



FANGELSISMÁLASTOFNUN RÍKISINS

Information on arrival to prison

Serving a sentence

- The Prison and Probation Administration supervises the execution of sentences and other functions in accordance with the provisions of the Execution of Sentences Act No. 15/2016 and regulation issued on the Act.

Obligation to obey the instructions of staff (Law no. 15/2016 – article 57)

- A prisoner is obliged to obey the instructions given by the staff of the prison. A prisoner may not hinder prison wardens or other staff in carrying out their duties

Permission to inform close relatives and lawyers (Law no. 15/2016 – article 23)

- When prisoners begin serving their sentences they shall be permitted to inform their closest relatives and lawyers about their imprisonment as soon as possible.

Risk and Need Assessment

- At the beginning of imprisonment a risk- and a need assessment should be made on prisoners with sexual offences against children and serious violence and also if the prisoner behaves badly during the term of imprisonment.

Decision on place of detention (Law no. 15/2016 – article 18 and 21)

- The Prison and Probation Administration shall decide in which prison the prisoner is to serve his sentence. This decision shall take into account the prisoner's age, sex, criminal record and the severity of the sentence, and also the considerations applying to detention in each individual prison.
- Prisons are divided into open prisons and closed prisons. An application form for open prisons can be obtained from the prison staff.

Smoking

- Smoking is prohibited in all parts of the prison buildings.
- A director of a prison may allow prisoners to smoke in their own prison cells behind closed doors.

Work in prison (Law no. 15/2016 – article 25)

- Prisoners shall be obliged, as circumstances permit, to work or pursue other approved activities in prison. Further information is applied by the prison staff.

Studies and vocational training (Law no. 15/2016 – article 26)

- Prisoners shall have an opportunity to pursue studies or vocational training or participate in other activities held in the prison, according to what is practicable and what they are considered as being capable of doing. Further information is applied by the prison staff.

Allowances (Law no. 15/2016 – article 27)

- Prisoners shall receive an allowance for doing work or pursuing studies. If it is not possible to provide a prisoner with work, or if, according to a medical certificate, he is unable to discharge his obligation to work, he shall receive an allowance for the days on which he would otherwise have worked.

Breaches of discipline and disciplinary measures
(Law no. 15/2016 – article 73-74)

- Prison directors may apply disciplinary measures to prisoners in response to violations of the Execution of Sentences Act and the rules issued thereunder stating prisoners' obligations, providing that it is stated that violation will result in the imposition of disciplinary measures.

Security department

(Law no. 15/2016 – article 18 and 21)

- Prisons may be divided into departments. A special security department is located at the Prison Litla-Hraun.
- A Prison director may, for security reasons or in view of special circumstances, decide to transfer a prisoner to the security department if he has committed gross offence or repeated minor offences, if he is considered a threat to the security of the prison or if he can not, due to his behaviour be around other prisoners.

Visits

(Law no. 15/2016 – article 45-48)

- Prisoners may receive visits in prison, not less than once a week, according to facilities in the prisons.
- All visits from children must be accompanied by a legal guardian. Before a child is allowed to visit a prisoner there must always have been handed in a certified documentation from the Icelandic register (Þjóðskrá), tel: 515-5300, confirming who is the child's legal guardian. Note that it may take a few days for the Icelandic register, Þjóðskrá, to process such requests.

Short-term leave

(Law no. 15/2016 – article 61)

- Prison directors may grant prisoners short-term leave to spend time outside the prison for the following purposes:
- To visit a close relative or other close family member who is seriously ill, having received permission from the person concerned or his next of kin.
- To attend the funeral or funeral preparation ceremony of a close relative or other close family member; in the case of his or her spouse, direct descendant or parent, the prisoner may attend both the funeral preparation ceremony and the funeral.
- To attend the birth, baptism or confirmation of his or her child.
- To attend to particularly urgent personal interests.

Foreign prisoners

(Law no. 15/2016 – article 54)

- Foreign prisoners shall be entitled to contact their national embassies or consuls.
- If a prisoner is stateless, or is a refugee, the prison shall help him to contact representatives of Icelandic or international organizations which defend the interests of such persons.
- Foreign prisoners shall be entitled to the services of an interpreter, when necessary, when their rights and obligations during their time in prison are explained to them. They shall also have the right to contact their lawyers with the assistance of an interpreter when considered necessary.
- Foreign prisoners can apply for a transfer to a prison in his/her country of nationality. Further information is applied by the prison staff.

Practice of religion or philosophy

(Law no. 15/2016 – article 55)

- Prisoners shall have the opportunity of contacting a priest or comparable representative of a registered religious community or philosophical organisation.
- Prisoners shall be enabled to practice their religion or philosophy and their food habits and prayer sessions shall be taken into account in the work and studies of the prisoners as far as possible.

Regular day leave and family leave

(Law no. 15/2016 – article 56-60)

- The prison director may grant prisoners regular day leave to spend time outside the prison in order to be with their families or friends if this is considered to be beneficial as an element in the service of their sentences or in order to prepare them for when they complete their sentences.
- Leave under this Article may first be considered when the prisoner has served, in a continuous stretch, one third of his sentence, and not less than one year. When a prisoner has spent four continuous years in prison, he may be granted leave of this type even though one third of the sentence is not completed.
- If a prisoner has been granted regular day leave for 2 years he can be granted a family leave for 48 hours.
- In an application for leave, the prisoner shall state how he intends to spend the time or who he intends to visit. Before leave is granted, confirmation may be sought from the person named to establish that the

visit may take place. It is important to apply for such in good time, at least 4 weeks before the possible date. An application form can be obtained from the prison staff.

Studies, work or vocational training outside prison
(Law no. 15/2016 – article 62-63)

- The Prison and Probation Administration may grant prisoners who are serving long term sentences leave to spend time outside prison in order to pursue studies, work or vocational training for up to 12 months at the end of the sentence if this is considered beneficial as an element in the service of their sentences or in order to prepare them for when they complete their sentences. The prisoner must have served at least five years in prison before such a leave is considered.

Execution of sentences outside prison
(Law no. 15/2016 – article 31)

- The Prison and Probation Administration may permit a prisoner to complete the service of his sentence outside prison at Vernd (a half-way house) or at other similar institution or home, providing that he engages in work or a program of study which is approved by the Prison and Probation Administration.
- The prisoner himself shall pay the fees collected by such an institution or home from the inmates. The Prison and Probation Administration sets further rules on the premises and conditions for such placement.
- It is important to apply for such in good time. An application form can be obtained from the prison staff.

Confinement in a health-care or treatment institution
(Law no. 15/2016 – article 22)

- The Prison and Probation Administration may allow a prisoner to be confined, temporarily or for the duration of his term of imprisonment, in a health-care or treatment institution. An application form for a treatment institution can be obtained from the prison staff.

Electronic monitoring
(Law no. 15/2016 – article 32-34)

- If the prison sentence is 12 months, the prisoner can complete serving his sentence outside prison with electronic monitoring for 60 days.
- If the prison sentence is longer than 12 months, the prisoner will get 5 days on electronic monitoring for each month exceeding 12 months, though in total not more than 360 days.
- One of the requirements is that the prisoner has previously served a part of his sentence outside prison satisfactorily according to the 31st article.
- It is important to apply for such in good time. An application form can be obtained from the prison staff.

Probationary release
(Law no. 15/2016 – article 80-82)

- When a prisoner has completed half or two thirds of his sentence, the Prison and Probation Authority may decide that he is to be released on probation.
- When a prisoner has completed 1/3 of his sentence he can be released on probation if he was 21 or younger when the offence was committed and his manner and conduct during his imprisonment
- have been excellent
- It is important to apply for such in good time. An application form can be obtained from the prison staff.

Appeal procedure
(Law no. 15/2016 – article 95)

- Appeals against the decisions taken by the prison directors and the Prison and Probation Administration may be lodged with the Ministry of the Interior, Sölvhólsögötu 7, 101 Reykjavík, telephone 545-9000.

Parliamentary Ombudsman
(Law no. 15/2016 – article 23)

- Prisoners shall have the opportunity of contacting the Parliamentary Ombudsman. The address is Þórshamar, Templarasund 5, 101 Reykjavík. Tel. 510-6700, e-mail: postur@umb.althingis.is

Prison and Probation Administration in Iceland, 24 January 2017

