

Ombudswoman

- National Preventive Mechanism
- OPCAT
 - Act on National Preventive Mechanism against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 2011., 2015.
 - NGOs and independent experts
 - Cooperation with special Ombudswomen!
- Protection and promotion of human rights and freedoms
- Performance of the mandates of the National Equality Body

Institutions under the competence of NPM

- Penitentiaries: 7
 - Prisons: 14
 - Correctional institutions: 2
 - Detention and police custody facilities: 250
 - Reception Centre for Aliens: 1
 - Reception Centre for Asylum seekers: 1
 - Facilities for the temporary custody of members of the Armed Forces: 5
 - Psychiatric hospitals for the placement of persons with mental impairments: 5
 - Other health institutions which have contracted psychiatric services: 28
 - Homes for adult persons with mental impairments: 51
 - Homes for persons with physical, intellectual and sensory impairments: 66
 - Homes for children with behaviour disorders: 12
 - Homes for elderly persons: 437
- TOTAL: 878 places**

Rights of the children

- THE RIGHTS OF THE CHILD ARE HUMAN RIGHTS

Children in conflict with law

Parents in prison and child at loose

Parents and a child in prison

- EQUAL RIGHTS AS OTHER CHILDREN

NPM and rights of the children with a parent in conflict with the Law

- Prisons and penitentiaries
- Adequacy for childrens' visits
- Clearance of children before visits
- Time of visits and waiting conditions for children
- Distance between a child's residence and prison/penitentiary
- Out of prison's benefits for contacts with children
- Programs for parents in prison – parental responsibilities

NPM: mothers deprived of their liberty

CPT standards:

- ✓ Any ante and post natal care provided in prison should be equivalent to that available in the outside community
- ✓ Access to creche-type facilities and shared burden of child - rearing – enable women prisoners to participate in work and other activities
- ✓ Penitentiary in Požega:
 - Department for mothers with small children – conditions in which mothers are accommodated have direct influence to the child that remains with her
 - The only penitentiary for women – difficulties for visits of the children that do not remain with their mothers
 - Project of the NGO RODA

Mothers deprived of their liberty

- Article 111 of The Execution of Prison Sentence Act (ZIKZ)
- A child remains with the mother upon her request and on the basis of the decision of a social welfare center until his or her third birthday
- The equipment as well as the professional care and health care for the child will be provided by prison
- Pregnant inmates as well as the mother and the child have a right to weekly visits by the members of their families
- The tasks which a pregnant inmate or an inmate which has just delivered a child, or an inmate whose is staying with her until child's third birthday will be determined by a medical doctor
- During the stay of a child with his or her mother in a prison, the prison will ensure that the child attends a pre-school institution outside of the prison


Rights of the children deprived of their liberty

- Correctional institutions
- Prisons
- Reception Centre for Aliens
- Refugee crisis 2015.
- Reception Centre for Asylum seekers
- Police stations
- Psychiatric institutions
- Turopolje!

Cooperation

THANK YOU

info@ombudsman.hr

 @OmbudsmanHR

www.ombudsman.hr