



# PRISON GUIDE

THE MOST IMPORTANT INFORMATION TO KNOW  
BEFORE ENTERING PRISON - SEPTEMBER. 15. 2022.



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HUNGARIAN  
HELSINKI  
COMMITTEE



# PRISON GUIDE

## THE MOST IMPORTANT INFORMATION TO KNOW BEFORE ENTERING PRISON

**SEPTEMBER 15, 2022**

In this information guide we have summarised

- the most important rules detainees need to know while in prison,
- what to be prepared for if you are about to enter prison, and
- what a prisoner can do in case of infringement of his/her rights.

This information guide summarises the most important questions and answers about entering and staying in a penitentiary institution. This guide is for information purposes only. This means that due to rapidly changing legislation, by the time you read this guide, some of the rules may have changed. Accurate information can only be obtained from the rules in force. At the end of this guide, we list the acts, regulations and instructions that regulate the enforcement of sentences.

Some of the rules in force may be found on [www.net.jogtar.hu](http://www.net.jogtar.hu) website and on the website of the prison administration <https://bv.gov.hu/hu/jogszabalyok>.

If you could not find an answer to your question, or you have a specific question or suggestion, please write to us an e-mail to [helsinki@helsinki.hu](mailto:helsinki@helsinki.hu) or by post to the address **Hungarian Helsinki Committee, 1074 Budapest, Dohány utca 20. II/9., 1242 Budapest, Pf. 317.**

You may also call us by phone on weekdays between 9:00 and 15:00 hours:

**+ 36/1 321 4323 | + 36/1 321 4327 | + 36/1 3214141**

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## I I GOT A SUMMONS

### 1. Should I stay or should I go?

If you receive a summons, you must go to the specified penitentiary institution at the specified time.

If you refuse to accept the letter or do not turn up at the specified place at the specified time, you will be wanted by the police, and if caught, you will be taken to prison (in this case you will have to pay the costs of the procedure).

In this case, you will certainly lose the benefit of release on parole (“benefit”), and you will have to serve the full sentence imposed (in Hungarian: „csontra” (“to the bone”)) even if you behave impeccably.

### 2. What happens in there after I arrive?

**Once you arrive in the prison, your admission procedure starts.** This is carried out by the Admission and Detention Committee (BFB). Your belongings will be deposited, you will be examined by the prison (penitentiary) doctor and officers will talk to you: you will be asked about your situation, your circumstances, your aims, so they know what rules apply to you.

**Beyond the level of enforcement (low, medium and high security prison), the BFB will place you in a strict, general or mild regime.** The regime classification depends on your behaviour, expected compliance with institutional rules and your conduct and skills to co-operate. In time, these will be reviewed and it may be possible to move to a stricter or even more lenient regime. The more lenient the regime you are in, the more free your life will be in the prison, the more possibility you will have.

## I WHERE WILL I BE PLACED?

### 3. Will I serve my sentence in the nearest prison to where I live?

It is not sure. **The Hungarian Prison Service Headquarters (BVOP) will designate the penitentiary institution where you will serve your sentence.** Many factors are taken into account when making a decision (e.g. the occupancy rate of the prison, your ability to work, your family's place of residence, enforcement level, security level, accomplices, etc.). In an ideal case, you will be placed in a prison nearest to your and your family's place of residence.

If your placement is not suitable, **you can request your transfer from the Hungarian Prison Service Headquarters.** Your request shall include the reasons why you would like to be placed in another penitentiary, for example to be nearer to your family or the location of your court hearings, have a better chance to work, not to be placed together with hostile inmates, or if a school/training is starting in another prison which you would like to attend. Your request will be decided by the **Hungarian Prison Service Headquarters.**

You can appeal the decision, however, there is no further appeal against the second instance decision. A new request may be filed after six months from the date of the second instance decision.

### 4. How many of us will be in one cell?

**Prisoners are usually placed in multi-occupancy cells.** It is determined by law how much space a prisoner must have. If there is not that much space in a cell for you, you can make a complaint. If you are alone in a cell, you must have at least six square metres, if you are together with others, each of you must have at least four square metres space. This is called the living space, which can be calculated by subtracting the area of the toilet and washroom from the floor area of the cell. In addition to the mandatory living space, each prisoner must have at least six cubic metres of air space.

## 5. How to get compensation if I am in an overcrowded cell?

**You can apply for compensation for the first time if you have been detained in unlawful**

**conditions for at least two months.** The application for compensation may be filed earlier if the prisoner will be released sooner or the unlawful conditions cease earlier than two months. However, if the unlawful circumstances do not cease, you have to wait for two months.

If you have already been transferred to a cell where you have at least four square metres (or, if you are alone, six square metres) space, **the application must be filed within 6 months from this date.** The application is a form that you can request from the penitentiary. You can also apply for compensation for lack of toilet separation, inadequate ventilation, lighting, heating or pest control.

The application is decided by the penitentiary. If you do not agree with the decision, you may request in 8 days that your application be forwarded to the prison judge.

**If you actually were in an overcrowded cell, you will get compensation.** A lot of debts are deducted before the compensation is paid to you and there may be so many deductions that you end up with no money. If you are eligible for money and are still in prison, the money is paid into an escrow account, which you can usually only access after your release. If you have already been released at the time of deciding on compensation, it will be transferred to your personal bank account.

## 6. What items are in a cell?

Everyone in the cell has a:

- bed,
- seat (“stoki”)
- locker,
- basin,
- box.

All cells have a common:

- table,
- bin,
- ashtray (if there are smokers in the cell),
- mirror,
- cleaning tools.

It is decided by the penitentiary whether any other item (e.g. TV, plants, pictures) allowed in the cell and how these items must be placed.

## 7. Are there bunk beds in the cell?

In most cases, yes, **typically two beds above each other.**

On your request, the prison doctor may prescribe that you must be placed on the lower bed. If you make a request, it must be reasoned, for example on the grounds of your bad health condition (e.g. you could not climb up to the upper bed).

## 8. May I ask which cell I should be in?

You may, but there is no guarantee that it will be permitted to you. **The placement of detainees within the penitentiary is decided by the institution** based on the separation rules, in order to keep security and safety. For example, prisoners belonging to different level of stringency (e.g. low-medium-high security prison), detainees in pre-trial detention, the inpatient, the infectious patients, smokers, etc. shall be separated.

If an offence is committed against you in prison, you must be placed in a different cell and preferably in a different unit from the offender.

## AS A PREGNANT WOMAN, HOW CAN I START SERVING MY SENTENCE?

### 9. I am pregnant, should I still enter the prison?

If you are pregnant, you may not have to go until a bit later. **Under the Penitentiary Code, it is compulsory to postpone the start of a sentence, without a request, for a person who is more than twelve weeks pregnant and for a person who is caring for a child under one year old.**

In the case of pregnant women, postponement may be granted up to the end of the twelfth month after the expected date of childbirth.

### 10. What is a mother-and-child unit?

**In the mother-and-child unit, mothers have the possibility to start serving their sentence without being separated from their child younger than one year old.** The unit is located in the Bács-Kiskun County Prison (in **Kecskemét**) and was designed to meet the child's need, therefore there are, for example, nursing and baby care services, developmental toys and special programmes. When the child reaches the age of one year, the mother must give him/her to her family. The special rules of the unit also attempt to make this hand-over easier.

### 11. How can I get to the mother-and-child unit?

**The mother must declare within 8 days of receiving the summons that she wishes to be placed with her child.** This is optional, the mother may decide to rather leave her child in the care of her family or place the child in state care. The penitentiary will consult the guardianship office in the mother's place of residence. If the guardianship office declares that the mother has parental custody (her right to raise her child), a psychological expert will assess whether the mother is fit to take on the mother's duties and whether her child will be safe with her. The decision on the placement with the child is made by the **Hungarian Prison Service Headquarters**.

### 12. May we have visitors while we are in the mother-and-child unit?

**Contact with the outside world is more frequent in the mother-and-child unit than in other units, visitors are allowed at least once a week.** That much baby clothes and care products may be handed-over during the visits which can be stored in the penitentiary. Visits take place in a room designed for this purpose and equipped with toys. In the case of children under the age of six months there is a possibility to take them out of the penitentiary for 1-2 hours. For relatives who live farther and cannot come to visit, the mother may order photos at her own cost.

## I HOW CAN I ASK FOR SOMETHING?

### 13. I need something. How should I ask? For example, to use the fridge or go to the library, or go to the funeral of my relative?

If you would like to ask for something (e.g. go to the gym, use the library, see the prison doctor, visit a seriously ill close relative, attend a funeral) **you should file a request form**. You can ask a blank request form from a prison officer (reintegration officer) on which you can write your request. **The filled in request form must be given to the prison officer**, who will register it in the system and forward it to the competent person. The request form is worth copying, because there are several complaints from prisoners that these papers disappear. In respect of certain type of requests, depending on the actual penitentiary, administration of requests is done electronically at a kiosk accessible to prisoners in the precinct.

**If your claim is rejected, you can file a complaint.** If your request is rejected by the prison officer, you can file a complaint to the prison commander, if he/she rejects your request, you may file a complaint with the **Hungarian Prison Service Headquarters**. The postal address of the Hungarian Prison Service Headquarters: 1245 Budapest, Pf. 1046.

**If you would like to post a letter, you must also give it to the prison officer**, who will arrange for it to be sent to the addressee. If you do not have any letter paper, envelope or stamp, you may buy it in the prison shop. If you do not have enough money, you may ask from the prison officer. However, there is no guarantee that you will get any.

## I WHAT CAN I HAVE? ITEMS, CLOTHING.

### 14. What items can I have?

**You can have those items which are permitted by the rule of the penalty enforcement organisation:**

For example, the following:

- **food**, that you bought in the prison or was sent to you in a package (as to how packages may be sent to you, see points 25-26 for more details).
- **kitchen utensils**, for example:
  - mug, glass,
  - food box,
  - cutlery cup (in Hungarian: “csajka”),
  - a kettle that complies with the regulations;
- **hygiene products**, for example:
  - soap (2 pcs)
  - liquid soap (1 litre)
  - shower gel(600 ml)
  - shampoo (600 ml)
  - washing soap (1 pcs, 250 gr),
  - toothbrush (2 pcs, not electronic)
  - toothpaste (2 pcs, 200 ml – maximum 100 ml/piece)



- towel (2 pcs, maximum 70\*100 cm in size)
- toilet paper (8 rolls)
- tissue paper (200 pcs)
- **tobacco products**, for example:
  - cigarettes (30 packs), tobacco (20 packs, maximum 800 gr),
  - pipe (2 pcs), holder (2 pcs),
  - matches (10 packs), lighter (2 pcs),
  - cigarette rolling machine (1 pcs),
- **pocket calendar**
- photos (30 pcs), letter (50 pcs), documents, postcard (10 pcs), letter paper (50 pcs), envelope (25 pcs), stamp (up to a value of HUF 3,000);
- newspaper, magazine (12 pcs);
- book (2 pcs);
- tools for correspondence, learning (self-study) (e.g. ballpoint pen (3 pcs), graphite pencil (2 pcs), coloured pencil (12 pcs), textbooks (20 pcs));
- watch;
- play cards (2 packs), non-electric board game;
- needlework equipment, sewing kit (without scissors);
- religious items and prayer book;
- musical instrument (1 piece)
- medicines, medical or pharmaceutical aids authorised by the prison doctor, vitamins and nutrients;
- other items, if you are authorised to keep them.

**You may have other items only if you have authorisation.** The item can not be dangerous, and can not risk the order and safety of the penitentiary.

## 15. Can I wear my own clothes?

**Yes, if you are in pre-trial detention or was sentenced to confinement.**

**If you are convicted by a final judgement of the court**, outer clothing (any garment that is above underwear), the clothes you wear when you arrive at the check-in will be deposited. **You can bring and wear underwear (e.g. underpants). In addition, the penitentiary will provide you with uniforms, underwear (e.g. white T-shirt, tracksuit bottoms) and shoes appropriate for the season.** If you have requested and been authorised by your commanding officer, you may wear your own street shoes or sports shoes (for sports only).

## 16. Can I bring TV, radio, other electronic device in?

**You can primarily use the TV set provided by the prison**, but if not available, you can bring your own with you or have one sent to you, with the permission of the commanding officer. It is important though that the use of your own television may be restricted by the commander, for example to avoid disputes between the inmates. One television is allowed per cell. If you bring a television with you, but are not authorised to use it, it will be deposited, or will be released to your relative on your request.

You can have a battery-powered pocket radio, (spare) batteries, earphones (without other functions).

You may not have any other electric device (for example, your own mobile phone, electric board game, laptop, notebook). You may use the mobile phone given to you by the penitentiary only. You will receive such a mobile phone on payment of a deposit (HUF 35,000 in 2022).

## I WHO AND HOW WILL I BE ABLE TO TALK TO AND MEET?

### 17. How can I stay in touch with my loved ones after I go to prison?

Prisoners can keep in touch with relatives, friends and acquaintances **in person, by phone, Skype or letter**. Anyone wishing to be contacted **must be a registered contact person**.

### 18. Who can be my contact person?

As a general rule, only your family members, but the penitentiary may permit contact with whom the prisoner designates (e.g. friends, colleagues, neighbours), if approved by the prison officer.

### 19. When can they prohibit contact?

If contact would make it difficult to investigate your criminal case, but the penitentiary must justify that.

You can file a complaint against the prohibition.

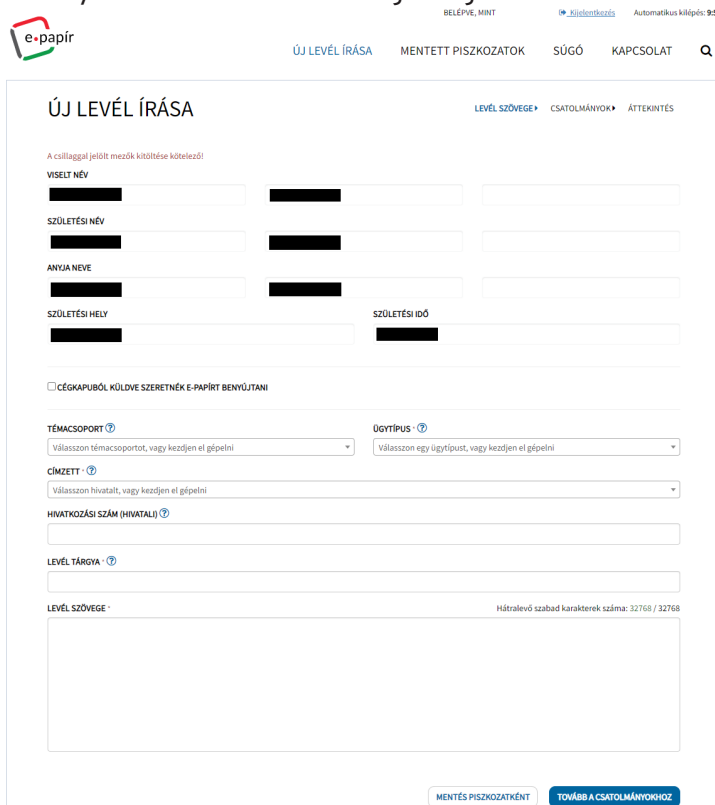
### 20. How can someone be a registered contact?

Send the **contact statement** to whom you would like to keep contact with, the penitentiary **must allow it**. The addressee (future contact) has to send it back filled in and signed. It is useful to download the statement from the internet before entering the prison and bring it along filled in, this may make the registration faster.

The contact statement may be sent by the relatives via the online authentication service called “Ügyfélkapu” on the [epapir.gov.hu](http://epapir.gov.hu) webpage. This requires registration in the online service, which may be requested in a Government Office.

If you already have registration, select the relevant penitentiary institution from the list of Addressees, and send the filled-in statement as an attachment. The steps are as follows:

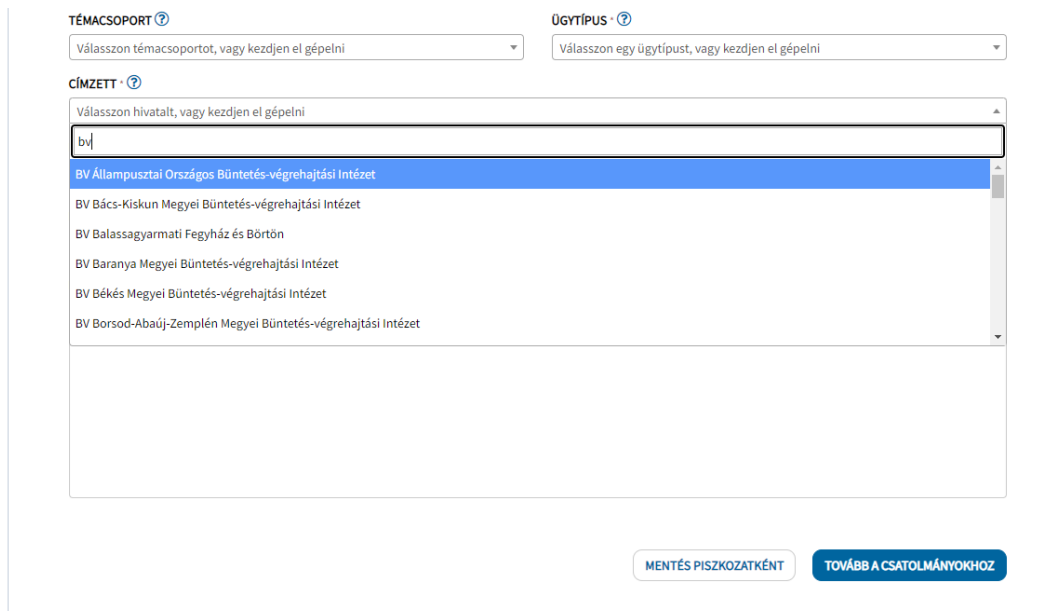
Sign in on the [epapir.gov.hu](http://epapir.gov.hu) website, where you will see the following image:



The screenshot shows the 'ÚJ LEVÉL ÍRÁSA' (New Letter Writing) page on the epapir.gov.hu website. The page includes a header with the 'e-papír' logo and navigation links: 'ÚJ LEVÉL ÍRÁSA', 'MENTETT PISZKOZATOK', 'SÚGÓ', 'KAPCSOLAT', and a search icon. Below the header, there are links for 'LEVÉL SZÖVEGE', 'CSATOLMÁNYOK', and 'ÁTTÉKINTÉS'. The main form area contains several input fields for personal information: 'VISELT NÉV', 'SZÜLETÉSI NÉV', 'ANYJA NEVE', 'SZÜLETÉSI HELY', and 'SZÜLETÉSI IDŐ'. There is also a checkbox for 'CÉGKAPUBÓL KÜLDÖVE SZERETNÉK E-PAPÍRT BENYÚJTANI'. Below these fields are dropdown menus for 'TÉMACSOPORT' and 'ÜGYTÍPUS', followed by a 'CÍMZETT' dropdown. There is also a field for 'HIVATKOZÁSI SZÁM (HIVATALI)'. At the bottom, there is a 'LEVÉL TÁRGYA' field and a large text area for 'LEVÉL SZÖVEGE'. The page also displays 'Hátralévő szabad karakterek száma: 32768 / 32768' and buttons for 'MENTÉS PISZKOZATKÉNT' and 'TÖRÖL A CSATOLMÁNYOK'.

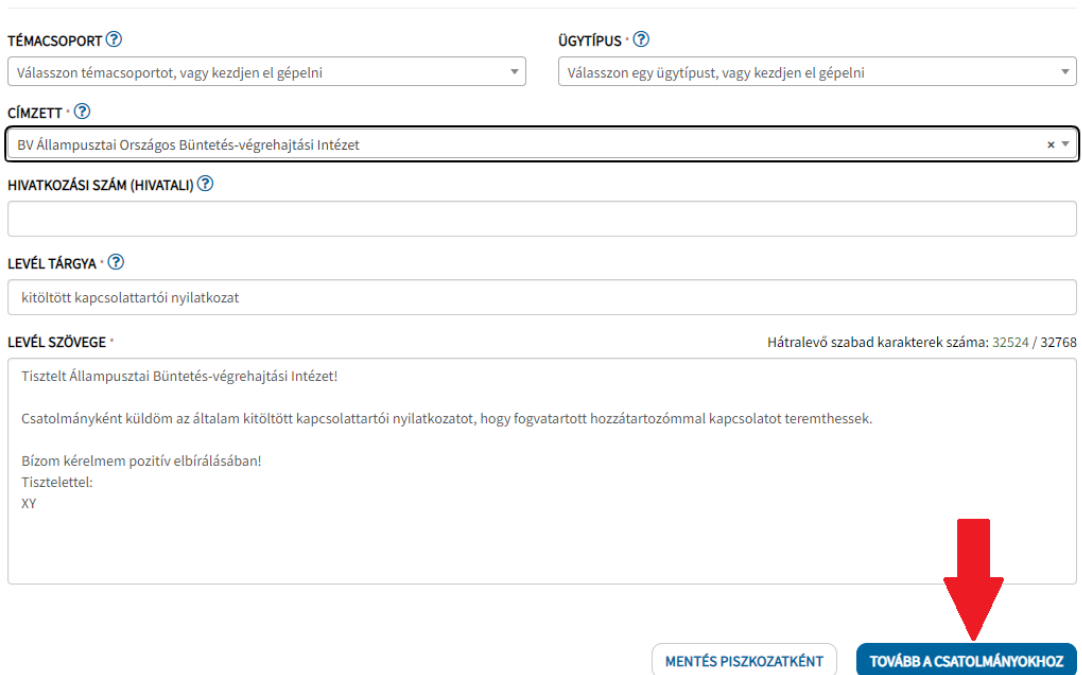


1. First, write 'bv' (short for penitentiary in Hungarian) in the box under „CÍMZETT” (addressee), then select the relevant penitentiary from the pop-up list.



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2. If you have selected the addressee, then select “ÜGYTÍPUS” (case type) (You may choose either one from the two options offered), then fill in the part below “LEVÉL TÁRGY” (subject), for example, with filled-in contact statement. In the part “LEVÉL SZÖVEGE” (text) write a polite letter that you would like to get in contact with your relative, then click on “TOVÁBB A CSATOLMÁNYOKHOZ” (next to attachments) in the bottom right corner.



3. Then, pull in or upload the attachment (the filled-in contact statement), click on “HITELESÍTÉS” (authentication). Then send the letter by clicking on “TOVÁBB A VÉGLEGESÍTÉSHEZ” (finalise) and click “KÜLDÉS” (send). You can download the recipe of sending right away.

## 21. How long does it take for the penitentiary to decide on my contact request?

As a general rule, **within thirty days from the date of filing the request**. If no decision is made on the contact request within thirty days, you may file a complaint.

## 22. How many letters can I write?

**Detainees may write any number of letters.**

**The penitentiary will check each incoming and outgoing letter each time.** If it is suspected that the letter has been contaminated with any material, you will only receive a photocopy of the letter, child's drawing or photograph. The correspondence with your lawyer may not be controlled, but they can check if it is actually your lawyer whom you are in contact with.

## 23. How and how often may I use the phone?

**The number of calls a prisoner can make is regulated by the rules of the regime**, i.e. whether it is a low, a medium or a high security prison, and how strict regime is within that. Prisoners **may claim an own mobile phone for a deposit of HUF 35,000**, or may use the wall-phone or the common "joker" phone. All are under the same rules. **The fee for making calls is uniformly HUF 69 per minute in 2022 and settlement is on a per second basis**, so you do not have to pay for the whole minute for every minute you start.

**Only the prisoner can make a call from the phone**, you cannot be called, and cannot be requested a return call and you can call only your registered contacts. The conversation may be overheard and disconnected. You may top up your phone balance from your deposit account or it can be topped up by your relative at a newsstand, post office, petrol station or ATM.

In exceptional cases – for example, if you urgently need to talk to your defence attorney - the penitentiary may provide the possibility to make a call free of charge.

## 24. How and how often can we talk on Skype?

**Detainees in a high security prison can use Skype once a month, while detainees in low security prison four times a month.** This must be requested by the prisoner and **the penitentiary decide the actual number of calls**. (This also depends on how many computers are available and how many prisoners would like to use Skype.) Conversation with your lawyer does not count as a skype occasion with your contacts. You can talk to four authorised contacts on Skype each time. **The contact form must include the Skype name and email address of the contact.**

**Contacts must show their ID card/driving licence/passport before the call.** The conversation is listened to by a supervisor or prison officer present, and the screen is being monitored from another computer. The video call may be disconnected by the prison officer, if the behaviour of either the prisoner or the contact infringes the order of the penitentiary, or if a not-registered contact attend the call. Conversations with your lawyer are not controlled. No video and/or sound recording is allowed during the Skype call.

In the event of health crisis or disaster (e.g. during the coronavirus pandemic), you can only talk to your loved ones by Skype and phone instead of personal visits.

## 25. How can I get a package?

**You can send and receive packages monthly, with a maximum weight of 5 kg.** The packages will be opened up and examined by the prison officers to make sure that only permitted items are sent to you.



## 26. What can be included in a package?

The package may include only those items **permitted by the penitentiary rules but cannot be obtained from the webshop** (i.e. book, glasses).

Food, hygiene products, tobacco, cigarettes, medicine, medical devices or medicinal products may only be sent in if bought in the [penitentiary's webshop](#).

**If you want a newspaper subscription (daily, weekly, magazine), your relative can order it for you.** The subscription does not count as package, so you can still receive the same number of packages.

**If you need a medicine that cannot be ordered by the penitentiary, your relatives can send it to you.** If permitted in advance by the prison doctor and the commander, you do not need to wait until the monthly package.

**In addition to the above, once in every three months you can receive a package including only clothes and shoes. Your relative must indicate on this package: „ruhacsomag” (clothes-package).** The penitentiary will wash the clothes and disinfect the shoes before giving them to you. You will be verbally informed of the sender of the package, but can get neither the packaging, nor what is written on it.

## 27. How often can I be visited? How does a visit take place?

**Prisoners may have visitors at least once a month, in a minimum 1 hour and maximum 2 hours timeframe, depending on the prison security level.** You can have up to four visitors at a time. Any visitor under the age of 14 must be accompanied by an adult. Visitors must arrive half an hour before the time of the visit so that they can be identified, therefore **it is important that they have their ID cards and visiting permission with them.** Prisoners and visitors will be scanned before and after the visit. Food cannot be brought in and holding hands, kissing or hugging are not allowed, not even for kids. Nothing can be handed-over, only talking is allowed and it is monitored.

In exceptional, special occasions, for example, at a Christmas family visit, (depending on the actual penitentiary) you may talk to your relatives without the plexiglass. This requires specific permission by the penitentiary.

## 28. Can I play with my child during visits of my family?

There is a room available in several penitentiaries where you can sit around a table, and there are toys for children. This visit is called family visit or “családi beszélő” in Hungarian. During these visits, you may touch your children and they can sit on your lap.

**Family visits may be requested from the prison officer.**

## 29. When can I call my lawyer? When can the lawyer visit me?

**You can keep contact with your defence attorney in your ongoing civil or criminal case, or with the consular officer if you are not a Hungarian citizen in writing, verbally and personally without control.** The defence attorney may visit the prisoner any time.

Any lawyer, other than the defence attorney, may arrive to visit during working hours. You may talk to your lawyer for any length of time (by phone, personally or on Skype), but you have to pay for the calls.

Skype calls initiated during the coronavirus pandemic may be requested only by your lawyer.

**You may send letters to each-other any time.**

If you need to call your lawyer so that you can make a statement for the court in time (e.g. an appeal) and you do not have enough money to pay for the call, the penitentiary may advance the costs of your call upon your request with the permission of the commander. In this case, you can ask for a phone from the prison officer.

More information on contacts (the number and duration of contact options, which vary according to the level of security and regime classification), and the contact request form can be found here, within “Hasznos Információk” (useful information) at the top of the page and in “Kapcsolattartás” (contact) menu: <https://bv.gov.hu/hu/hasznos-informaciok>

## I WHAT HAPPENS IF I AM ILL?

### 30. I am ill, what will happen to my treatment?

**Your treatment will continue.** If it is not an urgent case, you need to ask for a request form so that you can talk to your doctor. **The doctor will determine what medicines you need and for how long.** This may differ from what you had before.

**If you need hospital treatment, you will be transferred to the Central Hospital of the Prison Service in Berettyóújfalu (BVEK).** If you need a medical examination or intervention that cannot be provided at the BVEK, or if you need emergency care, you will be transferred to a civilian medical facility. Guards will go with you to ensure safety for you and others. During the pandemic the prison hospital operating in Tököl earlier is used as a pandemic hospital. Prisoners with a positive coronavirus test will be placed here.

**If you need psychiatric treatment, you will be transferred to the Judicial Observatory and Rehabilitation Institute (IMEI) in Budapest.**

### 31. Can I talk to my outside doctor?

During the enforcement procedure, you will not be entitled to choose your doctor. This means that you cannot choose the doctor who gives you the treatment and to whom you talk about your illness. If your contact is your doctor, you may surely talk and write to him/her. However, **the prison doctor will decide on your treatment in all cases.**

You must of course receive medical care in all cases. There is doctor and nurse in each penitentiary who carry out general and emergency medical care. Medical specialist is not available in each penitentiary. Therefore, if you need a special examination and there is no competent medical specialist on site, you will be transferred to a prison hospital, a civil hospital, or a specialist clinic.

### 32. Can I take my medicines?

**You may only take medicines given to you by the penitentiary.** These may differ from what was prescribed earlier by your outside doctor. If you need permanent medical treatment, it cannot be interrupted without just cause. In exceptional cases, you may take medicines or medical products obtained by the penitentiary on the suggestion of the prison doctor, provided that it is paid by you or your contact. If permitted to you, your contact may also send you medicines prescribed to you by a doctor that cannot be obtained by the penitentiary.

**As a general rule, you cannot keep the medicines with you, they will be handed out in due time.**

### 33. What should I do if I have not received painkillers, even at my repeated requests?

**If you have not received painkiller, though you asked for, you may file a complaint to the commander of the penitentiary or the prison prosecutor.** This should be given to the prison officer in writing on a request form. You may make this complaint within 15 days from when you have asked but was not given medicine. The case must be examined by the penitentiary and you must be notified of the result.



### 34. I see a psychologist regularly. What about my therapy?

**You will not be able to continue the therapy with your outside psychologist during your detention in prison, however, you may apply for the prison psychologist for individual or group interview.**

Your written request for this must be given to the prison officer. You can also correspond with a pastoral care service.

Currently, one psychologist is trying to help a very large number of detainees in prisons.

You should expect that you will probably not have the opportunity to consult a psychologist as often as you would in the free life.

### 35. I am vegetarian/lactose intolerant. Can I have adequate diet?

If you are vegetarian you may request to be provided with vegetarian meals accordingly. However, there is no guarantee that this will be permitted to you.

**If you need special diet because of your illness, you must be provided adequate diet if the prison doctor prescribes so.**

### 36. I cannot eat everything because of my religion. Can I have adequate diet?

**You may request to be provided with meals appropriate for your religion.** This must be noted at the admission procedure. However, it is not sure your request will be granted.

## I WILL I HAVE A JOB IN THERE?

### 37. Am I obliged to work?

**Yes.** You only do not have to work if you do not want to, and

- you are under age 16 (compulsory school age),
- you are pregnant and in at least the sixth month of pregnancy or until the 50th day after giving birth,
- you are a woman and have been placed in prison with your child,
- you are unfit for work (determined by a work capability test in the prison),
- you have reached the retirement age or have completed the period of service required for retirement (a certificate is required),
- you are under arrest (you can take up voluntary work, but this is not compulsory).

**The fact that you are obliged to work does not mean that you will have a job.** It depends on whether the prison will give you a job. If you would like to work, you should tell your prison officer.

**If you work, you will get remuneration.** This is a lower amount than the minimum wage in civil life. You will not have social security insurance and this time will not count as service time required for retirement. You may, however, get rewards in work, you can spend your time more usefully, and it is taken into account upon deciding on your release on parole.

If lighter enforcement rules (EVSZ) are applicable to you, then you may get an outside job (if there are no other restriction e.g. due to coronavirus).

## I CAN I STUDY?

### 38. I go to school. Can I study in prison?

You can continue your studies started outside in exceptional cases only:

- if the school permits remote study, and
- the penitentiary also permits it.

**You will need to have photocopies of the documents proving your educational level in order to attend school in prison.** If you can prove for example that you finished 7 grades, you will be assigned to grade 8.

**If you would like to attend elementary school, it must be made possible by the penitentiary.** If in the actual penitentiary you are in cannot provide it, you may request to be transferred to another penitentiary where elementary school is available.

In the case of juvenile prisoners, the penitentiary must ensure that vocational and apprenticeship training is provided and they should be allowed to pursue secondary education (vocational school, high school, etc.).

If you go to school, you will receive scholarship (money).

If you want, you can also study at higher education level (university or college) on a correspondence course.

This must be permitted by the prison commander. The penitentiary may organise other trainings, and you can also learn a profession, however, these are not available in all penitentiaries. It is not automatic that you go to school or training, it must be requested, and there is no guarantee that it will be made possible.

If you obtain a certificate during your detention, your certificate will not disclose that you graduated from a prison.

### 39. What rules apply if I study and work at the same time?

**If you study, the penitentiary must schedule your working hours so that you can attend the course in all circumstances.** If you study and work at the same time, you will have to work one hour less per day.

If you, as a worker, attend school or prepare for an exam, these days count as workdays.

## I HOW WILL I HAVE MONEY? HOW CAN I SPEND IT?

### 40. What will happen to the money I have on me when entering prison?

**How can I use it? What amounts will the penitentiary deduct from my account?**

**The penitentiary makes a card (“pantry-card”, in Hungarian: “spejz-kártya”) for everyone which can be used similar to a bankcard within the penitentiary.** The cash brought with you when entering the prison will also be put on this card. No other means of payment (cash or civil bankcard) is allowed.

**There are five ways money can be put on your pantry-card:**

- Fee for work performed in the penitentiary.
- Scholarship if you attend school.
- Pensions.

- Other allowances from the state (e.g. invalidity pension, disability allowance). If you have previously been awarded a regular cash benefit (such as a pension), you may continue to receive it during your detention. You can decide whether this should continue to be paid into an account outside, perhaps a relative's, or into your deposit account.
- **Money may be sent to you from outside. In this case it must be noted in the transfer that the money is for "food", "medicine", "phone call".** Otherwise the prison may deduct the money for other purpose.

**If you work or if you have money on your deposit account, you must contribute to prisoner maintenance.** The contribution amount is HUF 656/day in 2022.

**The penitentiary saves money for you for the time of your release.** This is mandatory. In the first years much more money is saved than in the following years. This money is called "coffin-money".

## 41. What do I have to pay for in prison?

**You may only spend your freely usable deposit money in the prison shop (food shop, "filling up the pantry").** The actual amount of this money depends on the regime rules.

**You must contribute to the costs of your detention.** You are released from this obligation only if you cannot help it you are not working, you do not receive money regularly, neither have you any deposit money.

You must pay for the cleaning of your clothes and your hygiene package (soap, toothpaste, etc.). If you do not have any deposit money, the penitentiary must provide you with basic hygiene products.

If you would like to use other services (e.g. gym, fridge, water heater), you have to pay for it.

# I WHAT CAN I DO IN PRISON?

## 42. What should I do all day?

Prison life is generally very monotonous, with much less to do than in free life.

You have the following possibilities:

- you can **be out in the open air** for at least one hour per day (the length of time can be more depending on the regime, but at least one hour must be provided by the penitentiary to everyone);
- **you can read** newspapers, books (you can rent out from the **library**), you can even subscribe for a newspaper
- you can play cards, **board games**, you can have conversations, watch television in the cell;
- you can work out in the **gym**, if you pay the fee and it is not closed and you were permitted to do so;
- you can **go to school**, if there is any course available that is relevant to you and the penitentiary permits to;
- if there is any **programme** and you are permitted to attend, for example performance, concert, pottery, therapy session (you should ask the psychologist and the prison officer for availability).
- you can **work**; if work is available and you are selected you can work even outside the penitentiary or can work on the maintenance of the penitentiary (e.g. cleaning, kitchen, gardening);
- you can attend mass and other **religious ceremonies**;



- you can attend **group sessions**, for example drama sessions;
- prison officers sometimes give **individual activities** in the cell (e.g. drawing, pottery);
- if available, you can attend sessions for **personal development** and psychology.

### 43. When can I leave the cell?

It depends on the enforcement level and the regime rules when you must be in the cell.

- If you serve your sentence in **low security prison**, the door of your cell must be open for daytime, it is locked only for the night (or not, if there is neither toilet, nor shower in the cell).
- If you serve your sentence in **medium security prison**, keeping the door of your cell open at daytime (for the whole day or only a part) requires a permit. Doors are locked for the night (except if there is neither toilet, nor shower in the cell).
- If you serve your sentence in a **high security prison**, the door of the cell will be locked for day and night.

In exceptional cases it may be permitted to keep the door open for a part of the day. So, if you do not work, as a general rule, you will be in the cell for 23 hours per day. This can be very stressful.

When the door of the cell is open, you can freely move within the unit, can talk to other inmates, use the common area, play ping-pong, etc.

You can be out in open air for at least one hour, irrespective of the security level you are in.

### 44. When can I pray?

**The penitentiary must help you to be able to exercise your religion if feasible in the penitentiary. It is not guaranteed that you can pray when and how you would like to (e.g. alone).**

You have the right to:

- **attend religious ceremonies**, if it is available in the penitentiary (however, you may be banned from it if your participation endangers the order and safety of the penitentiary);
- **meet a church person** (priest, pastor, other spiritual carer). The uncontrolled meeting with church persons must be ensured even if you are banned from ceremonies. The penitentiary determines who this church person can be. You cannot decide.
- keep regular books necessary for exercising your religion (e.g. the Bible), written material and **artefacts**.

### 45. Can I bathe every day? Will I get clean towel? And bathing products?

**You will get a towel, but you have to buy your bathing products** or you may receive it in package from your contacts. If you do not have any deposit money, the bathing products will be given to you by the penitentiary, but you must request for it. Prisoners often complain that the amount of soap and toilet paper provided by the penitentiary is very low.

**You can have a warm shower at least 3 times a week.** Women can have warm water every day, working men and those who are permitted for health reasons can have warm water at the end of every work day. Juveniles can have a shower in warm water every day.

There are cold water basins in the cells or in the common area, you can also wash yourself there.

## I CAN I DO SPORTS?

### 46. Can I play football?

**There must be some area in the penitentiary for sports.**

It depends on the penitentiary what kind of sports area is made available.

**You cannot decide what sports you can do.** It might be that you will not be able to play football, but only other sports (e.g. gym, strolling in the courtyard, jogging), but there are football pitches in many places. It might also be the case that you will not be able to do any sports, but only some exercises. The rules prohibit working out in the cell.

### 47. Is there a gym? If yes, how often can I use it?

**Yes, there is gym in the penitentiaries. The penitentiary's policy and regime rules determine how often you can use it.** If you want to work out, you have to request it.

It is important to note that you have to pay for using the gym. You may also be rewarded with free use.

## I MY RIGHTS HAVE BEEN VIOLATED, WHAT SHOULD I DO?

### 48. I feel that there has been a breach of the law. Where can I turn?

**If you think your rights have been violated, make a complaint.** If you write your complaint down and give it to the prison officer, he/she will forward it to the person who has to decide within the penitentiary. There are a lot of cases when complaints request forms disappear with no result, so make a photocopy of your request.

**Within the penitentiary, you can write to the department head or the commander. You may also request to have a personal meeting to solve your case. You can write to the prison prosecutor or ask for a personal meeting.**

If you make a complaint, it will be included in your detention file that you can read. If you launched a case later, because you think your rights were infringed, the complaints will have an important role. Usually a complaint is the first step to win a lawsuit later.

**There are bodies outside the penitentiary to which you can also send your complaint.** The **commissioner for fundamental rights** (ombudsman) orders an investigation if any of your fundamental rights (e.g. freedom of religion, equal treatment, prohibition of degrading treatment) has been infringed by the penitentiary. The result of the investigation will be a report in which the ombudsman may provide recommendations to improve the situation. The ombudsman will not reward you with compensation, that can only be done by the courts. You can write to any other official body, for example, to the police. If you write to a wrong addressee, the authorities must forward your filing to the body which is able to investigate your case.

**If you would like to launch a legal case, you should have a lawyer.** If you do not have money for a lawyer, you should write to the County Government Office and request to appoint a patron lawyer for you who can help you with your case. A long request form must be filled in for this that can be provided to you by the Government Office if you do not get one in the penitentiary.

**Hungarian Helsinki Committee (Magyar Helsinki Bizottság) is a civil rights organisation which provides legal advice or a lawyer in certain cases free of charge** (if one of our attorneys is your legal representative, then he/she can also be your contact) in cases connected to detention or if your rights have been seriously violated by the penitentiary. The committee can be contacted at: Magyar Helsinki Bizottság, 1074 Budapest, Dohány utca 20. II/9., 1242 Budapest, Pf. 317. You may contact us in a letter, your relative/friend may send us an e-mail ([helsinki@helsinki.hu](mailto:helsinki@helsinki.hu)) or by phone on weekdays during working hours (between 9:00 and 15:00 hours) at the following number: 06 1 321 4141

#### 49. Can the prison staff take a violent action? If yes, in what cases?

The prison staff aim is achieving the discipline and safety of the penitentiary with the co-operation of the prisoners. **If a prisoner is violent, dangerous to self or the public, the guards can act violently.** But the guards must be careful to ensure that the measure is proportionate to its purpose (e.g. physical force can only be used until the prisoner stops being violent).

Guards may use physical force (body constraints), handcuff, they can force someone on the ground and make them stay there, use a service dog, batons, tear gas, and they may even use weapons (firearms) and ammunition (which can cause injury, but not to take life).

**Physical force cannot be unjustified or excessive** and can be used only if absolutely necessary and there are no other means to settle the situation.

#### 50. The guards have hurt me, what should I do?

**Guards have no right to be violent with the prisoners for no reason.** Despite this, violence is used in some cases. Violence may be used lawfully, for example if a frenzied prisoner is taken to the ground and handcuffed. **If the staff's behaviour is unjustified and disproportionate, they commit a crime.**

These cases are hard to reveal, therefore if you would like to make a complaint because of violence, you should do the following (if you can):

- **Notify** the prison officer of what has happened. Write down for him/her and yourself what has happened. The prison officer is obliged to report the case. The prosecutor must start an investigation.
- If the prison officer cannot be notified, tell to another staff member that you have been hurt. The staff member must report the case to the prosecutor. The prosecutor must start an investigation.
- You can request the commander or the prison prosecutor to have a talk in person.
- See the **prison doctor** as quickly as you can. If you are not allowed to go to the doctor despite your request, make a written request to the prison officer and a complaint. Ask to be inspected physically. If they refuse to inspect, ask for the issue of an outpatient card. Read the medical document and ask for all important information to be included. If something is missed out, ask for it to be included. Ask for photographs to be taken of your injuries. If anything is not done from the above, make a complaint.
- Ask for no prison officer or staff member to be present at the examination. If they prohibit this, request that the member of the staff who hurt you not to be present.
- Ask for a hearing from the psychologist and tell him/her what happened.
- Write down to yourself as soon as possible what has happened, because memories fade quickly. You may supplement it later.
- Ask witnesses to write down what they have seen, what they can remember. Ask them to sign the paper and give it to you.
- You and the witnesses should write down what kind of injuries (e.g. wound, purple spot, bruise) can be seen on your body and where such injuries can be found. The lack of injury does not mean that no crime has been committed.
- Call your lawyer and your family or write to them and tell what has happened exactly.



- Write or call, if you can, the Hungarian Helsinki Committee so that we can try to help you. Your family or friend may also contact us. ([helsinki@helsinki.hu](mailto:helsinki@helsinki.hu), +36/1 321 4141, 1242 Budapest, Pf. 317.)
- Write a letter to the County Government Office having jurisdiction based on the location of your penitentiary and ask for a patron lawyer (if you do not have your own lawyer) to represent you in the proceedings.

It is important to know that if you notified that you have been hurt by a prison staff member, it is deemed to be reported to the police. **The case must be investigated by the prosecutor's office and not the penitentiary.** If you made a report to the police you can no longer withdraw it, the proceedings must be conducted. The abuse must be proved by the prosecutor, not you. You will be heard as a victim (witness), you must tell the truth just like the other witnesses.

## 51. What should I do if I was hurt by my fellow inmates?

- **By all means notify the prison officer** and ask to be replaced to another cell. The penitentiary must do it, if they do not, make a complaint.
- **If you have injuries, ask to see the prison doctor.** If they do not allow this despite your request, ask for it in writing and make a complaint. Ask to be inspected physically. If they refuse to inspect, ask for the issue of an outpatient card. Read the medical document and ask for all important information to be included. If something is missed out, ask for it to be included. Ask for photographs to be taken of your injuries.
- **You can make a report to the police of the abusive prisoner either in writing or verbally.** The report will be sent over by the penitentiary to those bodies which will investigate the case.

# I DISCIPLINARY SANCTIONS AND REWARDS

## 52. When is a disciplinary sanction due?

“Disciplinary sanction” is both a penalty and a procedure. **If you violate the order of the penitentiary, you may be subject to discipline.** This is applied in a disciplinary procedure, where – like in a simple criminal procedure – you and the witnesses will be heard, the evidences will be inspected. If it turns out that you have actually violated the order of the penitentiary, they will apply discipline. The seriousness of the offence and your previous behaviour are considered at the application of the discipline with regard to the purpose of it. The discipline may be:

- admonition (this is the lightest, but it will also be included in your detention file);
- restriction on the scope of items you may have with you;
- prohibition of attending programmes;
- withdrawing extra services (e.g. using gym);
- reduction of the amount of the money used for your personal needs.

And the strictest,

- you may be placed in solitary confinement. This may be no longer than 25 days in high security prison, 20 days in medium security prison, and 10 days in low security prison.

If a violent action happens among the detainees, they will be separated from each-other by the penitentiary. They may also be separated for the time of investigation during the procedure.

According to complaints, disciplinary sanctions are often applied unjustified or with excessive rigour. You may appoint a defence lawyer at any stage of the procedure or may make a request for the appointment one from the prison judge. If a decision is made in your case, you can make a complaint to the commander. **Disciplinary sanctions are considered by the prison judge when deciding to release you on parole.**

### 53. For what can I get a reward?

You can be rewarded for example for your exemplary behaviour, your achievements at work, if you study hard or do something outstanding for the community.

Rewards may be:

- praise,
- using the gym free of charge,
- visitor reception out of turn, or
- longer visits,
- increase of the amount of money spent for personal needs,
- money reward,
- item reward,
- deletion of discipline from detention file,
- visitor reception outside the penitentiary out of turn,
- staying out on reward,
- leave on reward.

The type of reward you get is decided by the head of unit or the commander. **The number and nature of rewards are considered by the prison judge when deciding on your release on parole.**

## LIST AND AVAILABILITY OF LEGISLATION AND OTHER LEGAL DOCUMENTS USED

[Act CCXL of 2013 on the Execution of Punishments, Measures, Certain Coercive Measures and Petty Offence Confinement](#)

[Minister of Justice Decree 16/2014. \(XII. 19.\) on the Detailed Rules for the Execution of Imprisonment, Confinement, Pre-Trial Detention and Detention Replacing A Fine](#)

[Minister of Justice Decree 20/2020. \(XII. 30.\) on the Modification of certain Minister of Justice decrees on Criminal and Judicial Matters](#)

[Hungarian Prison Service Headquarters Order 49/2020. \(X. 16.\) on the Use and the Order of the Medical Referral to the Prison Health Centre and the Outpatient Care of the Institute for Judicial Observation and Treatment](#)

[Hungarian Prison Service Headquarters Order 63/2020. \(XII. 12.\) on the Employment Of Prisoners](#)

[Hungarian Prison Service Headquarters Order 7/2021 \(I. 28.\) on Extra Service Available To Prisoners](#)

[Hungarian Prison Service Headquarters 13/2021 \(II. 26.\) on the equipment and use of prison gyms](#)

[Hungarian Prison Service Headquarters 20/2021 \(IV. 16.\) on the Implementation of Tasks Relating to Prisoners With Special Needs and Prisoners in Other Specialised Units](#)

[Hungarian Prison Service Headquarters 29/2021. \(V. 19.\) on the Procedural Rules for Visits, and Procedures for Electronic and Telephone Communication](#)

[Hungarian Prison Service Headquarters 42/2021 \(XII. 16.\) on the Salary of Prisoners for 2020, their scholarships, fee for employment as a work therapy and contribution to the prisoners maintenance](#)

The [orders](#) of the **Hungarian Prison Service Headquarters** and the related [decrees](#) and [acts](#) (for completeness) can be found on the [bv.gov.hu](http://bv.gov.hu) webpage.

## I USEFUL FORMS

Contact form

Maintenance form

Employer's letter of intent

Declaration of acceptance

## I MORE INFORMATION

- For more information on the rules of the compensation procedure, you can find our guide in Hungarian here: [Compensation procedure](#)
- The full list and the detailed regulation in Hungarian can be found here: [Determination by type and quantity of items that may be held by prisoners](#)
- If you would like to read in more details about your rights in connection with medical care and what you can do if you do not receive proper treatment, you can find our detailed medical information guide in Hungarian here: [Medical Information Guide](#)
- You can find further information on your financial matters connected to detention, please see the following information guide in Hungarian: [Financial Information](#)

## I USEFUL CONTACTS

### **Magyar Helsinki Bizottság**

*(Hungarian Helsinki Committee)*

[www.helsinki.hu](http://www.helsinki.hu)

1074 Budapest, Dohány utca 20. II/9

Postal address: 1242 Budapest, Pf. 317.

(+36 1) 321 4323, (+36 1) 321 4327,

(+36 1) 321 4141

[helsinki@helsinki.hu](mailto:helsinki@helsinki.hu)

### **FECSKE Fogvatartottakat és Családjukat Képviselő Csoport**

*(FECSKE Support Network for Detainees and  
their Families)*

[www.fogvatartas.hu](http://www.fogvatartas.hu)

[info@fogvatartas.hu](mailto:info@fogvatartas.hu)

### **Büntetés-Végrehajtás Országos Parancsnoksága (Hungarian Prison Service Headquarters)**

[www.bv.gov.hu/](http://www.bv.gov.hu/)

1054 Budapest, Steindl Imre u. 8.

Postal address: 1245 Budapest, Pf. 1046

Letters relating to prisoners:

1245 Budapest, Pf. 966

(+36 1) 301 8100

[bv@bv.gov.hu](mailto:bv@bv.gov.hu)

The collection of detailed contacts to the  
prison service institutions are available [on  
this webpage](#).

### **Alapvető Jogok Biztosának Hivatala**

*(Office of Commissioner of Fundamental Rights  
or Ombudsman person)*

[www.ajbh.hu/](http://www.ajbh.hu/)

Address of the complaint office:

Budapest V. ker. Falk Miksa utca 9-11.

Postal address: 1387 Budapest Pf. 40.

(+36 1) 475 7100

[panasz@ajbh.hu](mailto:panasz@ajbh.hu)

### **Legfőbb Ügyészség – Büntetés-végrehajtási Törvényességi Felügyeleti és Jogvédelmi Önálló Osztály**

*(Prosecutor General – Department of  
Supervision of the Prison Service and Legal  
Protection)*

[www.ugyeszseg.hu/](http://www.ugyeszseg.hu/)

1055 Budapest, Markó utca 16.

Postal address: 1372 Budapest, Pf. 438.

(+36 1) 354 5740

[bv@mku.hu](mailto:bv@mku.hu)



**Mécses Szeretetszolgálat Magyar  
Börtönpasztorációs Társaság**  
(Mécses Charity Prison Pastoral Care)  
[www.mecses.vaciegyszamnye.hu](http://www.mecses.vaciegyszamnye.hu)  
2600 Vác, Hattyú u. 1.  
Postal address:  
1327 Budapest, Újpest/3. posta Pf.: 30  
(+36 30) 175 5067  
[mecsesbp@gmail.com](mailto:mecsesbp@gmail.com)

**Hazavárunk Alapítvány**  
(Hazavárunk Foundation)  
[https://hu-hu.facebook.com/  
hazavarunk/](https://hu-hu.facebook.com/hazavarunk/)

**Utcajogász Egyesület**  
(Utcajogász Association)  
[www.utcajogasz.hu](http://www.utcajogasz.hu)  
Budapest, Rákóczi tér  
(+36 20) 282 3616  
[utcajogasz@gmail.com](mailto:utcajogasz@gmail.com)

**Váltó-sáv Alapítvány**  
(Váltó-sáv Foundation)  
[www.valtosav.hu](http://www.valtosav.hu)  
1082 Budapest, Üllői út 42. IV/1.  
(+36 70) 424 9760  
[alapitvany@valtosav.hu](mailto:alapitvany@valtosav.hu)