



REPUBLIC OF
SLOVENIA



HUMAN
RIGHTS
OMBUDSMAN

THE REPORT

OF THE HUMAN RIGHTS OMBUDSMAN
OF THE REPUBLIC OF SLOVENIA

ON IMPLEMENTING THE TASKS OF THE NATIONAL PREVENTIVE MECHANISM

UNDER THE OPTIONAL PROTOCOL TO THE
UN CONVENTION AGAINST TORTURE AND
OTHER CRUEL, INHUMAN OR DEGRADING
TREATMENT OR PUNISHMENT

FOR 2019

Ljubljana, June 2020

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Legend:



Ombudsman's commendations



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1. IMPLEMENTATION OF THE DUTIES AND POWERS OF THE NATIONAL PREVENTIVE MECHANISM IN 2019

1.1 GENERAL

In this document, the Human Rights Ombudsman of the Republic of Slovenia (the Ombudsman) reports on the implementation of the tasks and powers of the National Preventive Mechanism (NPM) in 2019 as per the **Optional Protocol to the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment** (Optional Protocol) adopted by the UN General Assembly at its 57th session on 18 December 2002 and which has been available for signing and ratification since 4 February 2003.¹ **The Optional Protocol establishes a system of regular (preventive) visits by independent international and national authorities to places where people are deprived of their liberty,² in order to prevent torture and other forms of cruel, inhuman or degrading treatment or punishment.³** At the international level, the Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (SPT) was established as per the Optional Protocol. Every state signatory to the Protocol undertakes to **establish, appoint or maintain an authority or several authorities at the national level to implement visits in order to prevent torture and other cruel, inhuman or degrading treatment or punishment (NPM).**⁴

The task of each NPM is to visit all locations in the country where persons are deprived of their liberty and inspect how such persons are treated in order to strengthen their protection against torture and other cruel, inhuman or humiliating treatment or punishment. While observing suitable legal norms, the NPM makes recommendations to the relevant authorities to improve the conditions and treatment of people and prevent torture and other forms of cruel, inhuman or degrading treatment or punishment. In this regard, the NPM may also submit proposals and comments to the applicable or drafted acts.⁵

Important additional tasks and powers were entrusted to the Ombudsman in 2006 by means of the Act ratifying the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (MOPPM).⁶ **We are certain that one of the reasons the Ombudsman has been entrusted with the additional duties and powers of the NPM was the care the Ombudsman has constantly dedicated to discussing complaints received from imprisoned persons and also its preventive role in this field, i.e. by the formed and established manner of operation when visiting facilities where persons deprived of their liberty are accommodated. Its independence (functional, personal and financial) is also important in this regard, and this is**

¹ The Optional Protocol entered into force for Slovenia on 22 February 2007; see the Official Gazette of the Republic of Slovenia [Uradni list RS], No. 17/07.

² The place of deprivation of liberty is determined in Article 4 of the Optional Protocol.

³ See Article 1 of the Optional Protocol.

⁴ Article 17 of the Optional Protocol stipulates: "Each State Party shall maintain, designate or establish, at the latest one year after the entry into force of the present Protocol or of its ratification or accession, one or several independent national preventive mechanisms for the prevention of torture at the domestic level. Mechanisms established by decentralised units may be designated as national preventive mechanisms for the purposes of the present Protocol if they are in conformity with its provisions."

⁵ See Article 19 of the Optional Protocol.

⁶ Official Gazette of the Republic of Slovenia [Uradni list RS], No. 114/06 – International Treaties, No. 20/06.

ensured with the Constitution of the Republic of Slovenia and the Human Rights Ombudsman Act.

By being entrusted with the tasks and powers of the NPM, the Ombudsman became an integral part of a generally applicable system under the auspices of the United Nations, which enforces (additional) mechanisms for the prevention of torture and other forms of ill-treatment of people deprived of liberty at the international and national levels. **This system is particularly based on regular visits to places of deprivation of liberty.** The purpose of these preventive visits is to prevent torture or other ill-treatment before it occurs.

A special NPM unit has been operating under the auspices of the Ombudsman since 2015, which does not examine individual complaints, but visits places of deprivation of liberty and conducts other NPM tasks. The separation of both Ombudsman's activities has thus been ensured, i.e. of the preventive one conducted by the NPM and the responsive one that includes the discussion of complaints received. The need for this separation is explicitly stipulated in Item 32 of the Guidelines on National Preventive Mechanisms (SPT)⁷ adopted at the 12th session in Geneva between 15 and 19 November 2010, which stipulates that "where the body designated as the NPM performs other functions in addition to those under the Optional Protocol, its NPM functions should be located within a separate unit or department, with its own staff and budget". The implementation of tasks and powers of the NPM is thus much more organised and effective. The improved organisation of work contributes to better preparation for individual visits, their execution and the drafting of reports on visits.

The operations of the Ombudsman's special internal organisational unit, which implements only the tasks and powers of the NPM, were also determined in 2017 by the Act Amending the Human Rights Ombudsman Act (ZVarCP-B; Official Gazette of the Republic of Slovenia [Uradni list RS], No. 54/17) in Article 50c, stipulating that the work of the National Preventive Mechanism is managed by a Deputy Ombudsman authorised by the Ombudsman for a certain period.

In addition to the Deputy Ombudsman and the Head of the NPM, Mr Ivan Šelih, the following Ombudsman's advisers participated in the NPM unit: Robert Gačnik, BA in Criminal Justice and Security, specialist in criminal investigation (responsible particularly for visiting prisons, police stations, alien and asylum centres), mag. Jure Markič, BA in Law (responsible for visiting social care institutions and psychiatric hospitals), and Ana Polutnik, BA in Law, who also discusses individual complaints (responsible for visiting residential treatment institutions and other places of the deprivation of liberty of children).

⁷ Available at <http://www.ohchr.org/EN/HRBodies/OPCAT/Pages/NationalPreventiveMechanisms.aspx>.

1.2

COOPERATION WITH NON-GOVERNMENTAL ORGANISATIONS

Article 5 of the MOPPM determines that the duties and powers of the NPM are to be implemented by the Ombudsman. It also stipulates that non-governmental organisations (NGOs) registered in the Republic of Slovenia and organisations which hold the status of humanitarian organisations in the Republic of Slovenia and which deal with the protection of human rights or fundamental freedoms, particularly in the field of preventing torture and other cruel, inhuman or degrading treatment or punishment, may participate with the Ombudsman in the supervision of places of detention and in the examination of the treatment of persons deprived of their liberty. The organisations implementing supervision together with the Ombudsman's office are selected by the Ombudsman on the basis of a public call. Cooperation with the selected NGOs is laid down in more detail in agreements.

The MOPPM also stipulates that the persons from selected organisations which will be participating in the implementation of the duties and powers of the NPM have to provide a preliminary written statement that when implementing these duties and powers they will observe the Ombudsman's instructions and regulations regarding the protection of personal and confidential data, which are also applicable to the Ombudsman, deputies and staff.

The MOPPM also determines that the costs and remuneration of persons from organisations conducting tasks or implementing the powers of the NPM together with the Ombudsman are covered by the Ombudsman from its budget headings according to the rules issued on the basis of the prior consent of the minister responsible for finance.⁸

Based on the public call⁹, the following non-governmental organisations were selected at the beginning of 2019 for cooperation until 31 December 2021 with the possibility of a one-year extension: Novi paradoks (NP) with four members, Humanitarno društvo Pravo za VSE (Pravo za VSE) with seven members, Caritas Slovenia (Caritas) with two members, SKUP – Community of Private Institutes (SKUP) with five members, Legal-Informational Centre for NGOs – PIC (PIC) with four members, the Peace Institute (MI) with five members, the Slovenian Federation of Pensioners' Associations (ZDUS) with seven members and now also with Spominčica – Alzheimer Slovenija (Spominčica) with four members and the Slovenian Foundation for UNICEF (UNICEF) with three members.

The selected NGOs conduct their tasks and powers with their representatives (**a total of 41 persons from nine selected non-governmental organisations attended visits in 2019**) who are qualified for individual supervision fields and participate as members of the group appointed by the Ombudsman for each visit individually. Every group implementing supervision is thus composed of representatives of the Ombudsman and the selected organisations who observe the programme of visits adopted by the Ombudsman in cooperation with the selected organisations. If necessary, other circumstances demanding an immediate visit are also taken into account.^{1.3}

⁸ The new Rules were published in the Official Gazette of the Republic of Slovenia [Uradni list RS], No. 13/17.

⁹ The public call was published in the Official Gazette of the Republic of Slovenia [Uradni list RS], No. 84/18.

1.3

VISITS TO PLACES OF DEPRIVATION OF LIBERTY

In the role of the NPM, the Ombudsman visits (while observing its annual programme of visits) all locations in the Republic of Slovenia where persons are deprived of their liberty, and inspects how such persons are treated, in order to strengthen their protection against torture and other forms of cruel, inhuman or humiliating treatment or punishment.

While observing suitable legal norms, the NPM makes recommendations to the relevant authorities to improve the conditions and treatment of people and prevent torture and other forms of cruel, inhuman or degrading treatment or punishment. In this regard, it may also submit proposals and comments on applicable or drafted acts.

Places of deprivation of liberty in the Republic of Slovenia include in particular:

- prisons and all their units and Radeče Juvenile Correctional Facility,
- educational institutions,
- certain social care institutions – retirement homes and special social care institutions,
- psychiatric hospitals,
- detention rooms at police stations and Ljubljana Police Detention Centre,
- Aliens Centre in Postojna and the Asylum Centre in Ljubljana,
- detention rooms operated by the Slovenian Armed Forces, and
- all other locations as per Article 4 of the Optional Protocol (for example, police intervention vehicles, etc.).

The definition of the deprivation of liberty as per Article 4 of the Optional Protocol also includes any place of deprivation of liberty under the jurisdiction and control of the Republic of Slovenia. In December 2019, the Ombudsman contacted the Ministry of Defence to inquire whether persons were deprived of their liberty at any place under the jurisdiction or control of the Slovenian Armed Forces within the framework of international operations and missions (any type of detention, custody or other accommodation at a location a person cannot willingly leave). The Ministry responded to the inquiry in writing and explained that the members of the Slovenian Armed Forces working outside the territory of the Republic of Slovenia do not conduct procedures involving the deprivation of liberty and do not participate in them. The Ministry further provided legal bases and standards that would bind the Slovenian Armed Forces, in their opinion, if such procedures were to be implemented. After reading the reply, the Ombudsman submitted additional inquiries to the Ministry and pointed out certain other aspects and important international law provisions that regulate this field.

In 2019, we visited 63 places of deprivation of liberty, i.e. 27 police stations, six prisons and Radeče Juvenile Correctional Facility, the Aliens Centre, two psychiatric hospitals, 19 social care institutions (retirement homes), four educational institutions or youth homes, and several residential groups operating within these institutions. All visits (except the visit to the Intensive Child and Adolescent Psychiatry Unit of Ljubljana University Psychiatric Clinic, which was the NPM's first visit to the institution) were conducted without prior notification. There were 37 regular visits, 13 control ones (during which we particularly examined the realisation of NPM recommendations giv-

en during past visits) and 13 thematic visits (which focused on a certain topic selected in advance). Of 63 visits, 50 were conducted in the morning and 13 in the afternoon. For the first time, we also visited three locations where the Dolfka Boštjančič Education, Work and Care Centre from Draga pri Igu operates. Special education institutes or education, work and care centres are particularly intended for the implementation of institutional care for children and adolescents with moderate, severe or profound intellectual disabilities, who are placed therein on the basis of a decision issued by the education institute as per the expert opinion of a special board. During these visits, the NPM tried to establish whether the users' rights to personal freedom were being restricted, or if restrictive measures were used against them, and what were their problems and concerns¹⁰ (if any) when being treated, and cared for, in the centre for education, work and care.

In comparison with 2018, we conducted somewhat fewer visits in 2019 as the number of members of the NPM unit was reduced by one person at the Ombudsman's office (due to retirement). Furthermore, we only began visiting the locations of deprivation of liberty in March 2019 due to the selection of NGOs regarding the implementation of tasks and powers of the NPM. We also dedicated more time to cooperation in the working group of the Ministry of Health for the preparation of amendments to the Mental Health Act (ZDZdr), and comments and proposals to the drafted act on the treatment of juvenile offenders that would comprehensively and systemically regulate the treatment of juvenile offenders and transpose Directive (EU) 2016/800 of the European Parliament and of the Council of 11 May 2016 on procedural safeguards for children who are suspects or accused persons in criminal proceedings into the Slovenian legislation. We also submitted our comments to the draft Act on the Intervention for Children and Teenagers with Emotional and Conduct Disorders and Problems in Education, whose objective it is to establish a uniform systemic solution for the comprehensive treatment of children with emotional and behavioural disorders in residential treatment institutions for which several line ministries are responsible, and enable the formation of expert centres that would also offer children in kindergartens and schools preventive activities to provide them with prompt assistance and thus possible accommodation at a later time.

¹⁰ When this report was drafted (at the end of January 2020), the report on these visits was still in preparation and we thus did not provide findings determined during these visits or recommendations thereof in this annual report.

Details on visits in 2019 are provided in the table below:

	POLICE STATIONS AND POLICE DETENTION CENTRE	PRISONS AND RADEČE JUVENILE CORRECTIONAL FACILITY	ALIENS CENTRE	PSYCHIATRIC HOSPITALS (INCLUDING THE FORENSIC UNIT)	RETIREMENT HOMES	RESIDENTIAL TREATMENT INSTITUTIONS	SPECIAL EDUCATION, WORK AND CARE CENTRES	TOTAL
NUMBER OF VISITS	27	7	1	2	19	4	3	63
NUMBER OF ONE-DAY VISITS	27	6	1	2	19	4	3	62
NUMBER OF TWO-DAY VISITS		1						1
ANNOUNCED VISITS				1				1
UNANNOUNCED VISITS	27	7	1	1	19	4	3	62
REGULAR VISIT	27	7	1	1	1			37
CONTROL VISIT				1	12			13
THEMATIC VISIT					6	4	3	13
MORNING	27	7	1	2	13			50
AFTERNOON					6	4	3	13
ATTENDED BY AN EXPERT		2			6			8

When implementing the tasks and powers of the NPM, the Ombudsman engages experts with the widest range of recommended specialist knowledge. Since selected NGOs cannot provide certain other suitable experts and because the Ombudsman does not have the services of an expert in the field of medical care, certain external experts had to be engaged. On the basis of a public call for proposals for the purpose of recruiting doctors/experts to help the Ombudsman to establish, clarify or evaluate evidence of torture or other forms of cruel, inhuman or degrading treatment or punishment, or to support the Ombudsman during visits to places of deprivation of liberty with suitable expert knowledge which the Ombudsman lacks, the Ombudsman selected doctors/experts. **In 2019, we continued our cooperation with Dr Peter Pregelj, specialist/psychiatrist, and Dr Milan Popovič, specialist in general surgery.** An individual expert selected from the list by the Ombudsman as per the type and place of an individual visit performs their tasks in accordance with the orders and instructions of the Ombudsman and in cooperation with the Ombudsman's expert colleagues by participating in planned visits and providing written replies to the Ombudsman's questions in the role of the NPM and providing their own findings, particu-

larly regarding the suitability of medical care and the treatment of people deprived of liberty. The external doctors attended eight visits by the NPM in 2019.

The NPM drafts a comprehensive (final) report on the findings established at the visited institution after each visit. The report also covers proposals and recommendations to eliminate established irregularities or deficiencies and to improve the situation, including measures to reduce the possibilities of improper treatment in the future. The Ombudsman's representatives and the representatives of the selected NGOs participate in drafting the report on the visit. All participants, including NGO representatives, must prepare a brief report on their findings, together with proposals, which form part of the report on the implemented supervision. The report is submitted to the competent authority, i.e. the superior body of the visited institution, with a proposal that the authority take a position on the statements or recommendations in the report and submit it to the Ombudsman by a determined deadline. The institution concerned also receives the report, and a preliminary report is drafted in certain cases (when visiting social care institutions, psychiatric hospitals and residential treatment institutions). A representative of the Ombudsman is usually responsible for drafting the final report on the visit, although a person from a selected NGO may also be appointed for this purpose.

The participation of representatives from the selected NGOs at visits and when drafting final reports in 2019 is displayed in the table below:

	POLICE STATIONS AND POLICE DETENTION CENTRE	PRISONS AND RADEČE JUVENILE CORRECTIONAL FACILITY	ALIENS CENTRE	PSYCHIATRIC HOSPITALS (INCLUDING THE FORENSIC UNIT)	RETIREMENT HOMES	RESIDENTIAL TREATMENT INSTITUTIONS	SPECIAL EDUCATION, WORK AND CARE CENTRES	TOTAL
PRAVO ZA VSE	11	1		1	3			16
FINAL REPORT	4				2			6
PIC	10	1			1	4		16
PEACE INSTITUTE		5	1				2	8
FINAL REPORT		4						4
NOVI PARADOKS				1	2			3
FINAL REPORT								0
ZDUS					4		1	5
FINAL REPORT								0
SKUP	6	2			5			13
FINAL REPORT	2	1			1			4
UNICEF		1	1					2
FINAL REPORT								0
SPOMINČICA					4			4
FINAL REPORT								0
TOTAL OF REPORTS DRAFTED	11	5	0	0	3	0	0	19

The representatives of selected NGOs participated in all visits of the NPM in 2019. The Peace Institute attended eight visits (four prisons, the Aliens Centre and two special education, work and care centres); PIC attended sixteen visits (ten police stations, one prison, one social care institution and four educational institutions); SKUP attended thirteen visits (six police stations, two prisons and five social care institutions); UNICEF attended a visit to the Aliens Centre and Radeče Juvenile Correctional Facility; Pravo za VSE attended sixteen visits (eleven police stations, Radeče Juvenile Correctional Facility, one psychiatric hospital and three social care institutions); ZDUS attended five visits (four social care institutions and one special education, work and care centre); Spominčica attended four visits (four social care institutions) and Novi paradoks attended three NPM visits (one psychiatric hospital and two social care institutions). The representatives of the selected organisations drafted nineteen final reports on the NPM visits in 2019.

1.4

REALISATION OF NPM RECOMMENDATIONS

The implementation of NPM recommendations is a commitment of the State Party to the Optional Protocol. According to Article 22 of the Optional Protocol, the competent authorities of the State Party must address recommendations of the NPM and establish a dialogue with it regarding possible measures to realise the recommendations. **All recommendations and responses from competent authorities regarding the NPM visits in 2019 are published in special tables on the Ombudsman's website according to the institutions visited.**¹¹ Following the example and good experience of some of the national preventive mechanisms, especially the Austrian one, we decided in 2018 to establish special NPM recommendation overview tables. When preparing the tables, we also took into account our own experience and needs. Key words which would be used to label a particular recommendation were first determined. Twelve labels were determined: **(1) general, (2) living conditions, (3) treatment, forms of work, (4) health care, (5) activities, (6) staff, (7) contact with the outside world, (8) food, (9) treatment of unwanted behaviour, violation of the rules for living, (10) records, documentation, (10) legal protection, complaint channels, (11) relocation, discharge, (12) other.** Different categories in the table itself were then formed, so that it is immediately clear for each recommendation during which visit it was given, related to which location of deprivation of liberty, at which location, which type of visit it was, which non-governmental organisation cooperated, and whether an expert also attended the visit. The full recommendation is listed in the table, followed by a brief explanation of the recommendation if necessary; the aforementioned key word is used for a clarification of the type of a recommendation (**systemic, general, or targeted**); response to the recommendation and the comment on the response if necessary; findings from the control visit, and the response to these findings. Good practice and commendations provided during our work are also entered into the table.

Based on the response received to the recommendations (visited institutions or the superior authority), we determine whether the visited institution and/or superior ministry accepted and implemented the NPM recommendations or not. The realisation of our recommendations is regularly verified during our subsequent visits to the institutions in question and, if necessary, by way of control visits.

Recommendations made by the NPM after visits in 2019 are thus displayed in the form of tables by individual locations of places of deprivation of liberty on the Ombudsman's website.¹² Whereby, it needs to be taken into account that this is the situation as of January 2020 (when drafting this report, certain reports about visits were still being prepared, and we have not yet received response reports to some of them, which is why the number of the recommendations in the table is not final, including the data on the implementation of individual recommendations (for some of them, only the response from the visited institution has been observed, and not from the competent ministry for whose response we are still waiting)).¹³

11, 12 See: <https://www.varuh-rs.si/en/about-us/organisational-units-and-hro-council/ombudsman-as-a-nmp/>

1.4.1 Statistical review of NPM recommendations in 2019

Recommendations by type¹⁴

	TARGETED	SYSTEMIC	GENERAL	TOTAL
ALIENS CENTRE	5	1	4	10
RETIREMENT HOMES		14	92	106
PSYCHIATRIC HOSPITALS			30	30
RESIDENTIAL TREATMENT INSTITUTIONS		4		4
RADEČE JUVENILE CORRECTIONAL FACILITY	33			33
PRISONS	72	4		76
POLICE STATIONS	134	15		149
TOTAL	244	38	126	408

¹³ At the time of drafting this report, the preliminary report on the thematic visit to the special education, work and care centre was still being prepared, and the recommendations from this visit were thus not included in this report. At the end of January, we were still waiting for full or partial responses from the Ministry of the Interior relating to the recommendations involving the Aliens Centre and the following social care institutions and the psychiatric hospital: the Prebold Unit of Franc Salamon Trbovlje Retirement Home, Kranj Retirement Home, Mengeš Retirement Home, Ptuj Retirement Home, DEOS Trnovo Retirement Home, Izola Retirement Home, Trubar Retirement Home in Loka pri Zidanem Mostu, Franc Salamon Trbovlje Retirement Home and Ormož Psychiatric Hospital.

¹⁴ At the time of drafting this report, the preliminary report on the thematic visit to the special education, work and care centre was still being prepared, and the recommendations from this visit were thus not included in this report.

Recommendations by key words¹⁵

	ACTIVITIES	LIVING CONDITIONS	OTHE	RECORDS, DOCUMENTATION	TREATMENT OF UNWANTED BEHAVIOUR	TREATMENT, FORMS OF WORK	STAFF	LEGAL PROTECTION, COMPLAINT CHANNEL	FOOD	RELOCATION, DISCHARGE	GENERAL	CONTACTS WITH THE OUTSIDE WORLD	HEALTH CARE	TOTAL
ALIENS CENTRE		3		3		1	2				1			10
RETIREMENT HOMES	8	24		3	11	9	12	22	1			1	15	106
PSYCHIATRIC HOSPITALS	1	9		1	5			12				2		30
RESIDENTIAL TREATMENT INSTITUTIONS					4									4
RADEČE JUVENILE CORRECTIONAL FACILITY	1	20				6	2	1	2				1	33
PRISONS	11	29	3			9	10		2			4	8	76
POLICE STATIONS	4	44	5	49		27	3	15			1		1	149
SKUPAJ	25	129	8	56	20	52	29	50	5	0	2	7	25	408

¹⁵ At the time of drafting this report, the preliminary report on the thematic visit to the special education, work and care centre was still being prepared, and the recommendations from this visit were thus not included in this report.

Recommendations by response ¹⁶

	NOT ACCEPTED	NO RESPONSE	ACCEPTED BUT NOT REALISED	ACCEPTED AND REALISED	WAITING FOR RESPONSE ¹⁷	TOTAL
ALIENS CENTRE					10	10
SPECIAL EDUCATION, WORK AND CARE CENTRE						
RETIREMENT HOMES			26	39	41	106
PSYCHIATRIC HOSPITALS		6	9	6	9	30
RESIDENTIAL TREATMENT INSTITUTIONS			4			4
RADEČE JUVENILE CORRECTIONAL FACILITY	1		18	14		33
PRISONS	6	2	48	20		76
POLICE STATIONS	21	2	42	84		149
TOTAL	28	10	147	163	60	408

¹⁶ At the time of drafting this report, the preliminary report on the thematic visit to the special education, work and care centre was still being prepared, and the recommendations from this visit were thus not included in this report. At the end of January, we were still waiting for a full or partial responses from the Ministry of the Interior relating to the recommendations involving the Aliens Centre and the following social care institutions and the psychiatric hospital: the Prebold Unit of Franc Salamon Trbovlje Retirement Home, Kranj Retirement Home, Mengeš Retirement Home, Ptuj Retirement Home, DEOS Trnovo Retirement Home, Izola Retirement Home, Trubar Retirement Home in Loka pri Zidanem Mostu, Franc Salamon Trbovlje Retirement Home and Ormož Psychiatric Hospital.

¹⁷ See the previous note.

1.5

INTERNATIONAL AND OTHER ACTIVITIES OF THE NPM

In addition to visiting places of deprivation of liberty, the NPM also conducts numerous other tasks. These include the **preparation of proposals and comments to applicable or proposed acts** (in addition to the already mentioned cooperation in the working group of the Ministry of Health to prepare amendments to the Mental Health Act (ZDZdr), and comments and proposals to the draft Liability of Minors for Criminal Offences Act and the Act on the Intervention for Children and Teenagers with Emotional and Conduct Disorders and Problems in Education, we also participated in the preparation of the Rules amending the Rules on the Implementation of Prison Sentences and other regulations in 2019). **We also prepared and carried out presentations for foreign delegations or local visitors** (e.g. we hosted representatives of foreign delegations from Montenegro, Palestine and Croatia in 2019), **and drafted replies to questions from various networks or other NPMs and bodies. We attended various meetings, seminars and sessions (in Slovenia and abroad) at which we showcased our work** (some of these activities are included in the review of the NPM's other activities in 2019, which is attached to this report).

In May and December 2019, we again **participated in the training programme for newly recruited prison officers** at which Deputy Ombudsman, Ivan Šelih, presented the work of the Ombudsman to prison officers in Gotenica, and the Ombudsman's adviser, Robert Gačnik, presented the work of the NPM.

Within the scope of preparing to implement guidelines and obligatory instructions for preparing the police work plan and planning of supervision of the Police, we met with the representatives of the Police and Security Directorate at the Ministry of the Interior in the relevant year (as was done in the past).

The NPM also organises education and training courses. In cooperation with the Omega Research Foundation and the University of Exeter, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) organised **a course on supervision regarding the use of weapons and other coercive measures (such as electrical discharge weapons) and the prevention of torture** for the Ombudsman's employees and participating representatives of NGOs on 21 November 2019. During the course, the participants learn in greater detail about the international norms and standards, such as the Nelson Mandela Rules¹⁸ on the use of weapons and other coercive measures by police officers and other security staff.

¹⁸ The Ombudsman provided and published a translation of these rules into Slovenian in the 2015 NPM report, p.195.

They thus learned about individual coercive measures, various (international) standards or provisions used for different types of equipment and the importance of accurately recording the use of each type of coercive measure.

Special attention was dedicated to the supervision of the use of coercive measures (including the provisions of the Istanbul Protocol) as it is particularly important that supervisors recognise and distinguish between weapons and instruments of restraint which inherently denote abuse, and those whose use may be legitimate in certain circumstances, but may nevertheless be misused easily. To this end, the course providers provided a Slovenian translation of the practical guide of the **Omega Research Foundation** regarding the supervision of weapons and instruments of restraint and binding at places of detention, which will be of use to the competent bodies when supervising this field in the future.

In 2019, we remained active in the South-East Europe (SEE) NPM Network¹⁹ the purpose of which is to establish better cooperation, exchange experience and implement numerous joint activities to improve the efficiency of performing the duties and powers of the NPM in South East Europe arising from the Optional Protocol. Between 11 and 12 June 2019, Deputy Ombudsman Ivan Šelih attended the first meeting of the SEE NPM Network in 2019 in Skopje in North Macedonia, organised by the Human Rights Ombudsman of North Macedonia within the framework of their presidency of the network and with the assistance of the OSCE. **The meeting was intended to exchange experiences when forming policies to prevent retaliation** as per Article 21 of the Optional Protocol stating that no authority or official shall order, apply, permit or tolerate any sanction against any person or organisation for having communicated to the national preventive mechanism any information, whether true or false, and no such person or organisation shall be otherwise prejudiced in any way. After presentations by all members of the network concerning procedures and work methods on the prevention of retaliation, the meeting in Skopje concluded with concrete findings and recommendations, i.e.: NPMs must be aware that retaliation and intimidation can occur in all “places of detention”. As per the principle of “not prejudiced”, it must be ensured that no one is subject to punitive measures for carrying out NPM authorisations. The activities to enhance awareness will be of help when establishing bases of trust that will encourage everyone to speak freely with NPM members and provide information. In this way, they will be certain that the principle of confidentiality will not be violated. As per the SPT policy on retaliation, each NPM will form their own procedures and work methods to prevent, and suitably respond to, retaliation.

Deputy Ombudsman Ivan Šelih and Ombudsman’s adviser Ana Polutnik attended the second meeting of the SEE NPM Network, which was held between 2 and 3 October 2019 in Skopje in North Macedonia. **The purpose of the meeting was to present and exchange experiences when discussing children and adolescents in institutions or in circumstances in which their personal freedom is restricted.** This meeting of the representatives of the SEE NPM Network was the first to focus on the regulation of the situation and special needs of children and adolescents in institutions or in circumstances in which they have been deprived of their personal liberty.

¹⁹ See: <https://www.varuh-rs.si/en/about-us/organisational-units-and-hro-council/ombudsman-as-a-nmp/>

After the discussion and seeking of solutions to improve their situation, the following conclusions were adopted unanimously:

- Children and adolescents are a particularly sensitive group. Detention by deprivation of personal liberty is not a suitable measure with which to treat children and adolescents. Detention must thus always be the last possible solution and all other measures should be applied first.
- The staff entrusted with the care of children and adolescents must have suitable skills and knowledge about their special needs and must strive to establish trust with them and provide all necessary assistance. Children and adolescents must have access to basic education and other training programmes. Qualified individuals must plan for the release of children and adolescents and their treatment after discharge.
- They must also have access to suitable health, psychological and social care provided by suitably qualified experts.
- Children and adolescents must be informed of their rights in a language they understand and in a manner that is understandable.
- At the end of the meeting, the representatives of the SEE NPM Network unanimously approved the Croatian NPM to hold the presidency of the network in 2020.

1.5.1 Monitoring procedures for the return of foreigners

While observing Article 69 of the Foreigners Act (ZTuj-2), Caritas Slovenia, which also cooperates with the Slovenian NPM when implementing its tasks and powers, monitors the (involuntary) procedures for the return of foreigners from Slovenia to their countries of origin on the basis of a public call. The monitoring involves the observance of police operations when removing foreigners from the country, i.e. in the period before departure, during the flight or other means of transport, during transit stops, and upon the arrival and admission of foreigners to the country of return.

The Ombudsman or the Slovenian NPM has not yet carried out any direct monitoring of the return of foreigners yet, but it has been intensively preparing for this task recently as these cases also involve the deprivation of liberty. **We have also joined the initiative to establish a mechanism for the effective and independent monitoring of forced returns.** For this purpose, Deputy Ombudsman Ivan Šelih attended the Meeting on the functioning of the FRONTEX pool of monitors or the Meeting of Ombudsman/NPM institutions to remedy the absence of an external, independent governance of the pool of forced-return monitors that was held on 23 May 2019 in Nafplion, Greece. The meeting was organised by the Greek Human Rights Ombudsman with support of the Council of Europe and was attended by the representatives of human rights ombudsman institutions or national preventive mechanisms from countries whose staff participates in the pool of forced return monitors of the European Border and Coast Guard Agency (Frontex), i.e. Cyprus, the Czech Republic, Finland, Italy, the Netherlands, Romania, Slovakia, Slovenia and Spain. The purpose of the meeting was to exchange work experience in the field of monitoring deportations, establish deficiencies and a mechanism for effective and independent monitoring of

Frontex's forced returns, prepare recommendation for authorities, and monitor their realisation and transparency of operations. Despite monitoring provided by Frontex and its pool of monitors, Human Rights Ombudsmen or NPMs are, through their powers, obliged to protect and promote human rights, operate independently, transparently and publicly, and encourage responsibility in public administration. To this end, the Charter of Nafplion Group was adopted to determine in more detail the functioning of human rights ombudsman institutions or NPMs which will join this project while supported by the Council of Europe. **The main objective of establishing the Nafplion Group is to establish a mechanism to ensure independent external monitoring of Frontex operations regarding forced returns, including the formation of special recommendations for authorities executing forced returns, monitoring the implementation of these recommendations and contribute to the transparent execution of return procedures.**

Between 8 and 9 October 2019, Deputy Šelih attended the first meeting of the Nafplion Group in Rome, Italy. Assisted by the Council of Europe, the meeting was organised by the Italian NPM (Garante Nazionale dei Diritti delle Persone Detenute e private della Libertà Personale). It was attended by the representatives of human rights ombudsman institutions or NPMs from Albania, Austria, Cyprus, Greece, Italy, the Netherlands, Poland, Portugal, Spain, the Council of Europe and other organisations. The participants discussed their work and future work plans. They selected the office coordinator who will ensure its operations while assisted by two additional group members. The function of the coordinator was entrusted to the Greek Ombudsman and the selected assistants were the Italian and Slovenian NPMs. Furthermore, the participants also talked about the functioning of the pool that monitors forced returns within Frontex and discussed the proposal for reimbursement of costs for NPMs whose staff participates in this Frontex pool. The participants also familiarised themselves with the Italian research on good practice of monitoring forced returns in the European Union.

1.6 FINANCES

The second paragraph of Article 5 of the Human Rights Ombudsman Act stipulates that the funds for the Ombudsman's work are allocated by the National Assembly from the national budget. Within the Ombudsman's own budget, separate funds for NPM's work are anticipated in the sub-programme "Implementation of tasks and powers of the NPM".

In 2019, EUR 114,136 were spent on wages and other staff expenses. Wages and benefits amounted to EUR 87,249, the annual leave allowance to EUR 1,773, reimbursement and compensations to EUR 3,579, and payments for work performance for increased workload to EUR 602, while employer social security contributions amounted to EUR 14,547. EUR 976 was spent on premiums of collective supplementary pension insurance as per the Collective Supplementary Pension Insurance for Public Employees Act. **EUR 43,954 was spent on material costs**, i.e. EUR 12,831 on office and general material and services, EUR 220 on communication services, EUR 1,918 on business trips, EUR 2,878 on other operating costs, and EUR 25,907 on commercial rentals. **From the funds earmarked for cooperation with NGOs, EUR 8,062 was spent in 2019**, of which EUR 4,797 was for other operating costs and EUR 3,265 for current transfers to NGOs and institutions.

2019 NPM FINANCES			
	FUNDS ALLOCATED (AB) IN EUR	CURRENT BUDGET (CB) IN EUR	USED FUNDS IN EUR
IMPLEMENTATION OF THE TASKS AND POWERS OF THE NPM	181,054	166,152	166,152
WAGES	124,554	114,136	114,136
MATERIAL COSTS*	45,000	43,954	43,954
COOPERATION WITH NON-GOVERNMENTAL ORGANISATIONS	11,500	8,062	8,062

1.7

CONCLUSION

In addition to the most important preventive effect of these visits, the purpose of which is to prevent torture or other ill-treatment before it occurs, we also discovered that **the living conditions and treatment of persons deprived of liberty has improved in many institutions visited in 2019 specifically due to our recommendations.** For the most part, we are pleased with the response of the competent authorities (particularly of institutions visited) to our findings and recommendations for improving conditions as they regularly respond to them and express readiness for cooperation.



We can also confirm for 2019 that the visited institutions try to take all measures in their power to make the necessary improvements. We furthermore strive to further enhance and deepen cooperation with the relevant ministries, particularly regarding issues which demand systemic changes.

It is encouraging that the NPM did not establish any cases of torture or other cruel punishment or treatment during the visits in 2019. With recommendations for improving the situation, the NPM draws attention to cases that may constitute inhuman or degrading (ill-)treatment of persons deprived of their liberty.



When visiting retirement homes, it was determined time and again that there are problems with acquiring legal bases for detention in these homes in which the protection of residents is not implemented by means of locking the ward. Unlike other forms of secure accommodation, restriction of personal liberty in retirement homes is not of such a type that would require a legal basis (it is a matter of a resident's consent or a court's decision) as is stipulated by the ZDZdr. We also established that procedures for approving secure wards take place at the Ministry of Labour, Family, Social Affairs and Equal Opportunities (MDDSZ), but are still too slow. Due to the insufficient number of (certified) secure wards, dementia wards are overcrowded because of the accommodation cases determined by courts despite the negative opinion regarding retirement homes. We even discovered a case where a dementia patient was accommodated in a bathroom because the ward was full, which is certainly unacceptable. During our visits in 2019, we unfortunately again noticed **the shortage of staff in retirement homes**, which is particularly evident in the low number of staff working at night when, frequently, no one is continuously present on a secure ward, and in one home we also noted that residents are (still) bathed at unreasonably long intervals due to the lack of staff. Organised or targeted activities, daily occupation or social events that would take place throughout the day are frequently non-existent in retirement homes. The shortage of staff is undoubtedly also the reason for residents' early retirement to their beds in the evening, which is why they wake up more frequently during the night, thus increasing the use of sleeping pills. On that note, we also point out that, in addition to an adequate number of staff, their suitable inclusion in the work process and diligence linked with dedication



to the occupation they perform are also important. Irrespective of the excellence of staffing standards, these cannot replace the lack of interest or even poor staff performance. We also highlight the NPM warnings regarding multi-bed rooms in which four or more residents are accommodated, and the issue of the functioning of the emergency call system that was noticed several times. On the other hand, we were also pleased to notice numerous examples of good work and good practices by staff that certainly contribute to better living conditions for residents. In individual retirement homes, progress when establishing and keeping records (e.g. about complaints, residents scheduled to visit their doctor) was noticed. Progress was also evident with regard to decorating wards and individual rooms.

We particularly emphasise the recommendations given during thematic visits to retirement homes regarding suitable treatment of the elderly in the evening and during the night. The finding from control visits that some of our previous recommendations have not been (fully or partly) realised is also quite concerning, and we again pointed to their compliance.



We are concerned about the realisation of recommendations in **psychiatric hospitals**. When visiting Ormož Psychiatric Hospital in 2018, the NPM gave 24 recommendations. **During the control visit in 2019, we discovered that the hospital accepted and realised only five of them, and it accepted all remaining ones, i.e. 19, but has not yet fully** realised them, and we thus expect that the hospital will pay special attention to these recommendations and their realisation in the future.



At the Intensive Child and Adolescent Psychiatry Unit of Ljubljana University Psychiatric Clinic, we observed with satisfaction that **the living conditions for children were good in the institution as we noticed numerous details in the young patients' rooms which certainly contribute to safer living**. Based on our experience and international standards, we also issued several recommendations for the further improvement of conditions in the future.

At our visits to residential treatment institutions which provide educational programmes for children and adolescents, we noticed several times that their rules of conduct and the procedures regarding correctional measures when these rules are violated are arranged in different ways. We thus decided to carry out thematic visits in 2019 and particularly examine how these institutions regulate the rules of conduct and which measures they implement in the event of possible violations. The aim was to ascertain in more detail whether individual institutions have adopted internal acts to regulate the rules and measures in place regarding violations, how the procedures are carried out upon violations taking place, how children and adolescents are informed about these rules and measures, and also which violations occur most frequently and how the institutions deal with them.

According to the NPM, individual measures usually implemented in all visited institutions (e.g. restriction regarding going home at the weekend, confiscation of mobile phones, compensation for damage) denote in certain circumstances an excessive interference with the rights of children and adolescents living in the institution, and the institutions lack sufficient legal (legislative) basis to adopt

internal acts with such rules (e.g. compensation of a threefold amount of the damage incurred).

We believe that when drafting a new act that will govern residential treatment institutions and discuss children and adolescents with emotional and behavioural problems and disorders, it would be reasonable to provide a legal basis and determine the rules of conduct in institutions (in educational and residential groups), correctional measures for individual violations of rules and the procedure for corrective action on the regulatory or executive level.

During visits to police stations, we ascertained that many NPM recommendations were accepted and also determined that only recommendations that take more time for the realisation or elimination of determined deficiencies remained unrealised (e.g. access to running water in rooms for shorter detention, filling of vacancies for duty officers at police stations, installation of video surveillance in rooms for receiving persons deprived of their liberty). The cooperation with the Ministry of the Interior or the Police remains exemplary when discussing findings at police stations. In particular, we highlight the recommendations for improving work in dealing with migrants or refugees, especially unaccompanied minors.

During the visit to the Aliens Centre, it was obvious that the Centre has realised several NPM recommendations since our last visit (e.g. renovation of the rooms in the men's unit, which significantly improved the living conditions). We proposed again that a systemic solution be found as soon as possible so that children/minors would no longer be accommodated in a closed institution such as the Aliens Centre (not even for a shorter time). We recommended that the MNZ examine the possibility of further enhancing the professional qualifications and knowledge of the staff in the Aliens Centre or the Police with content such as the observance of the principle of the best interest of the child/minor and child/minor-friendly communication with an emphasis on the specific nature of children/minors migrants, improving professional qualifications regarding detection and response to vulnerability such as risk of human trafficking, sexual violence, situation of LGBT+ persons, working with children/minors who have undergone a traumatic experience and providing assistance and support to people with mental health problems.



A visit to Radeče Juvenile Correctional Facility **revealed that persons subject to correctional measures are living in unsuitable conditions (at least in some sections of the facility)**. Large renovation works would be required to ensure suitable minimum living conditions, which are not possible as the building is subject to monument protection and major interventions are not permitted. Rooms are not child-friendly and do not contribute to their successful rehabilitation.



Based on the findings determined when visiting prisons, the NPM established that **the main problem in Slovenian prisons and their units remains overcrowding** (with the exception of Ig Prison), also in part due to a substantial inflow of foreigners (whose treatment results in additional problems) **and the shortage of staff in all fields of work, especially relating to expert work with prisoners and security issues** (prison officers). Overcrowding has an adverse effect on ensur-





ing suitable accommodation premises for prisoners, necessary privacy, hygiene maintenance, implementation of activities and order and discipline (it causes tension and mutual conflict). These problems are expected to be solved **with the construction of new prison facilities in Ljubljana or the renovation of Ig Prison;** although (as we continuously highlight), overcrowding cannot be eliminated with the construction of new prisons alone. We agree with the Prison Administration of the Republic of Slovenia (URSIKS) that additional measures will be required for long-term elimination of overcrowding not only within the prison system, but with the help of all stakeholders, including those in the field of criminology. More frequent use of alternative sanctions can also contribute to reducing the number of prisoners.



In this report, we particularly emphasise the situation of other vulnerable groups in prisons. **For some time now, the Ombudsman has been striving to improve the situation of prisoners who, due to age, illness or disability, require additional assistance when performing their basic functions, i.e. care or social care during the serving of their prison sentence** in order to ensure respect for their personality and dignity. When they serve their sentence, it is necessary to ensure suitable accommodation and decent serving of prison sentence; otherwise, this may be considered inhuman or degrading treatment and could be understood as a violation of Article 3 of the Convention for the Protection of Human Rights and Fundamental Freedoms (more on this can be found in the 2019 Ombudsman's general report).



Female prisoners hold a special position in the prison system due to their needs and circumstances, which is also highlighted in international rules (e.g. the so-called Bangkok Rules). **But we nevertheless find that conditions for serving their sentences or detention are, in certain fields (e.g. regarding receiving visitors), worse in comparison to those of men.** A lot is expected in this field from the **planned renovation of the female prison in Ig,** which is the only prison for females in Slovenia. Complaints from female convicted persons and remand prisoners from Ig Prison concerning poor conditions (such as inappropriate rooms for visits from their children, and the impossibility of their partners and children spending the night) further confirm the correctness of the decision that a major overhaul of this prison is required.





2.

VISITS TO THE
PLACES OF
DEPRIVATION OF
LIBERTY



2.1

VISITS TO RETIREMENT HOMES

In 2019, the NPM **visited 19 retirement homes** and tried to improve the conditions for residents who require institutional care by means of its visits and recommendations. We carried out **one regular visit** during which 17 recommendations were provided. It is encouraging that the visited home has already **realised 13 recommendations**, while four are still pending. In 2019, we particularly wanted to examine the observance of the recommendations given by the NPM during its visits in the past, so we **conducted twelve control visits**. In addition to verifying the realisation of recommendations provided in the past, we issued 53 new recommendations, of which **26 have already been realised** and 22 are to be complied with. During the drafting of this report, we have been waiting for the response from one of the homes regarding five recommendations. Six **thematic visits to homes** were carried out in August and October 2019. We are also waiting for the homes' responses to the recommendations at the time of drafting this report (end of January 2020).



During the visits, it was determined in particular that there **were problems with acquiring legal bases for detention in the homes** in which residents' protection is not implemented by means of locking the ward. Unlike other forms of secure accommodation, restriction of personal liberty in retirement homes is not of such a type that would require a legal basis (it is a matter of a resident's consent or a court's decision). **It was also established that procedures at the MDDSZ for the verification of secure wards take place but are still too slow.** Due to the insufficient number of (verified) secure wards, residents are accommodated on the basis of court decisions in spite of negative opinions of retirement homes and consequently **the dementia wards are overcrowded. We even discovered a case where a resident was accommodated in a bathroom because the ward was full**, which is certainly unacceptable. Unfortunately, a shortage of staff was also noticed during this year's visits. It is particularly evident in the low number of staff working at night when, frequently, no one is present on a secure ward continuously and, in one home, we also observed that residents are (still) bathed at unreasonably long intervals due to the lack of staff. The shortage of staff is undoubtedly also the reason for residents' early retirement to their beds in the evening, which is why they wake up more frequently during the night, thus increasing the use of sleeping pills. We also highlight the NPM warnings regarding lowering the number of multi-bed rooms (in which four or more residents are accommodated in one room), and the issue of the functioning of the emergency call system that was noticed several times.



On the other hand, we were also pleased to notice **examples of good work and good practices by the staff that certainly contribute to better living conditions for residents**. In several homes, progress when establishing and keeping records (e.g. about complaints and residents who are scheduled to visit their doctor) was noticed. Progress was also evident with regard to decorating wards and rooms.



As particularly good practice, we noticed and commended the boxes and boards intended for storage of items and hanging of photos relating to the past lives of the residents in order to enhance their memory, and which also contribute to their calming down if they become restless.

2.1.1 Thematic visits to retirement homes

The purpose of thematic visits was to examine the appropriateness of the treatment of the elderly in the evening and during the night. To this end, the NPM submitted a survey in 2019 to 112 retirement homes in Slovenia, and selected six homes on the basis of their response. The main criteria for selection were the frequency of using sleeping pills among the residents and regional (territorial) distribution. **The NPM thus visited the Prebold Unit of Franc Salamon Trbovlje Retirement Home (13 August 2019), Kranj Retirement Home (20 August 2019), Mengeš Retirement Home (22 August 2019), Ptuj Retirement Home (15 October 2019), DEOS Trnovo Retirement Home (22 October 2019) and Izola Retirement Home (23 October 2019).**

The visits were attended by the expert from the psychiatric field and **special attention was paid to medications that the residents receive in the evening, especially sleeping pills.** When speaking with the staff and residents, we tried to establish possible deficiencies when treating residents at the relevant time in order to provide recommendations that would (further) improve the situation or treatment of the elderly.

The NPM gave concrete recommendations on the basis of findings when visiting individual retirement homes. Despite particularities of certain institutions, we can provide several joint findings or recommendations that point to general deficiencies and should thus be highlighted:

- If special protection measures (SPM) are implemented in a retirement home or these could be implemented, suitable records must be prepared, which would be completed as per Article 29 of the ZDZdr if these measures are introduced. As during regular visits, we also noticed on the occasion of the thematic visit that forms were not uniform and did not consist of all the sections they should. We thus again recommended that forms be supplemented with sections on measures implemented before SPM (e.g. de-escalation techniques) and measures (e.g. therapeutic discussion) applied after implementing the measure.
- Carrying out activities intended for the elderly is extremely important all days of the week (which was also revealed during the NPM's thematic visit to retirement homes in 2016). **We recommended several times that the institutions regularly draft lists of activities for individual wards which are published on notice boards on wards and are accessible to the residents and their relatives, and make sure that the activities on the lists are actually carried out.**

We particularly highlight the special recommendations given by the expert when visiting individual institutions, especially those that were noted during several visits:

- We recommended that the institution inform its doctors about the expert's opinion suggesting that medications which cannot be split accordingly be prescribed in higher dosages or be replaced with medications with a similar mechanism of action. In this way, the splitting of pills with a complex release of active substances would be avoided.
- We recommended that the institution inform its doctors about the expert's opinion suggesting that the description of indications for administering medications be equipped with the maximum permissible number of daily occasional medications and thus reduce the possibility of excessive administering of medications if the prescription is misunderstood. When prescribing occasional medications, it would be sensible to provide indications for administering individual medications which would be understandable to medical and care staff.
- We suggested that the wishes of residents to be moved into another room be considered with regard to possibilities if they did not get along with their fellow residents.
- We recommended that the institution inform its doctors about the expert's opinion suggesting that it would be sensible to use higher dosages of one of the prescribed medications in the case of the need to prescribe medications with a similar effect on the central nervous system in dosages lower than the maximum permitted recommended daily doses in order to prevent simultaneous prescribing of several different medications due to the risk of unwanted interactions between medications.
- It was recommended that the institution inform its doctors about the expert's opinion suggesting that it would be sensible to avoid prescribing medications with prolonged excretion due to the risk of accumulation in the body.
- We recommended that the institution inform its doctors about the expert's opinion suggesting that when prescribing occasional medications it would be sensible to use the lowest still effective dosages of medications and repeat occasional administering several times (e.g. when prescribing the sleeping pills Zolpidem).

General proposals or recommendations forwarded by the expert are particularly important and mainly serve as an appeal to the competent ministry to immediately commence resolving the issues determined during the NPM's visit (some of which we have been pointing out for some time):

- At least one medical and care staff member should be constantly present on each secure ward of the social care institution during the night time in order to provide assistance to persons with nerve function impairments who are unable to call the staff with the use of technical devices, but are only able to draw attention to their own needs vocally.
- By ensuring a higher number of medical and care staff in the evening, it would be possible to shorten the time intended for rest and adjust this time to the expected need for sleep of the elderly people (up to eight hours per night).

2.1.2 Regular visit to the Pegasus Home in Rogaška Slatina (31 July 2019)

The purpose of this unannounced visit was to examine whether the home had a secure ward or another type of ward where individual residents are restricted in their freedom to leave the ward or the home; what the conditions were in such a ward; whether the provisions of the Mental Health Act (ZDZdr) were observed; possible use of special protection measures (SPM) and the treatment of residents. **Based on the clarifications of the home's management and staff, interviews with residents and the findings of the NPM members who also examined the ward, the NPM gave 17 recommendations.** We particularly highlight recommendations regarding the installation of bedside reading lights, decoration of common areas and residents' rooms, suitable distribution of information for residents (also) on new notice boards, recording responses to emergency calls (emergency buttons), maintenance of devices, adjustment of the form by means of which an individual gives their consent to be accommodated on the secure ward as per the provisions of the ZDZdr, and regarding the conduct of the admittance procedure. **The home's management responded to the recommendations, and it was evident from their reply that they have already realised 13 recommendations, and plan to realise the remaining four.**

2.1.3 Control visits

2.1.3.1 Control visit to Horjul Retirement Centre (20 March 2019)



During the previous visit to this institution in 2017, the NPM made 20 recommendations. On the occasion of this visit, it was found that the centre **accepted and realised seven recommendations**, which is commendable. Among other things, the centre improved the ventilation in rooms and provided more suitable storage of cleaning preparations and notification of activities (particularly at weekends), and it also arranged individual records. We nevertheless stressed that the centre **accepted nine recommendations but has not yet realised them** (these involved the residents' living conditions). We expressed our expectation that the centre will pay special attention to these recommendations and their realisation in the future. **We were especially surprised that four recommendations were not accepted.** These recommendations referred to the harmonisation of the legal notice in the statement on consent to accommodation in the secure ward with the provisions of the ZDZdr, suitable legal basis for detention in the secure ward, and the prompt submission of proposals to extend detention. It must be emphasised that one recommendation was intended for the MDDSZ (regarding suitable presentation of representatives of persons with mental health disorders), which is of particular concern. We expressed expectation that the centre and the Ministry would adopt the relevant recommendations, and actively work towards realising them as soon as possible. **Four new recommendations were given during this visit**, of which (according to its response), the centre **has already realised three.** The recommendation that the centre establish an effi-

cient system to prevent the exceeding of deadlines determined by the ZDZdr if a person must be detained in a secure ward for a longer period of time is yet to be realised. And above all, the centre should ensure, through suitable supervision, that no resident is again accommodated at the unit without suitable legal grounds. We also recommended that the centre immediately submit a proposal for a resident for whom the proposal to extend detention in the unit has not been submitted (yet) (if there are grounds for further detention) to the court if this has not yet been done following the NPM visit. During the visit, we **commended suitable storage of cleaning preparations** in the secure ward and the establishment of the record on complaints received.



2.1.3.2 Control visit to St Martin Institute in Srednja vas v Bohinju (12 April 2019)

During our previous visit in 2017, the NPM made 21 recommendations. On the occasion of this visit, it was found that the institute **accepted and realised nine recommendations**, which is certainly commendable. These included recommendations on regular checking of suitability of residents' individual plans, upgrade of the system for recording emergency calls, the observance of residents' wishes regarding food, more frequent checking of satisfaction of residents, their relatives and the staff, and the harmonisation of the legal notice in the statement on the consent to be detained with the ZDZdr. We also determined that the recommendation for the MDDSZ (relating to the presentation of representatives) was realised. **The institute accepted eleven recommendations, but has not fully realised them yet**, which is why we expressed our expectation that special attention would be paid in the future to these recommendations and their realisation. We advised the institute to particularly focus on the participation of volunteers in the ward's work, provide more general newspapers, provide suitable legal grounds for detention in the secure ward, and submit proposals for the extension of detention in a timely manner. **Eight new recommendations were given during the current visit.** Based on the institute's response, **seven have already been realised.** The recommendation stating that a resident is to be accommodated in the secure ward only after the court's decision and not before is yet to be realised. During the visit, we noted that the provision of the ZDZdr is inappropriate and we hoped that when amending the relevant act the legislator would find a more suitable solution. We also **commended the institute's prompt elimination of defects and damage to the emergency call system.**



2.1.3.3 Control visit to Lendava Retirement Home (24. april 2019)

During our previous visit in 2018, the NPM made ten recommendations. During this visit, it was evident that the home accepted and **realised three recommendations**, which is commendable; we especially highlight the realisation of the recommendation on the prevention of ward overcrowding. But it must be pointed out that the home **accepted four recommendations, but has as yet failed to realise them.** So, we expressed our expectation that it would particularly focus on these recommendations and their realisation in the future. Two recommendations for the MDDSZ (to reduce the number of beds in four-bed rooms and inform



accordingly about the representatives of persons with mental disorders) deserve special attention. With regard to the foregoing, it was established that the home is actively working on gradually reducing the number of beds in multi-bed rooms. The home also received a letter from the Ministry informing it of the activities of the representatives, which enabled it to make contact with them. We were surprised that the home **failed to accept one recommendation**, i.e. regarding the acquisition of a legal basis to detain a resident in a secure ward. We expressed expectation that the home would accept the relevant recommendation and strive to realise it as soon as possible.



During this visit, we gave eight new recommendations, of which the home realised only one, while **seven are yet to be realised**. Since these recommendations refer to the legal basis to detain a resident, and the correct implementation and keeping of records of SPM, we will pay special attention to the realisation of these recommendations in the future. During the visit, we commended in particular the home's efforts to rearrange four-bed rooms into two-bed rooms. **When determining that the recommendation from the previous report on the active endeavour to improve the staff's attitude towards residents was realised, we not only commended the home, but also encouraged it to further strive to improve and implement good practices among its staff.** We discussed the installation of boxes for anonymous submission of complaints and the keeping of complaint records. We also commended the decoration of the ward and the marking of rooms to facilitate the residents' finding of their rooms.



2.1.3.4 Control visit to the Marof Unit of Idrija Retirement Home (9 May 2019)

During the visit to this institution in 2016, the NPM made 17 recommendations. On the occasion of this visit, it was found that the unit **accepted and realised eleven recommendations**, which is certainly commendable. Among other things, we established that **the recommendation concerning more frequent bathing of residents was realised, as we believed that the interval of three weeks was far too long.** The unit also realised certain recommendations referring to better living conditions and suitable conduct when placing a resident into a wheelchair while simultaneously using a pelvic belt. However, **the unit accepted six recommendations, but has failed to (fully) realise them yet**, which is why we expressed our expectation that the home would pay special attention to these recommendations and their realisation in the future; especially those relating to the residents' access to outdoor areas and fresh air, the establishment of an emergency call system and suitable supervision over the distribution of medications.



Five new recommendations were also made, of which the unit **has already accepted and realised four** (according to its response), but the recommendation concerning more suitable accommodation for the resident placed additionally into a one-bed room during the NPM visit is yet to be realised. On the occasion of the visit, **we commended the high-quality supervision over appropriate distribution of medications and the establishment of suitable record keeping.** We commended the installation of hand sanitisers and the staff's active encouragement of the residents to wash and sanitise their hands. In addition to the record



about visits to the doctor, the unit also has a special record for the residents who require a visit to a psychiatrist. During the visit, we examined both records and saw that the staff maintain them diligently, which is certainly commendable.

2.1.3.5 Control visit to Dr Jože Potrč Home in Poljčane (23 May 2019)

During our previous visit in 2017, the NPM made 14 recommendations. On the occasion of this visit, it was found that the home **accepted and realised seven recommendations**, which is commendable. The home has already realised the recommendation with regard to decorating of rooms and common areas, and the installation of a suitable collection box for complaints, commendations and proposals. However, we pointed out that the home **accepted five recommendations, but has failed to realise them yet**, which is why we expressed our expectation that it would particularly focus on these recommendations and their realisation in the future. One of these was the recommendation that special protection measures (SPM) be implemented only when legal conditions are met, for a limited period of time and when other legal requirements are also fulfilled. Another recommendation that was also accepted and not yet (fully) realised was intended for the MDDSZ (suitable presentation of representatives of persons with mental health disorders). **We were particularly surprised at the non-acceptance of the recommendation concerning the acquisition of a suitable legal basis for accommodating residents in the secure ward.** We asked the home to pay attention to the unrealised or unaccepted recommendations, and we expected similar from the MDDSZ. **During this visit, we made four new recommendations.** According to the home's clarification in its response, **all recommendations have already been realised**, which is certainly commendable. We also commended the thematic decoration of the home and suitability of the form for detaining residents.



2.1.3.6 Control visit to Idrija Retirement Home (5 June 2019)

During our previous visit in 2017, the NPM made 13 recommendations. On the occasion of this visit, it was found that the home **accepted and realised six recommendations**, which is commendable. We also determined that the home realised the recommendation about informing the court, and were additionally pleased to learn that residents are **always placed in the secure ward only after the decision of the court**, which is an exception rather than a rule in Slovenian retirement homes. We also commended the **observance of the legally determined deadline to submit the proposal for the extended detention of a resident** and the activities organised for the residents at weekends. However, it must be pointed out that the home **accepted five recommendations, but has failed to fully realise them**, which is why we expressed our expectation that it would particularly focus on these recommendations and their realisation in the future. Unrealised recommendations refer to the decoration of the ward, provision of daily newspapers, residents' contact with animals, and the recruitment of volunteers. We expressed expectation that **the MDDSZ would pay more attention to two recommendations, which were accepted, but not yet realised** (lengthy procedure of verifying secure wards and suitable presentation of representa-





tives of persons with mental health disorders). **On the occasion of this visit, we made two new recommendations**, which, according to the home's response, have **already been realised**. We also noticed certain commendable actions. **We commended the brochure and the appeal on the home's website** aimed at new volunteers and the home's conduct in accommodating residents in the secure ward only after the receipt of a court decision. **We also commended the observance of legally determined deadlines to submit the proposal for the extended detention of a resident and prudent keeping of the residents' list.**

2.1.3.7 Control visit to Koper Retirement Home (3 July 2019)



During our previous visit in 2018, the NPM made twelve recommendations. On the occasion of this visit, it was found that the home **accepted and realised eight recommendations**, which is commendable. Among other things, it was established that the recommendations about the timely delivery of food to the secure ward, the observance of legally determined deadlines for the submission of the proposal for the extended detention, and due diligence when obtaining residents' consent to leave the room where a fellow resident is dying were observed. **We nevertheless highlighted that the home accepted three recommendations but has not realised them yet.** We expect that special attention will be paid to these recommendations and their realisation in the future (these include recommendations about decorating rooms and common areas, legal bases for detaining residents in the secure ward and installation of an additional cabinet for house rules). One recommendation that has clearly not been considered yet was intended for the MDDSZ (suitable presentation of the representatives of persons with mental health disorders). We proposed to the relevant ministry that it be implemented as soon as possible. **During this visit, we also made a new recommendation** with regard to the importance of video surveillance so that the residents do not get the feeling of being supervised or followed, which has, **according to the home's response, already been realised.**



2.1.3.8 Control visit to Ormož Retirement Home (30 September 2019)



During our previous visit in 2018, the NPM made 18 recommendations. On the occasion of this visit, it was found that the centre **accepted and realised six recommendations** (including the ones involving the activities for residents during weekends, harmonisation of the statement on consent to be accommodated in the secure ward with the ZDZdr, and the conduct in the case of SPM), which is certainly commendable. However, we pointed out that the centre **accepted twelve recommendations, but has failed to fully realise them yet**, which is why we expressed our expectation that it would particularly focus on these recommendations and their realisation in the future. These recommendations included prevention of overcrowding in the ward, regular airing of the ward, reducing the number of beds in multi-bed rooms, installing bedside reading lights, acquisition of a suitable legal basis for detention and the availability of complaint channels. **Seven new recommendations were made during this visit**, of which the centre **has already realised four.** Recommendations relating to unacceptable exceed-



ing of capacities in the ward, suitable airing of the ward with the aim of eliminating unpleasant odours and thereby providing a suitable living atmosphere, and the introduction of an emergency call system for all residents in the secure ward are yet to be realised. We particularly commended the **diligent keeping of the list of residents** requiring a visit at the psychiatrist.



2.1.3.9 Control visit to Taber Retirement Home in Cerklje na Gorenjskem (11 October 2019)

During our previous visit in 2018, the NPM made 15 recommendations. On the occasion of this visit, it was found that the home **accepted and realised six recommendations**, which is commendable. The home has already realised recommendations concerning the notice board, improved frequency of walks in the fresh air, and suitable amending of the form for implementing SPM. We pointed out that the home **accepted nine recommendations, but has failed to fully realise them yet**, which is why we expressed our expectation that it would particularly focus on these recommendations and their realisation in the future. These recommendations refer to the residents' living conditions, decorating of rooms, the emergency call system, the installation of a suitable collection box for complaints, commendations and proposals. **One recommendation was made to the home during this visit**, i.e. to establish suitable records in which the staff could enter reasons for late response to emergency calls, including superiors' findings and possible measures to eliminate causes. According to the home's response, the recommendation is yet to be realised. **We commended the installation of so-called memory boxes** intended to enhance the residents' memory and also their calming down if they become restless. A member of the staff and the resident would open the box together and the resident would calm down when looking at the photos or items in the box, which has proved a successful method. In its reply to the previous report, the home explained that a **suitable collection box for complaints has already been installed**, which was commended due to their prompt response.



2.1.3.10 Control visit to Trubar Retirement Home in Loka pri Zidanem Mostu (13 November 2019)

During our previous visit in 2018, the NPM made ten recommendations. On the occasion of this visit, it was found that the home **accepted and realised four recommendations**, which is certainly commendable. However, we pointed out that the home **accepted six recommendations, but has yet failed to fully realise them**, which is why we expressed our expectation that it would particularly focus on these recommendations and their realisation in the future. Even more so, because the recommendations also refer to signage that would enable the guidance of visitors, the acquisition of suitable legal bases for detention of residents, the implementation of SPM, organisation of activities for residents, the dissemination of information about these activities, and the keeping of suitable records. **Five new recommendations were made during this visit.** When drafting the annual report on the NPM's work, we were still waiting for the home's response and we lacked information regarding how many recommendations had already been realised and how many are yet to be realised.



2.1.3.11 Control visit to Vrhnika Retirement Home (19 November 2019)



During our previous visit in 2018, the NPM made eleven recommendations. On the occasion of this visit, we found that the home **accepted and realised three recommendations** (including the recommendation on improved decorating of residents' rooms). We highlighted that the home accepted seven recommendations, but has failed to fully realise them yet, which is why we expressed our expectation that it would particularly focus on these recommendations and their realisation in the future (including airing of rooms, installation of bedside reading lights, establishment of the call system, observance of the provisions of the ZDZdr regarding SPM, observance of the results of the survey made among the staff with an emphasis on eliminating the deficiencies established). The recommendation regarding more frequent bathing of residents was especially emphasised, which the home failed to accept, and we repeated it among other recommendations during this visit. **Eight new recommendations were made**, which are still to be realised according to the home's response. The recommendations related to the installation of bedside reading lights, enabling all residents access to the emergency call, bathing residents at more suitable time intervals, provision of basic hygiene products and suitable equipment of rooms, attention paid by the staff to residents requiring change of an incontinence product and not using TV only to distract residents, and above all, the dedication of due diligence when selecting staff to work in secure wards, their education and supervision over their work since all of the above is crucial for good work with residents. During the visit, we **especially commended the efforts of certain staff members, their cheerfulness, keeping of a friendly atmosphere and respectful behaviour towards residents.**



2.1.3.12 Control visit to Franc Salamon Retirement Home in Trbovlje (6 December 2019)



During our previous visit in 2018, the NPM made 16 recommendations. On the occasion of this visit, it was found that the home **accepted and realised nine recommendations**, which is commendable. The home realised the recommendation about the renovation of floors, installation of signage, equipment in residents' rooms, monitoring the residents' satisfaction and installation of a (suitable) collection box. However, we pointed out that the home **accepted seven recommendations, but has yet failed to fully realise them**, which is why we expressed our expectation that it would particularly focus on these recommendations and their realisation in the future. One of these referred to direct access to outdoor areas for residents of the secure ward, but substantial funds will be required for the realisation of this recommendation. **No new recommendations were made during this visit**, but we **expressed several commendations.** We commended the fact that the staff address the residents with "sir" and "madam", and keep the rooms tidy and warm, and the hallways decorated. The residents' art is hung on the walls even if these have just been repainted. This is important because the residents are proud of their art and enjoy it being showcased and viewed by visitors and staff. We also commended the great fondness shown by the residents towards the staff, who communicate with them politely and are obliging, using no force, and conducting themselves in a manner understood and accepted by their residents with dementia.



2.2 VISITS TO PSYCHIATRIC HOSPITALS

In 2019, the NPM visited two psychiatric hospitals, i.e. on 18 July 2019, we conducted a regular visit to the **Intensive Child and Adolescent Psychiatry Unit of Ljubljana University Psychiatric Clinic**. The visit was announced as it was an introductory visit to the newly opened unit. **After many years of efforts, also by the Ombudsman, the unit opened in March 2019.** It works under the auspices of the Mental Health Centre of Ljubljana University Psychiatric Clinic. The unit, which is a ward under special supervision, has ten beds. **During the visit, we made 13 recommendations**, of which the unit has already realised two, five are to be realised, and we received no special response regarding six of them. We will certainly pay attention to the implementation of the unrealised recommendations when we visit the unit again. In 2019 (8 August 2019), we also carried out a **control visit to Ormož Psychiatric Hospital** during which we made **17 new recommendations** or we repeated certain unrealised recommendations. It was evident from the hospital's reply that it has realised four recommendations and four are yet to be realised. When preparing this report (end of January 2020), we were still waiting for the hospital's response.



2.2.1 Regular visit to the Intensive Child and Adolescent Psychiatry Unit of Ljubljana University Psychiatric Clinic

When visiting the unit on 18 July 2019, we inquired about the living conditions in the first such institution in Slovenia. **We determined that the living conditions were good and noticed various details in the rooms of young patients which certainly contribute to their safe living.** Based on our experience and international standards, we also issued several recommendations for the further improvement of conditions in the future. We proposed the installation of bedside reading lights. In its response, Ljubljana University Psychiatric Clinic highlighted the provision of safety to which we agreed as the safety of young patients must be a priority when equipping rooms. We commended the readiness of Ljubljana University Psychiatric Clinic to ensure suitable lighting in rooms. We are certain that the clinic will strive to find a suitable solution relating to the lights necessary in the evening or during the night. We also proposed the removal or covering up of cameras in rooms or that patients be informed if video surveillance actually takes place in the room. We pointed out that rooms in the unit be decorated and that young patients be involved in this activity with their proposals. We were pleased with the clinic's reply that decorating of common areas and rooms was already underway in order for it to be uniform and suitable for the age group. We



advised that when a patient is detained in the unit that the court be informed thereof at all times, which is why the minor's written consent is not necessary until the court's decision. The privacy of patients undergoing SPM was also highlighted. The clinic stated in its reply that it would ensure privacy with a portable partition wall. We also advised that a room conducive to the appropriate privacy between a patient and a representative of persons with mental disorders, and also other visitors, be provided.

2.2.2 Control visit to Ormož Psychiatric Hospital



When visiting Ormož Psychiatric Hospital in 2018, the NPM **gave 24 recommendations. On 8 August 2019, we established that the hospital accepted and realised five recommendations, which is commendable.** However, it must be pointed out that the hospital **accepted 19 recommendations, but has failed to fully realise them yet**, which is why we expect that it would particularly focus on these recommendations and their realisation in the future.



Among other things, **the recommendation on obtaining a suitable legal basis for confiscating a mobile telephone when a patient abuses it** (e.g. films other patients) **was realised, including the recommendation on informing the patients about the representatives of the rights of persons with mental disorders, the recommendation that the hospital enable access to the Internet for patients with no health concerns, which contributes to maintaining and enhancing their social network**, and may have a positive impact on the course of treatment in individual cases.



But several recommendations have not yet been realised, including **the airing of wards, decorating individual wards, installing a collection box for complaints, proposals and commendations in men's and gerontopsychiatric wards, and providing of writing materials (paper and pens) in all other wards.**

During the control visit, we also noticed that the description of complaint channels was missing. We emphasised the importance of frequent checking of collection boxes for complaints as it may happen that by the time a certain complaint is discussed it is no longer topical. We commended the appointment of a person who helps an individual write a complaint, but we pointed out that the contact details of the person whom a patient may contact to help them with the complaint must be published on notice boards in all secure wards.

During the visit, we again stressed that the recommendation on the installation of emergency buttons was not realised, so we proposed that, despite reservations, the hospital should consider the installation of emergency buttons (wireless in case of no other option) and thus ensure a higher level of safety for patients.

When visiting in 2018, we recommended that the hospital ensure that female patients have enough daytime clothes at their disposal as the fact that a female patient has no daytime clothes because of the hospital's insufficient stock is not acceptable. As per the opinion of the Expanded Professional Board for Psychiatry, we recommended that the hospital ensure the availability of daytime clothes for all patients with the exception of those with whom this is unsuitable due to somatic reasons. **We were pleased to observe that male and female patients in their respective secure wards usually wore hospital tracksuits. Unfortunately, patients in the gerontopsychiatric ward were still in pyjamas despite the hospital's assurance that it agreed with the NPM's recommendation.**



During this visit, we again **pointed out cases in which a patient withdraws (in any way) their consent to be accommodated in a secure ward.** In such an event, the hospital must immediately discharge the patient from the secure ward or instigate a procedure anticipated by the ZDZdr for the admission in cases of emergency. We established that the staff are informed about the fact that patients may withdraw their consent regarding the accommodation at any time and in any way, e.g. by knocking on the door, opening the door and similar. In such cases, the staff enable the patient to consult with the doctor, who assesses whether the discharge is possible, or the patient changes their mind after the consultation. Based on the clarification received, we informed the hospital that although the doctor may explain to the patient reasons why it would be sensible to continue treatment in the secure ward, which is completely acceptable, they may not influence the patient's free will or persuade them to remain in the ward on the basis of their consent. If the patient withdraws their consent, the hospital must discharge them immediately or, if the patient agrees, accommodate them in one of the hospital's open wards. If the doctor assesses that the patient's condition poses a serious risk either to themselves or other people, the patient may be detained in the ward, but according to the provisions of the ZDZdr in cases of emergency admission.

During the 2018 visit, we also advised the hospital to promptly find a suitable solution for both admission wards so that SPM could be implemented without the presence of other patients or within their sight and only in the presence of a staff member who would implement continuous supervision as per the ZDZdr. We were pleased to find on the occasion of this visit that there were some eighty per cent less SPM implemented in the year before the visit, particularly due to the emphasis on de-escalation techniques. Unfortunately, we had to repeat the recommendation from 2018 based on the discovered conditions.

In 2018, we proposed that the hospital supplement the form regarding the record of using SPM of physical restriction (belts, bed rails) with suitable sections where the staff may enter measures implemented before the use of SPM (entry in an empty field or a selection of proposed measures), and a field for data concerning who held an explanatory discussion with the patient after the measure ended. With regard to the established situation, we highlighted the importance of the explanatory discussion after the completion of the measure from two aspects in particular: the establishment of a possibly broken trust between the patient and the person who ordered/implemented SPM, and the verification of consent

for further accommodation in the ward since, as stated in previous recommendations, the implementation of SPM against the patient's will is understood as a withdrawal of consent to stay in the ward.

On the occasion of this visit, we made 17 new recommendations (these were partly repeated recommendations that were not realised after the previous visit of the NPM in 2018). We thus recommended that the hospital repair the ventilation system, decorate common areas and hospital rooms in the women's and gerontopsychiatric wards, install suitable collection boxes for complaints, proposals and commendations, provide writing material and description of complaint channels. We also advised that collection boxes be emptied (at least) every two weeks due to possible complaints, and contact details of the staff member who helps patients to write complaints be published on notice boards. It was again proposed that emergency buttons be installed, and that it is necessary to pay attention to whether a patient in whose room group activities are being implemented has agreed to them. We repeated the recommendation about due diligence when a patient gives their consent to be accommodated in the secure ward and when they withdraw such consent. In relation to this, we recommended amending the legal notice in the consent form. We also added that the hospital should ensure that the deadlines for detention of individual patients are not exceeded. Relating to the implementation of SPM, we highlighted the patient's privacy and the importance of observing all provisions of Article 29 of the ZDZdr, including the staff's vigilance when SPM are carried out on a patient who is in the secure ward based on their own consent. We also noted that special attention must be paid when a patient is no longer capable of withdrawing their consent due to their worsening condition. We suggested the harmonisation of house rules with actual visits (which are supposedly unlimited) and suitable airing of the smoking room in the women's secure ward. As stated above, we received only a partial reply from the hospital to the new recommendations after an additional request and are still waiting for the full response during the drafting of this report after submitting another request.

2.3

VISITS TO RESIDENTIAL TREATMENT INSTITUTIONS AND YOUTH HOMES

Educational institutions for children and adolescents with special needs (residential treatment institutions and youth homes) under the auspices of the Ministry of Education, Science and Sport (MIZŠ) receive children and adolescents with emotional and behavioural disorders. The legal basis for placing children and adolescents in residential treatment institutions includes court decisions as per the act governing family relations (or partly decisions of social work centres issued on the basis of the Marriage and Family Relations Act), or court decisions on imposing the correctional measure of committing to a residential treatment institution as per the act governing juvenile criminal offenders.

In 2019, the NPM visited four residential treatment institutions or youth homes and several residential groups operating within these institutions, i.e. on 5 June 2019, we visited Jarše Youth Home, Planina Residential Treatment Institution on 10 June 2019, Malči Belič Youth Care Centre on 12 June 2019, and Logatec Education and Training Institution on 17 June 2019. All visits were unannounced.

As we frequently determined during our past visits that institutions implementing educational programmes for children and adolescents impose various rules of conduct and procedures regarding correctional measures when these rules are violated, we decided to conduct thematic visits in 2019 and pay special attention to the regulation of the rules of conduct and verify the measures taken upon their violation. The aim was to ascertain in more detail whether individual institutions have adopted internal acts to regulate the rules and measures in case of violations, how the procedures are carried out when violations have taken place, how children and adolescents are informed about these rules and measures, and also which violations occur most frequently and how the institutions actually deal with them.

It was established that the rules of conduct are laid down in various forms in institutions (e.g. in a form of rules, within their educational plan, as a document providing individual rules without measures) and that the **integrity or details of regulating institutions' or schools' rules of conduct and measures upon their violation differ between individual institutions**. It was also established that institutions **usually impose correctional measures verbally, a child-care worker or a group of child-care workers decide about the measure as a rule without the participation of children or adolescents, and that children and adolescents usually do not use complaint channels**.



The children and adolescents with whom we spoke were for the most part acquainted with the institutions' rules of conduct, but they sometimes disagreed with them or the measures taken when these rules were violated or they found them too strict or unfair. Most children or adolescents found it pointless to complain against the imposed measures.

The NPM believes that individual measures implemented in all visited institutions (e.g. restriction regarding going home at the weekend, confiscation of mobile phones, compensation for damage) denote an excessive interference with the rights of children and adolescents living in the institution in certain circumstances, and the institutions lack a sufficient legal (legislative) basis to adopt internal acts with such rules (e.g. compensation of a threefold amount of the damage incurred). We thus thought that it would be appropriate that each institution (as per a suitable legal basis) adopt an internal act, which would comprehensively regulate the rules of conduct applicable in educational and residential groups by defining violations and correctional measures in the case of violations, the procedure for corrective action and complaint channels. Such an internal act could still function as a general act, and the institutions could take suitable action in concrete cases and impose appropriate correctional measures with regard to all circumstances of the case.

In the NPM's opinion it would be appropriate that a child or an adolescent is informed about the correctional measure in writing (at least with a measure imposed by the institution upon severe violation of the rules), including the possibility of a complaint against the decision and who the appeal body is. It should be clear who decides about individual measures or who imposes them, and in what way a child or an adolescent participates in the procedure.

The institutions have the legal basis in the rules of conduct in schools, i.e. the Basic School Act (Official Gazette of the Republic of Slovenia [Uradni list RS], No. 81/06 et seq. – ZOsn), the General Upper Secondary School Act (Official Gazette of the Republic of Slovenia [Uradni list RS], No. 1/07 et seq. – ZGim), the Vocational Education Act (Official Gazette of the Republic of Slovenia [Uradni list RS], No. 79/06 et seq. – ZPSI-1) and the Rules on the House Rules of Secondary Schools Official Gazette of the Republic of Slovenia [Uradni list RS], No. 30/18) Whereby no suitable legal basis exists according to which the institutions could govern in more detail educational operations and action or take concrete action in educational and residential groups.

We believe that when drafting a new act that will govern residential treatment institutions and discuss children and adolescents with emotional and behavioural problems and disorders, it would be reasonable to provide a legal basis and determine the rules of conduct in institutions (in educational and residential groups), correctional measures for individual violations of rules and the procedure for corrective action on the regulatory or executive level.

The institutions could thus adopt internal acts or decide in concrete cases. The adopted legal basis would provide more uniform standards of the rules of conduct in institutions and correctional measures, and also comparability and facil-

itated monitoring of the observance of rules and implementation of measures. It would provide better predictability and limit (current) possibilities for unequal or even arbitrary correctional action and treatment of children and adolescents in the event of violation of the rules of conduct. **We thus recommended that the Ministry of Education, Science and Sport (MIZŠ) draft a suitable legal basis for the rules of conduct in institutions (educational and residential groups), correctional measures for when these rules are violated and the procedure for corrective action.**



In its response to the NPM's report, the Ministry stated that **the proposal for the Act on the Intervention for Children and Teenagers with Emotional and Conduct Disorders and Problems in Education has been drafted** as a new act by means of which they wish to establish a uniform systemic regulation of comprehensive treatment of children with emotional and behavioural disorders in residential treatment institutions, who have so far been integrated into the work of various ministries and other bodies. Based on the adopted act, competence centres would be established, and the educational system and standards for each individual form of work would be renewed. The act would also stipulate internal rules or their preparation. The MIZŠ explained that starting points or guidelines for crisis management in institutions for the care and education of children and adolescents with emotional and behavioural disorders in Slovenia will be prepared within the framework of the public call for the selection of research projects within the Target Research Programme, CRP 2019, in 2019.



The Ombudsman supports a uniform normative regulation of the treatment of children and adolescents with emotional and behavioural problems and disorders. **In doing so, certain past recommendations will also be fully realised**, i.e. to prepare an analysis of the work already done with children and adolescents with emotional and behavioural disorders in residential treatment institutions and a vision of the development, and to introduce necessary systemic changes; to prepare expert bases and uniform guidelines for suitable and more uniform discussion of adolescents with explicitly aberrant behaviour; to prepare an upgrade of the educational programme and necessary systemic solutions for discussing children with emotional and behavioural disorders in residential treatment institutions, and to adopt a special act that would comprehensively regulate the organisation and operations of residential treatment institutions, and also harmonise technical terms.



2.4

VISITS TO POLICE STATIONS

In 2019, we visited 24 **police stations (PS)**, two **border police stations (BPS)** and a **police station for compensatory measures**, i.e.: Ljubljana Šiška PS (25 March 2019), Ljubljana Vič PS (25 March 2019), Postojna PS (25 March 2019), Rogatec BPS (10 April 2019), Celje PS for compensatory measures (10 April 2019), Bistrica ob Sotli BPS (10 April 2019), Radlje ob Dravi PS (8 May 2019), Maribor II PS (8 May 2019), Ruše PS (8 May 2019), Lenart PS (6 June 2019), Gornja Radgona PS (6 June 2019), Lendava PS (6 June 2019), Sežana PS (20 June 2019), Koper PS (20 June 2019), Piran PS (20 June 2019), Velenje PS (17 July 2019), Šmarje pri Jelšah PS (17 July 2019), Rogaška Slatina PS (17 July 2019), Kočevje PS (5 August 2019), Metlika PS (6 August 2019), Gorišnica PS (12 September 2019), Ptuj PS (12 September 2019), Ljutomer PS (18 September 2019), Murska Sobota PS (18 September 2019), Brežice PS (9 October 2019), Krško PS (9 October 2019) and Sevnica PS (9 October 2019); in total, there were **27 places of deprivation of liberty due to police detention or custody**. All visits were unannounced.

During the visits, we examined the rooms that PS use for discussing and accommodating remand and detained persons deprived of their liberty, and spoke to persons who were in police detention (custody) during our visit in order to determine how police procedures were carried out. We also spoke with police officers and checked individual (randomly selected) cases of police procedures regarding these persons. We also regularly verified the realisation of recommendations made during our previous visit to a certain police station. **During the visits in 2019, we also determined that PS realise the NPM recommendations.** We only mention some of them below.



When visiting Šiška PS, we determined that they had realised the NPM recommendation from the previous visit to renovate or mark detention rooms that are no longer in use as notifications were put on the doors of detention rooms.

When visiting Ljubljana-Vič PS, we found that the PS had realised the NPM recommendation made during the previous visit to ensure a suitable number of pillows as it was established that there were now more pillows than during the previous visit. The NPM recommendation that the room for interrogation and conversations with lawyers be equipped with the MNZ poster regarding the rights of persons deprived of liberty and the PIC/IOM poster regarding the process of returning migrants from the Republic of Slovenia and brochures had been realised as the room was now equipped with all necessary brochures and posters.

Radlje ob Dravi PS had realised the NPM recommendation to keep an updated list of lawyers as of 20 March 2019 was found in a visible place during this visit.

Maribor II PS had realised the recommendation to examine the possibilities for video surveillance or openings in the interview room because we determined dur-

ing this visit that the room was equipped with a video surveillance system, which was marked accordingly (with a sticker). It had also realised the recommendation that room (office) no. 304 used for interrogation be equipped with the MNZ poster on the rights of persons deprived of their liberty because the poster was now installed in the room.

At **Ruše PS**, we determined that the room for receiving persons deprived of their liberty was marked accordingly that it was under video surveillance as it was marked with a sticker. Ruše PS had also realised the recommendation that shelves for seized items in the cabinet in the room for receiving persons deprived of their liberty be equipped with numbers, as well as the detention rooms (marked with numbers 1 and 2), as the shelf in the cabinet was marked with numbers 1 and 2 during this visit.

When visiting **Lenart PS**, we discovered that the NPM recommendation to paint walls in the room for receiving persons deprived of their liberty given during the previous visit had been realised since the walls were obviously repainted and clean.

Gornja Radgona PS replaced video surveillance cameras in all four detention rooms with the new so-called IR-cameras that also enable video surveillance when artificial lighting is turned off in the room. The recommendation to resolve problems with the leaking of water in the wash basin in room no. 1 and toilets in rooms nos. 2 and 3 was also acknowledged as we did not detect problems with water during this visit. Additionally, one of the police officers explained that they regularly check for leakages in wash basins and toilets in detention rooms. The recommendation to install the video surveillance system in the section of the hallway that leads from the station's courtyard to the room for receiving persons deprived of their liberty was also implemented as the video surveillance system was installed in the hallway during this visit. The recommendation that police officers be informed about the correct entry of corrections in official documents necessary for detention was also realised because the corrections were recorded correctly in the documents examined on the occasion of this visit, i.e. marked with a signature of the person making the correction.

When visiting **Lendava PS**, it was found that the recommendation to examine the functioning of new taps in all four detention rooms and eliminate all deficiencies thereof, including deficiencies of the toilet cistern in the detention room no. 2 so that flushing is enabled with a single press of the button as in other detention rooms was realised since it was determined when examining the functioning of taps and the toilet cistern during this visit that the above deficiencies had been eliminated.

Video surveillance cameras in both detention rooms at **Sežana PS** were replaced with the new, so-called IR-cameras, which enable duty officers to also supervise persons in detention rooms at night when the lights are out. The NPM recommendation to examine the possibility of installing a video surveillance system in the room for receiving persons deprived of their liberty was also realised as it was determined that the relevant room was now under video surveillance. Furthermore, the recommendation to equip the interview room with the MNZ poster regarding

the rights of persons deprived of liberty was also realised as we found the brochure and the MNZ poster in the interview room on the occasion of our visit.

Koper PS has, among other things, realised the NPM recommendation to mark cabinet no. 1 intended for the storage of seized items that a person cannot have in their possession during the detention with labels 1/A and 1/B to facilitate the separation of seized items when two persons are detained simultaneously. The recommendation to paint the walls in the interview room was also observed as the walls were clean during this visit.

Velenje PS had realised the NPM recommendation to provide more pillows as we found that the police station had two additional pillows during the recent visit. Furthermore, it also observed the recommendation that police officers ensure that persons accommodated in interview rooms nos. 1 and 2 take the documentation with them or that police officers see to it that the documentation which persons did not take with them is removed from the room and stored in the case's archived copy as we found no documentation in these rooms when visiting the station.

Šmarje pri Jelšah PS had realised the recommendation that asked them to determine and repair if necessary the flow of water from the tap in the room for shorter detention (up to 12 hours) marked with no. 1 as we saw that the water flow from the tap was now satisfactory.

Rogaška Slatina PS had realised the NPM recommendation requesting that the interview room be equipped with a suitable MNZ poster and brochure regarding the rights of persons deprived of liberty as the relevant poster and brochure were found in the relevant room.

On the occasion of the visit to **Kočevje PS**, it was established that the recommendation given during the previous visit was realised since the room for reception was now equipped with a new MNZ poster regarding the rights of persons deprived of liberty.

Gorišnica PS had realised the NPM recommendation from the control visit that stated that the management of the police station regularly monitor whether the list of lawyers is updated as the list of lawyers had been, on the occasion of our visit, updated as of 23 August 2019. The recommendation to ask police officers to insert information about which detention room a person who was deprived of their liberty was accommodated in as requested in the section „Tasks during detention/custody“ of the form „Implementation of tasks during detention/custody – official note“ was also realised since it was established upon the inspection of the form's section „Tasks during detention/custody“ that a person was in detention room no. 1.

Ljutomer PS had realised the NPM recommendation stating that the book of complaints and commendations be regularly reviewed and confirmed accordingly with a signature and a date of the examination as we noted that the commander had added a special record on the last page of the book on reviewing.

Murska Sobota PS had also realised the recommendation to place the book of complaints and commendations in a more visible place (on the shelf in front of the window of the duty officer's room) and that the management ensure regular reviewing of entries in the book as the book was now placed in a visible place (on the shelf in front of the window of the duty officer's room) and had been reviewed by a competent senior officer.

Krško PS had renovated and repainted the walls in the hallway in front of the detention rooms where the plaster was coming off and thus realised the NPM recommendation from our previous visit.

When visiting police stations in 2019, we submitted 149 new recommendations, of which 134 were targeted and 15 systemic. The recommendations referred to the record-keeping and documentation (49 recommendations), living conditions (44 recommendations), discussion and forms of work (27 recommendations), legal protection and complaint channels (15 recommendations), other fields (five recommendations), activities (four recommendations), staff (three recommendations), general content (one recommendation), and health care (one recommendation).

From a total of **149 recommendations, 84 were accepted and realised**, 42 were accepted, but not yet realised, and the Ministry of the Interior (MNZ) failed to state its position with regard to two recommendations, while 21 were not accepted.

The foregoing testifies that many NPM recommendations were accepted and also realised, while those that were unrealised require more time for their realisation or the elimination of established deficiencies (e.g. access to running water in rooms for shorter detention, filling of vacancies for duty officers at police stations, installation of video surveillance in rooms for receiving persons deprived of their liberty). When visiting **Velenje PS**, it was determined, for example, **that the NPM recommendation from our previous visit stating that a recreation area be arranged for persons deprived of their liberty was not realised** as the police station still lacks the recreation area although the MNZ responded that the proposal for arranging the recreation area would be implemented if technically feasible. The police station still ensures outdoor exercising to persons deprived of their liberty by means of direct physical supervision of police officer(s). We thus again proposed that the MNZ provide a suitably fenced area where persons deprived of their liberty would be able to exercise outside without permanent physical supervision of two police officers. On that note, we highlighted the recommendation of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment given during their visit to Slovenia that measures must be taken to ensure outdoor exercise to all persons detained by the police for 24 hours or more.

The recommendations that were not accepted include, for example, those that refer to procedures with foreigners whom the police took to detention at distant police stations or even from the area of Rogaška Slatina to Ljubljana Police Detention Centre, concerning which the MNZ explained that such cases were few. Some unaccepted recommendations relate to the provision of brochures or installation of posters concerning the rights of persons deprived of their liberty in the rooms



where these persons are accommodated. In this regard, the MNZ explained that brochures and posters concerning the rights of persons deprived of liberty were in these rooms at the time of the NPM visit, but members of the NPM conducting the visit did not notice them. Furthermore, recommendations that police officers insert accurate information about the presence of an expert worker of a social work centre when discussing unaccompanied minors of foreign nationality in the form „Implementation of tasks during detention/custody – official note“ were also not accepted.



The systemic recommendations (15) dealt with various fields of the police officers' work. Two systemic recommendations referred to the filling of vacant police officers' or duty officers' posts.

The recommendation to examine the possibility of re-introducing permanent 24-hour service at certain police stations was made particularly because police officers from these police stations (e.g. Gornja Radgona and Dravograd), which have suitable premises for detention of persons deprived of their liberty, must transport detained persons to police stations several tens of kilometres away. Such transportation is not always the most appropriate procedure; furthermore, the presence of police officers in the area of their respective police station diminishes when they carry out transportation of persons. Relating to the foregoing, the MNZ replied that the Police had been experiencing a significant lack of staff which it has been striving to reduce for some time, but this is an ongoing process of many years.

Several other systemic recommendations referred to police procedures relating to foreigners and concerning the need for consistent recording of their treatment, e.g. in what way the foreigner was informed about their rights relating to the deprivation of liberty, and especially if they were informed about the possibility of filing an application for international protection/asylum.

We assert that the documentation related to police procedures, especially involving persons who reported persecution due to any circumstance as the reason why they have left their country of origin, must be sufficiently precise in all cases so that it eliminates doubt about whether international protection has been adequately presented (for example, with brochures) and been explained to a person, and that it be determined whether or not that person has decided to exercise this right. Since it is difficult, given the mixed migrant flows, to clearly define in the course of the short police procedure the reason why a person has left their country of origin (which the documentation requires), what is also important is the ability of police officers to observe possible signs that the person needs international protection.



We reminded the MNZ that, in our opinion, group interviews with foreigners do not enable the recognition of individuals who may need international protection or are victims of human trafficking, and do not enable the establishment of circumstances requiring the observance of the non-refoulement principle. We would like to note that the non-refoulement principle not only protects persons from being returned to their country of origin, but also from chain refoulement. Individual interviews with all foreigners who illegally cross the national border is

also undoubtedly necessary in order to establish and explain the offence, as the Slovenian legislation does not enforce collective penalisation. For this reason, we still think that it is necessary that police officers record in their documentation all important findings from the procedure with an individual foreigner (these include circumstances which imply that they are eligible for international protection or circumstances which may prevent their refoulement, or whether they have expressed the intention to apply for international protection, or it is clear from the circumstances that they need to do so or that they want to exercise such an intention in another country or that they are travelling to another country). If such records do not exist, it is not possible to subsequently examine what the police procedure with an individual foreigner entailed. **Therefore, the response from the MNZ that sometimes there are no official notes due to the „objective circumstances of the procedure“ is most alarming.**



In relation to the informing of foreigners about the possibility of applying for international protection, the MNZ continues to insist that the existing regulation of the documenting of procedures ensures adequate standards and traceability of the recorded reasons why a foreigner has left their country of origin. The Ministry provides assurance that police officers treat every foreigner individually and that they also issue individual acts, such as payment orders, detention orders, a record of the statement by the perpetrator, and a decision establishing that a document, movable property or security has not been temporarily seized from the perpetrator. An interview is also conducted with the foreigner, but an individual official note is not necessarily made for every interview. In instances when a larger group of persons who have travelled for most of their journey together is processed, a joint official note may be made, and it may happen in exceptional cases that an official note is not made due to the objective circumstances of the procedure. The MNZ also noted that mandatory writing of official notes by the police is not required by any regulation. Nevertheless, personal information about the foreigner (identification), country of origin, reasons for leaving the country of origin, country of destination, etc. are established in all cases, including possible reasons mentioned by the non-refoulement principle.

The MNZ also assured that, when conducting procedures, police officers take the rights of foreigners into consideration, which is encouraging, including the right to access the international protection procedure. In all cases when persons express the intention to apply for, or it is obvious that they need, international protection (they state circumstances implying this in the interview), police officers provide them with the basic information about the further procedure. In accordance with the International Protection Act, they complete the registration document. In addition to the registration document, they make or obtain from the foreigner a hand-written statement about the reasons for international protection, or make an official note if the foreigner does not want to write a statement. Police officers have no legal grounds to request that all foreigners make a statement that they do not have an intention to apply for international protection in Slovenia. **At the same time, the MNZ said that amendments to the Foreigners Act are being drafted.** What has been included in the proposed amendments is the **keeping of a record of unlawful entries of foreigners into the country**, which would, among other items, also contain **information about the reason why a foreigner has left their country of origin and about the country of destination** to which the





foreigner is travelling. The keeping of records alone will mean that police officers will be establishing on a regular basis the reasons why an individual foreigner has left their country of origin and to which country they are travelling. In instances where it is established that a foreigner has left their country of origin due to reasons which are, at the same time, reasons for which international or subsidiary protection is recognised, this will be appropriately noted in the record, and the foreigner will be informed about the possibility of submitting an application for international protection, regardless of whether an official note will be made or not.

In response to our recommendations, the MNZ said that, if police officers observe during an interview that the conditions have been met for an application for international protection to be submitted, they inform the foreigner about this possibility or present and offer it even if the foreigner does not request it. If reasons for international protection are not detected during the interview, and the foreigner does not request it, procedures are continued under the remaining regulations. At the same time, the MNZ said that leaflets and informative material concerning these rights are available at all police stations. In every case, when a person asks for international protection, police officers process this person accordingly. **What is encouraging is that the police have prepared, in cooperation with the UNHCR, new brochures in several languages, which were distributed to police stations by the end of October 2019.** Old brochures and posters have been replaced by these brochures. The brochures will enable persons processed by the police to become acquainted with the international protection procedure. The actual realisation of the foregoing in practice will also be examined by the NPM when visiting police stations in 2020.

When dealing with unaccompanied children/adolescents we advised that police officers pay special attention to informing children about their rights in a child-friendly and understandable manner as they thus contribute to the prevention of victimisation and reducing the risk of child trafficking, their disappearance and other risks. On that note, we also highlighted that Article 13 of the Police Tasks and Powers Act (ZNPPol) stipulates that police officers must be particularly considerate when treating persons who need additional attention, assistance and care; this group explicitly consists of children. Article 18 of the ZNPPol determines that during procedures in connection with children and minors, police officers must consider their age, the level of their physical and mental development, their sensitivity and other potential characteristics. The Frontex Handbook on Children at Risk on the Move, which provides guidelines for border police officers, emphasises that „treatment in the child’s best interest /.../ must be the leading principle of every border police officer“, including a sensitive case-by-case approach adjusted to children. „It is essential that border guards take a particularly flexible approach when confronted with cases involving children. The interests of a child in a specific position of vulnerability are not always best served in the same way as those of another child in a similar situation. An experienced border guard knows that no two cases are ever the same, and proceeds with particular care and thoroughness when dealing with children. It is necessary to gather as much information as possible regarding an individual child’s situation before reaching any decisions.“ We stressed that the Frontex guidelines point out that when dealing with children the procedure must be adjusted to them, including the terminology of the procedure. The Council of Europe’s Handbook on child-friendly information for

children in migration defines „child-friendly information“ as information adjusted to the child’s age, maturity, language, gender and culture. The MNZ responded that police officers are aware that they are required to provide information about their rights in a friendly and understandable manner when dealing with children.

The Foreigners Act (ZTuj-2) stipulates that the police must immediately inform the social work centre (SWC) about the removal of an unaccompanied minor, which must appoint them a guardian for a special case. The police may issue a return decision to an unaccompanied minor only after the guardian for a special case determines that a return is in the unaccompanied minor’s best interest after a careful examination of all circumstances. **This is enabled by the decision that the ZTuj-2 excludes the return of unaccompanied foreign minors as per the Agreement between the Government of the Republic of Slovenia and the Government of the Republic of Croatia on the readmission of persons whose entry or residence is illegal (the Agreement). Since the return of unaccompanied foreign minors as per the Agreement is, according to the NPM, non-compliant with the provisions of the Foreigners Act, the detention of unaccompanied foreign minors as per paragraph one of Article 64 of the Police Tasks and Powers Act is also not lawful. We thus specifically stressed the consistent application of provisions of the ZTuj-2 and the Protocol on cooperation between social work centres and the police, and proposed that police officers be reminded again that returning unaccompanied foreign minors as per the Agreement is not compliant with the Foreigners Act and that suitable training for the staff be organised if necessary.**



When examining the detention procedure of one of the group of foreigners discussed at Ljutomer police station, we established that all persons involved in this procedure were returned to the territory of the Republic of Croatia on the basis of the Readmission Agreement between the Republic of Slovenia and the Republic of Croatia, although three unaccompanied foreign minors were in the group. The SWC was informed of the procedure involving minors and the social worker visited the police station, but it was not evident from the documentation whether he held a personal interview with the minors.



The readmission of unaccompanied foreign minors was first justified by the MNZ with the fact that police officers may return a foreign minor on the basis of the Agreement when the social work centre or the guardian for a special case decide that this is compliant with the foreign minor’s best interest. The Ministry emphasised that the decision is not in the jurisdiction of police officers but is based on the expert assessment of the SWC’s employee or the guardian. Contrary to that, Pomurje SWC explained that the police decided on the readmission of unaccompanied foreign minors in the relevant case as per the summary procedure, to which the intervention service of Pomurje SWC did not agree. As we were able to deduce from the MNZ’s additional response, the SWC did not (in principle) agree with the informal readmission of unaccompanied foreign minors to Croatia, but the police was nevertheless implementing it. After the complications established in the cooperation, Murska Sobota Police Directorate provided expert assistance to Ljutomer PS. **The guideline not to informally return unaccompanied foreign minors directly to Croatia was given and that instead, these should, if they do not express an intention to file for international protection, be accommodated in the Aliens Centre in Postojna from where they are returned on the basis of an**





official procedure if the relevant SWC assesses that this is in their best interest. The MNZ also informed us that the tasks of the Police in 2020 include the **update and reform of the protocol on cooperation between SWC and the police due to the amendments to the Foreigners Act.**

We approve of the adopted guideline and the proposed reform of the protocol, although minors are not explicitly exempt from the discussion as per the Agreement. We believe that their readmission according to this Agreement excludes the Foreigners Act, which stipulates that return decisions must be issued to the minors. We cannot agree with the MNZ's explanation that police officers were unable to observe the Agreement and conduct the official procedure without interviews implemented by, and decisions issued by, Postojna SWC or the guardian for a special case. Official readmission of unaccompanied foreign minors is enabled by the Foreigners Act, whereby the police is responsible for conducting the procedure. In this regard, we observe that police officers could accommodate unaccompanied foreign minors at the Aliens Centre in Postojna even without SWC cooperation. There, they would be assigned a special case guardian to interview them to clarify their circumstances and determine whether they are eligible to apply for international protection.



At most police stations visited, other **deficiencies or errors with filling in forms necessary for detention were established, although these were not as numerous as in the past.** The most frequent deficiency or error was the inconsistent management of data on the time period of the detention order. The same task of a police officer (e.g. imposition of detention, conducting a security check) was thus recorded in different forms or under different sections of the same form (e.g. Implementation of tasks during detention/custody – official note) as though it took place at different times. Relating to all deficiencies or errors established when completing forms necessary for detention implementation, the MNZ reported that police station management and police officers with whom deficiencies or errors when completing forms were discovered were warned about the importance of consistent and correct documenting of the procedures they conduct.

In three cases, it was determined that police officers (particularly duty officers) failed to observe paragraph seven of Article 51 of the Police Tasks and Powers Act (ZNPPol), which stipulates that a security search of a person deprived of their liberty be carried out by a person of the same gender, unless the security search cannot be postponed. However, in neither of the relevant cases of the violation of the provisions of paragraph seven of Article 51 of the ZNPPol, did police officers state that the security search of a person deprived of their liberty could not be postponed until the arrival of a person of the same gender. Regarding these findings, the MNZ replied that the management of the police station and police officers were called upon to consistently observe paragraph seven of Article 51 of the ZNPPol or consistently provide reasons preventing temporary postponement of security checks.

2.5

VISIT TO THE ALIENS CENTRE

In 2019, the NPM conducted an unannounced visit to the Aliens Centre in Postojna (the Centre), which operates under the auspices of the Ministry of the Interior (MNZ). The Centre provides accommodation and care for foreigners (if these fail to meet the conditions to reside in Slovenia) for the time necessary until they are returned to their country of origin or the country they came from.


The purpose of the visit was to examine the living conditions of foreigners, their treatment and the realisation of recommendations from previous visit(s). We visited the Centre on 10 December 2019, and the report on the visit with NPM recommendations was drafted and submitted to the Ministry of the Interior for consideration on 8 January 2020. When writing this report (31 January 2020), we have not yet received the Ministry's reply to the recommendations, and we thus only provide data on the number and type of NPM recommendations, some of which are particularly highlighted. All recommendations given when visiting this institution and all others made in 2019 are also published on the Ombudsman's website.

During the visit, we noticed that the Centre realised several NPM recommendations made in the past (rooms in the men's unit were renovated, which significantly improved their living conditions; girls and women are enabled unlimited and uncontrolled access to hygiene products; collection boxes for submitting complaints were installed at all units with a suitable (multilingual) label of their purpose; foreigners have more frequent access to the Internet; food is adjusted to the cultural specifics of people living in the Centre; the anticipated time for external visitors is published on the website where the presentation of the Centre and other information can also be found).

On the occasion of the visit, a total of ten recommendations were given, of which five were targeted, one systemic and four general. Three recommendations referred to living conditions, one to the discussion and forms of work, two to staff and record-keeping, and one to the discussion and forms of work, and general matters. The systemic recommendation involves activities that the Centre carries out so that children/unaccompanied foreign minors would no longer be accommodated in the Centre. **During the visit, we also urged finding the systemic solution as soon as possible so that children/minors would not be accommodated in a closed institution such as the Centre (not even for a shorter time)** (more can be found in the 2019 Ombudsman's Annual Report). According to available information, **245 unaccompanied minors and 66 accompanied were detained in the Centre in 2018. Some 310 children, of whom 278 were unaccompanied, were accommodated in this institution in 2019. As per the Government Office for the Support and Integration of Migrants (the Office), the systemic arrangement for accommodation and discussion of unaccompanied minors had not yet been adopted by the end of 2019.** Together with the Ministry of the Interior, the Ministry



of Health, the Ministry of Labour, Family, Social Affairs and Equal Opportunities and the Ministry of Education, Science and Sport, the Office drafted the proposal regarding accommodation, care and treatment of unaccompanied minors. Due to the complexity and multi-layered nature, the proposal had not been accepted by the end of the year. In December 2019, the Government thus adopted decision no. 21400-11/2018/9, by means of which the accommodation of unaccompanied minors by the end of 2020 or until the establishment of the **project** regarding the accommodation, care and discussion of unaccompanied minors is to be implemented at the residence hall of the Secondary School for Forestry and Wood Technology in Postojna. The **project** carried out at the residence hall already includes changes as anticipated by the project that underwent interministerial coordination in January 2020.



The short stay of migrants in residence at the Centre greatly impacts the in-depth expert work and the provision of psychosocial assistance and counselling, which is particularly evident with children/unaccompanied minors whose average time of accommodation is relatively short. Nevertheless, the duration of residence of some of them is lengthier and allows in-depth work. **We recommended that the MNZ further enhance professional competence and knowledge with content such as the observance of the principle of the best interest of the child/minor and child/minor-friendly communication with an emphasis on specific nature of children/minors migrants, improve professional competence regarding detection and response to vulnerability, such as risk of human trafficking, sexual violence, situation of LGBT+ persons, work with children/minors with traumatic experience and provide assistance and support to people with mental health problems.**

We also advised the MNZ that the principle of the child's best interest be observed with no exemption in all procedures from the identification of the child/unaccompanied minor upon their unauthorised entry to the Republic of Slovenia until their accommodation at the Centre.

The realisation of this principle would have to be carefully documented and discussed in decisions, official notes and diplomatic communications (cables). When forming fundamental guidelines and concrete measures, it would be sensible to observe the instructions and recommendations of international organisations and the Council of Europe that emphasise the importance of providing child/minor-friendly information in a friendly manner that observes the child's age, gender and their characteristics, and enable the discussion of all aspects of the situation in which the child/minor has found themselves, and the independence and impartiality when adopting decisions and other principles supporting the realisation of the rights of children/minors.

This systemic recommendation is the continuation of the NPM recommendation given during the visit in 2017. At that time, it was already highlighted that accommodation of children/minors in the Centre was not suitable or it should only be used as an exception as per the Convention on the Rights of the Child and the UN Guidelines on alternative care for children/minors. Such is also the opinion of UNICEF, which decisively objects to the placement of children/minors in institutions. UNICEF believes that no child/minor should be detained due to their mi-

grant status. Each case of detention, however short, has severe consequences for the mental health of children/minors, their wellbeing and development. Detention results in numerous risks and damage incurred due to restricting free movement. It causes trauma and has an adverse effect on general health condition. It prevents access to education and increases risks linked to violence and abuse, including gender-based violence and sexual abuse. Alternatives to detention already exist and have proven to be cost-efficient and operationally sustainable.

When making decisions on placing accompanied and unaccompanied children/minors in closed institutions, the best interests of children/minors should prevail in the assessment of competent experts. Determining the best interests of children/minors requires a clear and thorough assessment of the child's/minor's identity, including their nationality, upbringing, ethnic, cultural and linguistic background, exposure to various forms of vulnerability and the need for care and protection. The procedure of defining the child's/minor's best interest must be carried out in a child-friendly and safe environment and atmosphere by experts qualified to conduct interviews in which the age and the child's biological gender are considered. The presence of parents, legal representatives/guardians or advocates whose role is to monitor whether children's/minors' best interests are observed in procedures is important for the realisation of their best interests.

The accommodation of a child/minor in a closed institution cannot in any circumstance be in their best interest, which is why it is important that competent institutions further advocate solutions that observe international legal acts and the commitments of the Republic of Slovenia.

We further advised the MNZ to organise thematic training for social workers regarding the work with vulnerable groups.



We also recommended to the MNZ that the Centre or the inspector conducting a procedure involving a foreigner ensure in the case of involuntary return that documents (mentioned in the official note) are also stored in the physical form in the foreigner's personal file from which it is evident that the foreigner had the opportunity to make contact with the representative, was informed of the option to complain and that documents linked to the deportation are stored in their personal file in a physical form. When inspecting one of the personal files, it was noted that the file lacked physical documents from which it would be evident that the foreigner had the option to contact the representative and file a complaint within three days of the accommodation. Likewise, there were no physical documents on deportation in the personal file (e.g. when the deportation took place, or the report on accompaniment).

2.6

VISIT TO RADEČE JUVENILE CORRECTIONAL FACILITY

In 2019, the NPM carried out an unannounced visit to Radeče Juvenile Correctional Facility on 22 July 2019. The educational measure of minors being referred to a juvenile correctional facility imposed by a court for minors who committed criminal offences in the area of all court counties in the Republic of Slovenia is implemented in Radeče Juvenile Correctional Facility, which operates under the auspices of the Prison Administration of the Republic of Slovenia (URSIKS) as a body within the Ministry of Justice, and is the only such institution in Slovenia. The measure is implemented for at least one year to no more than three years (after re-imposition even longer) for minors aged between 14 and 23. Radeče Juvenile Correctional Facility can accommodate 47 persons. Upon the visit, it was determined that no changes had occurred in the implementation of the educational measure of referral to the juvenile correctional facility since the last visit, and all minors either worked and/or attended school.

We made a total of 33 recommendations. These were based on the inspection of living and other premises intended for minors, interviews with the minors who wanted to speak to us and interviews with the management.

The Head Office of the Prison Administration of the Republic of Slovenia responded to the recommendations from the report on the visit within the set deadline and for the most part agreed with the recommendations. **From a total of 33 recommendations, 14 were accepted and realised, 18 were accepted, but not yet realised, and one was rejected.** The rejected recommendation referred to the proposal that the management of the facility relocate a girl enjoying an open regime of accommodation. During our visit, the girls told us that those enjoying an open regime of accommodation are in an unequal position in comparison to the boys enjoying an open regime. The Head Office of the Prison Administration of the Republic of Slovenia explained that Radeče Juvenile Correctional Facility reported that the girl could have been relocated to an open unit, but she would have been deprived of the possibility to make social contacts by such a relocation as per the regime in place at that time, as she would then be much more isolated than other minors. We agreed with the clarifications of the URSIKS and did not insist on the recommendation being realised.

It is encouraging that Radeče Juvenile Correctional Facility realised several recommendations since our last visit, including those that were repeated several times in the past. It was thus determined that the recommendation referring to the renovation of the floor in the gym was realised, which had been repeated several times before. Furthermore, the facility bought at its own initiative trainers of different sizes that are now used by their residents in the gym so that the newly renovated floor in the gym would not be damaged. Likewise, the recom-



mentation that the area of the patient room (which also includes a bathroom) be equipped in way that enables the accommodation of residents with physical impairments (e.g. after injuries) was also realised. The relevant area is now equipped with suitable handles in the shower and near the toilet. The recommendation regarding more detailed keeping of residents' personal files was also realised as we noted that the personal files are now kept in a transparent manner and enable an overview of the resident's progress during their stay at the facility.

The majority of recommendations referred to the living conditions (20), discussion and forms of work (six), staff and food (two), and one recommendation dealt with the activities, legal protection and complaint channels, and health care.

We determined that **certain recommendations from previous visits were not observed consistently enough or the deficiencies were eliminated after the NPM's visit, but they reappeared at a later time.** During our past visits, we recommended several times that teachers in workshops where the residents work or perform their practice be more consistently careful so that injuries or the destruction of equipment in changing rooms does not occur. Although we have repeated this recommendation and we were assured on one of the previous visits that the teachers in workshops received special instructions to regularly check the condition of changing rooms and toilets, they have clearly not complied with them. **On the occasion of this visit, toilet doors of the toilets in the changing rooms (with the exception of one) were again removed and also covered in graffiti and partly damaged.** In this regard, the URSIKS explained that the management of Radeče Juvenile Correctional Facility immediately began repairing toilets in workshops. Broken door hinges and damaged door handles were replaced or repaired. The teachers in workshops began examining premises more consistently in order for them to remain in proper condition.



We particularly noted that the space and architecture of buildings such as those of Radeče Juvenile Correctional Facility have a significant impact on the results of rehabilitation and reintegration of minors. The principle of the so-called normative architectural design arising from the need for a suitable security and simultaneous support environment which does not dehumanise contributes to the better wellbeing of minors, reduced recidivism, better mental health and more successful social rehabilitation. Spatial openness, colour schemes, suitable decoration, light and airiness that generate an impression of an open space reduce the feelings of confinement and restriction of movement reported by the minors who spoke to us. Suitable rooms not only contribute to the minors being more respectful towards their rooms and the programme, but also convey to them that they are accommodated in an institution that takes them seriously and is respectful towards them. Suitable sources of natural light may contribute to reducing the feeling of depression and hopelessness in minors, and appropriate quieter acoustics of the rooms may significantly reduce stress and violence. Rooms that enable adjustment of the furniture and personalisation also contribute to better rehabilitation. Rooms intended for visiting and counselling work with minors and their family members must be welcoming for the families and minors. Rooms in Radeče Juvenile Correctional Facility would thus have to reflect the principle to create a normalised environment that does not expose minors to repeated traumatising, while particularly paying attention to the fact that minors with com-



plex issues are accommodated in such institutions. **A visit to Radeče Juvenile Correctional Facility revealed that persons subject to educational measures are living in unsuitable conditions (at least in some sections of the facility).** Large renovation works would be required to ensure suitable minimum living conditions, which are not possible since the building is subject to monument protection and major interventions are not permitted. Rooms are not child-friendly and do not contribute to their successful rehabilitation. **The NPM thus recommended that the management of Radeče Juvenile Correctional Facility together with the Head Office of the Prison Administration of the Republic of Slovenia address the spatial inadequacy by observing the principles of normative architectural design and the design of a humane environment, which will contribute to the minors' social rehabilitation and enable their prompt integration into the community and regular life.** It is of the utmost importance that rooms do not cause additional stress and trauma, but provide an appropriate support environment.



The Head Office of the Prison Administration of the Republic of Slovenia replied that Radeče Juvenile Correctional Facility and the Head Office were aware that the castle in which living premises for minors undergoing the measure of referral to the juvenile correctional facility were arranged was not optimal as the building was not initially intended for such activities. The Head Office knows that the best solution would be a building constructed with the purpose of implementing the relevant measure, including all appertaining facilities and spaces. In this regard, it proposed to the Ministry of Justice to also include a new construction of the correctional facility into its procedures for implementing penal sanctions. As Radeče Juvenile Correctional Facility is well received in the local environment, it would be sensible that it remains in the town of Radeče. Building plots (owned by the Company of the Daughters of Charity of Saint Vincent de Paul, which is the lessor of the living quarters) are available in the vicinity, the purchase of which would be possible for the construction of the new building with all the appertaining facilities and spaces that would provide a suitable spatial and architectural environment for the most favourable social rehabilitation of minors.

Regarding the work of a specialist psychiatric outpatient clinic, the director explained that they are experiencing certain problems because their health-care provider, Radeče Community Health Centre, has difficulties with employing a psychiatrist, but they are in discussions with one. When there was a need for psychiatric care of a minor, a general physician would issue a referral and the minor would be taken to the Unit for Forensic Psychiatry in Maribor.

The message of the URSIKS that a psychiatrist would begin having sessions with minors as of 31 July 2019 in accordance with the contract with Radeče Community Health Centre is thus very encouraging, and the psychiatric care would be carried out twice a month on the basis of appointments agreed in advance.

The NPM also recommended that a special programme for discussing the harmful effects of drugs and/or alcohol be established, as would a programme for enhancing minors' mental health. In connection with this recommendation, the management explained that the programme for discussing minors who have problems with illicit drugs and alcohol was fully integrated in the educational programme. All minors are individually and within a group discussed within



the parent educational group and at higher levels of treatment led by individual teachers. The treatment also takes place within health care provided by the general outpatient clinic of Radeče Community Health Centre on the basis of a contract. Individuals with mental problems are treated by the facility's psychiatrist and occasionally by an external psychologist. An expert to deal with minors' mental health in greater depth is not anticipated in the job classification.

We heard several complaints from the minors that the food is usually tasteless, of poor quality and frequently of insufficient quantity and so they are consequently hungry. **The NPM advised that when preparing meals, instructors dedicate more attention to mentoring minors working in the kitchen in order to develop competence and skills to prepare high-quality, delicious, wholesome and diverse food.** Radeče Juvenile Correctional Facility replied that work instructors together with the minors carry out practical parts of expert subjects and practical training in the kitchen, and prepare minors to obtain certificates of national vocational qualification for assistant cooks. The minors receive knowledge from various fields: use of appliances and working machinery, waste separation and caring for the maintenance of a clean environment; mechanical food processing; preparation of different dishes, etc. Under the mentorship of work instructors, the minors learn the basics of cooking, cleanliness and safety at work irrespective of whether they train in accordance with the education programme or have been appointed to work in the kitchen of Radeče Juvenile Correctional Facility, and gain positive work habits. The preparation of daily meals for minors and employees takes place simultaneously with the activities mentioned above. Under the mentorship of a work instructor, minors grow vegetables in the garden and the greenhouse. Vegetables and fruit from the orchard are used for daily preparation of high-quality and healthy food.

When examining the randomly selected files of a few minors, it was determined that individual work takes place regularly, and regular cooperation with the relevant social work centre and the minor's family is also established if this is in the minor's best interest. It was not possible to deduce from the documentation what expert methods of individual and group work were being implemented, including work approaches based on scientific evidence. It was also not evident how the assessment of the minor's best interest is made in the case of more complex challenges, and how the work with the family (biological or foster) takes place. **The NPM thus recommended that it would be sensible to form uniform vocational standards of work which would derive from the minor's needs and consider the complexity of problems experienced by the minor.**

With regard to the proposed protocols and work standards, the Head Office of the Prison Administration of the Republic of Slovenia explained that work with minors in Radeče Juvenile Correctional Facility was governed by general acts on the implementation of the measure of placing a minor in a correctional facility (the ZIKS-1, the Rules on implementation of educational measure of committing a juvenile to a juvenile correction facility, house rules), and the work content is defined in the educational programme, which is the fundamental guideline for educational work with minors. The content of the educational programme is actually not evident from the minors' personal files, as was established by the NPM, and it is impossible to directly deduce from them the protocols and guide-





lines as only individual sections of expert treatment during the implementation of the measure are provided in the files. The educational programme was last updated in 2009, and the need for modernisation arose within the past ten years due to changes in the legislation and the structure of minors in Radeče Juvenile Correctional Facility. **To this end, the facility began drafting changes to the educational programme at the end of 2018, whereby the working group of experts** (representatives of the education and safety departments) observed modern educational principles with an emphasis on learning responsibility and independence of minors. The Head Office of the Prison Administration of the Republic of Slovenia also stated that the management of Radeče Juvenile Correctional Facility would present the draft educational programme in autumn 2019. The minors explained that they have regular daily interviews with teachers. It was impossible to deduce from the minors' files how their best interest is observed in their personal plans and how their needs, capabilities, rights and skills are recognised. **The NPM advised that the employees be trained accordingly and gain access to literature that would enhance their professional competence, and to enable the minors to access high-quality services that promote the best results for them.**



In this regard, the Head Office of the Prison Administration of the Republic of Slovenia replied that the entire system promotes the training of staff and enhancement of their professional competence necessary for working with minors. The Head Office emphasised that requests from individuals must be encouraged as well. New forms of aberrant behaviour and combined disorders are constantly emerging for which specialist treatment is required as highlighted by the staff. Radeče Juvenile Correctional Facility initiated a proposal to implement Strength Deployment Inventory – SDI (a tool for personal development and efficient group work), which would be included in the education plan for 2020.



When examining documentation or personal files, it was not possible to deduce the protocols and guidelines which would ensure suitable treatment of minors with whom increased risk for exposure to violence and discrimination due to personal circumstances was detected. **The NPM thus recommended that a response system and protocols be introduced that would enable minors from ethnic and other minorities and cultural environments with different religious practices to express themselves without the fear of possible consequences.** Radeče Juvenile Correctional Facility responded that minors of different beliefs are enabled to preserve their customs and habits. Individuals are enabled discretion and freedom of expression. The expert group observes minors' wishes relating to special diets, which is also entered in their personal plan. The discussion of ethnic and other minorities is to be included in the content of the educational programme.

2.7

VISITS TO PRISONS

In 2019, the NPM made six visits to prisons or their units. All visits were regular, i.e. Ig Open Unit of Ljubljana Prison (4 April 2019), Ig Prison (23 April 2019), Slovenska vas Semi-Open Unit of Dob Prison (16 May 2019), Novo mesto Unit of Ljubljana Prison (12 July 2019), Puščava Open Unit of Dob Prison (25 September 2019) and Koper Prison (23 and 24 October 2019), and were unannounced. The external expert/doctor, who cooperates contractually with the NPM, attended two visits, i.e. Ig Prison on 25 April 2019 and Koper Prison on 28 October 2019.

A total of 76 recommendations were given, of which 72 were targeted and four were systemic. They referred to the living conditions (29), options for activities (eleven), the staff (ten), discussion of prisoners and forms of work (nine), health care (eight), contacts with the outside world (four), other matters (three) and two recommendations involved food.

From a total of 76, **20 were accepted and realised, 48 were accepted, but not yet realised**, the URSIKS did not state its position regarding two recommendations, and **six were rejected**.



The foregoing reveals that **many NPM recommendations were realised or accepted in 2019, but some of them have not yet been implemented**. The unrealised ones particularly dealt with the recommendations that require more time for their realisation or elimination of the established deficiencies. In some cases, recommendations referred to the already planned activities in the prison visited or their unit in another location, but with a delay (e.g. the visit was carried out in the first half of the year and the activities were planned for the second half, or the visit was conducted in the second half of the year and the realisation of the recommendations was planned at the start of the new year).

From six recommendations that the URSIKS failed to accept, **one referred to Ig Prison**, i.e. regarding the arrangement of parking spaces for female prisoners accommodated in the open unit. The Head Office of the Prison Administration of the Republic of Slovenia noted that due to the anticipated start of works for the construction or extension of **Ig Prison** the possibilities for arranging additional parking spaces for female prisoners (anticipated area in front of the open unit) are additionally limited. Due to construction works, there would also be a shortage of parking spaces for the staff and parking spaces for them would have to be arranged at other locations.

Two rejected recommendations involved activities, i.e. one in **Ig Prison**, where we recommended that purchases in the prison shop and delivery of clothes to the laundry room be arranged at times that would not coincide with the afternoon walk as prisoners have the right to spend at least two hours in the fresh air. During the visit, we received specific complaints from prisoners regarding shopping in

the afternoon, stating that the prison shop operates at the time of the afternoon walk. If they wish to make a purchase, prisoners must use their time intended for walking in the fresh air. Prisoners also added that the delivery of laundry to the laundry room also takes place during the afternoon walk, which additionally shortens the time intended for walking in the fresh air. With regard to the foregoing, the Head Office of the Prison Administration of the Republic of Slovenia replied that **Ig Prison** believed that the issue did not interfere with the prisoners' right to spend at least two hours outdoors. Female prisoners who serve their sentences under a closed regime may spend time outdoors in the inner courtyard between 9.00 and 10.00 in the morning (and those who work also between 8.00 and 9.00) and between 16.00 and 18.00 in the afternoon. Those who serve their sentences under a semi-open regime can stay outdoors between 9.00 and 12.00 in the morning, and between 13.40 and 16.00 or between 13.40 and 18.00 in the summer, and additionally between 19.15 and 20.30 in the summer. The delivery of laundry to the laundry room takes place on Mondays, Wednesdays and Fridays at 16.45, and the collection of laundry on Tuesdays and Thursdays at 16.45. During this time, female prisoners can freely move in the inner courtyard and wait their turn to hand over or collect laundry, which usually takes a minute or two. The same applies for the prison shop, which is open on Tuesdays and Thursdays between 16.00 and 17.00 and where the purchase of goods also takes only several minutes.

The second unrealised recommendation regarding activities referred to **Novo mesto Unit of Ljubljana Prison** and it stated that the tap of the second wash basin be fixed in the gym. The Head Office of the Prison Administration of the Republic of Slovenia replied that **Novo mesto Unit of Ljubljana Prison** explained that part of the plumbing had to be replaced in the basement due to leakage. A section of the piping was linked to the court and a new pipe had to be laid which was only connected to one wash basin due to the complexity of the installation, and according to their assessment this met the needs. The second wash basin had already been removed and a vending machine for hot and cold drinks was installed there, which provided more space in the gym.

Three unaccepted recommendations involved health care, i.e. one in **Ig Prison** to realise the repeated recommendation of the external expert/doctor to ensure a continuous emergency medical service in the infirmary. In connection with this recommendation, the Head Office of the Prison Administration of the Republic of Slovenia noted that the current employment plan did not include the employment of additional medical staff.

The second unaccepted recommendation was made in **Slovenska vas Semi-Open Unit of Dob Prison**, i.e. about the provision of health care. It referred to the clarification about the guaranteed transfer of information about a prisoner's medical condition between their selected doctor and the doctor(s) providing health care or occupational health care in prison. In this regard, the Head Office of the Prison Administration of the Republic of Slovenia replied that the prison obtained a clarification from Trebnje Community Health Centre which carries out medical activities in Dob Prison. Trebnje Community Health Centre explained that there is no automatic transfer of information about prisoners' health condition between their selected doctors and the doctor in the infirmary. Medical documentation

accompanies a prisoner only if they are transferred from one prison to another. After serving of a sentence, their medical file is sent to their selected doctor by registered mail at the prisoner's request. They must provide the address of the medical institution and the name of their doctor. If a prisoner does not wish for their file to be sent, the file is kept at the central archives.

The third rejected recommendation relating to health care was made in **Koper Prison** and referred to the observance of the recommendation by the external expert/doctor to examine the possibility for the infirmary and other (psychiatric and dentist) outpatient clinics to work three times a week relating to the increased number of prisoners regularly scheduled for examination at the infirmary and also in accordance with the increased number of prisoners in **Koper Prison**. The Head Office of the Prison Administration of the Republic of Slovenia explained that the quality of health care in **Koper Prison** already improved after 1 January 2018 when the scope of work of all outpatient clinics extended. Despite the increased number of prisoners, the Head Office believes that the current scope of work of outpatient clinics ensures high-quality health care since all scheduled prisoners are treated regularly, including those for whom the doctor assesses that ongoing treatment is required. **Koper Prison** makes regular arrangements with Koper Community Health Centre about the provision of doctors, which contributes to the reduction of accompaniments of prisoners to external institutions. The quality of health care of prisoners is maintained also in the absence of a doctor in Koper Prison and in emergency situations when a duty doctor from Koper Community Health Centre comes to the prison.

Relating to the facilitation of communication of prisoners with the outside world, the director of **Ig Prison** explained during the visit that a project was being prepared which would particularly enable female remand prisoners to maintain contact with their family (including children) via Skype. Based on the foregoing, the NPM recommended – also to the Head Office of the Prison Administration of the Republic of Slovenia – that **Ig Prison** receive suitable assistance or necessary support so that female remand prisoners and other prisoners if necessary be enabled contact with their families via Skype as soon as possible. With regard to the relevant recommendation, the Head Office of the Prison Administration of the Republic of Slovenia responded that it was already preparing a trial implementation of video communication (Skype or similar) that would be implemented by Ig Prison. Similar action is planned in several other prison systems in the European Union, but there is no uniform practice yet established in this field. The Head Office of the Prison Administration of the Republic of Slovenia reported that the trial implementation is anticipated to commence at the end of 2019. This option would first be offered to female prisoners with minor children. Possible risks and hazards of abuse would be examined if the video technology would be used by female prisoners who are foreigners. The Head Office of the Prison Administration of the Republic of Slovenia also noted that this method of communication has not yet been legally defined in regulations governing the enforcement of prison sentences, and they have already submitted a proposal for amending suitable regulations.



When visiting prisons, we noted that several recommendations made during previous visits were realised. In **Ig Open Unit of Ljubljana Prison**, it was determined that the recommendation repeated during past visits about the replacement of windows in living quarters had been realised as we observed that all windows had been replaced (with the exception of three smaller windows in room no. 1 and two windows in room no. 5). The recommendation that radiators for heating the hallway that leads to the sanitary section (toilets, washrooms, showers and laundry rooms) next to the living quarters be installed (it was established during the previous visit that the temperature in the hallway was only 10.1 °C) had been realised as we saw four new radiators in the hallway. Furthermore, certain other recommendations aimed at improving the conditions for prisoners were also realised in the prison. **Ig Prison** realised the NPM recommendation from previous visits to physically separate individual regimes of incarceration. Renovation works took place in the closed regime in rooms between 42/1 and 42/5; the NPM recommendation that the issue of mould be addressed in these quarters will thus be realised. The recommendation to equip a room with a more suitable hospital bed, fix the problem with the toilet cistern and paint the walls was also implemented as we noted that a hospital bed (enabling several adjustments) and a classic wooden bed were in the room, which was also painted and the problems with the toilet cistern were fixed. Ig Prison also realised some other NPM recommendations from previous visits.

When visiting **Slovenska vas Semi-Open Unit of Dob Prison**, it was established that the recommendation to build overhanging roofs for the needs of prisoner socialising in the event of bad weather and also for the needs of smokers was partly realised, i.e. overhanging roofs in front of facilities 2 and 3 were constructed. The recommendation to paint walls in sanitary facilities (bathrooms and washrooms) on the ground floor and install more powerful fans for ventilation was also realised as the walls in bathrooms and washrooms were repainted and more high-powered fans for steam extraction were installed.

Novo mesto Unit of Ljubljana Prison realised the NPM recommendation stating that the floor under the window where damp was discovered in the large bedroom of living quarters no. 3 be examined and repaired if necessary. During this visit, we noted that the problem was eliminated and the floor in the large bedroom replaced. The recommendation referring to the replacement of a worn-out floor lining in the hallway of the convict unit was realised since the floor lining was replaced by new flooring made of vinyl. The recommendation regarding the renovation of the solitary confinement cell was also realised and the cell was renovated in 2018. When examining the detention unit, it was observed that ventilation was repaired in all living quarters. The NPM recommendation that the planned conversion of the former kitchen into a classroom be implemented as soon as possible was also realised as the conversion had been completed.

In **Pučava Open Unit of Dob Prison**, it was determined that the past NPM recommendation about the option for the convicts to prepare their own food was observed, which is commendable.

Koper Prison also implemented several recommendations from the last visit referring to the improvement of living conditions for prisoners.



3.

ATTACHMENTS

3.1

NATIONAL PREVENTIVE MECHANISM (NPM) – NPM VISITS IN 2019

20 March 2019	Members of the NPM, the Ombudsman's adviser, mag. Jure Markič, and the representative of the contractual NGO, Legal-Informational Centre for NGOs – PIC, Ana Repič, made an unannounced control visit to Horjul Retirement Centre .
25 March 2019	Members of the NPM, the Ombudsman's adviser, Robert Gačnik, and the representative of the contractual NGO, Legal-Informational Centre for NGOs – PIC, Urša Regvar, made an unannounced visit to Ljubljana Šiška Police Station .
25 March 2019	Members of the NPM, the Ombudsman's adviser, Robert Gačnik, and the representative of the contractual NGO, Legal-Informational Centre for NGOs – PIC, Urša Regvar, made an unannounced visit to Ljubljana Vič Police Station . Ombudsman Peter Svetina also attended the visit.
25 March 2019	Members of the NPM, the Ombudsman's adviser, Robert Gačnik, and the representative of the contractual NGO, Legal-Informational Centre for NGOs – PIC, Urša Regvar, made an unannounced visit to Postojna Police Station .
4 April 2019	Members of the NPM, the Ombudsman's adviser, Robert Gačnik, and the representative of the contractual NGO, the Peace Institute, Maja Ladić, made an unannounced visit to Ig Open Unit of Ljubljana Prison .
10 April 2019	Members of the NPM, Deputy Ombudsman Ivan Šelih, the Ombudsman's adviser, Robert Gačnik, and the representative of the contractual NGO, Humanitarno društvo Pravo za VSE, Pia Verdnik, made an unannounced visit to Rogatec Border Police Station and its unit at Dobovec International Border Crossing .

10 April 2019	Members of the NPM, Deputy Ombudsman Ivan Šelih, the Ombudsman's adviser, Robert Gačnik, and the representative of the contractual NGO, Humanitarno društvo Pravo za VSE, Pia Verdnik, made an unannounced visit to Celje Police Station for Compensatory Measures.
10 April 2019	Members of the NPM, Deputy Ombudsman Ivan Šelih, the Ombudsman's adviser, Robert Gačnik, and the representative of the contractual NGO, Humanitarno društvo Pravo za VSE, Pia Verdnik, made an unannounced visit to Bistrica ob Sotli Border Police Station.
12 April 2019	Members of the NPM, the Ombudsman's adviser, mag. Jure Markič, and the representative of the contractual NGO, Spominčica – Alzheimer Slovenija, David Krivec, made an unannounced control visit to St Martin Institute in Srednja vas v Bohinju.
23 April 2019	Members of the NPM, Deputy Ombudsman Ivan Šelih, the Ombudsman's advisers, Robert Gačnik and Andreja Srebotnik, and the representatives of contractual NGOs, Legal-Informational Centre for NGOs – PIC (Adriana Aralica), the Peace Institute (Marko Ribač) and the SKUP – Community of Private Institutes (Katja Piršič), made an unannounced visit to Ig Open Unit of Ljubljana Prison. Ombudsman Peter Svetina also attended the visit. The visit examining the provision of health care was conducted by the NPM external expert, Dr Milan Popovič, specialist in general surgery, on 25 April 2019.
24 April 2019	Members of the NPM, the Ombudsman's adviser, mag. Jure Markič, and the representative of the contractual NGO, Humanitarno društvo Pravo za VSE, David Borlinič Gačnik, made an unannounced control visit to Lendava Retirement Home.
8 May 2019	Members of the NPM, the Ombudsman's adviser, Robert Gačnik, and the representative of the contractual NGO, Humanitarno društvo Pravo za VSE, Pia Verdnik, made an unannounced visit to Radlje ob Dravi Police Station. The visit was also attended by Ombudsman Peter Svetina, Martina Ocepek, Director of the Ombudsman's Expert Service and Nataša Kuzmič, Ombudsman's Adviser on Public Relations.
8 May 2019	Members of the NPM, the Ombudsman's adviser, Robert Gačnik, and the representative of the contractual NGO, Humanitarno društvo Pravo za VSE, Pia Verdnik, made an unannounced visit to Maribor II Police Station.

8 May 2019	Members of the NPM, the Ombudsman's adviser, Robert Gačnik, and the representative of the contractual NGO, Humanitarno društvo Pravo za VSE, Pia Verdnik, made an unannounced visit to Ruše Police Station .
9 May 2019	Members of the NPM, the Ombudsman's adviser, mag. Jure Markič, and the representative of the contractual NGO, Novi paradoks, Mateja Markovič, made an unannounced control visit to the Marof Unit of Idrija Retirement Home .
16 May 2019	Members of the NPM, the Ombudsman's adviser, Robert Gačnik, and the representative of the contractual NGO, the Peace Institute, Katarina Vučko, made an unannounced visit to Slovenska vas Semi-Open Unit of Dob Prison .
23 May 2019	Members of the NPM, the Ombudsman's adviser, mag. Jure Markič, and the representative of the contractual NGO, SKUP – Community of Private Institutes, Jure Trbič, made an unannounced control visit to Dr Jože Potrč Home in Poljčane .
5 June 2019	Members of the NPM, the Ombudsman's adviser, mag. Jure Markič, and the representative of the contractual NGO, SKUP – Community of Private Institutes, Jure Trbič, made an unannounced control visit to Idrija Retirement Home .
5 June 2019	Members of the NPM, the Ombudsman's adviser, Ana Polutnik, and the representative of the contractual NGO, Legal-Informational Centre for NGOs – PIC, Adriana Aralica, made an unannounced thematic visit to Jarše Youth Home (Hiša, Kokos and Zeleni tir residential groups) .
6 June 2019	Members of the NPM, the Ombudsman's adviser, Robert Gačnik, and the representative of the contractual NGO, Humanitarno društvo Pravo za VSE, David Borlinič Gačnik, made an unannounced visit to Lenart Police Station .
6 June 2019	Members of the NPM, the Ombudsman's adviser, Robert Gačnik, and the representative of the contractual NGO, Humanitarno društvo Pravo za VSE, David Borlinič Gačnik, made an unannounced visit to Gornja Radgona Police Station .
6 June 2019	Members of the NPM, the Ombudsman's adviser, Robert Gačnik, and the representative of the contractual NGO, Humanitarno društvo Pravo za VSE, David Borlinič Gačnik, made an unannounced visit to Lendava Police Station .

10 June 2019	Members of the NPM, the Ombudsman's adviser, Ana Polutnik, and the representative of the contractual NGO, Legal-Informational Centre for NGOs – PIC, Adriana Aralica, made an unannounced thematic visit to Planina Residential Treatment Institution.
12 June 2019	Members of the NPM, the Ombudsman's adviser, Ana Polutnik, and the representative of the contractual NGO, Legal-Informational Centre for NGOs – PIC, Adriana Aralica, made an unannounced thematic visit to Malči Belič Youth Care Centre.
17 June 2019	Members of the NPM, the Ombudsman's adviser, Ana Polutnik, and the representative of the contractual NGO, Legal-Informational Centre for NGOs – PIC, Adriana Aralica, made an unannounced thematic visit to Logatec Education and Training Institution.
20 June 2019	Members of the NPM, the Ombudsman's adviser, Robert Gačnik, and the representative of the contractual NGO, Legal-Informational Centre for NGOs – PIC, Urša Regvar, made an unannounced visit to Sežana Police Station.
20 June 2019	Members of the NPM, the Ombudsman's adviser, Robert Gačnik, and the representative of the contractual NGO, Legal-Informational Centre for NGOs – PIC, Urša Regvar, made an unannounced visit to Koper Police Station.
20 June 2019	Members of the NPM, the Ombudsman's adviser, Robert Gačnik, and the representative of the contractual NGO, Legal-Informational Centre for NGOs – PIC, Urša Regvar, made an unannounced visit to Piran Police Station.
3 July 2019	Members of the NPM, the Ombudsman's adviser, mag. Jure Markič, and the representative of the contractual NGO, Spominčica – Alzheimer Slovenija, Alenka Virant, made an unannounced visit to Koper Retirement Home.
12 July 2019	Members of the NPM, the Ombudsman's adviser, Robert Gačnik, and the representative of the contractual NGO, the Peace Institute, Dr Marko Ribač, made an unannounced visit to Novo mesto Unit of Ljubljana Prison.
17 July 2019	Members of the NPM, the Ombudsman's adviser, Robert Gačnik, and the representative of the contractual NGO, SKUP – Community of Private Institutes, Neža Peternelj, made an unannounced visit to Velenje Police Station.

17 July 2019	Members of the NPM, the Ombudsman's adviser, Robert Gačnik, and the representative of the contractual NGO, SKUP – Community of Private Institutes, Neža Peternelj, made an unannounced visit to Šmarje pri Jelšah Police Station .
17 July 2019	Members of the NPM, the Ombudsman's adviser, Robert Gačnik, and the representative of the contractual NGO, SKUP – Community of Private Institutes, Neža Peternelj, made an unannounced visit to Rogaška Slatina Police Station .
18 July 2019	Members of the NPM, Deputy Ombudsman Ivan Šelih, the Ombudsman's advisers, mag. Jure Markič and Ana Polutnik, and the representative of the contractual NGO, Novi paradoks, Srečko Brumen, made an unannounced visit to the Intensive Child and Adolescent Psychiatry Unit of Ljubljana University Psychiatric Clinic .
22 July 2019	Members of the NPM, Deputy Ombudsman Ivan Šelih, the Ombudsman's adviser, Robert Gačnik, and the representatives of contractual NGOs, the Slovenian Foundation for UNICEF, Dr Romana Zidar, and Humanitarno društvo Pravo za VSE, Aljaž Lep, made an unannounced visit to Radeče Juvenile Correctional Facility .
31 July 2019	Members of the NPM, the Ombudsman's adviser, mag. Jure Markič, and the representative of the contractual NGO, Humanitarno društvo Pravo za VSE, David Borlinič Gačnik, made an unannounced regular visit to the Pegasus Home in Rogaška Slatina .
5 August 2019	Members of the NPM, Deputy Ombudsman Ivan Šelih, the Ombudsman's adviser, Robert Gačnik, and the representative of the contractual NGO, Legal-Informational Centre for NGOs – PIC, Adriana Aralica, made an unannounced visit to Kočevje Border Police Station .
6 August 2019	Members of the NPM, the Ombudsman's adviser, Robert Gačnik, and the representative of the contractual NGO, Legal-Informational Centre for NGOs – PIC, Adriana Aralica, made an unannounced visit to Metlika Border Police Station .
8 August 2019	Members of the NPM, the Ombudsman's adviser, mag. Jure Markič, and the representative of the contractual NGO, Humanitarno društvo Pravo za VSE, David Borlinič Gačnik, made an unannounced control visit to Ormož Psychiatric Hospital .

13 August 2019	Members of the NPM, the Ombudsman's adviser, mag. Jure Markič, the representative of the contractual NGO, SKUP – Community of Private Institutes, Jure Trbič, and external expert, Dr Peter Pregelj, made an unannounced thematic visit to the Prebold Unit of Franc Salamon Trbovlje Retirement Home.
20 August 2019	Members of the NPM, the Ombudsman's adviser, mag. Jure Markič, the representative of the contractual NGO, SKUP – Community of Private Institutes, Jure Trbič, and external expert, Dr Peter Pregelj, made an unannounced thematic visit to Kranj Retirement Home.
21 August 2019	Members of the NPM, the Ombudsman's adviser, mag. Jure Markič, the representative of the contractual NGO, SKUP – Community of Private Institutes, Jure Trbič, and external expert, Dr Peter Pregelj, made an unannounced thematic visit to Mengeš Retirement Home.
12 September 2019	Members of the NPM, the Ombudsman's adviser, Robert Gačnik, and the representative of the contractual NGO, Humanitarno društvo Pravo za VSE, Pia Verdnik, made an unannounced visit to Gorišnica Police Station.
12 September 2019	Members of the NPM, the Ombudsman's adviser, Robert Gačnik, and the representative of the contractual NGO, Humanitarno društvo Pravo za VSE, Pia Verdnik, made an unannounced visit to Ptuj Police Station.
18 September 2019	Members of the NPM, the Ombudsman's adviser, Robert Gačnik, and the representative of the contractual NGO, Legal-Informational Centre for NGOs – PIC, Urša Regvar, made an unannounced visit to Ljutomer Police Station.
18 September 2019	Members of the NPM, the Ombudsman's adviser, Robert Gačnik, and the representative of the contractual NGO, Legal-Informational Centre for NGOs – PIC, Urša Regvar, made an unannounced visit to Murska Sobota Police Station.
25 September 2019	Members of the NPM, the Ombudsman's adviser, Robert Gačnik, and the representative of the contractual NGO, SKUP – Community of Private Institutes, Neža Peternelj, made an unannounced visit to Puščava Open Unit of Dob Prison.
30 September 2019	Members of the NPM, the Ombudsman's adviser, mag. Jure Markič, and the representative of the contractual NGO, Humanitarno društvo Pravo za VSE, David Borlinič Gačnik, made an unannounced control visit to Ormož Retirement Home.

9 October 2019	Members of the NPM, the Ombudsman's adviser, Robert Gačnik, and the representative of the contractual NGO, SKUP – Community of Private Institutes, Katja Piršič, made an unannounced visit to Brežice Police Station .
9 October 2019	Members of the NPM, the Ombudsman's adviser, Robert Gačnik, and the representative of the contractual NGO, SKUP – Community of Private Institutes, Katja Piršič, made an unannounced visit to Krško Police Station .
9 October 2019	Members of the NPM, the Ombudsman's adviser, Robert Gačnik, and the representative of the contractual NGO, SKUP – Community of Private Institutes, Katja Piršič, made an unannounced visit to Sevnica Police Station .
11 October 2019	Members of the NPM, the Ombudsman's adviser, mag. Jure Markič, and the representative of the contractual NGO, Spominčica – Alzheimer Slovenija, made an unannounced control visit to Taber Retirement Home in Cerklje na Gorenjskem .
15 October 2019	Members of the NPM, the Ombudsman's adviser, mag. Jure Markič, and the representative of the contractual NGO, Spominčica – Alzheimer Slovenija, David Krivec, and the external expert, Dr Peter Pregelj, made an unannounced control visit to Ptuj Retirement Home .
22 October 2019	Members of the NPM, the Ombudsman's advisers, mag. Jure Markič, and Ana Polutnik, the representative of the contractual NGO, the Slovenian Federation of Pensioners' Associations (ZDUS), Marija Milavec Kapun, and the external expert, Dr Peter Pregelj, made an unannounced thematic visit to DEOS Trnovo Retirement Home .
23 October 2019	Members of the NPM, the Ombudsman's adviser, mag. Jure Markič, and the representative of the contractual NGO, ZDUS, Slavica Frelih and the external expert, Dr Peter Pregelj, made an unannounced thematic visit to Izola Retirement Home .
23 and 24 October 2019	Members of the NPM, the Ombudsman's adviser, Robert Gačnik, and the representative of the contractual NGO, the Peace Institute, Dr Marko Ribač, made an unannounced visit to Koper Prison . The visit examining the provision of health care was conducted by the NPM external expert, Dr Milan Popovič, specialist in general surgery, on 28 October 2019.

13 November 2019	Members of the NPM, the Ombudsman's adviser, mag. Jure Markič, and the representative of the contractual NGO, Novi paradoks, Mateja Markovič, made an unannounced control visit to Trubar Retirement Home in Loka pri Zidanem Mostu.
19 November 2019	Members of the NPM, the Ombudsman's adviser, mag. Jure Markič, and the representative of the contractual NGO, ZDUS, Nives Jakomin Škrlj, made an unannounced control visit to Vrhnika Retirement Home.
6 December 2019	Members of the NPM, the Ombudsman's adviser, mag. Jure Markič, and the representative of the contractual NGO, ZDUS, Marija Krušič, made an unannounced control visit to Franc Salamon Retirement Home in Trbovlje.
10 December 2019	Members of the NPM, Deputy Ombudsman Ivan Šelih, the Ombudsman's adviser, Robert Gačnik, and the representatives of contractual NGOs, the Peace Institute (Maja Ladić) and the Slovenian Foundation for UNICEF (Dr Romana Zidar), made an unannounced visit to the Aliens Centre in Postojna.
18 December 2019	Members of the NPM, the Ombudsman's advisers, mag. Jure Markič, and Ana Polutnik, and the representative of the contractual NGO, the Peace Institute, Živa Humer, made a thematic visit to the Dolfka Boštjančič Education, Work and Care Centre from Draga pri Igu.
18 December 2019	Members of the NPM, the Ombudsman's advisers, mag. Jure Markič, and Ana Polutnik, and the representative of the contractual NGO, the Peace Institute, Živa Humer, made a thematic visit to the Škofljica Unit of the Dolfka Boštjančič Education, Work and Care Centre.
18 December 2019	Member of the NPM and the representative of the contractual NGO, ZDUS, Lili Jazbec, made a thematic visit to Center slovenske Istre Ankaran of the Dolfka Boštjančič Education, Work and Care Centre.

3.2

NATIONAL PREVENTIVE MECHANISM (NPM) – OTHER ACTIVITIES OF THE NPM IN 2019

11 January 2019	At the Ministry of Labour, Family, Social Affairs and Equal Opportunities (MDDSZ), Deputy Ombudsman Ivan Šelih and the Ombudsman's adviser, mag. Jure Markič, attended the 9th session of the working group regarding the establishment of a special unit for treating persons with profound mental disorders.
15 January 2019	Deputy Ombudsman Ivan Šelih and the Ombudsman's adviser, Robert Gačnik, spoke to a reporter from Val 202 radio station about the situation in Slovenian prisons.
21 January 2019	At the Ombudsman's head office, Deputy Ombudsman Ivan Šelih and the Ombudsman's advisers, mag. Uroš Kovačič and Robert Gačnik, met the Director of the Probation Administration, mag. Danijela Mrhar Prelič, and her colleagues. The meeting focused on a detailed familiarisation with the operations of the Probation Administration and its units.
23 January 2019	At the MDDSZ, Deputy Ombudsman Ivan Šelih and Ana Polutnik, the Ombudsman's adviser, attended a working meeting with the representatives of the MDDSZ and courts about resolving the situation that occurred due to the overcrowding in secure wards.
24 January 2019	At the Ombudsman's head office, Deputy Ombudsman Ivan Šelih and the Ombudsman's advisers, mag. Jure Markič, Ana Polutnik and Robert Gačnik, attended the annual meeting with the representatives of NGOs that were selected to cooperate in the NPM work at the public call.
1 February 2109	Mag. Jure Markič, the Ombudsman's adviser, attended the 10th session of the working group regarding the establishment of a special unit for treating persons with profound mental disorders at the MDDSZ.
6 February 2019	Deputy Ombudsman Ivan Šelih attended the 5th regular session of the Committee on Justice of the National Assembly of the Republic of Slovenia where the situation in the field of detention and imprisonment in Slovenian prisons was discussed.

11 to 13 February 2019	The Ombudsman's advisers, mag. Jure Markič, Ana Polutnik and Robert Gačnik, attended training to work with the Excel computer programme as a tool to display the NPM recommendations.
12 February 2019	Deputy Ombudsman Ivan Šelih and Polona Mozetič, the Ombudsman's councillor, attended a consultative workshop on the rights of suspects and the accused, which took place in Budapest, Hungary, between 12 and 13 February 2019. The workshop took place within the project, „Strengthening the rights of suspects and accused in criminal proceedings – the Role of national institutions for human rights“, implemented by the Peace Institute (a partner of the NPM) in cooperation with the Ludwig Boltzmann Institute of Human Rights (BIM) from Austria as the coordinator, and the Hungarian Helsinki Committee from Hungary and the Helsinki Foundation for Human Rights from Poland.
15 February 2019	Mag. Jure Markič, the Ombudsman's adviser, attended the 11th session of the working group regarding the establishment of a special unit for treating persons with profound mental disorders at the MDDSZ.
7 March 2019	Deputy Ombudsman Ivan Šelih attended a meeting at the MDDSZ on placing infirm and ill convicted persons who require care due to their health issues, which prisons cannot provide for them and who would need to be accommodated at social care institutions.
8 March 2019	At the Ombudsman's head office, Deputy Ombudsman Ivan Šelih and the Ombudsman's adviser, Ana Polutnik, attended a meeting with the representatives of the Ministry of Justice, the MDDSZ, the South Primorska Social Work Centre, the Prison Administration of the Republic of Slovenia (URSIKS), the Črna na Koroškem Special Education, Work and Care Centre, and lawyer, Dr Marija Hladin, on implementation of the educational measure of placement in a special education institution.
15 March 2019	Deputy Ombudsman Ivan Šelih and the Ombudsman's adviser, Robert Gačnik, attended the third scientific conference entitled „Compliance of Domestic Regulations with the Acquis of the European Union“ in Banja Luka, Bosnia and Herzegovina. At the event, Deputy Ombudsman Ivan Šelih presented the Human Rights Ombudsman of the Republic of Slovenia in the role of a member of the National Preventive Mechanism.
15 March 2019	Mag. Jure Markič, the Ombudsman's adviser, attended the 12th session of the working group regarding the establishment of a specialised unit for treating persons with profound mental disorders at the MDDSZ.

21 March 2019	Deputy Ombudsman Ivan Šelih and the Ombudsman's advisers, Robert Gačnik, and mag. Uroš Kovačič, attended a symposium entitled „Treatment of prisoners addicted to psychoactive substances – Where are we and where are we going“ at Maribor University Medical Centre. The meeting was intended for doctors and experts who treat addiction in prisoners in their daily practice.
22 March 2019	Deputy Ombudsman Ivan Šelih attended the reception of the delegation of the Committee on Human Rights and Freedoms of the Parliament of Montenegro, where he spoke about the operations of the NPM.
25 March 2019	At the Ministry of the Interior (MNZ), Deputy Ombudsman Ivan Šelih attended the 16th session of the Expert Council on Police Law and Powers.
1 April 2019	Deputy Ombudsman Ivan Šelih attended the 18th expert meeting of criminal investigators, prosecutors, judges and children's representatives entitled „A Child in the Grip of the Past and the Future“ that took place at Brdo pri Kranju.
9 April 2019	Human Rights Ombudsman Peter Svetina, his Deputy Ivan Šelih and the Ombudsman's adviser, Robert Gačnik, attended a ceremony commemorating the day of the Prison Administration of the Republic of Slovenia.
11 April 2019	Deputy Ombudsman Ivan Šelih and the Ombudsman's advisers, Robert Gačnik, and mag. Uroš Kovačič, held an introductory meeting with Riikka Peltonen Quijano from the Regional Office of UNHCR in Budapest, which is responsible for harmonising UNHCR activities in Slovenia.
16 April 2019	The Ombudsman's advisers, mag. Jure Markič and Ana Polutnik, attended a consultation on the occasion of the 60th anniversary of the European Court of Human Rights at the Faculty of Law in Ljubljana entitled „European Court of Human Rights: Guardian of Human Rights and the Rule of Law“.
16 April 2019	Between 16 and 17 April 2019, Deputy Ombudsman Ivan Šelih attended an expert meeting entitled „Addressing Violation of Rights at Border, Racism, Xenophobia and Hate Crime in the Context of Migration in South-Eastern Europe“, which was organised in Zagreb, Croatia, by the OSCE Office for Democratic Institutions and Human Rights (ODIHR) in cooperation with the Human Rights Ombudsman of the Republic of Croatia.
23 April 2019	The Ombudsman's adviser, mag. Jure Markič, attended the training for expert staff in mental health centres, where he introduced the NPM work and the findings established during visits to secure wards in psychiatric hospitals in 2018.

1 April 2019	Human Rights Ombudsman Peter Svetina and his closest colleagues responded to the invitation of Boštjan Poklukar, the Minister of the Interior, to an introductory meeting at the Ministry's premises.
24 April 2019	Deputy Ombudsman Ivan Šelih and the Ombudsman's adviser, Andreja Srebotnik visited the Centre for the prevention and treatment of drug addiction in Ljubljana.
25 April 2019	Human Rights Ombudsman Peter Svetina, his colleagues (also NPM members) and mag. Ksenija Klampfer, the Minister of Labour, Family, Social Affairs and Equal Opportunities, examined the conditions in Dom na Krasu Dutovlje Special Social Care Institution and spoke with several residents and staff members. At a special press conference, Ombudsman Peter Svetina highlighted the living conditions unworthy of people and urgent care for the most vulnerable. He pointed out the intolerable conditions of the staff in the institution and the necessity for improvements of spatial capacities in other special social care institutions in Slovenia. A mixed accommodation for various persons with different mental health issues, especially the accommodation of those referred to institutions by courts, must be arranged in order to unburden and reduce safety risks.
6 May 2019	Deputy Ombudsman Ivan Šelih and the Ombudsman's adviser, Robert Gačnik, attended training for a group of new prison officers at Dob pri Mirni Prison. This cooperation takes place regularly when training new prison officers who can thus become better acquainted with the institution of the Human Rights Ombudsman of the Republic of Slovenia relating to the discussion of complaints submitted by prisoners and the implementation of the tasks and powers of the NPM.
8 May 2019	At the Ministry of Education, Science and Sport, Deputy Ombudsman Ivan Šelih attended a meeting of the working group for monitoring the work of residential treatment institutions.
20 May 2019	At the MDDSZ, Deputy Ombudsman Ivan Šelih attended a meeting regarding the placement of adolescents with mental health problems and severe forms of personality and behavioural disorders.
23 May 2019	In Nafplion, Greece, Deputy Ombudsman Ivan Šelih attended the „Meeting of Ombudsman/NPM institutions to remedy the absence of an external, independent governance of the pool of forced-return monitors“.
24 May 2019	The representative of the NPM, mag. Jure Markič, attended a working meeting at the Judicial Training Centre intended for determining topics for the conference, the 2019 Mental Health Days.

27 May 2019	Human Rights Ombudsman Peter Svetina and his colleagues welcomed mag. Ksenija Klampfer, the Minister of Labour, Family, Social Affairs and Equal Opportunities, and her team to the first working visit. The central emphasis was dedicated to the most vulnerable groups, the disabled, children with special needs, persons with mental health problems, the elderly and the backlogs in decision making of the MDDSZ.
28 May 2019	Deputy Ombudsman Ivan Šelih and the Ombudsman's adviser, Robert Gačnik, attended a consultative workshop, „Strengthening the rights of persons suspected or accused in criminal proceedings – the role of National Human Rights Institutions“, organised by the Peace Institute and the Human Rights Ombudsman of the Republic of Slovenia, which took place at the National Museum of Slovenia in Ljubljana. The consultative workshop was intended for the exchange of experience, good practices and innovative ideas for promoting and safeguarding the rights of suspected and accused persons, and the enhancement of mutual cooperation. Deputy Ombudsman Ivan Šelih introduced to the participants certain findings or the Ombudsman's recommendations when dealing with complaints referring to the work of police officers regarding the realisation of the rights of persons suspected or accused in practice. Robert Gačnik, the Ombudsman's adviser, spoke about the Ombudsman's work in the role of the NPM with the emphasis on the findings established during visits to police stations.
28 May 2019	The representatives of the NPM, mag. Jure Markič and Ana Polutnik, attended a consultation entitled, „Discussion of children and adolescents with emotional and behavioural disorders – searching for solutions and a look into the future“, which took place at Kranj Intergenerational Centre at the initiative of experts in residential treatment institutions and youth homes.
29 May 2019	At the request of the TAIEX, the European Commission's instrument, the Human Rights Ombudsman of the Republic of Slovenia organised in cooperation with the Ministry of the Interior a study visit by the representatives of the Palestinian Council of Ministers and their Ministry of the Interior, and presented good practices and methodologies regarding complaint procedures in Slovenia between 29 and 31 May 2019. The Ombudsman's representatives informed the participants about the Ombudsman's institution, which is an independent and autonomous authority. The participants learned about the method of discussing individual complaints (particularly those involving police procedures) and the Ombudsman's operations in the role of the National Preventive Mechanism.

3 June 2019	At the premises of the MDDSZ, Deputy Ombudsman Ivan Šelih and the Ombudsman's adviser, mag. Jure Markič, attended the working meeting of the representatives of the social care institutions and psychiatric hospitals about the intolerable conditions due to overcrowding in secure wards.
4 June 2019	The Annual Report of the Human Rights Ombudsman and the Annual report on the implementation of the duties and powers of the NPM were discussed by the National Assembly's Commission for Petitions, Human Rights and Equal Opportunities.
7 June 2019	At the MDDSZ, Deputy Ombudsman Ivan Šelih and the Ombudsman's adviser, Ana Polutnik, attended a working meeting with the representatives of the MDDSZ, the Ministry of Health, Idrija Psychiatric Hospital and courts about the intolerable conditions due to overcrowding in secure wards.
11 June 2019	Between 11 and 12 June 2019, Deputy Ombudsman Ivan Šelih attended the first meeting of the SEE NPM Network in 2019 in Skopje in North Macedonia organised by the Human Rights Ombudsman of North Macedonia when implementing the tasks and powers of the NPM within the framework of their presidency of the network and with the assistance of OSCE. The purpose of the meeting was to exchange experience when forming policies for the prevention of retaliation as per Article 21 of the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (Official Gazette of the Republic of Slovenia [Uradni list RS] – International Treaties, No. 20/2006), stating that no authority or official shall order, apply, permit or tolerate any sanction against any person or organisation for having communicated to the national preventive mechanism any information, whether true or false, and no such person or organisation shall be otherwise prejudiced in any way.
12 June 2019	The representative of the NPM, Robert Gačnik, the Ombudsman's adviser, attended the 20th Days of Criminal Justice and Security in Dolenjske Toplice. Within the topic „Fundamental rights in police procedures“, Gačnik presented the findings of the NPM thematic visits to three border police stations in the second half of 2018 that were aimed at examining the allegedly unsuitable conduct of Slovenian police officers when dealing with foreigners.
13 June 2019	The Ombudsman's adviser, Ana Polutnik, attended a conference held by Planina Residential Treatment Institution, where programmes and innovations were presented that were carried out in the institution within the project of comprehensive treatment of children with emotional and behavioural disorders.

20 June 2019	The 2018 Annual Report on the Implementation of the Tasks of the NPM was discussed in the National Assembly. Based on Articles 272 and 111 of the Rules of Procedure of the National Assembly when discussing the Report of the Human Rights Ombudsman of the Republic of Slovenia on Implementing the Tasks of the National Preventive Mechanism according to the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment for 2018 on 20 June 2019, the National Assembly adopted the recommendation: „The National Assembly recommends that all competent state and other bodies adopt all measures necessary to realise the recommendations of the National Preventive Mechanism.“
2 July 2019	At the Ministry of Justice, Deputy Ombudsman Ivan Šelih and the Ombudsman's adviser, Ana Polutnik, attended the meeting on expert harmonisation of the proposal on the Liability of Minors for Criminal Offences Act (ZOMSKD) with the representatives from the expert sphere.
19 July 2019	Deputy Ombudsman Ivan Šelih and the Ombudsman's adviser, Robert Gačnik, examined the claims regarding the water supply in Dob Prison after the storm of 20 June 2019.
23 July 2019	At the Ministry of Health, Deputy Ombudsman Ivan Šelih and the Ombudsman's adviser, Andreja Srebotnik, attended a meeting with the representatives of the Ministry of Justice on the implementation of the security measure of compulsory psychiatric treatment at liberty.
19 August 2019	Deputy Ombudsman Ivan Šelih held a discussion at the Ministry of the Interior about monitoring the removal of foreigners from the country.
22 August 2019	Deputy Ombudsmen Ivan Šelih and mag. Miha Horvat spoke to the representatives of the U.S. Embassy in Slovenia about the situation of human rights in Slovenia.
4 September 2019	At the Judicial Training Centre, Deputy Ombudsman Ivan Šelih attended the last coordination meeting before the conference, the 2019 Mental Health Days.
5 September 2019	Deputy Ombudsman Ivan Šelih and the Ombudsman's adviser, Robert Gačnik, presented the findings determined during the NPM visits to police stations to the State Secretary of the Ministry of the Interior and the representatives of the Police and Security Directorate at the Ministry of the Interior.
5 September 2019	At the Ministry of Health, Deputy Ombudsman Ivan Šelih attended the preparatory meeting of the working group for drafting amendments to the Mental Health Act (ZDZdr).

16 September 2019	Deputy Ombudsman Ivan Šelih and member of the NPM, mag. Jure Markič, received the representatives of the Croatian NPM at a study visit. Together, they visited the Department of Psychiatry at Maribor University Medical Centre, of which the Forensic Psychiatric Unit is also a part. The event was an opportunity for the exchange of good practices when implementing the tasks and powers of the NPM, and to learn about the treatment of patients with mental health problems and the legal framework defining the treatment, which is also one of the objectives for participating in the SEE NPM Network.
18 September 2019	Deputy Ombudsman Ivan Šelih and members of the NPM, mag. Jure Markič and Ana Polutnik, attended the conference entitled, the 2019 Mental Health Days, between 18 and 19 September, which focused on efficient transitions in the treatment process from the community through the court to institutional treatment and back. On the first day, the conference was led by the Human Rights Ombudsman, Peter Svetina.
20 September 2019	Together with Human Rights Ombudsman Peter Svetina, Deputy Ombudsman Ivan Šelih and the member of the NPM, mag. Jure Markič, attended a meeting with the representatives of Spominčica – Alzheimer Slovenija, which also participates in the implementation of the tasks and powers of the NPM.
2 October 2019	Between 2 and 3 October 2019, Deputy Ombudsman Ivan Šelih and the member of the NPM, Ana Polutnik, attended a meeting of the SEE NPM Network in Skopje, North Macedonia, organised by the Human Rights Ombudsman of North Macedonia in its role of implementing the tasks and powers of the NPM within the framework of their presidency of the network and with the assistance of the United Nations High Commissioner for Refugees (UNHCR). This was the first meeting of the representatives of the SEE NPM Network focusing on regulating the situation and special needs of children and adolescents in institutions or in cases in which they have been deprived of their personal liberty.
3 October 2019	At the Ministry of Health, the representative of the NPM, mag. Jure Markič, attended a session of the working group for drafting amendments to the ZDZdr.

8 October 2019	Between 8 and 9 November 2019, Deputy Ombudsman Ivan Šelih attended the first meeting of the Nafplion Group. Assisted by the Council of Europe, the meeting was organised by the Italian NPM (Garante Nazionale dei Diritti delle Persone Detenute e private della Libertà Personale). The Nafplion Group was founded on the basis of the so-called Nafplion process, i.e. the initiative of the Greek Human Rights Ombudsman and some other ombudsman or NPM institutions from Member States of the Council of Europe. The main objective of founding the Nafplion Group was to establish a mechanism to ensure independent external monitoring of Frontex operations relating to forced return, form special recommendations for the bodies executing forced return, monitor the observance of these recommendations and thus contribute to the transparency of implementing return procedures.
10 October 2019	The representative of the NPM, mag. Jure Markič, attended the session of the working group for drafting amendments to the ZDZdr.
16 October 2019	At the invitation of the Public Defender of Georgia, Deputy Ombudsman Ivan Šelih attended the high-profile international conference entitled „Measuring and Enhancing the Impact of National Preventive Mechanisms“ that was held on 7 October in Tbilisi. The event took place on the occasion of the 10th anniversary of operations of the Georgian National Prevention Mechanism since the Public Defender of Georgia began implementing the relevant tasks and powers in 2009. As an active participant, Deputy Ombudsman Šelih presented the operations of the Slovenian NPM.
17 October 2019	The representative of the NPM, mag. Jure Markič, attended the session of the working group for drafting amendments to the ZDZdr.
22 October 2019	Human Rights Ombudsman Peter Svetina, his Deputy Ivan Šelih and the representatives of the NPM, Robert Gačnik, mag. Jure Markič and Ana Polutnik, attended a meeting with the representatives of NGOs which participate with the Ombudsman's Office in the NPM work.
22 October 2019	A working meeting was held at the Ministry of Justice concerning the preparation of the response report of the Government to the Annual Report of the Human Rights Ombudsman.

24 October 2019	At the House of the European Union in Vienna, Deputy Ombudsman Ivan Šelih and the Ombudsman's adviser, Andreja Srebotnik, attended the final conference within the EU project, „Strengthening the rights of persons suspected or accused in criminal proceedings – the role of National Human Rights Institutions“. The project partners presented their research findings, and consultation sessions and discussions with key international experts in the relevant field and national human rights institutions were also held at the conference. The representatives of these institutions exchanged experience about enhancing and safeguarding the rights of persons suspected and accused in criminal procedures when dealing with individual complaints and when monitoring places of the deprivation of liberty. Deputy Šelih spoke about visiting police stations in the NPM role, and the findings and recommendations to improve the situation in this field.
24 October 2019	At the Ministry of Health, the representative of the NPM, mag. Jure Markič, attended a session of the working group for drafting amendments to the ZDZdr.
30 October 2019	At the Ministry of Health, Deputy Ombudsman Ivan Šelih and the representative of the NPM, mag. Jure Markič, attended a session of the working group for drafting amendments to the ZDZdr.
4 November 2019	On the occasion of the 30th anniversary of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), Deputy Ombudsman Ivan Šelih as the Head of the Slovenian NPM, and Katarina Vučko, the representative of the Peace Institute, one of the NGOs participating in the implementation of the tasks and powers of the NPM, attended several events organised by the Council of Europe, the Association for the Prevention of Torture (APT) from Geneva and OSCE/ODIHR in Strasbourg, France, between 4 and 6 November 2019. Deputy Ombudsman Ivan Šelih and the representative of the Peace Institute, Katarina Vučko, particularly highlighted the participation of selected NGOs in the implementation of the tasks and powers of the NPM in Slovenia.
6 November 2019	At the consultation session entitled „Work with the Elderly“ in Ljubljana, the representative of the NPM, mag. Jure Markič, presented the NPM and findings on the use of special protection measures (SPM).
7 November 2019	The representative of the NPM, mag. Jure Markič, attended the session of the working group for drafting amendments to the ZDZdr.
8 November 2019	At the 11th conference on dementia, ASK 2019, organised by Spominčica – Alzheimer Slovenija in Nova Gorica, the representative of the NPM, mag. Jure Markič, spoke about the NPM thematic visit relating to fire safety in secure wards of retirement homes.

8 November 2019	At the Ministry of the Interior, Deputy Ombudsman Ivan Šelih attended a session of the Expert Council on Police Law and Powers.
14 November 2019	The representative of the NPM, mag. Jure Markič, attended the session of the working group for drafting amendments to the ZDZdr.
18 November 2019	Between 18 and 19 November 2019, the Ombudsman's adviser, mag. Uroš Kovačič, attended a workshop in Sofia, Bulgaria, intended for NPM entitled „Working towards harmonised detention standards in the EU – the role of National Preventive Mechanisms (NPMs)“. The substantive highlights of the workshop included the supervision of treatment and the situation of vulnerable groups of prisoners, and the formation of a systemic arrangement of supervision with regard to preventing torture and inhuman treatment.
20 November 2019	At the MDDSZ, the representative of the NPM, mag. Jure Markič, attended a session of the working group for working with dementia patients in institutional care of the elderly.
20 November 2019	Deputy Ombudsman Ivan Šelih attended an event at the National Assembly commemorating the 30th anniversary of the adoption of the United Nations Convention on the Rights of the Child.
21 November 2019	The representative of the NPM, mag. Jure Markič, attended the session of the working group for drafting amendments to the ZDZdr.
21 November 2019	At the Ombudsman's head office, Deputy Ombudsman Ivan Šelih, the Ombudsman's adviser, Robert Gačnik, and the representatives of the NGOs participating in the tasks and powers of the NPM attended training concerning supervision over the use of weapons and other coercive measures and the prevention of torture organised by the representatives of the OSCE Office for Democratic Institutions and Human Rights in cooperation with the Omega Research Foundation and the University of Exeter.
28 November 2019	The representative of the NPM, mag. Jure Markič, attended the session of the working group for drafting amendments to the ZDZdr.
5 December 2019	Deputy Ombudsman Ivan Šelih and the representative of the NPM, mag. Jure Markič, attended a session of the working group for drafting amendments to the ZDZdr.
5 December 2019	At the Faculty of Law in Ljubljana, Deputy Ombudsman Ivan Šelih attended a round table entitled „Ten Years of the EU Charter of Fundamental Rights“.

11 December 2019	<p>At the invitation of the Croatian Human Rights Ombudsman, Deputy Ombudsman Ivan Šelih and the Ombudsman's adviser, Robert Gačnik, attended a round table on vulnerable groups in the prison system in Split, Croatia. The purpose of the round table was to exchange experience and point out the need to detect particularly vulnerable groups of prisoners, such as adolescents, women, the disabled, the elderly, members of ethnic and religious minorities, members of sexual minorities, foreigners and others, at the start of incarceration and when planning their processing. In the discussion of individual presentations of the position of vulnerable groups in the Croatian prison system, Deputy Šelih among other things emphasised the efforts of the Slovenian Human Rights Ombudsman to improve the situation of prisoners who, due to their age, illness or disability, require additional assistance when meeting their basic needs or care and social care during imprisonment to ensure respect for their personality and dignity. When serving their sentence, these persons must be provided with suitable accommodation and be allowed to serve their prison sentence with dignity, or this may be considered inhuman or degrading treatment and could be understood as a violation of Article 3 of the Convention for the Protection of Human Rights and Fundamental Freedoms.</p>
16 December 2019	<p>On 16 December 2019, Deputy Ombudsman Ivan Šelih and the Ombudsman's adviser, Robert Gačnik, attended training for a total of 23 new prison officers at Dob pri Mirni Prison. This cooperation takes place regularly when training new prison officers who can thus become better acquainted with the institution of the Human Rights Ombudsman of the Republic of Slovenia relating to the discussion of complaints submitted by prisoners and the implementation of the tasks and powers of the NPM.</p>
17 December 2019	<p>The representative of the NPM, mag. Jure Markič, attended the training of the expert staff in mental health centres for adults in Ljubljana entitled „Treatment, Health Care and Rehabilitation“ where he introduced the contribution, „Distress and abuse in old age – secure wards in retirement homes“.</p>

3.3

OTHER ATTACHMENTS

Other attachments of this report are available on the website of the Human Rights Ombudsman of the Republic of Slovenia, <www.varuh-rs.si>:

3.3.1 UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

3.3.2 Act ratifying the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment

3.3.3 On NPM in the Human Rights Ombudsman Act

3.3.4 On NPM in the Rules of Procedure of the Human Rights Ombudsman of the Republic of Slovenia



The Report of the Human Rights Ombudsman of the Republic of Slovenia on Implementing the Tasks of the National Preventive Mechanism according to the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment for 2019

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The following parties participated in the preparation of the publication:

Peter Svetina, the Human Rights Ombudsman; Ivan Šelih, the Ombudsman Deputy and Head of the National Preventive Mechanism; mag. Jure Markič; Robert Gačnik, and Ana Polutnik.

Edited by: Ivan Šelih, the Ombudsman Deputy; Nataša Mazovec, Senior Adviser; Dr Simona Drenik Bavdek, Assistant Head of the Human Rights Centre.

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HUMAN
RIGHTS
OMBUDSMAN

Address:

Human Rights Ombudsman of the Republic of Slovenia
Dunajska cesta 56
1109 Ljubljana
Republic of Slovenia

T: Phone +386 1 475 00 50; Fax +386 1 475 00 40

W: www.varuh-rs.si

E: info@varuh-rs.si

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