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Response of the Estonian Government to the report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) on its visit to Estonia

from 15 to 21 December 1999

The Estonian Government has requested the publication of the CPT's report on its visit to Estonia in December 1999 (see CPT/Inf (2002) 28) and of its response. The response of the Estonian Government is set out in this document.

Strasbourg, 30 October 2002

Response of the Estonian Government to the report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) on its visit to Estonia

from 15 to 21 December 1999

(received on 2 May 2001)

INTRODUCTION

The CPT Report to the Estonian Government on the visit to Estonia carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment of Punishment (CPT) from 15 to 21 December 1999, which was adopted on 7 July 2000 containing numerous detailed recommendations for reform and has been useful in promoting new and fresh initiatives.

The most important changes Estonia has made are the adoption of the new Imprisonment Act and decision to start the building of a new European-standard prison in Tartu.

Following please find the detailed responses to facts found during the visit and taken actions.

A. Valkla Social Welfare Home

1. Preliminary remarks

6, 18.
Valkla Care Home is the place of residence of persons with serious mental disorders and until now it has not been possible to ensure the coping of the clients by provision of other social services or any other kind of help. A person can be placed in a special care home (Valkla included) at the age of 18 in case the Social and Health Department of a county has provided him or her with a written application (based on the request of the person or her or his legal representative and on the rehabilitation plan designed as a result of participation in a short-term - up to six months' rehabilitation cycle) or on the basis of a court order. So far there is not a single client placed in Valkla Care Home by a court order according to the Social Welfare Act section 19. In 1998 a research/assessment was carried out at the initiative of the Ministry of Social Affairs with the objective to get an overview of the people living in care homes, their needs for social care and the current situation of provision the clients with social care. As a result it was discovered that there are clients who are capable of living on their own but there are also clients without active legal capacity. Taking into consideration the results of the research/assessment, the management of Valkla Care Home has submitted the court documents applying for 199 clients the status of "a person without active legal capacity" and for 16 clients the status of "a person with partial active legal capacity". At the same time with depriving a person of active legal capacity or limiting it, he or she is appointed a guardian by Court.

New rules for the house of Valkla Care Home have been worked out. Instead of giving the clients a permission to leave the territory of the Care Home according to a list of clients provided with that permission, each department has been made responsible for the clients of the department. A client is entitled for an attendant in case he or she is willing to go out of the territory of the Care Horne.

7.
At the initiative of the Ministry of Social Affairs an audit of specialities and management of the state institutions providing the people with psychiatric special needs with welfare services will be came out and as a result of the audit the following papers will be completed:

- a list and description of state welfare services provided to the people with psychiatric special needs,

- requirements of services to be met,
- types and descriptions of institutions,
- an optimum model of the network of institutions providing services;

- a package of recommendations for the development of the entire special care system (Valkla Special Care Home included).

The above named material could be submitted to CPT in the first quarter of the year 2001, if necessary.

2. Ill-treatment

11.
In order to ensure the presence of personnel at night, night shifts have been organised in each department and emergency medical aid is available all night long. It is not possible to increase the number of the night shift personnel at the moment, as the fund of wages is limited.

At the same time it should be stated that the number of clients in Valkla Care Horne has been decreasing and will be decreasing in the future:

-1999 379 clients;
-2000 340 clients

3. Living conditions and treatment

12,13.
Repairs on the ground floor of the B part of the building of the Care Home have been completed. Designing of the project of complex renovation of Valkla Care Horne will be finished this year. According to the project there will be stationary places for 250 clients and they will be provided with contemporary living and sanitary conditions. The clients have got their own bedside tables but unfortunately all of them cannot be locked.

14.
The management of Valkla Care Home is making farther efforts in finding suitable activities for the clients and recruiting new instructors of activities. 20 instructors of activities are working in the Care Horne at the moment. Department 4 has got its own instructor having the responsibility of carrying out different activities and reminding the clients of the time of participation in motion and music therapy.

Unfortunately there are not enough suitable jobs for the clients of the Care Home available outside the Care Home.

15,16.
An agreement bas been made with the psychiatrist that she will be visiting the Care Horne four times a month instead of three times a month as she has been doing so far. The management of the Care Horne is making further efforts to find a full time psychiatrist who could participate in the rehabilitation process as a member of the multidisciplinary team.

Sending away a person from a care home and placing him or her in a psychiatric institution without his or her consent is permitted only in cases provided for in section I l of Mental Health Act providing circumstances for involuntary emergency psychiatric care. Use of means of restraint in any circumstances will be carried out according to the rules of the house and the rules of procedure of the use of the means of restraint in Valkla Care Home, approved on the 3 rd of March 1999. At the same time amendments to the rules of the house of the Care Horne were made. According to the named rules of procedure an order to the use of the means of restraint will be given by the psychiatrist and in exceptional cases (in case the psychiatrist is not available) by the male nurse or the nurse of the night shift of the Care Home. In any case the psychiatrist will be informed of the use of the means of restraint. Each case the use of the means of restraint will be registered using a form of the so-called report on act of violence.

4. Other issues

17.
By the current date major repairs have been carried out in the insulation room, bars of the windows have been removed.

There have been a couple of incidents when a client has been placed in the insulation room for more than 24 hours. As a result of controlling the cases registered by the CPT Commission (2 cases) it has turned out that one of the two clients was not placed in the insulation room but in an isolated department because of aggressive behaviour towards female curators. In the other case the client attacked a curator claiming that be heard inviting sounds. We have to admit that in both cases the personnel of the Care Horne violated the rules of procedure of informing the doctor. As a rule the psychiatrist is informed of the decision of placing a client in the insulation room.

Isolated clients are observed by curators and nurses.

Police matters

1. Introduction

19.
The Police Board and the Ministry of Justice are lacking complete statistics regarding all complaints, which have been submitted in connection with bad treatment by the Police or with the carrying out of procedural acts. The current legislation also enables the submitting of complaints to other institutions, for instance, to the administrative court. Complaints regarding procedural acts of pre-trial investigation are mostly submitted directly to the Prosecutor's Office, where they shall be resolved. We have data about those complaints, which were examined by officials who carried out internal control of the Police. In 1999, **67 disciplinary investigations were conducted regarding the alleged violent behaviour of police officers.** In 18 cases of these, disciplinary liability was imposed on police officers. In 7 cases, materials were forwarded to the investigative body, for clarifying controversies and for making a decision to commence criminal proceedings. Due to the limitation period of the offence, disciplinary liabilities were not imposed in 2 cases. Disciplinary offence was not proved in 49 cases. 14 complaints were connected with the violation of the fundamental rights and freedoms of citizens. Officials were reprimanded in 7 cases and dismissed in 1 case, materials were forwarded to the investigative body in 3 cases. In one case, a police officer was not punished due to the limitation period of the offence and 5 complaints were unfounded.

Regarding police officers working in houses of detention, disciplinary investigation was begun in 35 cases. In 24 cases of these, the behaviour of police officers was legitimate. Disciplinary liabilities were imposed as a result of the examination of 11 complaints.
9 applications were registered regarding the alleged contravention of human rights. It was proved by investigation that one case was to do with violation of law by a police officer, and the material was forwarded to the investigative body. Violations of law referred to in the rest of the applications were not proved.

88 investigations were started regarding the violation of procedural provisions. In 51 cases of them, disciplinary liabilities were imposed on police officers. Disciplinary liabilities were not imposed in 8 cases, due to the limitation period of the offence, and in 2 cases, due to the fact that the official left the police force. In 27 investigation cases, the behaviour of police officers was considered legitimate. There were 8 complaints regarding the alleged violation of human rights. Disciplinary liabilities were imposed on police officers in 6 cases, the rest of the complaints were unfounded.

20.
We are of the opinion that it is not expedient to hand the adjudication of all complaints regarding maltreatment by the police, to the prosecutor in an another district, proceeding from the economic principle of proceedings. Legislative proceeding in the locality of an event is remarkably cheaper for the state and there is no reason to doubt the objectivity and fairness of local prosecutors. Exceptions could be the complaints where it is necessary to carry out criminal proceedings for adjudication.

2. Conditions of detention in police arrest houses

22.
Pursuant to the directive No 169, 10.10. 2000, issued by the National Police Commissioner, a task force was created for the elaboration of construction technology requirements for the police houses of detention. The task force is obliged to work out the requirements by December 15, 2000, and these shall be used as the basis in constructing houses of detention and in renovating old ones. When elaborating the requirements, the rights for humane treatment of the persons imprisoned in the houses of detention shall be taken into account, and the experience of other European countries in building custodial institutions.

23.
The demerits given in clause 23 of the report have been reviewed in the houses of detention in Tallinn, Viljandi and Tartu, and currently, solutions are being looked for to eliminate these drawbacks. In Tallinn and Tartu, the lighting in cells at night has been reduced. In the Viljandi house of detention, it has been planned to rebuild the artificial lighting system in cells, and to refurnish the cells. For this purpose, it is necessary to alter the project and compile a calculation, in order to apply for relevant financial allocations from the state. In addition, it has been planned to reconstruct the walking yards in Tartu, by demolishing partition walls; as a consequence, the walking spaces would increase to 12 m². In the Tartu house of detention, the detained persons are no longer kept in 3,3m² cells round the clock, these are used for temporary isolation of detained persons. Separated sanitary facilities inside cells shall be provided in the construction technology requirements of the police house of detention. In the near future, it is not possible to plan the reconstruction of the cell windows in the new houses of detention in Tallinn and Tartu. The problem has to be evaluated adequately, taking into account the financial possibilities of the state, and to postpone the solution into a more distant future. Some houses of detention need to be totally renovated, as the first priority, or it is necessary to construct new buildings. The Tallinn house of detention No 1 is no longer in use.

Unfortunately, there are currently no walking yards in all houses of detention; but they have been provided in the construction technology requirements elaborated for the police house of detention, and they shall be established in the future.
Detained persons can have a hot shower at least once a week. Police distributes items of hygiene only to these detained persons who do not have them.

24.
In addition to the police houses of detention (Kohtla-Järve, Narva and Rakvere), mentioned in the report, several other houses of detention also need full renovation. After the elaboration of construction technology requirements, the Police Board shall compile necessary calculations and submit applications for requisite financial allocations to the Ministry of Justice.

The Tallinn house of detention No 1 is no longer in use.

In the Narva police house of detention, the detained persons are issued bedclothes since April, 2000. The detained persons are not kept in 2,5 m² disciplinary cells for long periods.

25.
This year, 25 EEK per day is provided for the catering of a person placed in a police house of detention, which makes 750 EEK per detained person monthly. Taking into account that the approved by the government minimum monthly wage in 2000 (the smallest gross wage) is 1400 EEK, it may be claimed that the food allowance spent on one imprisoned person is proportional to the money spent on the food basket by the person living outside prison, who earns the minimum salary. According to the Statistical Office, the calculated minimum food basket for one person costs 597 kroons a month. Although the detained persons are fed for a much larger sum of money than people who live at the edge of poverty in society, it is possible that in 2001, the Police Board shall increase the daily food allowance for detained persons. Concrete sums can be mentioned after the adoption of the 2001 state budget.

26.
Currently, the persons serving administrative detention are used in the maintenance of police institutions, on a voluntary basis. The Imprisonment Act which comes into force on 01.12.200, stipulates that a detained person is not obliged to do mandatory work, and provides for the keeping of detained persons for 24 hours in locked cells. For this reason, the police do not have a legal basis for fulfilling the recommendation of the CPT in finding activity possibilities for the detained persons, outside the cell.

27.
The Imprisonment Act, which comes into force on 01.12.2000, stipulates that persons placed in the police house of detention shall immediately undergo medical examination. Medical service is provided by the staff medical assistants in larger houses of detention. In smaller houses of detention, medical assistants (doctors) working on a contractual basis are used. If necessary, the detained person shall be hospitalised. The detained persons have also received satisfactory medical help until now. Persons, who become extremely disturbed and may be dangerous both to him/herself and other detained persons, shall be taken to the medical officer. The construction technology requirements under elaboration shall provide a separate work room for medical officers, which guarantees confidentiality in communication with the detainee.

3. Safeguards against ill-treatment

29.
Administration of criminal proceeding in the Republic of Estonia is regulated by the provisions of the Code of Criminal Procedure. § 108¹ in the valid Code of Criminal Procedure stipulates that the suspect is given an opportunity to notify at least one person close to him or her, at his or her choice, of his or her detention through a preliminary investigator. A notation regarding the mentioned operation shall be made in the minutes of detention of the person under suspicion. The minutes shall be forwarded to the Prosecutor without delay. The aforementioned right for notifying may be restricted only for the prevention of a criminal offence or in the interests of the ascertainment of truth in the criminal proceeding.

Criminal defence counsel has the right to participate in a criminal proceeding after the detention of a person as a suspect, whereas, after the entry into the criminal proceeding as criminal defence counsel, the counsel has the right to confer with the person being defended without the presence of other persons for an unlimited number of times with unlimited duration. A conference with a duration of over one hour may be interrupted to carry out the interrogation of the suspected person (a suspect shall be interrogated not later than twenty-four hours after his/ her detention), and a conference with a duration of over two hours may be interrupted to carry out investigative activities. With this, the right of a person to obtain prompt, instant and quality legal aid has been guaranteed. The suspect shall be explained his/her rights and obligations on the basis of the provisions of the Code of Criminal Procedure, relevant notification shall be made in the minutes of detention of the suspect.

31.
Pursuant to the provisions of the Code of Criminal Procedure, the suspect shall be presented his/her rights and obligations in writing, if necessary their content shall be explained orally. The Police uses Estonian and Russian language extracts regarding rights and obligations, on separate sheets, the explanation of right and obligations to detained persons of other ethic origin takes place with the help of an interpreter. In the Republic of Estonia, the language of criminal procedure is the Estonian language and a person who is not proficient in this language, shall be guaranteed the assistance of an interpreter.

32.
The rules for interrogating a person are stipulated in the Code of Criminal Procedure:

- the minutes of investigative activities shall set out the given name and surname, and if necessary, the address of each person who participates in or is present at the investigative activity, the time of commencement and completion of the investigative activity;
- interrogation is carried out in daytime, except in cases of urgency;
- persons have the right to request the amendment of the minutes of investigative activities, and the entry of the amendments in the minutes is mandatory;
- a teacher or psychologist shall participate in the interrogation of an accused or a witness who is a minor of less than fifteen years of age (in necessary cases, also the parent or a legal representative).

We do not regard it necessary to duplicate the Code, as a police officer can always find a solution for procedural questions in the Code of Criminal Procedure.

As a rule, the interrogation takes place in the work room of a police officer. If a person has been detained as a suspect or he/she is held in custody, he/she shall be interrogated in a custodial institution or shall be taken, guarded, to the police officer. As we are dealing with a question which belongs to the area of tactics of investigative activity, it is not possible to complete an adequate list of places where interrogation may be carried out. With the consent of an attending physician, an ill person may also be interrogated in hospital.

In the Estonian Police, it is not required that the detained person should stand up during interrogation; investigative activities must not prejudice honour and human dignity of the person participating therein. As a rule, persons who are intoxicated, under the influence of medicinal products or in a state of a shock, are not interrogated, except in the existence of an unavoidable need (e.g. for the prevention of a new criminal offence).

The Police Board has issued a book introducing CPT to police officers. These books have been distributed to all police institutions. The code of behaviour for police officers is currently being completed, aimed at arranging the communication of police officers with the population and at improving service discipline in police organisations.

34.
Legislation grants the suspect a right to participate in the court sessions in which the taking of the suspect into custody or the extension of the term during which the suspect may be held in custody is discussed. This does not mean that the person is forced to participate in this, against the will of the person. The person's criminal defence counsel may represent him/her in front of the judge.

Criminal procedure is going to change within the forthcoming years, during the state reform of penal law. The legal political standpoint, for the through re-designing of both substantive law and procedural penal law, has been adopted. Proceeding from this, the new draft Code of Criminal Procedure is currently being worked out. For its regulation, the procedure of criminal offences has been stipulated in the special part of the draft Penal Code, which is in the legislative proceedings of the Riigikogu.

In the draft Code of Criminal Procedure, the arrangements for the taking of a person into custody have been changed; the subjecting of the suspect and the accused to supervision has been introduced as a new phenomenon, and other means for the guaranteeing of criminal procedures have been specified.

Pursuant to the draft legislation, the pre-trial judge shall be obliged to independently check the justification of taking into custody, commencing from the sixth month of keeping in custody of the person. This scrutiny takes place in an open court.

Prison matters

1. Viljandi Juvenile Prison

38, 39.
On June 14, 2000, the new Imprisonment Act was adopted, it enters into force on December 1, 2000. The new Imprisonment Act does not stipulate a locked cell as a disciplinary sanction. Pursuant to the new Act, disciplinary punishments are: reprimand, prohibition of one short or long-term visit, removal from work for up to one month, commission to a punishment cell for up to 45 twenty four hour periods. A prisoner who is a minor may be committed to a punishment cell for up to 20 twenty four hour periods.

In the choice of a disciplinary sanction, the objective of the application of imprisonment shall be considered. When imposing a disciplinary sanction, it proceeds from the character of the offence and in real practice, the number of commitments to a punishment cell are smaller. An attempt is made to impose other disciplinary sanctions. The things that can be taken into the punishment cell are provided in the internal rules of the prison. Young imprisoned persons are allowed to take reading and study materials into the punishment cell.
The two locked cells in the Viljandi prison shall be renovated during the year 2000 and provided with sanitary facilities. They shall be used as residential rooms for the prisoners, not for punishment.

2. Other issues

42.
The Ministry of Justice is of the opinion that the Central Prison has to be de-commissioned, primarily due to the reason that the prison is located in a building, which is not suitable for a prison. Hereby, we assure that the keeping of imprisoned persons in waiting boxes has been finished and all boxes have been removed from use.
The de-commissioning of the Central Prison depends on the construction of the Tartu Prison. The Tartu Prison contract was signed on November 15, 2000. The Tartu Prison has to be completed by the end of the year 2002. After this, the prisoners in the Central Prison shall be relocated in the Tartu Prison and the Central Prison shall be closed.

43.
About the employment situation in Estonian prisons
Pursuant to Estonian legislation, only convicted offenders are liable to mandatory work. Of all imprisoned persons, 4700, the number of convicted offenders in Estonian prisons is approximately 3300. The employment of persons under preliminary investigation is only on a voluntary basis and there are not many relevant requests. In addition, it is complicated to keep persons under preliminary investigation separate from convicted offenders, as it is mainly the latter mentioned who work in workshops. Persons under preliminary investigation mainly carry out auxiliary maintenance jobs in preliminary investigation units.
In 2000, the number of jobs in Estonian prisons has increased by approximately 20%, in comparison with the previous year. 150 new jobs have been added within a year. 890 people out of the 3300 convicted offenders are currently employed, 300 of them in productive jobs. The rest of the working prisoners are carrying out auxiliary maintenance jobs in prisons. Prisoners who work as auxiliaries, are paid from the budget of the prison.
The plan aimed at the increase in the employment of prisoners, elaborated by the Ministry of Justice, stipulates that the importance of profitable jobs shall be increased, regarding productive work and jobs carried out outside the prison. It has been planned to increase the importance of orders by the public sector. The more prospective fields of production for the public sector market are the sewing industry, timber and furniture industry, and also processing of metals. The new Public Procurement Act which enters into force in 2001, stipulates, for the first time, the special condition of the prisoners' work with regard to procurements of the public sector.
The priorities of the year 2001 include the increase of the importance of the public sector as the clientele of the production by prisons, and also the cheapening of the productive process, updating of the technology and enhancing the marketing of the production.

Health care in prisons

Pursuant to the new Imprisonment Act, health care in prisons constitutes a part of the national health care system. Health care in prisons is organised pursuant to the Health Care Organisation Act and legislation issued on the basis thereof. Health care in prisons is financed from the state budget. For the organisation of health care in prisons, the Act stipulates a permanent position of a prison medical officer, within the staff of the prison, who, in exceptional cases, may work on a contractual basis, in addition to his/her main job.

Health care related provisions in the Imprisonment Act:

§ 49. Organisation of health care in prison

(1) Health care in prisons constitutes a part of the national health care system. Health care in prisons shall be organised pursuant to the Health Care Administration Act (RT I 1994, 10, 133; 1995, 57, 978; 1997, 86, 1462; 1999, 18, 305; 23, 351; 97, 860) and legislation issued on the basis thereof.

(2) Health care in prisons shall be financed out of the state budget.

§ 50. Personal hygiene of prisoners

(1) Prisoners must take care of their personal hygiene.

(2) Prisoners shall be given the opportunity to have a sauna, bath or shower at least once a week and upon reception into prison.

(3) Prisoners shall be provided with hairdressing and barber's services. It is permitted to shave a prisoner’s head only with respective prescription of a doctor or at the prisoner’s request.

§ 51. Imposition of coercion in personal hygiene

The director of a prison may impose coercion to ensure compliance with hygiene requirements if a prisoner fails to take care of his or her personal hygiene to a necessary extent and this has brought about actual danger to his or her health or to the health of other prisoners. The imposition of coercion shall not endanger the life or health of a prisoner.

§ 52. Medical officer of prison

(1) Health care in a prison shall be organised by the medical officer of the prison.

(2) The medical officer of a prison is required to supervise the state of prisoners' health on a constant basis, treat them in prison to the extent possible and place them in treatment in medical care institutions prescribed for the purpose, and perform other duties assigned to the medical officer.

§ 53. Treatment of prisoners

(1) Prisons shall have permanent treatment facilities for the supervision of the state of health of prisoners and for treatment of prisoners.

(2) Prisoners who need treatment which cannot be provided in a prison shall be placed in treatment in an appropriate medical institution by the medical officer of the prison. Prisons shall ensure the guard of prisoners in medical care institutions.

(3) The time which a prisoner spends in a medical institution shall be included in the prisoner's sentence.

(4) Prisoners' medical treatment expenses shall be paid out of state budget.

§ 54. Special conditions for women prisoners

(1) Prisons shall provide separate premises fitted out for women prisoners who are pregnant and organise care for children. A mother and her child of up three years of age (inclusive) shall be allowed to live together at the request of the mother if the guardianship authority grants consent.

(2) A prison administration shall ensure that the ties of a mother with her child over three years of age are sustained unless this disturbs the normal raising of the child or has a negative influence on the child.

§ 55. General physical condition of prisoners

(1) Prisoners shall be provided with the opportunity to engage in sports.

(2) Prisoners shall be allowed at least one hour of walk in the open air daily.

§ 56. Informing of death or illness

Upon serious illness or the death of a prisoner, the director of a prison shall promptly inform the immediate family of the prisoner or any other person as designated by the prisoner.

<u>Prison service related provisions in the Imprisonment Act</u>

§ 110. Definition of prison service

(1) Prison service means service in staff positions of prisons with the function to imprison and supervise prisoners, detained persons and persons in custody, to ensure security in prisons and to conduct preliminary investigation of criminal offences committed in prisons, and to direct the activities in the specified areas.

(2) Service in the office of an executive officer of a sub-unit of the Estonian Public Service Academy which provides education in the area of correction or other agencies carrying out preparatory service for prison officers and also in the office a teacher of correctional training programmes is also deemed to be prison service.

§ 111. Prison officer

Prison officers are officials in prison service.

§ 112. Official ranks of prison officers

(1) Prison officers are divided according to the complexity of the duties, the directing function and scope thereof related to positions which correspond to the given official ranks into the following official ranks specified in the following descending order:
1) chief inspector of prison;
2) class 1 prison inspector;
3) class 2 prison inspector;
4) class 1 guard;
5) class 2 guard.

(2) The Minister of Justice shall establish the positions corresponding to each official rank of prison officers.

Admittance to Prison Service

§ 113. Appointment to office of prison officers

(1) Persons who comply with the requirements provided for in § 14 of the Public Service Act (RT I 1995, 16, 228; 1999, 7, 112; 10, 155; 16, 271 and 276; 2000, 25, 144 and 145; 28, 167) and who have undergone preparatory service for prison officers and complied with the obligation of military service may be appointed to office as prison officers.

(2) A prison officer who has undergone preparatory service shall be appointed to a position in the lowest official rank which corresponds to his or her preparatory service.

(3) A person who has a research degree or professional degree or who has worked as a judge, prosecutor, senior or higher police officer, border guard official or official of the rescue service, or been employed in a position which belongs to the basic category of higher officials in the staff of the Ministry of Justice for at least two years may be appointed to office as a prison officer even if the person has not undergone preparatory service for prison officers.

(4) A person who has worked as a junior police officer, junior border guard official or junior official of the rescue service for at least two years may be appointed to a position which corresponds to the official ranks provided for in clauses 112 (1) 4)-5) of this Act even if the person has not undergone preparatory service for prison officers.

(5) Prison officers shall be appointed to office for an unspecified term.

(6) The provisions concerning the minimum age provided for in § 14 of the Public Service Act shall not apply with regard to persons who undergo practical training in the course of their preparatory service in prisons or to persons who are appointed to office as prison officers after completion of preparatory service.

§ 114. Persons who shall not be admitted to prison service

Persons who fall within any of the following categories shall not be admitted to preparatory service for prison officers or appointed to positions as prison officers:
1) persons without active legal capacity or with restricted active legal capacity;
2) persons convicted of intentionally committed criminal offences;
3) persons who have served imprisonment sentences;
4) persons who are suspects, accused or accused at trial in criminal matters or
5) persons who are divested of the right to work as prison officers by court judgments entered into force.

§ 115. Preparatory service for prison officers

(1) Preparatory service for prison officers consists of practical and theoretical professional training.

(2) The prison officer candidates shall undergo preparatory service in the Estonian Public Service Academy and in prisons where the candidates participate in practical training. In the case of the preparatory service specified in subsection 119 (1) of this Act, candidates may undergo preparatory service in other educational institutions pursuant to the procedure specified in subsection 116 (7) of this Act.

(3) The official title of a person undergoing preparatory service for prison officers shall be prison officer candidate.

§ 116. Legal regulation of preparatory service

(1) The Public Service Act does not apply to the theoretical part of the preparatory service for prison officers and participation therein is not deemed to be public service, except the following:
1) the time of participation in preparatory service shall be included in the length of service and
2) persons who enter preparatory service have the right to be forgiven the state educational loan pursuant to subsection 53 (1) of the Public Service Act.

(2) Sections 134 and 147 of this Act extend to the theoretical part of the preparatory service for prison officers.

(3) Prison officer candidates undergoing practical training in prisons shall be appointed to office as non-staff public servants.

(4) The fact that a person has not complied with the obligations of military service shall not impede his or her appointment to office pursuant to subsection (3) of this section.

(5) The Public Service Act, except §§ 37, 40, 43, 53, 55, 59-65, 67, 68 and 73 thereof, do not apply to the service specified in subsection (3) of this section. The duties of employment prescribed in subdivision 4 and the social guarantees prescribed in subdivision 5 of this Act, except § 136 of this Act, apply to the service specified in subsection (3) of this section.

(6) Preparatory service for prison officers shall be concluded by passing the examination of prison officer.

(7) The Government of the Republic or a minister authorised thereby shall establish the procedure for admittance to preparatory service and the procedure for preparatory service.

§ 117. Social guarantees provided for prison officer candidates participating in theoretical training of preparatory service for prison officers

(1) The state shall cover, in part or in full, the accommodation and alimentation expenses incurred by prison officer candidates; the candidates shall also be paid education allowance.

(2) The amount of education allowance paid to prison officer candidates may be made contingent upon their academic achievements.

(3) The Government of the Republic shall determine the extent and conditions of and procedure for the covering of expenses and payment of education allowance specified in subsection (1) of this section.

(4) Section 147 of this Act applies to prison officer candidates.

(5) In addition to days off, prison officer candidates shall be allowed during the theoretical training at least 35 calendar days free from study annually to the extent and at the time determined by the study timetable.

§ 118. Compensation for costs of preparatory service

(1) A person is required to compensate for the expenses incurred by the state on preparatory service if he or she:
1) discontinues preparatory service without good reason;
2) was released from prison service without good reason on his or her initiative;
3) was released form prison service on due to the entry into force of a judgment of conviction;
4) was released from prison service due to the commission of a disciplinary offence.

(2) The expenses of preparatory service shall not be compensated by prison officers who:
1) have been employed in prison service for at least three years after preparatory service or
2) are released from prison service on their own initiative in connection with disability or the need to care for disabled family members.

(3) The procedure for the calculation of the expenses of preparatory service shall be established by the Minister of Justice with the approval of the Minister of Internal Affairs.

§ 119. Preparatory service for different official ranks

(1) A person who has undergone preparatory service at least one half of which is spent in practical training may be appointed to a position which corresponds to an official rank specified in clauses 112 (1) 4) or 5) of this Act.

(2) A person who has undergone preparatory service in the course of which the person acquires applied higher education may be appointed to a position which corresponds to an official rank specified in clauses 112 (1) 1)-3) of this Act.

§ 120. Authority to admit prison officers to preparatory service and appoint prison officers to office

(1) A prison officer candidate shall be admitted to preparatory service by the executive officer of the educational institution carrying out preparatory service.

(2) A prison officer shall be appointed to office by the director of a prison or an official authorised by the director.

(3) A director of a prison shall be appointed to office by the Minister of Justice.

(4) A prison officer shall be appointed to the positions specified in subsection 110 (2) of this Act by an executive officer of the corresponding educational institution or an official appointed by the executive officer.

§ 121. Probationary period

A probationary period with the duration of up to one year shall be applied with regard to prison officers who are appointed to office for the first time.

Prison Officer Career

§ 122. Evaluation of prison officers

(1) The evaluation of prison officer means the assessment of his or her work results and suitability of the professional skills, abilities and personal characteristics for his or her official rank. The work results of a prison officer shall not be assessed upon the evaluation of a prison officer in the cases specified in clauses 91 (1) 4) and 5) of the Public Service Act.

(2) The requirement to conduct an annual interview provided for in subsection 99 (4) of the Public Service Act does not apply to the assessment of the suitability of a prison officer for the official rank and of his or her work results.

(3) The Minister of Justice shall establish the requirements concerning the evaluation of prison officers, the procedure for evaluation and the standard format of the evaluation record.

(4) Competition and Evaluation Committees of Prison Officers shall perform the evaluation of prison officers, and the Minister of Justice shall establish the statutes and procedure for the foundation of the committees.

(5) Prison officers who have attained the highest grade of their official rank shall be subject to regular evaluation.

§ 123. Evaluation period of prison officers and time of evaluation

(1) Prison officers shall be evaluated once every three years.

(2) Evaluation period shall be extended in the following cases:
1) in the case prescribed by clause 124 (1) 3) of this Act;
2) upon the transfer or promotion of a prison officer to a position in the same official rank: until at least six months have passed from the date on which the prison officer assumed such position;
3) in the case prescribed in clause 92 (3) 2) of the Public Service Act.

(3) The Minister of Justice shall determine the time of evaluation of prison officers.

§ 124. Competence of Competition and Evaluation Committee of Prison Officers

(1) Upon regular evaluation of prison officers, the committee:
1) declares a prison officer suitable for his or her official rank and makes a proposal to the person with appointment authority to advance the prison officer;
2) declares a prison officer unsuitable for his or her official rank and makes a proposal to the person with appointment authority to release the prison officer from the service or to appoint the prison officer to a position in to a lower official rank;
3) makes a proposal to send the prison officer for further training and postpone the evaluation for one year.

(2) Upon the making of the decision specified in clause (1) 1) of this section, the committee may make a proposal to apply an incentive in respect of a prison officer.

(3) If a competition is organised to fill a vacant position in prison service or if a vacant position is to be filled by way of promotion, the committee shall select one or several candidates from among the persons applying for the position who shall be submitted for appointment to the position. If several candidates are submitted, appointment shall be decided by the person with authority to appoint a prison officer to the position.

(4) The decisions set out in clauses (1) 2) and 3) of this section shall be reasoned, and the decision set out in clause (1) 3) of this section may be applied only once with regard to one and the same officer.

(5) The decisions of the committee shall be obligatory to the person with appointment authority, except in the case of advancement or the application of incentives.

§ 125. Consequences of declaring prison officer unsuitable

A prison officer concerning whom a competition and evaluation committee has made the decision specified in clause 124 (1) 2) of this Act shall be released from office pursuant to subsection 154 (2) of this Act or appointed to a position in a lower official rank within two months after the date competition and evaluation committee made the decision.

§ 126. Advancement of prison officer

(1) Advancement of a prison officer means appointment of a prison officer to a higher grade beginning from the first grade.

(2) The career of a prison officer includes ten grades.

(3) The person with appointment authority shall make a decision concerning the advancement of a prison officer on proposal of a competition and evaluation committee once every three years.

(4) If a prison officer is not advanced after the second consecutive evaluation period and a competition and evaluation committee has made the proposal specified in clause 124 (1) 1) of this Act for both evaluation periods with regard to the prison officer, the person with advancement authority shall release the prison officer upon failure to advance the prison officer for the second consecutive time pursuant to subsection 154 (2) of this Act.

(5) A prison officer shall not be advanced during the time when a disciplinary punishment is in force with regard to him or her. In such case, advancement may be decided upon after the disciplinary punishment expires.

(6) If a prison officer is not evaluated due to the reason specified in clause 91 (2) 3) of the Public Service Act, the prison officer may be advanced if at least three years have passed form his or her previous evaluation.

(7) A prison officer may also be advanced without the proposal of a competition and evaluation committee if an incentive is applied with regard of the prison officer pursuant to clause 151 (2) 5) of this Act.

§ 127. Promotion of prison officer

(1) Promotion of a prison officer means appointment of the prison officer to a position in a higher official rank.

(2) The person with appointment authority shall make a decision concerning the promotion of a prison officer on proposal of a competition and evaluation committee. A competition and evaluation committee may submit several persons for promotion to the person with appointment authority.

(3) A prison officer may be promoted only upon the organisation of a competition to fill a vacant position.

§ 128. Transfer of prison officers

(1) A prison officer may be transferred to another position in the following cases:
1) on proposal of the prison officer or
2) on initiative of the person who has the authority to transfer prison officers to other positions.

(2) In the case referred to in clause (1) 2) of this section, a prison officer may be transferred to another position in the same official rank due to work-related need without the prison officer's consent.

(3) A prison officer shall not be transferred to another position for more than once during one evaluation period.

(4) A prison officer shall not be transferred to another position without his or her consent pursuant to subsection (2) of this section if:
1) the evaluation period is extended due to the transfer of the prison officer pursuant to clause 123 (2) 2) of this Act;
2) the position to which the prison officer is to be transferred is a staff position in a prison located within the territory of another local government or
3) the prison officer serves as the director of a prison.

(5) The transfer of a prison officer shall be decided by the person who has the authority to appoint the prison officer to office. If the person who has the authority to appoint a prison officer to a new position and the person who had the authority to appoint a prison officer to his or her former position are two different persons, the prison officer shall be appointed with the written consent of the person who had the authority to appoint the prison officer to his or her former position.

§ 129. Transfer of prison officer to other positions in state agencies

(1) A prison officer may be transferred with his or her consent to other positions of state service which do not belong to prison service.

(2) A prison officer may be transferred to the positions specified in subsection (1) of this section for up to five consecutive years. With the consent of the prison officer, the term may be extended upon its expiry by up to five years.

(3) Upon the expiry of the term provided for in subsection (2) of this section, a prison officer shall be transferred to his or her previous position or another position in the same official rank. A prison officer may be appointed to a position in a lower official rank or assigned to the reserve with his or her consent if there is no vacant position in the official rank of the prison officer.

§ 130. Retention of official rank and grade of prison officer upon transfer to position in lower official rank

(1) Upon appointment of a prison officer to a position in a lower official rank, the prison officer has the right to retain the official rank which corresponds to his or her previous position. Retention of official rank means the right to use the official title which corresponds to the retained official rank and to retain the rights prescribed in subsections (2)-(4) of this section. In the new official rank, the prison officer shall be appointed to a grade of the same ranking which he or she had when serving in a higher position upon transfer.

(2) If a position corresponding to a prison officer's retained official rank becomes vacant, the prison officer shall be transferred to the position. In such case no competition shall be organised to fill the vacant position by way of promotion.

(3) A prison officer who is transferred to a position in a lower official rank shall receive remuneration which corresponds to his or her retained official rank during three months. After the expiry of such term, the prison officer shall receive remuneration which corresponds to the official rank corresponding to his or her position.

(4) The rights specified in subsections (1)-(4) of this section, except the right to be appointed to a grade with the same ranking specified in subsection (1), do not extend to a prison officer who is appointed to an official rank which corresponds to a lower position after he or she is declared unsuitable to meet the requirements set for his or her official rank.

§ 131. Regulation concerning career of prison officers

The Government of the Republic shall, by a regulation concerning the career of prison officers, establish the specific conditions and procedure for the appointment to office, promotion and advancement of prison officers.

Duties in Prison Service

§ 132. Duty to maintain professional secrecy

A prison officer shall not disclose any facts which become known to him or her in connection with the performance of his or her duties, including facts pertaining to the personal relationships of prisoners. The duty to maintain professional secrecy has unspecified term.

§ 133. Duty to inform

A prison officer is required to immediately inform the director of the prison or a higher prison officer present of any important matters which arise in execution of punishment and which concern compliance with the internal rules of the prison or security in the prison, and also of his or her observations concerning prisoners which may help to achieve the objectives of the imposition of imprisonment. A prison officer is required to immediately inform the medical officer of the prison if a prisoner falls ill.

§ 134. Obligation to wear uniform

A prison officer shall wear a uniform while performing his or her duties.

§ 135. Service-related restrictions

In addition to the service-related restrictions provided for in the Public Service Act, a prison officer is prohibited to:
1) participate in strikes, pickets and other service-related pressure activities or
2) work for another employer, except in pedagogical, research or artistic work.

Social Guarantees in Prison Service

§ 136. Remuneration of work of prison officers

(1) The remuneration of the work of prison officers shall be based on the official rank and grade of the prison officers.

(2) The Government of the Republic shall establish the salary rates of prison officers which correspond to different grades.

(3) The Government of the Republic may differentiate the remuneration paid for the work of prison officers, making it contingent upon the region or agency, to an extent of not more than 10 per cent of the salary rate corresponding to the lowest grade in an official rank.

§ 137. Working and rest time of prison officers

(1) The working and rest time of prison officers shall be determined based on the Working and Rest Time Act and the Public Service Act, considering the differences provided for in this Act.

(2) If circumstances related to service do not allow adherence to the general standard for the working time of prison officers provided for in subsection (1) of this section, recording of total working time may be established by the internal rules of the prison. In such case, the duration of working time during a quarter shall not exceed the number of working hours prescribed for the same period by the general standard.

(3) Upon the recording of total working time, the number of working hours per day or shift different from the duration prescribed by the general standard for working time may be applied; however, the duration of a working day or shift shall not exceed twelve hours.

(4) The Minister of Justice may establish a shift of up to twenty-four hours for prison officers who work in prisons on a twenty-four hour basis. In the case of a twenty-four hour shift, a prison officer shall be allowed a total of six hours for meals and rest time. The duration of rest time between shifts shall not be less than twelve hours.

(5) The duration of a night shift and a day shift shall be equal.

§ 138. Requiring prison officers to work on days off

(1) A prison officer may be granted days off on other days than official days off by a shift schedule approved by the director of the prison.

(2) A prison officer who is required to work on a day off outside a shift shall be compensated for on the choice of the prison officer by giving him or her a day off during the next two weeks or by paying a double salary for the time during which he or she worked during the day off. A double salary shall be paid for work during a public holiday regardless of whether the work was done according to a shift schedule or not.

(3) A prison officer may be required to work outside of a shift schedule on a day off or a public holiday only with his or her consent, except in the case prescribed in subsection 139 (1) of this Act.

§ 139. Working overtime

(1) A prison officer is required to comply with the orders of the executive officers of the prison to work overtime in the following cases:
1) to prevent mass disorders, natural disaster, fire, epidemic, accident or catastrophe or other emergency in a prison or to eliminate the consequences of such events;
2) to perform duties which cannot be completed within the established standard working time or to perform urgent or unforeseeable duties if the termination or suspension of work is contrary to the duties of prison service;
3) if a shift prison officer fails to come to work and the work cannot be discontinued; in such cases the director of the prison is required to immediately take all measures to ensure replacement for the prison officer who is working the shift.

(2) A prison officer is required to perform tasks which do not fall within his or her duties and which the director of a prison assigns to him or her in the case provided for in clause (1) 1) of this section.

(3) Additional remuneration equal to one and a half times the hourly salary rate of a prison officer shall be paid for overtime work. It is prohibited to compensate for overtime work by granting time off.

§ 140. Holidays of prison officers

(1) A holiday of a prison officer may be interrupted and the prison officer may be asked to return to the service with his or her consent but not more than twice during one holiday. No consent is required for the interruption of holiday if a prison officer’s holiday is interrupted by the director of a prison in the case specified in clause 139 (1) 1) of this Act.

(2) A prison officer may be granted an additional paid holiday of up to ten calendar days annually for outstanding performance of duties.

§ 141. On call time

During on call time, prison officers shall be at the disposal of the prison administration in agreed locations for the performance of unforeseeable or urgent duties. The duration of on call time shall not exceed twenty-four hours per month. Additional remuneration equal to ten per cent of the hourly salary rate of a prison officer shall be paid for on call time.

§ 142. Allowances upon death, disability, illness of or causing of bodily injuries to prison officers

(1) If a prison officer dies for reasons related to service in prison, the state shall pay the family members and persons who were maintained by the deceased prison officer a single allowance in an amount equal to ten years' salary of the deceased.

(2) The cost of the funeral of a prison officer who dies for reasons related to service in prison shall be borne by the state.

(3) If a prison officer becomes disabled for reasons related to service in prison, the state shall pay the prison officer a single allowance in the following cases:
1) partial loss of capacity for work which did not result in release from the prison service, to the extent of his or her one year's salary;
2) partial loss of capacity for work which resulted in release from the prison service, to the extent of his or her two years' salary;
3) total loss of capacity for work, to the extent of his or her seven years' salary.

(4) A prison officer who, for reasons related to service in prison, suffers a bodily injury which damages health but does not result in his or her disability, shall be paid by the state a single allowance in an amount equal to his or her one month's salary.

(5) Prison officers who suffer injuries or fall ill for reasons related to service in prison shall be compensated for medical expenses and the cost of medicinal products by the state.

(6) The procedure for calculation and payment of the allowances and costs provided for in this section shall be established by a regulation of the Government of the Republic.

§ 143. Compensation for proprietary damage

(1) The state shall compensate a prison officer or his or her family members for proprietary damage which the prison officer suffers in the performance of his or her duties. Damages shall be claimed from the person at fault by way of recourse.

(2) The conditions and procedure for compensation for proprietary damage shall be established by a regulation of the Government of the Republic.

§ 144. Guarantees upon transfer without consent

(1) A person who has the authority to transfer a prison officer to another position without the consent of the prison officer shall notify the prison officer of the transfer in writing at least two months in advance.

(2) A prison officer who is transferred shall continue to receive his or her former salary during three months after assumption of a new position if the salary at the new position is smaller than the former salary.

§ 145. Guarantees upon transfer to position specified in subsection 129 (1) of this Act

The time during which a prison officer works in the position specified in subsection 129 (1) of this Act shall be equivalent to time of service in a position in the prison officer's official rank in a prison. Upon the return of a prison officer to service in prison, he or she shall be appointed to the grade which he or she would have been granted by way of advancement upon regular evaluation if he or she would have served in a position in prison service.

§ 146. Medical examinations of prison officers

The state shall provide prison officers with free medical examinations. The conditions, frequency of and procedure for performance of medical examinations shall be established by a regulation of the Government of the Republic.

§ 147. Prison officer uniform

Prison officers shall be provided with uniforms free of charge; the description of and procedure for the wearing of uniforms and the description of distinguishing marks and procedure for wearing thereof shall be established by a regulation of the Government of the Republic.

Discipline in Prison Service

§ 148. Disciplinary authority

A person authorised to appoint a prison officer to office has the authority to impose a disciplinary punishment on the prison officer. The Minister of Justice has the authority to impose a disciplinary punishment on any prison officer.

§ 149. Disciplinary proceedings

(1) Disciplinary proceedings shall be conducted to ascertain whether a disciplinary offence was committed and to determine the circumstances related to it. The official who has the right to impose disciplinary punishments on a prison officer has the right to commence disciplinary proceedings against the prison officer.

(2) Disciplinary proceedings shall be commenced by a directive whereby the person to conduct the disciplinary proceedings and term for the disciplinary proceeding shall be determined. The prison officer against whom the disciplinary proceedings are commenced shall be promptly informed of the directive.

(3) The person who conducts the disciplinary proceeding may require explanations and gather evidence concerning the disciplinary offence. It is mandatory to request the explanation of a prison officer against whom disciplinary proceedings are commenced. A prison officer against whom disciplinary proceedings are commenced has the right to provide explanations.

(4) Upon the conclusion of disciplinary proceedings, the person who conducted the disciplinary proceeding shall prepare a summary of the disciplinary proceedings which, if the commission of the disciplinary offence was ascertained and the person who committed the disciplinary offence was determined, shall set out at least the following:
1) the given name, surname and position of the prison officer who committed the disciplinary offence;
2) the description and the time and place of the disciplinary offence;
3) evidence to prove the commission of the disciplinary offence;
4) reference to the Act providing for disciplinary liability and to the provision of the Act which the prison officer violated by his or her act.

(5) The summary of disciplinary proceedings shall be signed by the person who conducted the disciplinary proceedings, forwarded promptly to the person who initiated the disciplinary proceedings and communicated to the person against whom the disciplinary proceedings were conducted.

§ 150. Disciplinary punishments

Disciplinary punishments imposed on prison officers for the commission disciplinary offences are:
1) reprimand;
2) reduction of salary by 10 to 50 per cent for up to three months or
3) release from service pursuant to § 118 of the Public Service Act.

§ 151. Incentives

(1) An incentive may be awarded to a prison officer for outstanding performance of duties or civil duty. The person authorised to appoint a prison officer to office has the authority to award an incentive to the prison officer.

(2) The following incentives may be awarded to prison officers:
1) expression of thanks;
2) grant of additional paid holiday in the annual amount of up to ten calendar days;
3) grant of a monetary award;
4) a valuable gift;
5) advancement;
6) award of a prison officer's cross of merit.

(3) The Minister of Justice shall establish the description of a prison officer's cross of merit by a regulation.

Release from Prison Service and Reserve of Prison Officers

§ 152. Release from service due to age

(1) Prison officers who serve in the official rank specified in clause 112 (1) 1) of this Act shall be released from prison service when they attain the general pension able age. Prison officers who serve in the official ranks specified in clauses 112 (1) 2) and 3) of this Act shall be released from prison service when they attain 60 years of age. Prison officers specified in clauses 112 (1) 4) and 5) of this Act shall be released from prison service when they attain 58 years of age.

(2) A prison officer released from service due to age shall be released from prison service on the first working day of the month following the month when he or she attains the age due to which he or she is released.

(3) If a prison officer is suitable to continue to serve in prison due to his or her state of health and has granted his or her consent to continue service, the official authorised to appoint the given prison officer to office may extend the time of service of the prison officer until he or she attains the general pension able age. In such case, the prison officer shall be released from prison service when he or she attains the general pension able age.

§ 153. Release from service due to refusal to take oath of office

A prison officer who refuses to take the oath of office shall be released from service on the date of his or her refusal to take the oath.

§ 154. Release from service due to unsuitability for position or official rank

(1) A prison officer shall be released from service due to unsuitability for position on the conditions and pursuant to the procedure provided for in § 117 of the Public Service Act with the exceptions set out in subsection (2) of this section.

(2) A prison officer shall be released from service due to unsuitability for official rank on the basis of evaluation results pursuant to the procedure provided for in § 117 of the Public Service Act.

§ 155. Prison officers in reserve

(1) The Public Service Act determines the rights and obligations of prison officers assigned to the reserve with the exceptions prescribed by this Act.

(2) A prison officer assigned to the reserve shall be on the reserve list until removal from the reserve but for not longer than two consecutive years. The time which a prison officer is in the reserve may be extended on a monthly basis on request of the prison officer.

(3) In addition to the grounds provided for in § 149 of the Public Service Act, a prison officer assigned to the reserve may refuse appointment to office if the position offered does not correspond to his or her official rank.

(4) The refusal specified in subsection (3) of this section shall not constitute grounds for the removal of a prison officer from the reserve pursuant to clause 150 2) of the Public Service Act.

(5) In order to ensure the prison officers in the reserve with a possibility to return to service in prison, the person authorised to appoint prison officers to office shall notify the State Secretary upon the filling of vacant positions of at least every third vacant position in each official rank pursuant to the procedure provided for in § 147 of the Public Service Act.

(6) The provisions of subsection (5) of this section do not apply if a position is filled as provided for in subsection 110 (2).

1. Section 44 Treatment of tuberculosis in prisons

On October 30, 1997, the Government of the Republic approved the National Tuberculosis Prevention Programme for 1998-2003. The compilation of the programme proceeded from the internal situation in the country and from the recommendations by the World Health Organisation, the International Union against Tuberculosis and Lung Diseases and the TB Unions of the Nordic Countries. The basic aim of the programme is the reorganisation of the treatment strategy against tuberculosis, in order to guarantee efficient treatment, which enables the protection of the population from the spreading of TB infection. The National Tuberculosis Prevention Programme also covers penitentiary institutions.
Since the end of 1998, the TB patients in the Central Prison are also given similar treatment schemes and research methods as in the Tartu and Kivimäe Lung Clinics. The treatment of tuberculosis in prisons is controlled by Dr. Kai Vink, the manager of the National Tuberculosis Prevention Programme.
In order to achieve more efficient results in the treatment of tuberculosis patients, it is necessary to improve the conditions in the TB department, which currently do not meet the requirements prescribed by the World Health Organisation. The tuberculosis department shall be removed from the Central Prison, at the beginning of the year 2003, at the latest, when the Central Prison will be de-commissioned.