



REPUBLIC OF  
SLOVENIA



HUMAN  
RIGHTS  
OMBUDSMAN

## THE REPORT

OF THE HUMAN RIGHTS OMBUDSMAN  
OF THE REPUBLIC OF SLOVENIA

# ON IMPLEMENTING THE TASKS OF THE NATIONAL PREVENTIVE MECHANISM

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

**FOR 2022**

2022



REPUBLIC OF  
SLOVENIA



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**REPORT OF THE OMBUDSMAN OF  
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NATIONAL PREVENTIVE MECHANISM  
UNDER THE OPTIONAL PROTOCOL TO THE  
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OTHER CRUEL, INHUMAN OR DEGRADING  
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Ljubljana, May 2023



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**Legend:**

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commendations from the Ombudsman



warnings issued by the Ombudsman

# 1. IMPLEMENTATION OF TASKS AND AUTHORISATIONS OF THE NATIONAL PREVENTIVE MECHANISM IN 2022

# 1.1 GENERAL

In this document, the Ombudsman of the Republic of Slovenia (hereinafter: the Ombudsman) reports on the implementation of the duties and powers of the National Preventive Mechanism (NPM) in 2022 under the **Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment** (Optional Protocol), adopted by the United Nations General Assembly at its 57th session on 18 December 2002 and opened for signature and ratification from 4 February 2003.<sup>1</sup> **The Optional Protocol establishes a system of regular (preventive) on-site visits by independent international and national authorities to places where people are deprived of their liberty,<sup>2</sup> to prevent torture and other cruel, inhuman or degrading treatment or punishment.<sup>3</sup>** At the international level, the Optional Protocol establishes the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of the Committee against Torture (CAT), and obliges each State Party to the Protocol **to establish, designate and maintain at the national level a visiting body or bodies for the prevention of torture and other cruel, inhuman or degrading treatment or punishment (NPM).**<sup>4</sup>

Each NPM is responsible for visiting all places of deprivation of liberty in the country and for checking the treatment of persons deprived of their liberty, with a view to strengthening their protection against torture and other cruel, inhuman or degrading treatment or punishment. Taking into account legal standards, NPM recommends to the relevant authorities how to improve the situation and treatment of persons and prevent torture and other cruel, inhuman, degrading treatment or punishment. With regard to this, they can provide suggestions and comments on applicable and proposed laws.<sup>5</sup>

**In 2006, the Act on the Ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) entrusted the Ombudsman with additional duties and powers.<sup>6</sup> We are convinced that this was due to (1) the Ombudsman's constant attention to the complaints of persons deprived of their liberty and (2) his preventive role in this field through their established and well-developed modus operandi of visiting places where persons deprived of their liberty are located. In addition, with**

1 For Slovenia, the Optional Protocol entered into force on 22 February 2007 – see Official Gazette of the Republic of Slovenia No. 17/07, IT No. 3/07.

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

3 See Article 1 of the Optional Protocol.

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

5 See Article 19 of the Optional Protocol.

6 Official Gazette of the Republic of Slovenia, No. 114/06 – International Treaties, No. 20/06.

**regard to this, their independence (functional, personal, and financial), which is guaranteed by the Constitution and the Human Rights Ombudsman Act, was certainly of relevance.**

By being entrusted with the duties and powers of the NPM, the Ombudsman has become an integral part of the universally applicable system under the auspices of the United Nations that implements at international and national level an (additional) mechanism for the prevention of torture and other forms of ill-treatment of persons deprived of their liberty. **This is based mainly on regular visits to places of deprivation of liberty.** These preventive visits are intended to stop torture or other ill-treatment before it occurs.

**Since 2015, a special NPM unit that does not deal with individual complaints but only visits places of deprivation of liberty and carries out other duties of the NPM has been operating within the scope of the Ombudsman's function.**

This has ensured the separation of the two activities of the Ombudsman, i.e. preventive, which is carried out by the NPM, and responsive, which deals with the complaints received. The need for such a separation is explicitly underlined in item 32 of the Guidelines on National Preventive Mechanisms (SPT)<sup>7</sup> adopted at the Twelfth Session in Geneva that took place from 15 to 19 November 2010. It stipulates that where the authority responsible for the NPM carries out duties other than those under the Optional Protocol, the NPM's duties must be carried out within a separate unit or department that has its own staff and a separate budget. The exercise of the NPM's duties and powers is thus much more organised and, therefore, more efficient. Better organisation of the work also allows for better preparation, execution, and reporting on each individual visit.

The operation of a special internal organisational unit of the Ombudsman that only carries out the duties and powers of the NPM, was also stipulated in 2017 in Article 50c of the Act Amending the Human Rights Ombudsman Act (ZvarCP-B).<sup>8</sup> Furthermore, it also stipulated that the NPM be headed by a Deputy Ombudsman, who is authorised by the Ombudsman for a specific period of time.

In 2022, in addition to the Deputy Ombudsman and the Head of the NPM, Ivan Šelih, the following advisers to the Ombudsman continued to work in the NPM unit: Robert Gačnik, Bachelor of Criminal Justice and Security, Specialist in Criminal Investigation (responsible for visits to prisons, police stations, the centres for foreigners and the asylum centre), Jure Markič, MA, LLB (responsible for visits to social welfare institutions and psychiatric hospitals), Ana Polutnik, LLB (responsible for visits to competence centres for children and adolescents (educational/correctional institutes) and other places where children are deprived of their liberty), and Sonja Božič Testen, LLB, active mainly in the field of visits to places of deprivation of liberty of children and adults with developmental and physical disabilities.

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

<sup>8</sup> Official Gazette of the Republic of Slovenia, No. 54/17.



# 1.2

## COOPERATION WITH NON-GOVERNMENTAL ORGANISATIONS

Article 5 of the OPCAT stipulates that the Ombudsman shall exercise the functions and powers of the NPM. In addition, non-governmental organisations (NGOs) registered in Slovenia and organisations that have acquired the status of humanitarian organisations in Slovenia and are engaged in the protection of human rights or fundamental freedoms, in particular in the field of the prevention of torture and other cruel, inhuman or degrading treatment or punishment, may cooperate with the Ombudsman in carrying out controls at places of deprivation of liberty and in verifying the treatment of persons deprived of their liberty. The Ombudsman selects these organisations to carry out visits with them on the basis of an invitation to tender. The cooperation with the selected NGOs is governed in more detail by agreements.

The OPCAT also stipulates that persons from the selected organisations who are to participate in the performance of the NPM's tasks and powers must declare in writing in advance that they will act in accordance with the Ombudsman's instructions and the rules on the protection of personal and classified information in the performance of those tasks and powers, in the same way as the Ombudsman, his deputies, and the Ombudsman's staff.

The OPCAT further stipulates that funds for expenses and remuneration of persons from organisations which, together with the Ombudsman, carry out the tasks or exercise the powers of the NPM, will be paid by the Ombudsman from their budget items in accordance with the rules issued by the Ombudsman after the prior approval of the Minister of Finance.<sup>9</sup>

**Based on an invitation to tender<sup>10</sup> the following NGOs were selected in early 2019 to participate for a period until 31 December 2021, with the option of renewal for one year:<sup>11</sup> Novi paradoks – Slovenian Society for Quality of Life (NP), Pravo za VSE Society (Pravo za VSE), Caritas Slovenia (Caritas), SKUP – Community of Private Institutions (SKUP), PIC – the Legal Information Centre for NGOs, Ljubljana (PIC), Peace Institute Ljubljana (MI), The Slovenian Federation of Pensioners' Associations (ZDUS), Spominčica – Alzheimer Slovenia – Slovenian Association for Help with Dementia (Spominčica), and the Slovenian Foundation for UNICEF, an institution (UNICEF). With the exception of Caritas (due to staffing problems), we continued to work with all selected NGOs in 2022.**

The selected NGOs carry out the tasks and mandates of the visits with their own representatives, qualified in the specific fields of monitoring, who participate as members of a team appointed by the Ombudsman for each individual visit. Each monitoring team shall thus be composed of representatives of the Ombudsman and of the selected organisations, taking into account the programme of visits adopted for this purpose by the Ombudsman in cooperation with the selected organisations, and, where appropriate, other circumstances that would make an immediate visit necessary.

<sup>9</sup> The currently applicable Regulation was published in the Official Gazette of the Republic of Slovenia, No. 13/17.

<sup>10</sup> It was published in the Official Gazette of the Republic of Slovenia, No. 84/18.

<sup>11</sup> Currently valid names of the organisations are listed.

# 1.3

## VISITS TO PLACES OF DEPRIVATION OF LIBERTY

The Ombudsman, in his capacity as NPM, visits (in accordance with the annual programme of visits) all places of deprivation of liberty in Slovenia, thereby checking the treatment of persons deprived of their liberty, with a view to strengthening their protection against torture and other cruel, inhuman or degrading treatment or punishment. Taking into account legal standards, NPM issues recommendations to the competent authorities on how to improve the situation and treatment of persons and prevent torture and other cruel, inhuman, degrading treatment or punishment. In relation to this they also make suggestions and comments on applicable or proposed laws, as stipulated in the Optional Protocol.

The main places of deprivation of liberty in Slovenia include the following:

- prisons with all their units and the Radeče Correctional Home (ZPKZ),
- competence centres for children and adolescents with emotional and behavioural problems and disorders (SC),
- crisis centres for children and adolescents (KC),
- certain social welfare institutions (SVZs) – retirement homes, special SVZs, centres for training, work, and care (CUDV), and occupational activity centres (VDC),
- psychiatric hospitals (PB),
- police detention and holding facilities at police stations (PPs) and the Ljubljana Detention Centre,
- the Centre for Foreigners in Postojna (CT) and the Asylum Centre in Ljubljana with its branches (particularly the reception area),
- detention facilities with the Slovenian Armed Forces, and
- all other places under Article 4 of the Optional Protocol (e.g. police intervention vehicles etc.).

### 1.3.1 Visits in 2022

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**In 2022, the NPM visited 98 places of deprivation of liberty (some were visited twice), namely 20 PPs, 17 retirement homes, 16 different locations of SCs, eight ZPKZs, six special SVZs, four PBs, six KCs, five CUDVs, and 15 different locations of VDCs, and the Foreigners Centre in Postojna. All but four visits were unannounced, while 11 were follow-up visits (during which the NPM primarily checked the realisation of recommendations from previous visits).**

**The NPM has made more visits compared to 2021 (in 2021, 60 visits were made to different places of deprivation of liberty). However, in 2022, we also adapted our visits due to the Covid-19 disease pandemic, following the**

measures we took to prevent the spread of this disease. We continued to follow the principle of “do no harm”, as we wanted to take all precautionary measures in a precarious situation, both for the members of the NPM and in relation to the persons and staff of the closed institutions.

We have also taken into account the advice of the SPT to States Parties and national preventive mechanisms on the coronavirus pandemic (Covid-19 disease).<sup>12</sup>

Details of the visits in 2022 are shown in the following table.



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<sup>12</sup> Advice of the Subcommittee to States parties and national preventive mechanisms relating to the coronavirus disease (COVID-19) pandemic – CAT/OP/10.

## General information on 2022 visits:

YEAR 2022	POLICE STATIONS + DETENTION CENTRE	PRISONS <sup>13</sup>	CENTRE FOR FOREIGNERS	PSYCHIATRIC HOSPITALS (INCLUDING FORENSIC)	SPECIAL SOCIAL CARE INSTITUTIONS	RETIREMENT HOMES	COMPETENCE CENTRES FOR CHILDREN AND ADOLESCENTS	CRISIS CENTRES FOR CHILDREN AND ADOLESCENTS	CENTRES FOR TRAINING, WORK AND CARE	CARE AND WORK CENTRES	TOTAL
NUMBER OF VISITS	20	8	1	4	6	17	16	6	5	15	98
NUMBER OF ONE-DAY VISITS	20	7	1	4	6	17	16	6	5	12	94
NUMBER OF TWO-OR SEVERAL-DAY VISITS		1								3	4
ANNOUNCED VISITS		1					1	1	1		4
UNANNOUNCED VISITS	20	7	1	4	6	17	15	5	4	15	94
REGULAR VISITS	20	7	1			5	15	6	4	15	73
FOLLOW-UP VISITS		1		2	2	4	1		1		11
THEMATIC VISITS				2	4	8					14
MORNING	20	8	1	2	5	15	1	5	5	1	63
AFTERNOON				2	1	2	15	1		14	35
EXPERT PARTICIPATION		3	1			5					9

The Ombudsman involves experts with the broadest possible range of recommended specific skills in the exercise of the NPM's tasks and powers. As the selected NGOs are not able to provide some other relevant experts, and the Ombudsman does not have a person with a health care background on its staff, we had to select some of the missing experts from outside. Following a public notice inviting applications for inclusion on the list of medical experts who will provide the Ombudsman with expert assistance in establishing, clarifying or assessing facts that might indicate cases of torture and other cruel, inhuman or degrading treatment or punishment, in 2021, we selected five medical experts (three specialists in psychiatry, a specialist in general surgery, and a specialist in orthopaedics)

<sup>13</sup> Representatives of Turkey (10 and a translator) participated in a follow-up visit to ZPKZ Dob pri Mirni as observers, which is why there was no NGO representative present.

to support the Ombudsman in the visits to places where persons are deprived of their liberty, with the necessary expertise that the Ombudsman does not have. We have also included them in some of our visits in 2022.

The NPM prepares a comprehensive (final) report on the findings of each visit to the institution visited. This report also contains proposals and recommendations to remedy and improve the situation, including measures to reduce the likelihood of future irregularities or shortcomings. The Ombudsman's representatives and representatives of the selected NGOs are involved in the preparation of the report on the visit. Each participant in the visit, including NGO representatives, must prepare a short report on their own findings from the visit, together with recommendations that form part of the monitoring report. The report is sent to the competent authority, i.e. the superior authority of the institution visited, with a proposal that it take a decision on the allegations or recommendations in the report within a set time limit and communicate this to the Ombudsman. The report is shared with the institution visited, and in some cases (e.g. visits to social welfare institutions, psychiatric hospitals, and specialist centres or crisis centres for children and adolescents) a preliminary report is also produced. The Ombudsman's representative is usually responsible for drawing up the report on the visit, but a representative of the selected NGO may also be responsible.

**The participation of representatives of the selected NGOs in the visits and final reports in 2022 is shown in the table below:**

YEAR 2022	POLICE STATIONS	MILITARY POLICE	PRISONS + RADEČE CORRECTIONAL HOME	CENTRE FOR FOREIGNERS	PSYCHIATRIC HOSPITALS	SPECIAL SOCIAL CARE INSTITUTIONS	RETIREMENT HOMES	COMPETENCE CENTRES FOR CHILDREN AND ADOLESCENTS	CRISIS CENTRES FOR CHILDREN AND ADOLESCENTS	CENTRES FOR TRAINING, WORK AND CARE	CARE AND WORK CENTRES	TOTAL
PRAVO ZA VSE	2		3		1	4	7	2	2	1	2	24
FINAL REPORT	2		1				3					6
PIC	6		1	1				5				13
FINAL REPORT	6											6
PEACE INSTITUTE	4		3						2		1	10
FINAL REPORT	4		1									5
NOVI PARADOKS					2	1					2	5
ZDUS			2				4		1	1	6	14
FINAL REPORT			2									2
SKUP	8						2	5		1	2	18
FINAL REPORT	8						1	1 <sup>14</sup>				10
UNICEF			1					4	1	2	2	10
SPOMINČICA					1	1	3					5

14 The report refers to the four locations visited.

# 1.4

## IMPLEMENTATION OF THE RECOMMENDATIONS ISSUED BY THE NPM

Implementing the recommendations of the NPM is an obligation of the State Party to the Optional Protocol. Article 22 of the Optional Protocol requires the competent authorities of the State Party to consider the recommendations of the NPM and to engage in a dialogue with the NPM on possible measures to implement the recommendations. **All recommendations and the competent authorities' responses to them from the visits of the NPM in 2022 are published in separate tables by visited institution on the Ombudsman's website.**<sup>15</sup> Following the example and good experience of some national preventive mechanisms, in 2018 the NPM decided to set up specific tables to review the recommendations issued by the NPM. The NPM has also taken into account its own experience and needs in preparing them. First, the keywords that will be used to tag each recommendation have been identified. There are twelve labels: **(1) general, (2) living conditions, (3) treatment, forms of work, (4) health care, (5) activities, (6) staff, (7) contact with the outside world, (8) nutrition, (9) handling undesirable behaviour, breaches of living rules, (10) records, documentation, (11) legal protection, channels of appeal, (12) transfer, discharge, (13) other.** The NPM then created different headings in the spreadsheet, so that for each recommendation it is immediately clear which visit was made and in relation to which place of deprivation of liberty, at which location, what type of visit it was, which NGO was involved, and whether an expert was also involved in the visit. The table lists the overall recommendation, a brief explanation of the recommendation if necessary, the type of recommendation (**systemic, general or individual**), the keyword mentioned above, the response to the recommendation and a commentary on the response if necessary, the findings from the audit visit, and the response to these findings. The good practices and compliments the NPM has received in its work are also entered in the table. On the basis of the responses received (from the visited institution or parent body) to the recommendations, the NPM determines whether or not the NPM recommendation has been accepted and implemented by the visited institution and/or parent ministry. The implementation of the recommendations is regularly reviewed during follow-up visits to individual institutions and, where necessary, by means of monitoring visits.<sup>16</sup>

<sup>15</sup> See: <http://www.varuh-rs.si/o-instituciji/podrocja-dela-varuha/drzavni-preventivnimehanizem>.

<sup>16</sup> The tables of recommendations on our website are updated on an ongoing basis and the statistics in the tables published in this report cover the situation as of 13 January 2023.

## 1.4.1 Statistical overview of NPM recommendations in 2022

### Recommendations by type

YEAR 2022	INDIVIDUAL	SYSTEMATIC	GENERAL	TOTAL
CENTRE FOR FOREIGNERS			13	13
CENTRES FOR TRAINING, WORK AND CARE		15	46	61
RETIREMENT HOMES		8	60	68
PSYCHIATRIC HOSPITALS		2	6	8
SPECIAL SOCIAL CARE INSTITUTIONS		4		4
CARE AND WORK CENTRES		21	96	117
COMPETENCE CENTRES FOR CHILDREN AND ADOLESCENTS		5	24	29
CRISIS CENTRES FOR CHILDREN AND ADOLESCENTS		5	16	21
PRISONS (INCLUDING THEIR BRANCHES)			119	119
POLICE STATIONS			131	131
<b>TOTAL</b>		<b>60</b>	<b>511</b>	<b>571</b>

## Recommendations by keyword

YEAR 2022	ACTIVITIES	LIVING CONDITIONS	OTHER	RECORDS, DOCUMENTATION	ADDRESSING ADVERSE BEHAVIOUR	TREATMENT, FORMS OF WORK	STAFF	LEGAL REMEDY, APPEAL CHANNELS	FOOD	RELOCATION, RELEASE	GENERAL	CONTACTS WITH THE OUTSIDE WORLD	HEALTHCARE	TOTAL
CENTRE FOR FOREIGNERS	1	3	1			3	1	1	1				2	13
CENTRES FOR TRAINING, WORK AND CARE	2	18	3		4	18	6	9			1			61
RETIREMENT HOMES	9	8			5	1	3	30				6	6	68
PSYCHIATRIC HOSPITALS		3			2		1	1	1					8
SPECIAL SOCIAL CARE INSTITUTIONS		4												4
CARE AND WORK CENTRES	8	31	7		2	33	15	16			1	4		117
COMPETENCE CENTRES FOR CHILDREN AND ADOLESCENTS		9			2	4	1	7		1	4	1		29
CRISIS CENTRES FOR CHILDREN AND ADOLESCENTS		9		1		2		3			5		1	21
PRISONS (INCLUDING THEIR BRANCHES)	13	50	4		1	12	16	2	3		1	8	9	119
POLICE STATIONS	2	35		42		27	1	21	3					131
<b>TOTAL</b>	<b>35</b>	<b>170</b>	<b>15</b>	<b>43</b>	<b>16</b>	<b>100</b>	<b>44</b>	<b>90</b>	<b>8</b>	<b>1</b>	<b>12</b>	<b>19</b>	<b>18</b>	<b>571</b>

1.4 IMPLEMENTATION OF THE RECOMMENDATIONS ISSUED BY THE NPM



## Recommendations in the light of the response

YEAR 2022	UNACCEPTED	NO RESPONSE	ACCEPTED BUT NOT IMPLEMENTED	ACCEPTED AND IMPLEMENTED	WAITING FOR A RESPONSE <sup>17</sup>	TOTAL
CENTRE FOR FOREIGNERS			5	8		13
CENTRES FOR TRAINING, WORK AND CARE	3		45	8	5	61
RETIREMENT HOMES			21	29	18	68
PSYCHIATRIC HOSPITALS		1	6	1		8
SPECIAL SOCIAL CARE INSTITUTIONS			4			4
CARE AND WORK CENTRES	6	5	55	28	23	117
COMPETENCE CENTRES FOR CHILDREN AND ADOLESCENTS			16	7	6	29
CRISIS CENTRES FOR CHILDREN AND ADOLESCENTS			14	4	3	21
PRISONS (INCLUDING THEIR BRANCHES)	3		54	62		119
POLICE STATIONS	4	1	31	95		131
<b>TOTAL</b>	<b>17</b>	<b>7</b>	<b>249</b>	<b>243</b>	<b>55</b>	<b>571</b>

<sup>17</sup> At the time of writing (13 January 2023), the NPM was still waiting for the response of SC to the preliminary report on the visit to the Jarše Youth Home (living groups Hiša, Zeleni tir, Kokos, and Črnuška gmajna), for the response to the final report on the visit to the Palčica Crisis Centre for Children, the response by the MDDSZ to recommendations given upon thematic visits to retirement homes (wards with personal supervision), the response of Dom Hmelina, Radlje ob Dravi, the responses to preliminary reports on the visits of VDC Polž (Maribor residential unit and Maribor residential group care) and ZUDV Dornava, and responses of the MDDSZ to the final report on the visits to VDC Tolmin (the residential unit and residential group care), VDC Nova Gorica, VDC Novo mesto, and VDC Črnomelj.

# 1.5

## INTERNATIONAL AND OTHER ACTIVITIES OF THE NPM

In addition to visits to places of deprivation of liberty, the NPM carries out a number of other tasks or activities. This includes **drafting proposals and comments on existing or proposed laws**.

**The members of the NPM also prepared answers to questions from various networks or other NPMs and bodies, attended various education, training, and other meetings where they presented their work. Thus, they again participated in the implementation of a training programme for newly recruited judicial police officers, with Deputy Ombudsman Ivan Šelih presenting the work of the Ombudsman to the judicial police officers, and the Ombudsman's advisor Robert Gačnik, Specialist, presenting the work of the NPM.**

In the context of the development of guidelines and statutory instructions for the preparation of the Police Work Plan and the planning of the supervision of the Police, **members of the NPM met again this year (as is customary) with the Police Directorate and Other Security Directorate of the Ministry of the Interior. We have also continued to be active in the South-East Europe (SEE) NPM Network,<sup>18</sup> which aims to establish better cooperation, exchange experiences, and undertake a number of joint activities to more effectively carry out the tasks and mandates of the NPM for the SEE region under the Optional Protocol.**

These and other activities of the NPM are also reflected in the overview of other NPM activities in 2022, which is annexed to this report.

<sup>18</sup> See <http://www.varuh-rs.si/o-instituciji/podrocja-dela-varuha/varuh-kot-drzavni-preventivni-mehanizem/south-east-europe-npm-network/>.

# 1.6 FINANCES

Paragraph 2 of Article 5 of the Human Rights Ombudsman Act stipulates that the amount of funds for the Ombudsman's work shall be determined by the National Assembly in the state budget. However, the Ombudsman's own budget includes a separate allocation for the work of the NPM under the sub-programme "Implementation of the tasks and powers of the NPM".

**In 2022, the Ombudsman spent EUR 132,277 on salaries and other staff expenses. Of this, salaries and allowances amounted to EUR 105,264, annual leave allowance to EUR 2,769, reimbursements and allowances to EUR 3,496, merit allowances to EUR 2,032, other staff expenses to EUR 193, employers' social security contributions to EUR 17,290, and collective supplementary pension insurance premiums under the Law on Supplementary Pension Insurance for Civil Servants to EUR 1,233.**

**In 2022, EUR 41,226 was spent on material costs under the Option Protocol. Of this EUR 9,137 for office and general supplies and services, EUR 314 for communication services, EUR 2,143 for mission expenses, EUR 5,217 for other operating expenses, and EUR 24,415 for office rents.**

**In 2022, the Ombudsman spent EUR 11,462 of the funds earmarked for cooperation with NGOs, of which EUR 4,289 on other operational expenditure and EUR 7,173 on current transfers to non-profit organisations and foundations.**

YEAR 2022	ALLOCATED FUNDS (STATE BUDGET) IN EUR	APPROVED BUDGET IN EUR	FUNDS SPENT IN EUR	REMAINING BALANCE OF APPROPRIATIONS AGAINST THE APPROVED BUDGET IN EUR
IMPLEMENTATION OF TASKS AND AUTHORISATIONS UNDER THE NATIONAL PREVENTIVE MECHANISM	208.052	208.052	184.965	23.087
SALARIES	134.052	134.052	132.277	1.775
MATERIAL COSTS	62.000	62.000	41.226	20.774
COOPERATION WITH NGOS	12.000	12.000	11.462	538

# 1.7

## CONCLUDING REMARKS

Encouragingly, we can conclude this report by reporting that **no cases of torture were identified by the NPM during its visits in 2022**. However, the NPM has repeatedly drawn attention to cases that may constitute inhuman or degrading (ill-treatment) of individuals deprived of their liberty (e.g. due to overcrowding in secure wards of special social care institutions) through recommendations for improvement.

In addition to the most important preventive effect of the visits, which aim to prevent torture or other ill-treatment before it happens, the NPM notes that **in many of the establishments visited, the living conditions and treatment of persons deprived of their liberty have improved in 2022, precisely as a result of the NPM's recommendations**.



Again, we can be largely satisfied with the responses of the competent authorities (in particular the institutions visited) to our findings and recommendations for improvement, as they respond regularly and show a willingness to cooperate. However, we stress that in order to improve the situation of persons deprived of their liberty in one way or another, even better and deeper cooperation between the relevant ministries is needed, especially in areas where systemic changes are needed.

The visits carried out in 2022 are reported in more detail in Part 2 of this report. Here, however, we highlight just some of the key findings.

**In 2022, the NPM once again found in all crisis centres for children and adolescents visited that placements of children and adolescents in crisis centres are getting increasingly longer.** Hence, the NPM again recommended that the MDDSZ determine the reasons for long-lasting placements in crisis centres in cooperation with other competent bodies and to study whether such placements are in accordance with the purpose of the operation of crisis centres or whether such placements benefit children or adolescents, and if needed, to adopt appropriate measures for the operation of crisis centres which will be in accordance with their purpose and beneficial for children and adolescents.<sup>19</sup> In 2022, when visiting crisis centres for children and adolescents, the NPM **still also found that the operation of these institutions is not regulated in detail**. The NPM again recommended that the MDDSZ study whether the position and operation of crisis centres for children and young people should be more comprehensively defined in the regulations. Considering the fact that while visiting the crisis centres the NPM found that **more and more children and young people placed in crisis centres have emotional and behavioural problems or mental health disorders**, the NPM recommended that the ministry carefully study this issue when preparing



<sup>19</sup> Report on the visit to Marelična hiša crisis centre for children and adolescents in Koper (no. 12.2 – 45/2022 of 08/09/2022).

regulations that deal with their operation.<sup>20</sup> It was also recommended that the MDDSZ research the **need for the establishment of (at least) another crisis centre for children younger than six years old in Slovenia and** then also found such a potential crisis centre as soon as possible.<sup>21</sup>



During the follow-up visit of the **Zavod za usposabljanje, delo in varstvo dr. Marijana Borštnarja Dornava**, which as the first CUDV has established a secure ward for children and adolescents with a more severe form of mental disorder, **progress** was evident **in comparison to our visit in 2021, both in the provision of better living conditions and in the respect of provisions of the ZDZdr regarding placements on secure wards and the use of special protective measures (SPM)**. During regular visits to four CUDVs and all visited VDCs the NPM still found that there are also some children, adolescents, and adults living in these institutions who cannot independently leave the premises and thus have their personal liberty limited, which means that they are actually (de facto) placed on secure wards. **None of them were placed at the CUDV or VDC in accordance with the provisions of the ZDZdr, which is the basis for the restriction of personal liberty in social care institutions.**



The NPM warned about the limiting of personal liberty without legal grounds in all its visits and since this is a problem of a systemic nature, it was recommended that the MDDSZ start activities for the provision of an appropriate legal basis for the limitation of personal liberty of users in all CUDVs and VDCs in Slovenia.



During the visits to the CUDV, the personnel also brought to the attention of the NPM the **poorer mandated staffing levels in special educational programmes conducted in CUDVs, in comparison to the mandated levels valid for schools with an adapted educational programme**. In the VDCs the NPM found that, due to the ageing of users, their needs are different and thus more units for 24-hour institutional care should be provided, while the mandated staffing level should also be adapted to the needs of the users. The NPM alerted both competent ministries about these shortcomings and presented recommendations for the improvement of the situation. Upon its future (follow-up) visits the NPM will pay special attention to the activities in this area and the realisation of the given recommendation, both to the ministries and the visited institutions.



Visits to **special social care institutions** in 2022 were (once again) marked primarily by the **question of overcrowding of secure wards** of these institutions, which was also the topic of thematic visits, within which the NPM visited four special social care institutions. Considering the findings from these visits the NPM (once again) recommended that the MDDSZ start searching (significantly faster) for appropriate solutions for the placement of individuals who need to be detained on a secure ward of a social care institution, and with that, in addition to care, appropriate protection, so that overcrowding is no longer an issue on the present secure wards of special social care institutions. Simultaneously it recommended that in social care institutions which are (also) intended for adolescents enough places be provided on secure wards for the courts to be able to place those adolescents

20 Report on the visit to 10-ka crisis centre for children and adolescents in Nova Gorica (no. 12.2 – 21/2022 of 11/05/2022).

21 At the time this annual report was being prepared (i.e. 13/01/2023) the NPM had not yet received a reply from the MDDSZ to the report about the visit to the Palčica Crisis Centre for Children (the due date has not yet been exceeded).

who need protection in institutions intended for this population and appropriate for it and which can offer them the best possible care and protection due to the appropriate training of the employees.

On the basis of thematic visits to **two psychiatric hospitals**, the NPM found that the **distress, as well as spatial constraints, is transferred to the environment (psychiatric hospitals, home environment)** in which individuals await admission or detention on secure wards of special social care institutions, even for as long as several months.



During **visits to retirement homes** in the past the NPM has warned several times about the **inappropriate mandated staffing levels** and recommended that the MDDSZ renovate these institutions based on the increased needs in the retirement homes, including in relation to the change in the structure of residents. Even though a **redefinition of mandated staffing levels took place** in 2022 and the number of employees will gradually increase, the NPM determined this year that retirement homes face another problem – **appropriate staff needed for the most comprehensive care for their residents are simply not available in the labour market.**



Based on performed thematic visits in 2022, the NPM found that the retirement homes visited support the concept of personal assistance; however, the NPM once again finds – as was their experience during the visits to other retirement homes in the past – that this concept has not (yet) been implemented. The retirement homes which refer to their wards differently, (e.g. as household groups), designate the manner of protecting residents with the (leading) diagnosis of dementia as protection with personal assistance. However, in fact, in all retirement homes visited this includes protection with the personnel. **In this regard, the NPM recommended that the MDDSZ prepare appropriate legal arrangement of the wards on which protection of residents is provided with personnel, while an appropriate legal basis needs to be acquired for detention on such a ward. Furthermore, the NPM also recommended that the MDDSZ provide the appropriate personnel increase of (actual) wards with personal assistance (which not only involves a change in staffing levels but also promotes care-focused careers to young people and adults to meet the gap in the labour market and to compensate employees appropriately and the appropriate rewarding of the employees). At the same time, it should ensure appropriate control over the implementation of the concept that the personal liberty of an individual resident must not be interfered with under any circumstances (neither physically nor by employees).** The NPM also finds that an **important pillar of the protection of rights of people with mental health problems are representatives defined in the chapter of the ZDZdr about the rights of people on wards under special supervision, on secure wards, and in supervised treatment.** The role of representatives **is still very poorly known or even unknown to residents of retirement homes, their relatives, and also to the employees.**



During the **visits to the ZPKZ or their wards** it was found that this time more than half of presented recommendations (62 of 119 in total) have been adopted and realised, while quite a few recommendations from previous visits have also been adopted. For the recommendations that have yet not been realised (54), it was found that their realisation requires more time or additional financial means. In

2022, only three recommendations remained unaccepted, which is significantly less than in 2021, when there were eight such recommendations. The majority of recommendations pertained to living conditions, treatment of prisoners, and forms of work, staff, possibilities of activities, and others.



Also during the visits to **police stations (PP)**, the NPM found in 2022 that **PPs or the MNZ are carrying out the NPM's recommendations**, since of the total of 131 presented recommendations 95 were accepted and realised, which is approximately two thirds of all recommendations. Unfortunately, it was also found that many of the recommendations which have indeed been realised again pertained to **determined shortcomings in keeping documentation** necessary for the performance of detention and which are discovered and repeated every year.



**Upon the visit to the Centre for Foreigners in Postojna, the NPM** emphasises that **the renovation of the reception centre for foreigners has been carried out**, which contributes to the better quality of both the placement and the activities with the foreigners in the acceptance period.

# 2.

## VISITS TO PLACES OF DEPRIVATION OF LIBERTY



## 2.1

# VISITS TO CRISIS CENTRES FOR CHILDREN AND ADOLESCENTS

In 2022, the NPM visited **six (6) crisis centres for children and adolescents**. The **10-ka crisis centre for children and adolescents in Nova Gorica** was visited by the NPM on 14/03/2022, the **Marelična hiša crisis centre for children and adolescents in Koper** on 01/06/2022, the **Crisis Centre for Young People in Murska Sobota** on 06/07/2022, the **Crisis Centre for children and adolescents Krško** on 26/07/2022, the **Crisis Centre for Young People Maribor** on 23/08/2022, and the **Palčica Crisis Centre for children in Grosuplje** on 06/09/2022. The NPM visited all the stated centres for the first time and all visits were regular. The visit to the Palčica Crisis Centre for Children was announced, while other visits were unannounced.

Following the visits, the NPM gave a total of **21 recommendations, of which six were to the MDDSZ (five systemic and one general), and 15 were addressed to the visited crisis centres or centres for social work**, the organisational units of which are crisis centres. **Three recommendations presented to the ministry by the NPM still await realisation**, while at the time this report was completed the NPM had not yet received a response from the competent ministry (the deadline for replying had not yet been exceeded). **The visited crisis centres or centres for social work accepted and realised four recommendations, and 11 other recommendations have been accepted but their realisation is still awaited.**



The NPM started to visit the crisis centres for children and adolescents<sup>22</sup> in 2020. Following the entry into force and application of the Family Code (DZ), we have also received confirmation from the MDDSZ that crisis centres are subject to placements made in accordance with Article 162 (according to which the court, for the protection of the best interests of the child, issues a temporary order removing the child from the parents and placing him/her with another person, in a crisis centre, in foster care or in an institution) and Article 167 (according to which, in the event of serious danger, the social work centre shall remove the child from the parents and place him/her with another person, in a crisis centre, in foster care or in an institution before the court decides on the application), the second paragraph of Article 4 of the Optional Protocol is used.

At the first visit to the Crisis Centre for Children and Adolescents in August 2020 the NPM found that the concept of crisis centre operation – the essential elements of which were the short duration and voluntary placement of a child or an adolescent – changed significantly with the implementation of the ZPND, and especially with the implementation of the DZ, which introduced placement in crisis centres for children and adolescents based on court orders.<sup>23</sup> The crisis centres

<sup>22</sup> At the time this annual report was prepared (i.e. 13/01/2023), Slovenia had nine crisis centres for children and adolescents intended for children and adolescents from six to 18 years of age, and one crisis centre for children only for children under the age of six.

<sup>23</sup> The report on the visit to the Ljubljana Crisis Centre for Young People.

for children and adolescents were supposed to be intended for short-term placements during which a permanent solution for a child or an adolescent would be found in cooperation with the competent centre for social work.<sup>24</sup> Following the example of similar programmes from abroad the period of placement was set at 21 days, which proved to be appropriate during the 25 years of the crisis centres' operation. **After the DZ was implemented, the duration of placement of children and adolescents in crisis centres started extending.**



Thus, in 2020, the NPM recommended that the MDDSZ and MP study the arrangement in accordance with the DZ and find an appropriate solution which would prevent long-lasting placements of children or adolescents, which are the consequence of the course of court proceedings, from interfering with their operational concept.<sup>25</sup>

**In 2022, the NPM once again found in all the visited crisis centres for children and adolescents that placements of children and adolescent in crisis centres are becoming longer.** Employees stressed the distress long-term placements cause to the placed children and adolescents as well as to themselves. In the reports about the visits, the NPM brought attention to the mentioned issue and repeated the recommendation to **the MDDSZ, in cooperation with other competent bodies, define reasons for long-term placements in crisis centres, study whether such placements are in accordance with the purpose of the crisis centres' operation or whether such placements benefit the children or adolescents, and, if needed, adopt appropriate measures for the operation of crisis centres which will be compliant with their purpose and beneficial for children or adolescents.**<sup>26</sup>



The MDDSZ responded to the warnings and the recommendation of the NPM stating that for the purpose of defining the causes of long-term placements and preparation of appropriate system solutions within the responsibilities of the ministry they had held a meeting with the MP, at which they adopted proposals for every sector to prepare measures according to their competences.<sup>27</sup> The MDDSZ agreed that, given the systemically determined range of services that are provided in the crisis centre during the placement, this type of placement can only

24 Placement of a child in a crisis centre for children and adolescents on the basis of the DZ within the framework of measures to protect the interests of children is carried out as a crisis placement, performed by the centre for social work in accordance with Article 49 of the ZSV. The latter stipulates in the third paragraph that the crisis accommodation is carried out by the centre for social work. Crisis accommodation is the accommodation of an individual who needs immediate help due to domestic violence or other circumstances that directly endanger and distress the person. Crisis accommodation is short-term and is carried out in a crisis centre that provides first social assistance, personal assistance, offers reception and care of users, offers shelter, prepares measures for returning to the home environment or another form that replaces the home environment, and cooperates with centres for social work, educational institutions, and public institutions in the field of health, the police, and other state bodies and organisations responsible for the treatment of children and adolescents.

25 The NPM also warned about the issue of long-lasting placements in crisis centres for children and adolescents in the Report on Implementing the Tasks of the National Preventive Mechanism for 2020.

26 Report on the visit to the Marelična hiša crisis centre for children and adolescents in Koper.

27 A letter by the MDDSZ no. 070-70/2022/2 of 10/10/2022, etc.



be short-term. Placement in a crisis centre does not enable upbringing, education, preparation for life, and replacing the function of home, which is generally the content of other forms of placement in institutional care. In the context of the search for solutions to the above-mentioned problem, the MDDSZ obtained numerical data from social work centres, the units of which are crisis centres for children and adolescents, regarding the duration of placements or the duration of the procedure. **In October 2022, the MDDSZ sent a notice to all social work centres, in which it warned that it is important that social work centres, within the scope of their competences, carry out those activities that can contribute to the shorter placement of a child or adolescent in a crisis centre, i.e. by immediately searching for further suitable accommodation for the child and submitting a proposal for the issuance of a new temporary order regarding the placement or transfer of the child to foster care or an institution or to another person, all taking into account the child's benefit.**<sup>28</sup> At the same time, the ministry also pointed out systemic deficiencies in the field of fostering activities and envisaged the renewal of this activity with the aim of upgrading and improving the current arrangement. In search of a solution to the problem of long-term placement of children and adolescents in crisis centres, the MDDSZ, in connection with the problems regarding the placement of children and adolescents in specialist centres in accordance with the provisions of the ZOOMTVI, also turned to the MIZŠ, namely with an initiative to hold a joint meeting.<sup>29</sup>



In 2022, during visits to crisis centres for children and adolescents, **the NPM also noted that the operation of these institutions is not regulated in detail.** The tasks of crisis centres are defined in the *Catalogue of public powers, tasks under the law, and services provided by social work centres*, which is prepared and supplemented by the Association of Centres for Social Work of Slovenia, which, in accordance with Article 68.c of the ZSV, has the public authority to define in the field of implementation of the activities of social work centres the catalogue of tasks performed by social work centres as social welfare services, as tasks entrusted to them by law as public powers, and as tasks imposed on them by other regulations. However, in 2010 (after the crisis centres became part of the service for coordination and assistance to victims of violence based on the ZPND) in 2010, the MDDSZ issued (only) *Clarifications and professional guidelines for the operation of crisis centres and intervention services within the regional service for coordination and assistance to victims* (no. 0075-14/2010-1 of 14/09/2010, hereon: Clarifications), which are the (more detailed) basis for the operation of crisis centres for children and adolescents.

In 2020, the NPM already warned the MDDSZ that, in the opinion of the NPM, the issued Clarifications indicate that the operation of crisis centres is not fully and clearly regulated in the regulations and that in this regard it would be reasonable to examine whether the operation of crisis centres should be more compre-

28 During visits to crisis centres for children and adolescents in 2020 and 2021, the NPM also identified problems due to inadequate mandated staffing levels for crisis centres, which is why it repeatedly recommended to the MDDSZ that it check the adequacy of the staffing levels and change them if necessary.

In September 2021, the MDDSZ supported the proposal to increase the mandated staffing levels, as proposed by the Association of Centres for Social Work of Slovenia, in accordance with the public authorisation from Article 68.c of the ZSV, so that the number of employees in crisis centres for children and adolescents increased from five to six, and in the crisis centre for children from seven to nine employees.

29 A letter by the MDDSZ no. 1225-111/2022/26 of 04/01/2023.

hensively regulated.<sup>30</sup> Given that since 2010, when the Clarifications were issued, crisis centres for children and adolescents have also provided accommodation in accordance with the DZ, the NPM also recommended that the ministry (at least) supplement the Clarifications accordingly. In 2021, the NPM repeated its stated recommendation twice.<sup>31</sup> **In 2022, the NPM again recommended that the MDDSZ examine whether the position and operation of crisis centres for children and adolescents should be more comprehensively regulated, or whether, in view of all the powers that crisis centres have and the problem they face while dealing with children and adolescents, it is necessary to amend the Clarifications, and further, that the ministry should then also take appropriate action.**<sup>32</sup>



Given that, during their visits to crisis centres, the NPM noted that more and more children and adolescents placed in crisis centres have emotional or behavioural problems or disorders, as well as mental health problems, the NPM recommended that the ministry, **upon examination and possible modifications of the Clarifications, study the issue connected to the treatment of children and adolescents with mental health problems which crisis centres for children and adolescents are dealing with, and take it into account during the modification.**<sup>33</sup> The ministry replied that – in view of all the current social changes and challenges brought about by the epidemic and other crisis situations, and in view of the fact that employees in crisis centres take care of and work with children and adolescents who are faced with increasingly complex problems – it agrees with the recommendation and that when the Clarifications are changed, they will also start solving the issues related to the treatment of children and adolescents with mental health problems.<sup>34</sup>

In 2022, the NPM visited the only crisis centre for children up to the age of six in Slovenia for the first time, i.e. the Palčica Crisis Centre for Children in Grosuplje. During the visit the NPM found that the **crisis centre is mostly fully occupied or even over-occupied, while the duration of placements (just as in crisis centres for children and adolescents) is becoming increasingly longer.** The NPM was familiarised with the fact that working with children who live in the crisis centre for children – considering their age or developmental needs, considering the level of difficulty of caring for an individual child due to their personality traits, emotional and behavioural distresses, and health problems as well as considering the additional tasks of the staff related to the placement of children – can be very demanding.



**Thus, the NPM recommended that the MDDSZ study the need for the establishment of (at least) one additional crisis centre for children younger than six years old in Slovenia and then also found such a potential crisis centre as soon as possible.**<sup>35</sup>

30 Report on the visit to the Ljubljana Crisis Centre for Young People.

31 Report on the visit to the Kresnička Crisis Centre for Young People and the report on the visit to the Celje Crisis Centre for Young people.

32 Report on the visit to the Murska Sobota Crisis Centre for Young People.

33 Report on the visit to the 10-ka Crisis Centre for Children and Adolescents in Nova Gorica.

34 A letter by the MDDSZ no. 070-35/2022 of 13/06/2022.

35 At the time this annual report was being prepared (i.e. up to 13/01/2023) the NPM had not yet received a reply from the MDDSZ to the report about the visit to the Palčica Crisis Centre for Children (the due date has not yet been exceeded).



At the Palčica Crisis Centre for Children the NPM found that they have enough clothes and shoes for children, hygiene items (nappies, lotions, shampoos, wipes, etc.), toys, and other accessories (bottles, dummies, tubs, pads, etc.), cleaning fluids and cleaning accessories, and mattresses needed for the children. The NPM was also informed that all of the above or the means for purchasing all of the above were mostly donated to the centre by companies and individuals. **The NPM generally finds it encouraging and welcome that the crisis centre acquires various items of equipment and accessories for children or such means with donations from individuals and companies; nevertheless, all the necessary equipment and accessories for the basic needs of the children placed in the crisis centre must be first and foremost provided by the founder.** Hence, the NPM recommended that the MDDSZ **ensure that the Ljubljana CSW or the Palčica Crisis Centre for Children will receive enough funding for all the necessary equipment and accessories for the needs of children placed in the crisis centre, or for the implementation of their programme.**



During the visit to the **Palčica Crisis Centre for Children**, the NPM learned that the staff of the centre indeed face many problems and that their work is demanding but **the children are well taken care of. This is certainly contributed to by good relationships between the employees, students, and volunteers, as well as their adaptation to everyday challenges in the work in the crisis centre, which was especially commended by the NPM.** The NPM gave three recommendations to the crisis centre or the Ljubljana CSW. **All recommendations were accepted, but, at the time of the response of the crisis centre or the Ljubljana CSW, were still unrealised.** The NPM recommended that they take appropriate care of the maintenance of the equipment and facilities of the crisis centre and thus provide optimal living conditions for children and working conditions for the employees. **The NPM recommended that the Ljubljana CSW make arrangements with the cleaning service to clean the premises and equipment of the Palčica Crisis Centre more frequently. Since the NPM found during their visit that school-age children placed in the centre generally do not attend school, the NPM advised that the Ljubljana CSW provide education to these children in accordance with the ZOsn.** The NPM believes that the issue the crisis centre is facing (e.g. long-lasting placements, too small a number of employees for accompanying children to school and for providing learning support), demands the bodies responsible take appropriate action, but cannot be the reason that school age children have their right to education violated. In its response, the Ljubljana CSW stated that they agree that it would be good to provide schooling to school-age children (in accordance with the legislation), but they emphasised that, as a rule, crisis centres are intended for short-term placements and that greater emphasis should be placed on solving the issue of long-lasting placements. The Ljubljana CSW believes that the best possibility to provide primary school education to children placed in the crisis centre would be cooperation with a primary school covering the school district of the crisis centre, i.e. within an individualised, original working project of helping children, which could (based on the model of a hospital school) school children on the premises of the crisis centre.



The Ljubljana CSW stressed that this would require the agreement of an appropriate protocol between the two ministries responsible. **Thus, the NPM called on the MDDSZ to state its opinion about the issue of schooling children placed in the Palčica Crisis Centre for Children, and about the proposal of the Ljubljana CSW.**

During the visit to the **10-ka Crisis Centre for Children and Adolescents in Nova Gorica**, the NPM especially commended the efforts of the employees and children or adolescents to create and maintain pleasant living premises, which contribute to the fact that children and adolescents (and the employees) feel comfortable there and that they show respect for the premises and the programme implemented by the institution. The NPM gave a recommendation pertaining to the installation of a special mailbox, into which children and adolescents who wish to remain anonymous could file a complaint, a suggestion, an opinion, or a commendation regarding their stay and placement at the crisis centre. **The crisis centre accepted the recommendation and realised it.**



The NPM made two recommendations to **the Marelična Hiša Crisis Centre for Children and Adolescents in Koper**, which **the crisis centre accepted, but at the time of their response, they had not yet been implemented.** Since the NPM found that the rooms of children and adolescents are quite small and that the children do not have enough space to store and put away their belongings, it recommended that the crisis centre considers and, if necessary, finds solutions for a different arrangement of rooms for children and adolescents, or that additional space in the house be allocated for the rooms of children and adolescents. During the visit, the NPM also found that **the windows in the rooms of children and adolescents have metal bars.** The bars were supposedly installed for the safety of children and adolescents, in case there is a possible attempt by a child or an adolescent to escape through the window, because, since the rooms are on the first floor, they could be injured. **The NPM naturally agreed that the crisis centre must first and foremost ensure the safety of children and adolescents, but also thinks that bars on the windows may give the feeling of imprisonment, control, exclusion, or disciplining, and that the danger presented by potential escapes of children and adolescents through windows and breaking the window glass could be prevented in another, friendlier manner towards children and adolescents (e.g. with shatterproof glass, the use of safety locks).**



During a visit to the **Murska Sobota Crisis Centre for Young People**, the NPM **praised the efforts of the employees in organising and implementing various activities (despite limited financial resources), which undoubtedly improve the experience of children and adolescents when staying in the crisis centre and the behaviour of the employees in response to complaints from children and adolescents, or their efforts to make the child or adolescent heard in any case.** The NPM also praised the efforts of employees and children and adolescents to maintain the living quarters which contributed to the fact that children and adolescents (as well as the employees) feel comfortable and treat the premises and the programme the institution implements with respect. The NPM presented three recommendations. The recommendation regarding the installation of a special mailbox for anonymous complaints, proposals, opinions, or praise has already been realised. The same holds true for the recommendation pertaining to additional equipment or decoration of the living quarters. In one of the rooms for children and adolescents, the NPM noticed metal bars on the window which were supposedly installed due to the risk of escape or due to the safety of children and adolescents in such a case. **The recommendation pertaining to the removal of the metal bars was accepted by the crisis centre, which also gave an assurance that they will consider other options to provide security to children and adolescents.**





The NPM made two recommendations to **the Krško Crisis Centre for Children and Adolescents**, which related to the improvement of living conditions for residents. The NPM recommended that the centre repaint residents' rooms and (also with the help and due consideration of the wishes of the children and adolescents) to furnish or decorate them and thus contribute to an (even) greater feeling of homeliness and warmth. It also recommended that proper orderliness of the boys' bathroom is taken care of. Both recommendations were accepted yet unrealised at the time of the crisis centre's response. The NPM also recommended setting up a special mailbox where children and adolescents can submit a complaint, proposal, opinion, or praise regarding their stay and accommodation in the crisis centre. This recommendation had already been implemented at the time of the crisis centre's response. The NPM **particularly praised the Krško Crisis Centre for Children and Adolescents for the organisation and transparency of the documentation relating to the treatment of children and adolescents, and for the various forms prepared by the crisis centre**, which are adjusted to the age of the child or to the basis for their stay in the crisis centre. The NPM was also praised for their efforts in organising and implementing various activities that undoubtedly improve the experience of children and adolescents when staying in a crisis centre for children and adolescents, as well as their **efforts in presenting the operation of the crisis centre to children and young people in schools (as well as in libraries, police stations, health centres, etc.), as children and adolescents get to know the activities of the crisis centre better, and this kind of experience also relieves them of possible distress in situations when they need help**. The NPM also commended the efforts of the staff to listen to the opinions, complaints, and suggestions of each and every child or adolescent.



During a visit to **the Maribor Crisis Centre for Young People**, the NPM noted that upon discharge, the crisis centre offers every child or adolescent the opportunity to complete a survey about their satisfaction with their stay in the crisis centre, which the NPM particularly commends. **According to the NPM, the results of the surveys show very well how children and adolescents feel about their treatment and stay in the crisis centre and can contribute to possible changes or improvements in the treatment of children and adolescents, while also showing what the children are particularly satisfied with**. It is also a way to hear the opinions, criticisms, and suggestions of children and adolescents. The NPM presented three recommendations to the Maribor Crisis Centre for Young People. **All recommendations have been accepted, but have not yet been realised at the time of the response to the report**. The NPM recommended that the crisis centre adapt the Agreement on Staying in the Crisis Centre for Young People form to the individual child or adolescent based on their personal circumstances and the nature of their stay or placement in the crisis centre. The NPM also recommended an appropriate amendment or supplement to the House Rules, which stipulated that placement in the crisis centre is voluntary and temporary, and that an adolescent who grossly violates the House Rules can have their stay at the crisis centre terminated, and further specified additional equipment or decoration of the living areas of the crisis centre.



## 2.2

# VISITS TO SPECIALIST CENTRES FOR CHILDREN AND ADOLESCENTS WITH EMOTIONAL AND BEHAVIOURAL PROBLEMS AND DISORDERS

In 2022, the NPM made regular unannounced visits to **five specialist centres for children** and adolescents with emotional and behavioural problems and disorders at 15 different locations – they visited nine educational groups, ten residential groups, and two assertive community treatment groups. On 02/02/2022, the NPM visited four educational groups at **Vzgojni dom Veržej**, on 09/02/2022 they also visited the living groups in Veržej and Dokležovje. The NPM visited the **Zavod za vzgojo in izobraževanje Logatec** on 01/03/2022; on that day they visited two educational groups in Logatec and a living group in Vrhnika, while on 02/03/2022 also the living group in Postojna and the assertive community treatment group in Planina. The NPM also visited the **Strokovni center Mladinski dom Maribor**; on 12/04/2022 three educational groups in Slivnica near Maribor, and on 03/05/2022 the Španova kmetija living group in Moščanci. On 20/04/2022, the NPM visited living groups Črnava and Reteče, which operate within the **Vzgojni zavod Kranj**. During the visit to the **Mladinski dom Jarše**, the NPM on 24/10/2022 visited the Hiša living group, on 25/10/2022 the Kokos and Zeleni tir living groups, and on 26/10/2022 the Črnuška gmajna living group. In addition to these, the NPM made a follow-up visit to the Zavod za vzgojo in izobraževanje Logatec, more precisely to its educational groups in Logatec, with the primary purpose to check the realisation of the recommendation from its regular visit.

During the visits to specialist centres for children and adolescents the NPM made **a total of 29 recommendations, of which five were addressed to the competent ministry or minister, 20 to the visited specialist centres, and four recommendations were addressed to the MIZŠ and the visited specialist centre simultaneously** (i.e. the Zavod za vzgojo in izobraževanje Logatec). All the recommendations addressed (only) to the competent ministry were systemic. **One of these recommendations was accepted by the MIZŠ and still awaits realisation**, while the NPM has no information on the other four because at the time of the preparation of this annual report it was (still) awaiting the response of the specialist centre to the preliminary report. The recommendations given to the visited specialist centres for children and adolescents were general. **Seven recommendations have been accepted and realised by the visited specialist centres, while 11 recommendations have been accepted but were still waiting to be realised at the time of their response.** As at the time of the preparation of this annual report, the NPM has been waiting for the response of the specialist centre related to two recommendations. **Four general recommendations the NPM addressed to the visited specialist centre and the MIZŠ simultaneously were accepted but still unrealised.**







During visits to specialist centres for children and adolescents in 2022, the NPM **noted (again) that more and more children and adolescents placed in these institutions need more help, i.e. more structured and intensive help or therapeutic treatment.** In specialist centres, children and adolescents are often faced with various addictions, mental health problems, more severe forms of emotional and behavioural problems, among children and adolescents violent behaviour is often present (both towards other children and adolescents and towards staff members and property) or self-harm behaviour (e.g. cutting, hitting walls or furniture, suicidal thoughts, even suicide attempts). Such behaviour of children and adolescents requires special treatment from the staff of specialist centres, which ensures the safety of children and adolescents with such behaviour as well as other children and adolescents and staff members.

The NPM **therefore welcomed the adoption of the new educational programme adopted in March 2022 on the basis of the ZOOMTVI, an integral part of which are the standards of behaviour of professionals during crisis events,<sup>36</sup> and also the preparation of the Cooperation protocol between the specialist centre for the upbringing and education of children and adolescents with emotional and behavioural problems and disorders and the centre for mental health of children and adolescents, adopted in November 2021,** the main purpose of which is to agree on the implementation of individual tasks, organisational tasks, and on the manner of cooperation between specialist centres and centres for children and adolescents' mental health.

With the aim of improving the conditions for the treatment of children and adolescents in specialist centres, the NPM again **recommended that in relation to the aforementioned issue, the competent ministry should offer assistance to specialist centres for children and adolescents in the design of programmes for the treatment of children and adolescents in assertive community treatment groups and, with the cooperation of the specialist centres, to find other possible solutions to the problems faced in professional centres due to the increasing number of children and adolescents with mental health problems placed in the facilities in question.**<sup>37</sup> When the NPM was informed about the problems in the treatment of children and adolescents, it also recommended that specialist centres study the need for the possible establishment of an assertive community treatment group within the specialist centre, or for the transformation of one of the housing groups into an assertive community treatment group.

Since the NPM believed that even a smaller number of children or adolescents in educational, living, or assertive community treatment groups would contribute to treatment that would be to the greater benefit of children and adolescents, or to the solution of the highlighted problem, the NPM **recommended that the MIZŠ, together with specialist centres, study the need to change the criteria for forming groups for children with emotional and behavioural problems and**

<sup>36</sup> According to the second paragraph of Article 20 of the ZOOMTVI, in the event of a sudden outbreak of auto-aggressive or hetero-aggressive behaviour that endangers the life of a child or adolescent, their peers or staff members – or if the aggression could cause significant property damage or if there is a suspicion of a criminal act –, a professional worker in a specialist centre acts in accordance with the standards of behaviour of professionals during crisis events, which are part of the educational programme.

<sup>37</sup> The aforementioned recommendation was made by the NPM during a visit to the Jarše Youth Home. At the time of preparation of the annual report, the NPM was still awaiting the specialist centre's response to the preliminary report on the visit, so the competent ministry was not yet informed of the recommendation.

**disorders (norms for forming groups) and amend them accordingly.**<sup>38</sup> In May 2022, the MIZŠ explained in relation to the norms in specialist centres that they have prepared the amendment proposal for the *Rules on norms and standards for the implementation of educational programmes for children with special needs*. **Since, in accordance with paragraph one of Article 42 of the ZOOMTVI, the deadline for harmonising the mentioned Rules with the ZOOMTVI expired in July 2022, and since any changes and additions to the mentioned Rules had not yet been implemented even at the end of 2022, the NPM recommended that the competent minister harmonise the mentioned Rules with the ZOOMTVI as soon as possible.**<sup>39</sup>



During the visits to the specialist centres, the NPM also got acquainted with the problems or challenges due to the placement of children and adolescents in the specialist centres according to their place of residence.<sup>40</sup> Namely, the ZOOMTVI regulates the specialist centres in a uniform manner, but in fact these centres are quite different, especially in terms of organisation, which is also evident in the treatment of children and adolescents or in the implementation of programmes (e.g. some specialist centres treat children mostly in educational groups, others are organised only in residential groups, some specialist centres have an internal primary school, and in some areas there are such specialist centres in which children do not have the possibility of internal primary school education at all).

**The staff of specialist centres warned that placing a child or adolescent in a specialist centre depending on their place of residence may therefore not be in the child or adolescent's (greatest) interest in all cases.** The NPM informed the MIZŠ of the opinion of one of the specialist centres, which raised the question of the appropriateness of placing a child or adolescent in a specialist centre that does not provide internal primary school education, and such a method of education would be of the greatest benefit to the placed child or adolescent.



The MIZŠ explained that when the specialist centre does not implement a particular educational programme, the child or adolescent is guaranteed this by enrolling in a school that implements this programme, and it also pointed out an exception to the rule from Article 8 of the ZOOMTVI, when the court can exceptionally place the child or adolescent in a specialist centre in another area further away, if there are valid reasons for this.<sup>41</sup> The NPM later recommended to the competent ministry that, **in cooperation with specialist centres for children and adolescents with emotional and behavioural problems and disorders, it should determine whether placement in accordance with paragraph two of Article 8 of the ZOOMTVI is really always in the best interest of children and adolescents, or that it should determine any possible shortcomings of such placement and take appropriate measures to eliminate them.**<sup>42</sup>

38 Report on the visit to the Mladinski dom Maribor specialist centre (nos. 12.2 – 25/2022 and 12.2 – 40/2022 of 12/05/2022).

39 The recommendation was given during the visit of the Jarše Youth Home.

40 In accordance with paragraph two of Article 8 of the ZOOMTVI, the centre for social work places the child in a specialist centre after the emergency removal, which coordinates the cooperation of specialist centres in a certain area. With the placement decision the court – or the centre for social work, after issuing a decision on the imposition of an educational measure on the transfer to an educational institution – appoints a specialist centre that coordinates the cooperation of specialist centres in a certain area. In this case, the child or adolescent is usually appointed to a specialist centre in the area where the child or adolescent lives. As an exception, a specialist centre outside the area where the child or adolescent resides is appointed, if there are valid reasons for this.

41 A letter by the MIZŠ no. 0606-13/2022/2 of 16/08/2022.

42 The recommendation was presented upon the visit to the Jarše Youth Home.



During the visit to the specialist centres, the NPM also **became familiar with the situation when a child or adolescent leaves the specialist centre to return to their home environment (e.g. to their parents, relatives, partners) and does not want to return to the specialist centre.** In such a case, the staff act in accordance with Article 26 of the ZOOMTVI,<sup>43</sup> but they are often unsuccessful in getting the child or adolescent to return to the specialist centre. Given that children and adolescents are placed in specialist centres for the protection of their interests, the NPM considered that, when children and adolescents refuse to return from their home environment to a specialist centre (or even just placement), there should be an effective mechanism for their return (or placement) or the conditions for effective execution of the decision on return or placement in a specialist centre. **The NPM recommended that the competent ministry establish, in cooperation with other competent authorities, whether, based on the applicable legislation, it is possible to effectively execute the decision on the placement of a child or adolescent in a specialist centre, or what the reasons for difficulties in the implementation of the decision on placement are (especially when the child or adolescent refuses to return to the specialist centre).** The NPM also recommended that the ministry, when the effective implementation of the decision on the placement of a child or adolescent in a specialist centre is not possible based on the applicable legislation, act as soon as possible in cooperation with other competent authorities and ensure the conditions for the effective implementation of the placement of children and adolescents in specialist centres.<sup>44</sup>



During conversations with children and adolescents, the NPM **learned that they can always express their opinion to the staff regarding their stay and treatment in the specialist centre, or that they can complain or give their suggestions, as well as praise the employees or the management of the specialist centre.** Given that the ZOOMTVI has regulated the right of children and adolescents to legal protection in case of violation of their rights during residence or educational activities at the specialist centre and the procedure or authorities that decide on the child's or adolescent's request for the protection of rights or complaint (Article 30 of the ZOOMTVI), and given that children often did not know about said right, the NPM repeatedly **recommended that specialist centres inform children and adolescents, or their parents or guardians, of their rights according to Article 30 of the ZOOMTVI and publish explanations about the protection of rights on their websites as well as on noticeboards in the specialist centre.**



During the NPM's visit to the **Vzgojni dom Veržej**, the NPM **praised the improvement of the living conditions in the educational groups of the specialist centre due to the renovation of the building and premises, and especially due to the reduction in the number of beds in the rooms or new furniture.** The NPM also commended the efforts of staff members, or children and adolescents, for creating and maintaining pleasant living spaces, which contribute to the fact that children and adolescents (as well as employees) feel good and that they are respectful of the premises and the programme that the institution implements. The specialist centre accepted all five recommendations given by the NPM during the visit. Following the specialist centre's response, two recommendations had already been implemented, while three were still waiting to be realised. Based on the specialist centre's response, they have **already implemented the recommendation that the frequency of telephone calls**

<sup>43</sup> According to paragraph four of Article 26 of the ZOOMTVI, a specialist centre, when a child or adolescent refuses to return to the specialist centre or is in premises a professional worker of the specialist centre does not have the right to enter, the court, the centre for social work, and the competent court are notified.

<sup>44</sup> The recommendation was presented upon the visit to the Jarše Youth Home.

and the intensity of supervision of telephone calls made by children and adolescents should be adapted to the individual circumstances of each individual child or adolescent, and that children and adolescents – all taking into account their greatest benefit – should enable as many such contacts as possible and they also provide them with enough privacy. They should also have already implemented the recommendation that the measure of banning people from leaving to go their home environment during the weekend should always be used as a last resort in case of violations of the rules, or that said measure should be used as infrequently as possible. **Following the specialist centre's response, the recommendations regarding informing children and adolescents or their parents of their rights according to Article 30 of the ZOMTVI, then regarding the installation of a mailbox for anonymous complaints and proposals, and further also the recommendation that they find a suitable way, in addition to safety, to ensure privacy during washing and performing other hygiene needs in bathrooms and toilets.**



The NPM gave three recommendations to the **Mladinski dom Maribor specialist centre**. The specialist centre explained that they are already implementing **the recommendation according to which even when a child or adolescent is transferred from one (educational, residential, assertive) group to another, before the transfer, if possible, they should organise and conduct a tour or an informative interview with a child or adolescent and their parents or guardians**. They should also implement the recommendation that referred to young people in the Španova kmetija residential group, namely that they should explain to them the reasons for reducing the payment for their work on the farm, or that they should be adequately and fairly rewarded for their work on the farm. The Mladinski dom Maribor specialist centre also accepted a recommendation to study the reasons for employing an additional educator at the Španova kmetija housing group and to systematise five positions for educators in this housing group, or to actually employ five educators, **but at the time of the specialist centre's response this recommendation was still unrealised**. During the visit, in addition to the recommendations made, the NPM also praised the efforts of the specialist centre to provide children and adolescents with as many different activities and experiences as possible, as well as the efforts of staff and children and adolescents to create and maintain pleasant living spaces and surroundings.



The NPM recommended that the **Vzgojni zavod Kranj** study the need for the possible establishment of a (new) intensive group within the specialist centre, or for the transformation of one of the housing groups into an assertive community treatment group. **The aforementioned recommendation has already been implemented due to the specialist centre's response, as the specialist centre has already received a positively resolved application from the competent ministry for the establishment of a residential group and unit for the intensive treatment of children and adolescents with severe behavioural and emotional disorders in the 2022/23 school year**. The Vzgojni zavod Kranj also implemented the recommendation that referred to the installation of a mailbox for anonymous complaints and suggestions, while the recommendation regarding the awareness of rights under Article 30 of the ZOOMTVI was still awaiting realisation. At the visited Črnava and Reteče residential groups, the NPM commended the pleasant living spaces and surroundings.



During the visit to the residential groups operating within the **Jarše Youth Home**, the NPM made two recommendations to the specialist centre, namely that they study the need for the possible establishment of a (new) assertive community treatment group within the specialist centre or the transformation of one of the residential groups into an assertive community group or to inform children and adolescents



and their parents or guardians of their rights according to Article 30 of the ZOOMT-VI. During the preparation of the annual report, the NPM was still awaiting the specialist centre's response.

The NPM presented seven recommendations to the specialist centre upon the regular visit to **Zavod za vzgojo in izobraževanje Logatec**. In its response, the specialist centre stated that the **recommendation, which referred to the minimum possible use of the ban on leaving the centre to go home during the weekend in case of violations of rules, is already being implemented. Recommendations related to informing children and adolescents or their parents of their rights according to Article 30 of the ZOOMTVI, to installing a mailbox for anonymous complaints and suggestions, and to correcting irregularities in the premises of educational groups in Logatec, which could represent a danger to adolescents, were still waiting to be implemented at the time of the specialist centre's response. Three recommendations, which the NPM gave to the specialist centre regarding the improvement of living conditions in the Planina assertive community treatment group, were also awaiting realisation.** The NPM simultaneously gave to the specialist centre and the competent ministry four recommendations related to ensuring suitable living conditions in the premises of educational groups at Logatec (e.g. replacing old and damaged furniture, renovating windows, ensuring better conditions for sports activities, finding a more permanent solution for better living conditions). Among other things, the NPM also recommended that the competent ministry provide the necessary funds for solutions that would provide suitable living conditions for the adolescents in educational groups in Logatec. **Both the specialist centre and the ministry accepted all four recommendations or did not oppose them, but according to their responses, they have not yet been implemented.** In 2022, at a follow-up visit, the NPM also checked the implementation of the five recommendations made by the NPM during a regular visit to Zavod za vzgojo in izobraževanje Logatec, which related to the provision of suitable living conditions in the educational groups in Logatec. The NPM **found that none of the recommendations have yet been implemented and that the living conditions for adolescents who are placed in educational groups at Logatec are very bad, unsuitable or even dangerous** (ripped out lights, broken light bulbs, bare wires, missing light covers (ceiling lights), removed electrical junction box covers, pulled out sockets, protruding screws, broken furniture, mould in the bathroom, etc.). According to the NPM, it is inadmissible for adolescents (until possible new construction and new premises for educational groups) to live in the conditions that were offered by the premises of the educational groups in Logatec at the time of the NPM's visit. **The NPM expressed the expectation that Zavod za vzgojo in izobraževanje Logatec immediately approach the necessary repairs in the premises of the educational groups, which may represent a danger for adolescents, and to ensure a safe living environment as soon as possible. Furthermore, the NPM expects that the institution in general provide a suitable and pleasant environment for adolescents to live in. In the meantime, the NPM suggested that representatives of the competent ministry tour the premises and inspect the equipment of the two educational groups at Logatec, and expressed the expectation that the competent ministry will provide the necessary funds for the urgent renovation of the premises of the educational groups in such a way that the adolescents will be provided with a safe living environment.**<sup>45</sup>

<sup>45</sup> During the preparation of the annual report, the NPM was still waiting for the response of Zavod za vzgojo in izobraževanje Logatec to the preliminary report on the follow-up visit (the deadline has not yet expired).

## 2.3

# VISITS TO CENTRES FOR TRAINING, WORK, AND CARE

In 2022, the NPM visited all **five centres for training, work, and care (CUDV)**, which carry out the special programme of education and the institutional care of children and adolescents of up to 26 years old who are included in this programme, the institutional care for adults with disabilities in mental and physical development, and the services of management, protection, and employment under special conditions. All CUDVs operate on several locations. The NPM made four regular unannounced visits: to CUDV Matevža Langusa Radovljica (CUDV Radovljica), CUDV Črna na Koroškem (CUDV Črna), CUDV Dobrna, and CUDV Dolfke Boštjančič Draga (CUDV Draga). The NPM visited them at their units at the institution seats at which they perform institutional care for children, adolescents, and adults with intellectual development disorder and multiple disorders. During these visits, the NPM **made 56 recommendations, of which eight were accepted and already implemented, 45 were still waiting to be implemented, and three recommendations were not accepted.** The NPM also made one announced follow-up visit to Zavod za usposabljanje, delo in varstvo dr. Marijana Borštnarja Dornava (ZUDV Dornava). During the visit, the NPM noted with satisfaction that **all the recommendations made to ZUDV Dornava during the regular visit in 2021 had been implemented**, and made five new recommendations and reiterated the recommendations to the MDDSZ, which were accepted but not yet implemented. At ZUDV Dornava, the NPM conducted a follow-up inspection of the Specialised Ward, where users with the most severe forms of mental health disorders live. This is also the only ward in Slovenia that operates within the CUDV, to which users are sent by court order in accordance with the Mental Health Act (ZDZdr). During all four regular visits to other CUDVs, the NPM found that many users cannot leave the living spaces independently, in most cases because they cannot orient themselves safely in traffic or cannot function independently in the external environment. Most of these users do not even want to go out on their own, so when such users want to leave the living spaces without being accompanied by staff members or relatives, the staff members stop them and direct or escort them back to their rooms. When such personal protection is not sufficient, they also lock the door.

**The NPM warned the CUDV that these users, who cannot (independently) leave the living spaces, are actually (de facto) placed on secure wards, and the procedure for placing them on these wards is specified in the ZDZdr.** During the NPM visits, none of the users were placed in the mentioned institutions based on the provisions of the ZDZdr; the preschool children were included in the CUDV based on the direction of the early treatment team in accordance with the provisions of the Act Regulating the Integrated Early Treatment of Preschool Children with Special Needs (ZOPOPP), children and adolescents who are included in a special education and training programme, with a decision on referral to a special education and training programme issued by the National Education Institute Slovenia in accordance with the provisions of the Placement of Children with Special





Needs Act (ZUOPP-1). Children can also be placed in a CUDV based on a court decision in accordance with the provisions of the Family Code (DZ). During the NPM's visits, only a few children were placed in a CUDV on this basis. Adult users were placed in CUDVs based on the provisions of the Social Assistance Act and the Rules on Procedures, which do not specify placement on secure wards, but the question also arises as to whether the procedure and conditions for placement in institutional care can be applied when the user does not agree with the service making it an involuntary placement regulated only by the rules.

It is understandable that some users cannot leave institutions independently, but there **should be an appropriate legal basis for restricting personal freedom**, which was not provided during our visits to CUDV Radovljica, CUDV Črna, CUDV Dobrna, and CUDV Draga. Based on these findings, the NPM concluded that it was a systemic deficiency, therefore the MDDSZ **made a systemic recommendation during all the mentioned visits that it be ensured that all CUDVs in Slovenia comply with the legal provisions that determine the conditions for restricting personal liberty (possibly the ZDZdr, Family Code or other appropriate legislation), or that the appropriate legal basis be determined and that, consequently, wherever users' personal liberty is restricted, an appropriate legal basis for their detention is provided. The MDDSZ accepted this recommendation but it still awaits realisation.** The MDDSZ replied that in 2020 and 2021, on the basis of CUDV contractors, in cooperation with the MDDSZ, two projects were implemented to upgrade services for people with the most severe forms of mental health disorders and mental developmental disorders (children and adolescents). The two projects were implemented due to the urgent need to include (a small groups directed by a court order of) young people, whereby additional specialized protected treatment (secured ward) is required within the framework of the institutional protection service. The projects are implemented in cooperation between two training institutes (CUDV Dornava and CUDV Draga<sup>46</sup>). The MDDSZ provided funds for the improvement of technical conditions and adaptations, as well as better personnel conditions with additional employments in the field of social care and health activities. At the working meetings with the MZ so far, the MDDSZ has presented the position that an independent chapter should be placed within the framework of the ZDZdr, which would regulate the placement of children and adolescents in such treatments, while it is necessary to check to what extent the procedures for treating adults with mental health problems correspond with the treatment in favour of the child. By placing specific content in the ZDZdr as well as by harmonizing legislation in the field of social care, it will also be possible to plan additional capacities within the public network of CUDV services in accordance with needs. The MDDSZ proposes the continuation of the projects and the establishment of an interdepartmental working group (mainly the MZ and the MDDSZ), which would make amendments and additions to the applicable legislation in this area and prepare appropriate professional guidelines and operating protocols between individual stakeholders.

46 At the time of the visit to CUDV Draga, none of the children and adolescents were included in the unit based on the provisions of the ZDZdr, and the unit in which children and adolescents with the most severe emotional and behavioural problems were accommodated was supposed to be renovated in the period after the NPM's visit. To an explicit question about the timeline for the inclusion of CUDV Draga in this project, the representative of the MDDSZ replied that it should begin to be implemented in 2023.

Since the NPM found during the visits to the CUDVs that in the CUDVs some users are prevented from making independent exits by discouraging or stopping them and that in these cases the NPM renders this to be personal protection (and not personal accompaniment), the NPM warned that according to the guidelines of the MDDSZ<sup>47</sup> personal protection (with staff or in another way) can only be carried out for persons placed in secured wards according to the ZDZdr, if, due to their needs, they must continuously receive special protection and if they cannot leave the institution of their own free will. Since this manner of working in the CUDV is not systematically regulated either, **the NPM recommended that the MDDSZ, following the example of the Guidelines for working with persons with dementia in the field of institutional care for the elderly, consider the need to issue guidelines for working with persons with mental disabilities who need special protection.** This recommendation was also accepted and awaits realization. The MDDSZ replied that it supports the initiative and that it will also start designing guidelines for working with people with mental disabilities who need special protection, or treatment with protection and personal accompaniment for users, when preventive protection measures are not yet necessary. This is based on the benefit of the user (child, adolescent) and ensures safety for them and others. They estimate that these solutions will be prepared within the framework of working groups.



During the visits, CUDV employees drew attention to **the inequality and discrimination experienced by their users with severe mental and physical disabilities.** Children and adolescents with disabilities who attend primary school are entitled to an assistant, while the legislation does not provide for one in social care institutions. Thus, the NPM recommended that the MIZŠ consider the possibility of assigning a permanent or temporary assistant to provide physical assistance during the implementation of the educational programme; however, the MIZŠ **did not accept the recommendation.** In response to the final report on the visit, the ministry stated that the current legislation in the field of education and upbringing of children with special needs enables children with special needs to be assigned a permanent or temporary assistant, in addition to being directed into the appropriate educational programme, the necessary adjustments and aids with a decision on the direction to a programme. The legal basis for the allocation is provided by the Placement of Children with Special Needs Act, Article 10 of which defines that children with severe and the severest mobility impairments and blind children, who are directed to programmes with adapted implementation with additional professional assistance, can be provided with a temporary or permanent assistant for physical assistance during the educational work. A temporary companion can also be assigned to long-term sick children, visually impaired children or children with impaired visual function, children with autistic disorders, and children with emotional and behavioural disorders. Detailed criteria are defined in Article 9 of the *Rules on additional professional and physical assistance for children with special needs* and in the *Criteria for defining the type and degree of disability or disorders of children with special needs*. The assistant provides physical assistance to the child during the implementation of the compulsory and extended programme of primary school or the implementation of organised educational



47 Guidelines for working with persons with dementia in the field of institutional care for the elderly, no. 1222/18/2011 of 6/6/2011, Supplement to the Guidelines for working with people with dementia in the field of institutional care for the elderly, no. 122-18/2011 of 27/3/2014, and the Supplement to the Guidelines for working with people with dementia in the field of institutional care for the elderly, no. 012-9/2017 of 20/2/2018.



work in secondary school; in the special education and training programmes and in the educational programmes, the work required to provide physical assistance is performed by a caregiver guardian, whose work is similar to the work of an assistant, but more demanding children with more severe disabilities are included in these programmes. The number of caregiver guardians is defined in the rules governing the norms and standards in this programme.

During the visits to the CUDVs, the NPM also **noted that the mandated staffing levels make it difficult to ensure high-quality and individual treatment of users**. Due to the ageing of users, CUDVs would need more employees. The ageing of users and thus the decline of their abilities shows that more staff should be provided for such users (there should be one staff member for every 12 to 20 users, but they note that sometimes one staff member is needed for every four users). The NPM recommended that the MDDSZ take into account the greater needs of ageing users when preparing changes to staffing levels in the field of institutional protection of special groups. **The MDDSZ accepted the recommendation but did not realise it.** In response to the final report, it stated that in April 2022, in the amendments to the *Rules on standards and norms for social assistance services*, among other things, revised staffing levels for beneficiaries in smaller dislocated residential units of institutional care for adults with intellectual disabilities or multiple disabilities were adopted, which are also applicable for beneficiaries in the CUDVs. In August 2022, the MDDSZ also appointed a Working Group for preparing a draft proposal for amendments and additions to the *Rules on standards and norms for social assistance services* for beneficiaries of the education and training programme in institutional care of CUDVs, which will, when deciding on new staffing levels, also take into account the need for additional employment due to specific requirements of ageing users.



The MDDSZ has accepted the **two recommendations** (but not yet realised them) that the *Rules on standards and norms for social assistance services* should determine the appropriate staffing levels for direct work with users with more severe emotional and behavioural disorders and study the possibility of changing the *Rules on standards and norms* in a manner that would enable an increase in the number of operators for work with users with autistic disorders and for professional treatment in institutional care for adults.



**The recommendation** that the **MDDSZ establish a system of managing a single list of those waiting to be included in institutional protection services, as well as management, protection, and employment under special conditions for the entire country, was not accepted.** In response to the final report, the MDDSZ stated that the Social Protection Institute of the Republic of Slovenia (IRSSV) annually conduct an analysis and issue a report on the implementation of CUDV and VDC services for the client MDDSZ. In the aforementioned reports, it is possible to monitor the waiting list for inclusion in institutional care and services of management, protection, and employment under special conditions, and it is also possible to monitor data on the waiting period, planning, and implementation of new inclusions and trends for inclusion in the services.



**While visiting CUDVs, a pleasant atmosphere and good relations between users and staff was evident; in all the units visited, access to the bathrooms is provided to users at all times, while many rooms are equipped and arranged in accordance with the wishes of the users, which the NPM praised, and the**

**individual best practices that were observed during individual visits are listed below.**

During the visit to **CUDV Radovljica**, the NPM was able to observe during lunch that the staff members who helped the users to eat, did so attentively, kindly, and calmly, which they praised. The well-kept living spaces and outdoor areas, as well as the well-equipped relaxation room, were commended, while the system of key workers who help users with various tasks, and some of them also take users on trips, was welcomed as a best practice example.

The NPM gave the CUDV Radovljica **ten recommendations**, which were **accepted but have not yet been realised**. It was recommended that CUDV Radovljica alert the MIZŠ about the need to assign chaperones for children and adolescents who are included in a special education programme. The NPM also recommended that CUDV Radovljica study the possibility of increasing the number of staff on duty at night. CUDV Radovljica replied that they find that the current staffing levels do not allow for the constant increase in the number of staff on duty at night. They participate in various working groups to increase the staff team and, together with the MDDSZ, they are looking for systemic solutions in this area. Regarding living conditions, the NPM recommended that CUDV Radovljica consider installing bedside tables and nightlights; when the users do not have their belongings in the rooms, the staff, in agreement with the user, should decorate each room with objects that the user likes; greater emphasis should also be placed on the appropriate decoration of the living rooms and corridors on the wards where the users are accommodated; and to widen the doorway to such a width that will allow the unhindered passage of wheelchair users. It also recommended that CUDV Radovljica also prepare a plan for the renovation of living quarters in a manner that will enable the acquisition of new premises for toilets and (nursing) bathrooms. CUDV Radovljica accepted the recommendations; the recommendation made by the NPM to the MDDSZ that CUDV Radovljica be provided with funds for the renovation of living spaces, which would include the construction of additional bathrooms for users, was also accepted. According to the responses of CUDV Radovljica and the MDDSZ, the MDDSZ has already included an investment project for the construction of a new residential unit at CUDV Radovljica in the Plan of Development Programmes in 2022, which will be intended for 24 institutional care users. The investment will be carried out in 2022, 2023, and 2024, and with this, due to the spatial relief of the main building, the improvement of living conditions will be ensured both in the newly built residential unit and in the current premises.



The NPM also recommended that CUDV Radovljica post activity schedules on individual wards and consider a graphic presentation of the schedule, install special mailboxes in the wards for complaints and praise, and post information on the ward's noticeboards about complaint routes, which should be explained in an understandable manner (in the so-called easy-to-read format).

During the visit to **CUDV Črna**, the NPM praised the centre's efforts in enabling safe contacts between users and their relatives during the epidemic, and particularly welcomed the CUDV's inclusion in the deinstitutionalisation pilot project, within the framework of which users will move to smaller units in the local community in the coming years. The NPM also praised the involvement of users in taking care of their living environment, encouraging them to be more independent, and preparing important documents in an easy-to-read format.



The NPM presented 12 recommendations to CUDV Črna. CUDV Črna **accepted and realised six recommendations**. Together with the users who so desired, the staff decorated their rooms, and in the bathroom for children and adolescents, curtains were installed in the shower cubicles. Decoration of the living rooms and corridors in the wards where the users are accommodated has resumed. The recommendation that CUDV Črna take into account the results of surveys when planning its further work to achieve even greater user satisfaction, mailboxes for complaints and praise were installed in individual units, and the description of appeal routes on the noticeboards of individual wards, in an easy-to-read form.



**Six recommendations were accepted but still await realisation.** The NPM recommended that CUDV Črna draw up a plan to renovate the living spaces in the main building in such a way as to enable users to have single and double rooms of a suitable size, and to consider installing bedside tables and night lights in the users' rooms. The NPM also recommended that CUDV Črna draw up a plan for the renovation of living spaces in a way that will free up new spaces for toilets and bathrooms. Since in order to implement this recommendation, it is necessary to provide increased financial resources, the NPM recommended that the MDDSZ provide CUDV Črna with these funds. Both CUDV Črna and the MDDSZ accepted the recommendation. **CUDV Črna participates in a deinstitutionalisation pilot project**, which is financed from European funds and European Cohesion Policy funds. This project will enable users to live in smaller units in the local community. After the completion of the projects and the relocation of several users to smaller units, it will be possible to renovate the main building in such a way that single and double rooms and adequate sanitary facilities are provided here as well. Also awaiting implementation are recommendations that CUDV Črna take care of adequate maintenance of small inventory, walls, and external surfaces in the premises and surroundings of the main building; that it consider forming groups in which the needs and wishes of the users are as similar or compatible as possible; house rules be posted in an easy-to-read format in all units in which users are accommodated; and activity schedules be posted in the units, and in doing so, consider a graphic presentation of the schedule or a record in an easy-to-read format.



With the decision to implement the educational measure of transfer to a training institution in accordance with the provisions of the Criminal Code (KZ), the MDDSZ appointed CUDV Črna, therefore adolescents can also be included in this institution on this legal basis. At the time of the NPM's visit, there were no such placements, but in the past some adolescents were also included on the basis of court decisions in accordance with the provisions of the KZ. Most of the problems arose in providing suitable accommodation for these users, as their needs are completely different from those who are in school and come here based on the orientation decision; more supervision and protection is needed, and the professional treatment is also different. If a user were to arrive based on a court decision, they would again have a space problem, since they cannot provide the user with a separate room, nor can they provide adequate professional treatment, since the personnel are not geared towards to such users. The staff have had some training on dealing with adolescents with special needs who have committed criminal acts, but none of the staff have specialist knowledge or education to work in this field. A specialist teacher would be needed to carry out appropriate professional treatment. Thus, the NPM recommended that the MDDSZ provide

CUDV Črna with funds to employ a specialist teacher who would provide professional treatment for adolescents with special needs who are perpetrators of criminal acts. The MDDSZ **accepted the recommendation but did not implement it**; in response to the final report, it stated that it had already actively approached the renewal of standards and norms for children, adolescents, and adults up to the age of 26, who are included in the education programme and institutional care at a CUDV – with a implementation foreseen in 2022. Additional staff reinforcements are foreseen on the basis of an upgraded training programme or a special programme of upbringing and education in social welfare organisations. Measures are also planned to improve other staff and working conditions in order to obtain appropriate personnel profiles in the field of education and social care at CUDVs.



During the visit to **CUDV Dobrna**, the NPM praised the provision of professional treatment for users who, after finishing school, could not join the service of guidance, protection, and employment under special conditions, the efforts of CUDV Dobrna in ensuring safe contacts of users with their relatives during the epidemic, and the help of CUDV Dobrna in maintaining users' contact with relatives. The NPM also praised the individual approach with which CUDV Dobrna enables users to spend quality free time during the weekend, and also welcomed the provision of information in pictorial form and publications and books in an easy-to-read format.

The NPM presented five recommendations to CUDV Dobrna, which were all accepted and **two have already been implemented**. CUDV Dobrna inspected the living spaces of the users and, together with the users, installed their favourite objects, and in the sleeping quarters of the mobile users, for the purpose of safely going to the toilet at night, LED night lights were installed.



**The centre also accepted three recommendations that still await implementation.** The NPM recommended that CUDV Dobrna take into account the results of surveys on user satisfaction when planning its further work towards even greater user satisfaction, install special mailboxes for complaints, comments, and praise in individual wards, and post a description of complaint routes on the bulletin boards of individual wards, which should be explained in a user-friendly way (in an easy-to-read format).



The NPM recommended that the MDDSZ provide CUDV Dobrna with resources that will enable all users to be included in the management, protection, and employment service under special conditions after completing their education. **The recommendation was accepted but has yet to be realised.** The ministry replied that the inclusion of new users in the management, protection, and employment service can be made possible under special conditions by the MDDSZ, depending on the available budget resources. In 2022, the MDDSZ planned to include new users and, in this regard, approve additional jobs, but due to a significant increase in material costs financed by the MDDSZ, the inclusion could not be realised in accordance with the planned scope.



Upon the visit to **CUDV Draga**, the NPM **welcomed as an example of best practice the establishment of a learning residential group**, which includes six adolescents with severe emotional and behavioural problems. By actively participating in the operation of the group, users learn to take responsibility, and their problems have decreased with the change of environment. The NPM also com-



mended the provision of information in houses and surroundings in Draga near Ig in pictorial form (with pictograms) and Braille writing.



The NPM gave CUDV Draga eight recommendations. **Seven recommendations were accepted by the CUDV and await implementation.** The NPM recommended that, when the implementation of video surveillance in the rooms is absolutely necessary, CUDV Draga post a notice about video surveillance in front of the rooms in which video surveillance is being carried out, and that the work at Dom Češnja be organised in such a way that only a limited number of employees can view the live image transmission. The NPM also recommended that CUDV Draga install a window in the door of the relaxation room in Dom Češnja, through which it will be possible to directly monitor the user in this room. The NPM also recommended that the centre install complaint mailboxes in individual work units, and post a description of complaint routes on the bulletin boards of individual units, which should be explained in a way that users can understand (in an easy-to-read form). CUDV Draga accepted the recommendation (which has not yet been implemented) to rearrange the bathrooms in Dom Višnja in such a way that users will have guaranteed privacy when using the bathroom and toilets.



The NPM also recommended that CUDV Draga examine the possibilities for including adult users in the daily form of institutional care, and that the MDDSZ examine the possibilities of including adult users who also need health care in the daily form of the institutional care service or in the management, protection, and employment service under special conditions. **The recommendation was accepted, but still awaits implementation.** In response to the previous report, the CUDV stated that the only form of day care for adult users is management, protection, and employment services under special conditions, which does not provide health care. Some users have additional health problems and would need health care within the framework of the service; this is also the reason why the possibility of including users in the daily form of institutional care began to be considered. The MDDSZ was also warned about this issue, but they did not offer their opinion. Such needs of users can be provided within the framework of the daily form of institutional care or the rights of users can be extended within the VDC service. The MDDSZ clarified that, on the basis of Article 8, the *Rules on standards and norms for social assistance services* already enables users who need health care to be included in the daily form of institutional care services. They have been noting that agreements are not concluded between CUDV and users for this type of service, as users do not submit current applications for inclusion. The service is paid for by the user, and the financing of health care services in CUDVs and VDCs should, according to the MDDSZ, fall under the jurisdiction of the MZ and ZZZS. In its cooperation with the MZ to date, the MDDSZ has pointed out the need to clearly define the scope of funding of certain health services based on the planned capacities, which should, in light of the changing needs of users, be ensured and coordinated with the current daily services for treating people with mental and other disabilities. The substantive harmonisation of such issues concerns both the introduction of long-term care and the adjustment of the health activity financing system planned by the MZ. The MDDSZ will strive to resolve the issues in question as soon as possible.

For CUDV Draga, the method of financing services from the MDDSZ is also a problem, since at the time of the NPM's visit, the financing contract with the MDDSZ

was only concluded for three months; this type of financing has been going on since the Covid-19 epidemic. Thus, CUDV Draga was put in a precarious position and any plans in this regard were almost impossible. The NPM recommended that the MDDSZ switch to the method of concluding annual contracts with the CUDVs on the financing of social welfare services. **The MDDSZ accepted the recommendation but has yet not implemented it.** In response to the final report, it stated that contracts with CUDVs on the financing of social care services are already concluded on an annual basis. However, it is true that the contract value at the beginning of the year is calculated for three months, because during this period the MDDSZ is still preparing calculations for the creation of annual starting points for the financing of services for the current year, on the basis of which the contract value can be determined and a contract can be concluded on the financing of social care services for the entire year. In the future, the MDDSZ will strive to prepare starting points in the shortest possible time.



**However, CUDV Draga did not accept the recommendation that, when deciding on the implementation of the PVU, it should take into account that this measure can only be implemented on secure wards in the cases specified in the ZDZdr, and that the implementation of the PVU must be carried out in accordance with Article 29 of the ZDZdr.** CUDV Draga, in response to the previous report, stated that for users with severe emotional and behavioural disorders, the problem is often the excessively large groups, the lack of single rooms, and the insufficient number of staff; what is missing are mainly men and those who are not afraid of threatening users. In the case of adults, the number of employees per housing unit is even lower than in the case of adolescents, while the number of users in the group is higher in some places. With many such users, they managed to reduce the problems with teamwork and various methods and thus provide a safer environment for the users and the people around them. But there are also users whose problems and needs are so complex that, despite all methods, the staff cannot completely prevent them from endangering themselves or others. In many cases, the problem is insufficient personnel and space conditions, which has been pointed out for a long time. These users would require different terms of treatment. In reducing tension, withdrawal from stimuli and from the environment in which the conflict started often helps. Some users retreat to their own room of their own volition, and one or two go to the relaxation room and close the door of that room themselves. However, users often do not recognise their distress or tension and express this through behaviour such as aggression towards others, destruction of inventory, or aggression directed at themselves. In such circumstances, the staff help them by directing them to a group or room. If the room is not safe and the individual may injure him- or herself or pose too much of a risk to others, they are directed to go to the relaxation room alone, and in exceptional cases of severe danger, extreme force is occasionally used, which is also permitted by the applicable Criminal Code. In certain life-threatening cases, when it is imperative to protect themselves, other users, and employees, it is necessary, for everyone's safety, to order physical removal to another place under supervision and for as short a time as possible. However, all such situations are recorded and subsequently reviewed according to protocols, and are also dealt with more widely by the expert team and the expert council. The institution is obliged to protect the physical inviolability of users against attacks by other users and third parties. The safety of an individual is a constitutional right, and in connection with this, the institution is obliged to take action when a user attacks another



user, employee, or third party. In such circumstances, an institution which does not take action despite being aware of such attacks or when it should have known about them, is responsible for the violation of the right to security. CUDV Draga therefore needs help in improving staff and spatial conditions and in enabling the appropriate treatment of users with severe behavioural problems. As mentioned, the CUDV is involved in a project to upgrade services for people with the most severe forms of mental health disorders and mental developmental disabilities, which is expected to start in 2023. Hence, the NPM will check the implementation of this recommendation during the next (follow-up) visit to CUDV Draga, and if necessary, make appropriate recommendations to the MDDSZ as well.

The NPM also made a control visit to **ZUDV Dornava**, namely the **Specialised Ward** for people with the most severe forms of mental health disorders. During this visit, in contrast to the one in 2021, it was possible to see progress. Both living conditions and the treatment of users at work, when it is necessary to follow the provisions of the ZDZDr regarding placement in protected sections and the use of PVU, have noticeably improved. The NPM welcomed the plans regarding the exchange of experience, skills, and new knowledge with visiting operators abroad, as well as activities connected with training employees in the Specialised Ward and finding ways to relieve employees. The NPM also commended the efforts undertaken to enable Specialised Ward users to go into the local community and to spend their time actively outdoors. The NPM also welcomed the individual approach in working with users, which helps to reduce the use of PVU.



The NPM was happy to learn that **ZUDV Dornava had implemented all the recommendations made during the regular visit in 2021**, and during the last visit made five new recommendations: the NPM recommended that ZUDV Dornava regularly check the availability of sanitary equipment and install toilet paper holders in all toilets, study the possibilities of ending video surveillance in the user's room, add to the form "intensive care sheet when using PVU (segufix straps)" columns in which to record the procedures carried out to calm the individual before and after the implementation of PVU, and consider placing punching bags or similar tension-releasing props in the safe room. At the time of preparing this report, the NPM was still waiting for the response of ZUDV Dornava.

**The NPM also found that the MDDSZ had not yet implemented the recommendations from the regular visit, which it had accepted. Thus, the NPM repeated the recommendations** that the MDDSZ provide ZUDV Dornava with all the necessary financial resources for the inclusion of adult users of 24-hour institutional care in the service of management, protection, and employment under special conditions, that ZUDV Dornava provide separate premises for the implementation of a special programme of education, and also that the ministry consider the possibilities for arranging a formal framework for the inclusion of children and adolescents who are included in the education programme at ZUDV Dornava on the basis of the ZDZdr.

# 2.4

## VISITS TO CARE AND WORK CENTRES

In 2022, the NPM visited **11 care and work centres (VDC), including some of their dislocated units (a total of 15 units)**, which perform social care services of guidance, care, and sheltered employment and institutional care for adults with developmental disabilities and multiple disabilities.

In 2022, the NPM started with systematic visits to the units of institutional care (residential units, residential groups, and larger units) in VDCs, with the purpose to determine the extent to which the users' personal liberty (freedom of movement) is limited, what the legal basis for such limitations is, and how the visited units act in cases of unwanted behaviour of users and whether they use special protective measures (PVU) in case of incidents. The NPM also inspected the living conditions in these units.

**The NPM made unannounced regular visits to the Center za varstvo in delo Golovec (CVD Golovec), VDC Kranj, VDC INCE Mengeš (VDC INCE), VDC Tončke Hočevar, VDC Murska Sobota, VDC Krško – Leskovec, VDC Tolmin, VDC Nova Gorica, VDC Novo mesto, VDC Črnomelj, and Polž Maribor (VDC Polž). They made 117 recommendations, of which 28 were accepted and realised, while 55 still await implementation. Six recommendations were not accepted and, as another five VDCs did not put forward a decision, the NPM will check the realisation of these recommendations upon the next (follow-up) visits. At the time this report was prepared the NPM has not yet received a response from the VDCs or the competent ministry, i.e. the MDDSZ, for 23 recommendations.**

During the visits to VDCs, the NPM found that some users have limited personal liberty and cannot leave the residential units independently, and none of them were placed in the VDC in accordance with the provisions of the ZDZdr, which is currently the only legal basis for limiting personal liberty in social welfare institutions. It is understandable that some users cannot go out into the local environment independently, because this could pose a great risk for them, since due to their degree of intellectual disability they cannot function independently in traffic or in the environment. However, as already stated in the chapter on visits to the CUDVs, such **restriction of personal liberty is only possible with an appropriate legal basis, which the NPM also specifically pointed out to the VDCs during the visits.** However, since the problem is of a systemic nature and must be solved holistically and uniformly at the level of the entire country, the NPM also recommended during the visits to the VDCs that the MDDSZ should actively approach activities to ensure that the restriction of personal liberty of users in all VDCs in Slovenia is only possible with an appropriate legal basis. The MDDSZ **accepted the recommendation but has not yet implemented it;** in the answers to the NPM's final reports, they stated that there are currently activities focused on the target group of children and adolescents who need additional specialised protected





treatment within the framework of the institutional care service (secure ward). After the completion of the mentioned projects and activities, consideration of the current services for adults will be approached. Adults with predominant mental health problems and intellectual development disorders can in general be included in the current public network of services of special social welfare institutions. In connection with the above answer, the NPM asked the MDDSZ for additional clarification on how the mentioned activities are taking place, whether concrete results are visible and when, according to the MDDSZ's estimates, they will approach the activities to ensure an adequate legal basis for restricting the personal liberty of users in the VDCs. With regard to the statement that adults with predominant mental health problems and intellectual development disorders can be included in the current public network of services of special social welfare institutions, the NPM warned the MDDSZ that the personal liberty of VDC users is limited mainly because due to impaired mental development, they cannot go outside independently. It is therefore not a matter of prevailing problems in mental health, but of a higher level of protection for users in VDCs; therefore, the NPM believes that placing these users in special social welfare institutions would not be to their benefit, and in addition, the secure wards of these social welfare institutions are overcrowded, to which the Ombudsman has been bringing attention for many years. The NPM has not yet received a response from the MDDSZ at the time this report was being prepared.

During visits to the VDCs, the NPM found that some users who would like to leave the units on their own are stopped by employees and directed back to the living quarters. Hence, even during these visits, the NPM drew attention to the content of the MDDSZ guidelines, which define personal protection, and recommended that **the MDDSZ consider the need to issue guidelines for work with persons with dementia following the example of the *Guidelines for working with persons with dementia in the field of institutional care of the elderly for the people with mental development disorders, who need special protection.*** In response to the final reports on the VDC visits, the MDDSZ also responded that it supports the initiative and that it will approach the creation of guidelines for working with people with intellectual disabilities who need special protection or treatment with protection and personal monitoring. This is based on the benefit of the user and ensures safety for users and others. These solutions will be prepared within working groups.

During the visits to the VDCs, the NPM noted that VDC users are getting older, so some of them are no longer able to participate in activities within the framework of the guidance, care, and sheltered employment. Since the NPM noticed during the visits that, in relation to the resolution of this issue at the MDDSZ, the VDCs sometimes do not encounter the response they would like, the NPM recommended to the ministry that the centres provide 24-hour institutional care for those elderly persons with disabilities in mental and physical development who can no longer actively participate in the work process and other activities within the framework of the guidance, care, and sheltered employment. The MDDSZ **accepted the recommendation but has not yet implemented it**; it replied that it already provides a 24-hour care service for users who are no longer able to actively engage in the guidance, care, and sheltered employment, whereby users can stay in institutions, residential units or housing groups. The MDDSZ added that the *Rules on standards and norms for social assistance services*, based on Article 8, already



enables users to be included in the 24-hour institutional care service. They note that agreements are not concluded between VDCs and users for this type of service, as users do not submit applications for inclusion. This service must be paid for by the user.

During the visits, the NPM learned from conversations with staff members, as well as users, that **work in institutional care units is often very difficult to organise**. This presents a problem especially in smaller units, because in the afternoon there are only two staff members with the users in most units, which is a problem if the users need individual care (for example, to be accompanied to medical examinations). It is also difficult to organise outings, activities, and various workshops. An additional problem is the period of holiday and sick leave (during the Covid-19 epidemic, there was even sick leave than usual). The NPM therefore recommended that the MDDSZ adapt the staffing norm to the actual needs in the institutional care service in residential units. The MDDSZ **accepted this recommendation, too, but has not yet realised it**; it answered that in April 2022, the *Rules amending the Rules on standards and norms for social assistance services* (hereon: Rules) were adopted, which determine changes to the norms for staffing in homes for the elderly, special social welfare institutions, welfare-work centres, and training institutions. Revised staffing levels for beneficiaries in smaller dislocated housing groups and residential units of institutional care for adults with intellectual disabilities or multiple disabilities were also adopted. The amendments to the Rules stipulate that the number of employees in the current network of contractors will increase by more than 2,200 by 2030. The upgrade of the Rules is based on the actual needs in social care and sets a timeline for the gradual increase in staff until 2030. In the formulation of proposals for changes to standards and norms, contractors also participated both in the field of services of welfare and labour centres as well as training institutions. With the aim of dealing with staffing problems in social care and preparing solutions that will have a positive impact on the field of employment, a working group was appointed to prepare a proposal for short-term and long-term measures to solve staffing problems with providers of social care services and programmes. Within the framework of the working group, an analysis of staffing needs was made, key issues as well as stakeholder initiatives were discussed, and an overview table of planned measures and further activities of the MDDSZ was created. It is planned that these staffing measures will be part of the national implementation plan in the field of social protection in the period from 2022 to 2025.



The NPM also recommended that the MDDSZ **consider the possibility of changing the provisions on the standards and norms of social care services in a way that would also include health care within the framework of the guidance, care, and sheltered employment**. The NPM was still waiting for the MDDSZ's reply when this report was being prepared.

During the visits to the institutional care units at the VDCs, the NPM noticed that access to the bathrooms is provided to the users in all the visited units at all times, many rooms are equipped and arranged in accordance with the wishes of the users, especially in the smaller units, the users are included in looking after their living environment, and some are also happy to take care of the outdoor areas, which they are very proud of. **The NPM praised the mentioned best practices, which contribute to better service delivery and thus to a better quality of life for users**, and the individual best practices that were observed during individual visits are listed below.



During the visit to **CVD Golovec**, the NPM commended the arrangement of the rooms on the upper floor, which are furnished individually and in accordance with the wishes and tastes of the users, as well as the involvement of users in taking care of their living environment.



During the visit to CVD Golovec, the NPM made 10 recommendations, **two of which have already been implemented**, as can be seen from CVD Golovec's response to the preliminary report. It is stated that the user in the red zone could participate in activities, and could also go for a walk in the park, but he did not want to, while the activities during the grey zone were organised and varied. In each unit, excerpts of the charter of users' rights are displayed in several rooms, one of the points of which is the right to make a complaint. Appeal routes are also written in the house rules and in the user inclusion agreement – both of which the users or their legal representative receive upon admittance to the Institution. **CVD Golovec accepted four recommendations, which were still awaiting implementation at the time of the response to the NPM report.** The NPM recommended that CVD Golovec consider installing night lights that would allow users to move and safely go to the toilets at night, encourage users to arrange their rooms by decorating them with their own belongings, place increased emphasis on the appropriate decoration of living rooms and corridors, when working with users with dementia consider the *Guidelines for working with people with dementia in the field of institutional care for the elderly*, and in all cases where users' personal liberty is restricted, provide an adequate legal basis for their detention.



**Two recommendations have not been adopted;** namely, the recommendation that CVD Golovec should, in the event of a resurgence of SARS-CoV-2 infections or other infections in the future, consider the possibility of (re)arranging the red zone in a way that would provide users with more bathrooms and places to store personal items. In response to the preliminary report, CVD Golovec stated that users in the red zone were sick; they could shower individually, as they had enough time both in the morning and in the evening to arrange to use the bathroom. Most users require assistance with care and each of them has been individually catered for. Nappy users received care at each nappy change; there was no restriction on the possibility of ensuring personal hygiene. Red and grey zones were also organised in the Hudinja 1 residential unit. The mobile unit has one shower for a maximum of three users, and in the Ljubečna residential unit, each apartment for two people has its own bathroom. Regarding the personal belongings of the users, CVD Golovec stated that already in the first wave of the Covid-19 epidemic, they were instructed to put into the cupboards, all things, including decorative items, from the rooms in which either the grey or red zone is organised. Users were not reluctant to do this, as they are not particularly attached to things.



The recommendation that CVD Golovec install special mailboxes in individual units where users and their relatives who wish to remain anonymous could submit a complaint, suggestion, opinion, or praise regarding their stay in the institution was also **not accepted**. In response to the preliminary report, CVD Golovec stated that boxes are installed at two units, but users also throw drawings, paper clips, rubbish, etc. in them.



The NPM recommended that CVD Golovec draw up a plan to renovate the living spaces in such a way that there are single and double rooms, and that MDDSZ

provide means to CVD Golovec for the renovation of premises of the Golovec Unit so that there are single and double rooms. **CVD Golovec did not specifically reply to this recommendation in its response**, therefore the NPM will check its implementation at the next follow-up visit. The MDDSZ replied that, within the framework of the budget possibilities, they would also support the proposal to renovate the living spaces in the Golovec residential unit to provide more rooms, toilets, and bathrooms. In the future, the MDDSZ will continue to strive to provide financial resources for a higher quality of stay for users in the field of elderly and social care. The NPM also recommended that CVD Golovec draw up a plan for the renovation of living spaces, and that the MDDSZ allow CVD Golovec to renovate living spaces in a way that will free up new spaces for sanitary facilities and bathrooms. In response to the preliminary report, the CVD Golovec did **not reply specifically regarding this recommendation** either, but the MDDSZ accepted the recommendation and replied that, within the framework of budgetary possibilities, they would also support the proposal to renovate the living spaces at the Golovec residential unit to provide more rooms, toilets, and bathrooms. The implementation of both recommendations will be checked by the NPM during a follow-up visit.



During a visit to the **Škofja Loka VDC Kranj residential unit**, the NPM noticed that the rooms are furnished in a way that allows users privacy and security, and the users have the opportunity to furnish and decorate them according to their taste, which the NPM commended. It seemed that the users are very happy with their rooms. The common areas are also pleasant and nicely decorated, and the NPM praised the prompt resolution of (oral) complaints and comments from users.



During the visit to the Škofja Loka residential unit, the NPM made six recommendations to VDC Kranj. **One recommendation has been accepted and realised, while three have been accepted but still await implementation; two recommendations were not accepted.** Since the beginning of the summer, users have been actively involved in events in the local community, participating in cultural events, religious ceremonies, and sports events, and went on holiday in small groups.



Recommendations still awaiting implementation are those that VDC Kranj hire a cleaner to clean the premises instead of those users who are unable to do that, the centre conduct more frequent (annual) satisfaction surveys of users, relatives, and staff, and ensure that there is a mailbox available at all times in the corridor of the residential unit, where users who wish to remain anonymous can submit a complaint, suggestion, opinion, or compliment regarding their living in the residential unit.

However, the recommendation that VDC Kranj examine the possibility of re-engaging external contractors (volunteers, students, employees within the scope of community service) in the implementation of activities in the residential unit **was not accepted**. VDC Kranj replied that by promoting the activity, they are trying to appeal to potential volunteers in the wider and narrower community, but unfortunately they have not had much success. In the past year, two people have been involved in the activity of the residential unit in cooperation with the Probation Office. Their presence and understanding of the activity, taking into account the specificity of the work organisation, turned out to be a burden rather than a benefit for the users. Community service is therefore now included in the guidance,



care, and sheltered employment. Considering the explanations received, we will not insist on this recommendation.



VDC Kranj also **did not accept** the recommendation to consider the possibility of several users leaving the residential unit at the same time, accompanied by a staff member, in which case a risk assessment for each user can be carried out beforehand. Users who cannot leave the premises on their own leave the VDC accompanied by staff members. One staff member accompanies five users, which means that if there are two staff members in the residential unit, one staff member can accompany up to five users to the park or for a walk at the same time, while the other staff member is at the residential unit with the rest of the users; those users who are not independent cannot leave the unit. The question arises as to whether this type of protection is really to the benefit of the users, or whether several users could go on short walks and to the park at the same time accompanied by one staff member. VDC Kranj replied that they had studied and tested the possibility of organising trips from the residential unit of several users at the same time with one staff member. It turned out that it is difficult for one staff member to ensure the safety of several users, and above all, each of the users has their own priorities, hobbies, and interests. In the spirit of the deinstitutionalisation process, efforts are being made to create smaller groups with similar interests, within the framework of which such trips are carried out, with staffing levels representing a major limitation. They strive to accommodate the individual needs of each user, as well as providing as many individual outings as possible. Such an individualised approach and support means a lot and additionally affirms users both in adulthood and in their sense of independence and the possibility of influencing their decisions and their lives.

During the visit to **VDC INCE**, Naša Hiša Unit, the NPM could not enter the unit due to cases of infection among users. Therefore, on the first visit, the NPM conducted an interview with the representative of the VDC INCE, while a talk with the users and a tour of the living premises were conducted later (on the second visit). During the visit, the NPM welcomed the nice custom of staff welcoming users with coffee upon return from the workshops, and it was possible to observe a warm relationship between users and staff when meeting. The NPM also praised the arrangement of the multi-purpose room and corridors.



The NPM made 11 recommendations to VDC INCE, which accepted all of them and has already **implemented four**. During the visit, the NPM found that the users are still somewhat limited due to the epidemic, so it was recommended that VDC INCE look into the possibilities of re-engaging users in activities in the local community and enable those users who are able to leave the residential unit independently to do so. VDC INCE **accepted both recommendations and realised them**. The NPM also recommended that when planning activities, the results of user satisfaction surveys should be taken into account and that activities should be organised as much as possible in accordance with the wishes of users. This recommendation was also implemented by VDC INCE.



A recommendation regarding the control of unwanted behaviour has also been **implemented**. The representative of VDC INCE explained that they do not implement special protective measures (PVU). In the event of aggressive outbursts, they respond immediately, talk to the user and warn of zero tolerance for violence,

with some imposing minor penalties (for example not getting coffee). **In the visit report, the NPM expressed serious concerns as to whether such imposition of penalties on users is an appropriate way of controlling unwanted behaviour;** therefore, they recommended that VDC INCE examine the current way of punishing users for aggressive outbursts in the light of current regulations and in order to effectively help the user in solving personal problems, they should create a protocol for the staff behaviour in cases of unwanted behaviour. VDC INCE accepted and implemented the recommendation, and in this regard explained that when aggressive behaviour occurs, they always talk first, they consult individually in each situation, and also consider the needs and benefits of the users. They work in a way that people with disorders in mental development can understand. Their rights are never curtailed during the intervention, not even when it comes to coffee. They regret that the withdrawal of coffee was presented as a measure. They have had a protocol for dealing with aggressive behaviour since 2012, and it has been amended several times over the years. **Following the NPM's recommendation, it was supplemented again and all staff were familiarised with it.** Punishment of users does not happen at VDC INCE. In case of aggressive outbursts, an intervention is carried out according to the protocol. In order to achieve even greater awareness and bring closer to all staff members an understanding of the importance and seriousness of following the code of ethics, VDC INCE decided to conduct internal training in this area in the weeks following the NPM's visit.



The recommended that VDC INCE take into account the results of the survey when planning activities and organise activities as much as possible in accordance with the wishes of users was also **realised**.



In relation to accommodation, the NPM made five recommendations, which the VDC **accepted, and will implement them after the completion of the project** "Additions and reconstruction of the building VDC INCE – Naša hiša". These are recommendations that, in the event of a resurgence of SARS-CoV-2 infections or other infections in the future, VDC INCE consider the possibility of (re)arranging the premises they use as grey and red zones so that users could also use the bathroom when staying in these rooms. It further recommended that users who wish to be allowed to place pictures, photographs or other decorations on the walls of their rooms, the balconies of those users who so wish be furnished with tables and chairs and flowers, and consideration be given to arranging the garden in a way that would offer users more opportunities for relaxed and high-quality leisure time outdoors. When arranging the rooms of the extended living unit, a room should be provided in which the users can socialise with their visitors without disturbing the other users. After the construction is completed, they will finalise the rooms, balconies, and rearrange the garden in the project "Additions and reconstruction of the building VDC INCE – Naša hiša", while space is also provided for isolation and visitors.



VDC INCE also **accepted** a recommendation (but has not yet implemented it) to regularly attend to the renovation and supplementing of websites and the publication of current information on activities and events, and a recommendation that a description of the complaint routes is displayed in Naša hiša, which should be explained in a way that users can understand, and that the box in the living room should be labelled accordingly and its contents emptied regularly (at least every 14 days).



During a visit to the Šiška Unit of **VDC Tončke Hočevar**, the NPM commended the orderliness of the common and living spaces, which the users had furnished to their own taste, so the rooms function pleasantly despite the overcrowding of the unit. The NPM praised the arrangement of the outdoor areas and the efforts of VDC Tončke Hočevar in ensuring safe contact of users with their relatives during the Covid-19 epidemic. As an example of best practice, the NPM particularly welcomed the involvement of users in decision-making processes about living at VDC Tončke Hočevar.



During the visit, the NPM made **three recommendations to VDC Tončke Hočevar, which were accepted and have already been implemented**. VDC Tončke Hočevar takes into account the results of staff satisfaction surveys when planning its further work to increase staff satisfaction. They organised a picnic for the staff and socialising with various games. Various training sessions and events were held throughout the year, and staff are also involved in the preparation of the revision of the new risk assessment for individual jobs. In the event of a wheelchair lock for those users (there are four such users) who cannot independently release the brake, they ensure constant, uninterrupted supervision by the staff, who must release the brake immediately when the user indicates that they would like to move from the place where they are. On the noticeboards in all institutional care household units and in all employment units, mailboxes with easy-to-read complaint routes were installed, as well as complaint forms, which the users can use to write their complaint.



The NPM recommended that the MDDSZ enable VDC Tončke Hočevar to build or purchase residential units that would enable users to have a quality stay in smaller units and if possible, in their own rooms. **MDDSZ accepted the recommendation but has not yet implemented it.**

During the visit to **VDC Murska Sobota**, the NPM praised the involvement of the users of the Gornja Radgona and Ljutomer residential units in taking care of their living environment and the garden, which the users are very proud of. The NPM also welcomed the possibility of arranging the rooms according to one's own taste, the arrangement and decoration of the common areas, and noted the warm relationship between staff and users, which was also praised.



During the visit to the Gornja Radgona and the Ljutomer residential units, the NPM made five recommendations to VDC Murska Sobota, **four of which have been implemented**, while one has been **accepted and is still awaiting implementation**. VDC Murska Sobota regularly maintains the websites and the publishes current information, they made sure that the lights in the bathroom worked, and eliminated the mould that had accumulated in the premises of the Gornja Radgona residential unit. Since the surveys on user satisfaction showed that satisfaction was somewhat lower, and the users of the institutional care service rated accompanying activities and the possibility of joint decision-making the lowest, the NPM recommended that VDC Murska Sobota involve users to a greater extent in the planning of activities. VDC Murska Sobota has **already implemented** this recommendation, and **accepted (but not yet implemented)** the recommendation that the Gornja Radgona residential unit check the contents of the comments, complaints, and compliments box more frequently (at least once every 14 days).

During the visit to the **VDC Krško – Leskovec**, the NPM praised the arrangement of some rooms in accordance with the wishes of the users, the arrangement of the lobby of the Leskovec residential unit, the involvement of users in looking after their living environment and the surroundings of the Leskovec residential unit, and the pleasant atmosphere in the Brežice residential unit.

The NPM made 10 recommendations to the Krško – Leskovec VDC during a visit to the residential units of Leskovec and Brežice. The Centre has **implemented one recommendation**, **one has not been accepted**, six recommendations have been accepted but not yet implemented, and **two recommendations have not received a specific reply**, so the NPM will check their implementation during the follow-up visit.



The NPM recommended that VDC Krško – Leskovec, together with staff in residential units and professional workers and external colleagues (psychiatrists), examine whether a protocol for dealing with unwanted behaviours could help staff manage these behaviours, and if it is determined that this would be of help to staff when working with users, a protocol of conduct be drawn up. VDC Krško – Leskovec replied that they had conducted training for staff, among other things, regarding the reaction of staff the event of excessive user reactions, handling these cases, and different ways of reacting. Because both users and situations are different, it is not possible to react in the same way in all situations, so protocols that are blindly followed may be less useful; however, they find knowledge that strengthens competences in this area useful, so they will conduct more training on this topic. Based on this answer, the NPM concluded that the need to create a protocol was considered, but not accepted, and **the recommendation is considered to have been implemented**.



VDC Krško – Leskovec **accepted** the recommendation (but has not yet implemented it) regarding the updating of websites, regarding the installation of bedside tables in bedrooms at the Leskovec residential unit, and regarding night lights in both residential units. They will try (in agreement with the building owners) to allow users to place pictures, photographs or other decorations on the walls of their rooms, and will also place increased emphasis on the appropriate decoration of the corridors at the Brežice residential unit. VDC Krško – Leskovec also accepted a recommendation to include the users of both residential units to an even greater extent in the planning of activities. They also accepted the recommendation to consider the possibility of including additional contractors to work directly with users in residential units (these can also be volunteers or students); they stated that volunteerism died out during the Covid-19 epidemic, and they are trying to revive it, but, they admit, much less successfully than in the past. They will strive to raise volunteering to a higher level than it currently is.

VDC Krško – Leskovec **did not accept the recommendation** to install a mailbox in the Leskovec residential unit, where users who wish to remain anonymous could submit a complaint, suggestion, opinion, or praise regarding their stay in the residential unit, and, within the same recommendation, that they regularly check the contents of the mailbox. In response to the preliminary report, they stated that they already had a mailbox for suggestions and praise and the possibility of anonymous complaint channels at the units, but it was, so to speak, “forever empty”. However, users are not without complaints, and they regularly present





them at joint meetings or call the director or confide their complaints to him at weekly meetings or by phone (or they usually come to the director in person in the morning). These comments or wishes, which are usually very simple, are solved regularly, because immediate resolution of problems or wishes is extremely important to users.

Regarding the recommendation to display a description of the complaint routes in both residential units, which should be explained in a way that is understandable to users (easy to read), VDC Krško – Leskovec did not explicitly reply to the preliminary report, so the NPM will check the implementation of the recommendation during the next visit. During the visit, the NPM noticed that the staff often find themselves under pressure at work, as they carry out all the necessary tasks in the residential units (cooking of all, including dietary, meals, personal care, administering insulin and other therapies, transporting and accompanying users to medical appointments, etc.), which is a great responsibility. According to the NPM, with the supervision and education of the staff the difficulties felt by the staff in assuming responsibility for all tasks at the residential unit could be reduced. The NPM therefore recommended that VDC Krško – Leskovec provide employees with supervision and appropriate training for the area of work in the residential unit. In response to the preliminary report, the VDC Krško – Leskovec did **not explicitly reply** regarding this recommendation, so the NPM will also check its implementation during a future visit.



During the visit to **VDC Tolmin**, the NPM praised the arrangement of the changing room for blind users, and as an example of best practice especially welcomed the inclusion of users in daily activities, especially the independent shopping for food for the residential unit at a nearby grocery store, which the users are very proud of. The NPM also commended the arrangement of the rooms in accordance with the wishes of the users as well as the outdoor areas and activities of the users in arranging the garden, the awareness of the users about their rights and handling of money, integration in the local (and wider) community, and the possibility of choosing holidays.

The NPM visited VDC Tolmin twice due to infections among users during the first visit. On the first visit, they had a conversation with the director, and on the second, they spoke with the users, who also showed them around the premises of the Residential Unit and the Housing Group. The NPM gave VDC Tolmin five recommendations, all of which were accepted and **three of them realised**. Regarding living conditions, the NPM recommended that VDC Tolmin consider installing night lights in the Residential Unit and Housing Group, which would allow users to safely go to the toilets at night, and to install the missing part of the light in the bathroom in the Residential Unit and remove the mould that accumulates in the bathroom in the Residential Unit and in one of the rooms in the Housing Group. VDC Tolmin has **accepted the mentioned recommendations, but has not yet implemented them**. Regarding the recommendation that the intercom on the second floor be repaired in the Housing Group and thus enable users to respond via the intercom when the front door rings, the centre replied that they had discussed this recommendation for the longest time. They started from the well-established practice of regularly reporting or suggesting the purchase of any item that is missing or in need of repair – both by users and employees. The intercom had not been used for 20 years and no one missed or needed it. After deliberation, together



with the users and employees, they decided that the old, broken device should be removed, and a new bell should be installed, which would be loud enough to be heard around the house, but at the same time not too loud, so that they would not be frightened when it rang. Together with the users and staff, VDC Tolmin, in relation to the recommendations of the NPM, found a solution that suits the users, therefore the NPM considers the **recommendation to have been implemented**. Users can walk independently on the path to the Housing Group, which runs near the Residential Unit, as it leads along a less busy road, and then they have to cross the main road that leads through the centre of Tolmin. During the visit, the NPM also had to cross the road in an unmarked section, in an area without a pedestrian crossing. The director explained that the Municipality of Tolmin has been warned about this several times, but has not yet been able to fix it, as the road is state owned; however, it will be possible to fix it after the ring road is finished and the responsibility for regulating traffic through the centre of Tolmin will pass to the municipality. The problem is said to be that the crossing is behind a bend and if a pedestrian crossing is established, there could be accidents. She explained that they are negotiating with the Municipality of Tolmin as well as the police about the possibility of arranging a safer route. The NPM recommended that VDC Tolmin continue the activities towards arranging a safe route to the Housing Group. VDC Tolmin already stated in response to the preliminary report that efforts to arrange a safe route to the Housing Group are, of course, continuing. This month, the director sent an initiative to the Tolmin Police Station to calm traffic on this section of the road. She has been informed that the initiative will be handed over to the Nova Gorica Police Station for resolution. The Municipality of Tolmin has assured that as soon as the bypass is completed (probably in 2023), the road will be recategorised from state to municipal, which will allow the Municipality of Tolmin to comprehensively ensure the safety of pedestrians on this section, either by setting up a pedestrian crossing or speed bumps or with another solution that will be optimal for all citizens. The NPM further recommended that VDC Tolmin discuss with the users of the Housing Group whether they would like to have a shared computer in the Housing Group – and, in the case of such a desire, install a shared computer. In response to the previous report, VDC Tolmin stated that they had already discussed with the users the need to purchase a common computer in the Housing Group. Everyone agrees that a laptop in the room is enough for them, some also have their own tablet or phone. There is only one user who cannot use the computer independently. If he wants to search for information on the internet, he always goes to the duty room with a staff member and they search the internet together. They agreed that they would physically run cables for television and the internet in every room, and if anyone wanted to connect, they would be able to use that cable. The reply shows that VDC Tolmin **implemented** the recommendation.

During his visit to **VDC Nova Gorica**, the NPM praised the arrangement of the hall in the Stara Gora Unit, which also housed an exhibition of photos of one of the users during the NPM's visit. The NPM also welcomed the efforts of some staff members who enable activities tailored to individual users.

During the visit to the Stara Gora Unit of the Nova Gorica VDC, the NPM made 14 recommendations. All recommendations were accepted and **two have already been implemented**.



VDC Nova Gorica provided supervision for ombudsmen and medical staff starting in September, while supervision for professional workers was provided all the time. It is evident from the reply of VDC Nova Gorica that when the wheelchair is locked, a staff member is always present next to the users to release the brake as soon as possible.



Five recommendations were connected to living conditions in the Stara Gora Unit. The NPM recommended that VDC Nova Gorica install bedside tables and night-lights in all rooms and, when the users do not have their personal belongings in the rooms, the staff should, in agreement with them, decorate each room with items that the individual user likes. The NPM also recommended that the centre arrange the fourth floor so that the users could have single rooms, and at the same time, also study the possibilities for arranging common spaces on all the floors where the users reside. At the same time, the NPM also recommended that VDC Nova Gorica place greater emphasis on the appropriate decoration of the corridors on the residential floors. VDC Nova Gorica **accepted these recommendations but has not yet implemented them**. They stated that three recommendations will be implemented immediately, and two after moving 20 users to the new unit. At that time, new capacities will be freed up and it will be possible to convert the rooms on the fourth floor into single-bed rooms and to arrange common living spaces on all floors. VDC Nova Gorica also **accepted** the recommendation to install shared computers for the users of the Stara Gora Unit on each floor, but at the time of the response to the visit report, **it was still awaiting implementation**.

Regarding the implementation of programmes for different groups of users who also have different needs, the staff explained that the groups of users with developmental disabilities and those with acquired brain damage are partly separated by floor, but the professional treatment is not separated according to the groups of users. The NPM recommended that VDC Nova Gorica design a method of professional treatment of different groups of users (with mental and physical development disorders, acquired brain injury, spinal cord injuries, multiple sclerosis) in such a way that support, rehabilitation, and accommodation programmes are separated. VDC Nova Gorica accepted the recommendation; in response to the preliminary report it stated that the comprehensive method of professional treatment of different groups of users was set in three directions. The programme of work with different groups of users (with goals, methods, forms of work, etc.) is almost ready. The staff will be separated according to different groups of users, and training will also take place in this way. The NPM recommended that VDC Nova Gorica study the possibilities of including additional contractors for direct work with users, including professionals who would provide psychosocial support to users and perform other expert tasks. VDC Nova Gorica **accepted** the recommendation, and in response to the preliminary report stated that negotiations are currently underway with the MDDSZ regarding increasing the number of expert workers, but they have actively started looking for volunteers for individual work with users. Arrangements are being made with the University of the Third Age and with the students of the local high school.



Many users cannot leave the institution and the surroundings of the institution on their own, either because of the location or of a disability, so they depend on transport organised by staff or relatives. The NPM therefore recommended that

VDC Nova Gorica approach activities to ensure the possibility of moving users from the Stara Gora Unit to the urban environment, or to enable users to integrate into the community in another suitable way. The recommendation has been **accepted and still awaits realisation**. In response to the preliminary report, VDC Nova Gorica stated that, although they are already trying to provide users with as many opportunities as possible to access other environments, they are aware that they would also need capacities in urban environments. Currently, their main project is to move the users to the Trnovo Unit. When this is completed in 2023, they plan to find capacity to relocate users to more urban environments.



The NPM also recommended that VDC Nova Gorica, when deciding on the implementation of the PVU according to the ZDZdr, take into account that this measure can only be implemented in emergency cases on secure wards, and also warned that the implementation of the PVU must be carried out in accordance with Article 29 of the ZDZdr, and in the implementation of PVU on the basis of ZPacP further in accordance with the provision of Article 31a of this act. At the time of initiation, during, and upon termination, the relevant legal provisions must be strictly observed, the relevant records must be filled in, and the persons so stipulated by the law must be notified. VDC Nova Gorica **accepted** the recommendation and replied that when deciding on the implementation of PVU according to the ZDZdr, they will, together with the personal physician, thoroughly examine the justification of each measure. Together with the legal department, they will determine the appropriate steps to ensure compliance with the legal provisions.



VDC Nova Gorica also accepted recommendations to install special mailboxes on the residential floors, where users who wish to remain anonymous could submit a complaint, suggestion, opinion, or praise regarding their stay at the institution, and place a description of the complaint routes on the noticeboards on the residential floors, which should be explained in a way that the users can understand (in an easy-to-read form).

The NPM recommended that the MDDSZ approve for VDC Nova Gorica the immediate recruitment of new contractors at the Stara Gora Unit in accordance with the *Rules on standards and norms for social assistance services* and thus enable their quality implementation at the Stara Gora Unit. The NPM was still waiting for the MDDSZ' reply at the time of preparation of this report.

During the visit to **VDC Novo mesto**, the NPM praised the access to the courtyard, which is adapted for wheelchair users, the equipment of the rooms, and the possibility of arranging the rooms according to one's choice, especially on the first floor, the orderliness of the common areas, and they particularly welcomed the orderliness of the outdoor areas in accordance with the needs of the users.

The NPM gave eight recommendations to VDC Novo mesto. **Five recommendations have been accepted and realised, one was accepted and awaits realisation, one recommendation was not accepted, and VDC Novo mesto did not specifically reply to one.**



VDC Novo mesto strengthened cooperation with users' relatives, and takes the results of employee satisfaction surveys into account when planning its further work to improve staff satisfaction, but also takes into account the suggestions

of staff members regarding training for direct work with users with various problems. VDC Novo mesto provides a constant, uninterrupted possibility for staff to immediately (when the user indicates or verbally expresses) release wheelchair brake for users who cannot do it themselves. They are also transported with a wheelchair to where they want to go (living room, room, terrace). VDC Novo mesto has already installed mailboxes on all floors, next to which complaint routes and instructions are displayed in an easy-to-read form, as well as *User cooperation routes in the implementation of social welfare services* at VDC Novo mesto.

The NPM recommended that VDC Novo mesto, when deciding on the implementation of the PVU, take into account that this measure can only be implemented in emergency cases on secure wards, and when implementing the PVU it is necessary to act in accordance with Article 29 of the ZDZdr. At the time of initiation, during, and upon termination, the mentioned legal provision must be strictly observed, the relevant records must be filled in, and the persons so stipulated by the law must be notified. VDC Novo **mesto accepted the recommendation, but has not yet fully implemented it**. They responded that, when deciding on the implementation of PVU, they act in accordance with the *Instructions on the rules of conduct of employees and guidelines for the protection of users, residents, employees, visitors, or material assets in the event of violent behaviour*, adopted on the basis of the Statute of VDC Novo mesto and the ZDZdr. At VDC Novo mesto, they use a de-escalation room with the aim of preventing self-harm, harm to others, or the occurrence of serious material damage. The Instructions explicitly determine who can decide on the implementation of the PVU and when, which documentation must be kept, who must be informed about it, how the measure is implemented and, above all, that it is a PVU that can be used only exceptionally and can only last for as long as is absolutely necessary given the reason for its introduction. In this regard, the NPM notes that VDC Novo mesto acts in accordance with Article 29 of the ZDZdr when carrying out PVU, but according to this law PVU can only be carried out on secure wards, which VDC Novo mesto does not have, since none of the users in the Šmihel Unit is there based on the provisions of ZDZdr.



The recommendation that VDC Novo mesto consider installing night lights for all users in the Šmihel Unit **was not accepted**. VDC Novo mesto stated in response to the preliminary report that they provide night lights to all users who need, know, and are able to use them.



VDC Novo mesto **did not take a position** on the recommendation to provide supervision for all employees who work directly with users in the Šmihel Unit, so the NPM will check the implementation of this recommendation during a future visit.



During the visit to the **VDC Črnomelj**, the NPM commended the equipment of the common areas and rooms in accordance with the wishes of the users, the arrangement of the outdoor areas, especially the apiary, welcomed the planning of staff training at related institutes in the manner of staff exchange, and, as an example of good practice, praised the cooperation of users in checking the contents of the mailbox of complaints and praise and the participation of users in the User Council.

Upon the visit to the Residential Unit the NPM gave VDC Črnomelj six recommendations. **Two were accepted and realised, while four recommendations have been accepted but still await implementation.**



VDC Črnomelj replaced the torn curtains on the shower cubicles in the users' bathrooms on the ground floor and installed clothes hangers in the shower rooms. It was also recommended that VDC Črnomelj post a description of the complaint routes on the noticeboard in the Residential Unit, which should be explained in a way that is understandable to users (in an easy-to-read form).

The NPM recommended that VDC Črnomelj create separate questionnaires for each service when determining user satisfaction. VDC Črnomelj **accepted** the recommendation, but replied that in the past they already had separate questionnaires, but before 2018 the users of the Residential Unit began to object to filling out two questionnaires, arguing that filling out two surveys was too difficult for them. For users in the Residential Unit, additional questions regarding their stay at the Residential Unit will be added to the satisfaction questionnaire about the guidance, care, and sheltered employment service. VDC Črnomelj also **accepted** a recommendation to take into account the results of staff satisfaction surveys when organising work (taking into account formal restrictions), and also **accepted** a recommendation to check the contents of praise and complaint boxes more often (at least once every 14 days). **These recommendations still await implementation.**

The recommendation that VDC Črnomelj study the possibilities of involving external contractors (volunteers, students, persons through community service) in the implementation of activities at the Residential Unit **was also accepted, but not yet implemented.** They replied that before the Sars-CoV-2 epidemic, volunteers from Črnomelj High School were also involved in working with users at the Residential Unit, but this activity was interrupted due to the epidemic. During 2020–2022, a student was included in the work of the Residential Unit; VDC Črnomelj also applied to the Faculty of Social Work to offer a student internship for 2022/2023, but no student was registered for the Bela krajina area. In 2023, they will try to organise cooperation regarding voluntary work with Črnomelj High School, but the turnout is poorer, as volunteers from the high school work with users during the morning hours, while users of the Residential Unit are in the unit from 2 pm onwards. VDC Črnomelj also stated that it warns that short-term implementation of an activity by users with learning disabilities can cause confusion and more damage, as users need more time to accept and trust a new person.

During the visit to **VDC Polž**, the NPM praised the individually furnished rooms, the schedule of tasks in the dining room of the Residential Unit, which is made in pictorial format, various instructions and notices in an easy-to-read format, and especially welcomed the inclusion of the users of the Residential Group in all activities and the pleasant atmosphere in the Residential Group, which functions as a larger family according to the principles of normalisation and deinstitutionalisation.

During the visit to the Maribor Residential Unit and the Maribor Residential Group, the NPM also made seven recommendations to VDC Polž. At the time of the preparation of this report, the NPM has not yet received the response of VDC Polž to the recommendations.

Three recommendations pertained to living conditions. The NPM recommended that VDC Polž consider installing night lights in users' rooms in the Residential



Unit and Residential Group, together with users and staff study the most suitable way of installing a shower curtain in a larger house in the Residential Unit, which will enable staff members to help with the care of users and an appropriate amount of privacy during showering for female users, and consider placing a “vacant/occupied” sign on the outside of the bathroom door in the smaller house in the Residential Unit, which would allow a user who wanted to enter the bathroom to see from a distance that the bathroom is occupied, and the user in the bathroom could thus use it without interruption.

The NPM also recommended that VDC Polž should discuss with the users of the Residential Unit and the Residential Group whether they wish to have a shared computer and, in the event of such a wish, to install shared computers.

The NPM recommended that VDC Polž take into account the results of surveys on the satisfaction of users of institutional care, try to establish (even) better relations between roommates, and take into account the wishes of users to an even greater extent when planning leisure activities.

The NPM also recommended that VDC Polž place the mailbox (or book) for complaints in a particularly visible place in the Residential Unit and Residential Group, thus enabling users who wish to remain anonymous to submit a complaint, suggestion, opinion, or praise regarding their stay at the Residential Unit and the content of the mailbox (book) be regularly checked (at least once every 14 days). In the Residential Unit and the Residential Group, a description of the complaint routes should also be displayed in a visible place, which should be explained in a way that is understandable to users (we suggest the easy-to-read form).

# 2.5

## VISITS TO RETIREMENT HOMES

In 2022, the NPM visited **17 retirement homes**, the purpose of which is to provide institutional care services for persons (as a rule) older than 65 years. These were regular visits (five retirement homes), follow-up visits (four retirement homes), and thematic visits (eight retirement homes<sup>48</sup>).

In 2022, the problems caused by the Covid-19 pandemic were more or less gone. Individual homes were still faced with the invasion of infections by newer versions of the SARS-CoV-2 virus and, as a result, with the temporary establishment of so-called red zones for the infected, and individual respiratory diseases also began to appear again in the autumn of this year. For this reason, the obligation to wear masks for the staff and visitors remained in force. The members of the NPM also strictly adhered to safety measures, following the principle of “do no harm”, both with constant hand disinfection and the strict use of all necessary protective equipment (wearing certified FFP2 masks throughout the visit). The remaining restrictions that were in place during the pandemic have generally been eased. The NPM was therefore surprised when they found out in one of the retirement homes visited that **even after the end of the pandemic, visiting hours were still limited**. Since there was neither basis nor need for this, the NPM warned the retirement home about the inappropriateness of such a practice.



In the past, the NPM has repeatedly warned about **inadequate staffing levels** and recommended that the MDDSZ revise them, taking into account the increased needs of retirement homes, including in relation to the change in the structure of the residents. Although in 2022 there was indeed a revision of staffing levels and the number of staff will gradually increase, this year the NPM found that the retirement homes are facing another problem. **The labour market simply cannot provide any suitable staff needed to provide the most complete care for the residents**. Some homes have no candidates apply for individual advertised jobs, or they turn out to be unsuitable.



During its work, the NPM has noticed that **an important pillar of the protection of the rights of persons with mental health disorders are the representatives defined in the chapter of the ZDZdr on the rights of persons on wards under special supervision, on secure wards, and in supervised treatment**. However, the NPM notes that the role of representatives is still poorly known or even unknown, both to residents of retirement homes and their relatives, as well as to the staff. In social welfare institutions, in which the protection of persons, especially those with cognitive decline, i.e. with one of the forms of advanced dementia, is carried out on secure wards (regardless of the form of protection – technical or with staff), the representatives do not fulfil their role, hence the protection of the rights of the residents in these institutions can be worse, even endangered. **During the visits to retirement homes, the NPM has repeatedly recommended that the individual social welfare institution visited contact the specific represent-**



48 One of these was visited by the NPM within thematic visits, which we write about in the chapter on the visits to special social care institutions.



**ative who covers the area in which the institution operates, and invite them to come and present the powers of the representative to the residents, relatives, and the staff.** Those retirement homes that acted in accordance with the given recommendation usually experienced a good response from the representatives and their willingness to present their role in the care of people with mental health problems at a meeting at a specific institution. However, during some subsequent visits to the retirement homes, the NPM also learned that they had received a negative response from the representative. The representatives referred above all to the fact that the ministry limited their powers to psychiatric hospitals and special social welfare institutions (such a limitation, if it was indeed given, has no basis in the ZDZdr, in the opinion of the Ombudsman). When invited to the retirement homes to present their work, some representatives warned that their competence is supposed to be limited only to secure wards. This is correct, but it must be taken into account that it is not the name of the ward (in an individual retirement home) that is important, but the fact that the personal liberty of individuals is de facto limited on such a ward (more on this below). In some cases, the representatives are said to even decline their presence at the retirement home on the grounds that they are too busy. In July 2020, in a letter to the MDDSZ, the representatives themselves pointed out the heavy burden on the representatives, including in relation to the reduction in their number. They cited fundamental problems that affect not only the quality of their work, but can even make it impossible to perform their task, which, as they rightly point out, most affects the very persons to whom the representative is supposed to provide adequate assistance in exercising their rights. As a result, their right to a representative, stipulated in the ZDZdr, can in the extreme cases become just a dead letter on paper, which is wholly unacceptable. The Ombudsman is not aware that the representatives have received a response to the aforementioned letter, and especially not whether their call for the regulation of the conditions for the quality work of the representatives, partially or fully, has been granted.

In light of the aforementioned findings, the Ombudsman has requested an explanation of what the MDDSZ has already done or what it plans to do in the future, so that residents of wards for people with dementia (de facto secure wards) of retirement homes will be properly informed of the right to a representative, and also that the number of representatives will be sufficient so that they can fulfil their role in these institutions as well. The Ombudsman has already contacted the MDDSZ to ask for an explanation as to whether an evaluation of the work of representatives had already been carried out (in individual institutions or in general), what its findings were, and what measures have been taken in case of identified deficiencies (e.g. insufficient number of representatives), as well as what measures were taken to (even better) regulate the position of representatives of people with mental health problems (some time ago, during a meeting with their representatives, the Ombudsman heard that they are working to have their status, as well as the reimbursement of expenses, regulated in a similar way to that regulated by the Ministry of Health regarding representatives of patient rights). The Ombudsman was still waiting for the MDDSZ's reply when this report was being prepared.



Since the NPM has been aware **for many years of the problems with obtaining a legal basis for detention on wards for residents with dementia in retirement homes**, in which the protection of residents is not carried out by classic locking of

the ward (regardless of the type of lock), in 2022 they decided to conduct thematic visits, with which they wanted to determine possible restrictions on the personal liberty of residents on the wards, which the retirement homes describe as “wards with personal monitoring”.

**In 2022, the NPM thus carried out thematic visits to seven retirement homes, all with the aim of determining the method of protection on the wards, which, as mentioned, the visited homes characterised as wards where the protection of residents with cognitive decline (dementia) takes place with so-called personal monitoring. Thus, the NPM visited Dom upokojenecv Sežana, Dom starejših občanov Ajdovščina, Dom za varstvo odraslih Velenje (during the visit actually located in Topolšica), Koroški dom starostnikov – Slovenj Gradec Unit, Koroški dom starostnikov Dravograd Črneče, Dom starejših občanov Novo mesto, and Dom starejših občanov Metlika – the dislocated unit.**

In the past, during visits to individual retirement homes, the NPM ascertained how people with dementia are being protected. In this, the NPM was aided by the provisions of the Mental Health Act (ZDZdr) and the *Guidelines for working with people with dementia in homes for the elderly* (<https://www.gov.si/teme/http-swww-spomincica-sipage-id85825/>). The aforementioned Guidelines were prepared by the MDDSZ in 2011, when the concept of wards with increased attention (OPP) was also defined for the protection of persons with dementia within the framework of the segregated model of residence of such residents in addition to the protected ward (defined by the ZDZdr in point 17 of Article 2). The Guidelines emphasised that in terms of methods and techniques of working with residents with dementia, there are no differences between secure wards and OPP. However, they differ in terms of the method of protection, namely the OPP “does not have physical protection, or it is significantly distant from the residential unit (e.g. an external fence around the home). Safeguarding is carried out by staff with an approach based on trust, through guidance, leadership, and other techniques of professional work with people with dementia.” At that time, the Ombudsman warned the ministry that security on the OPP is carried out by staff and, in fact, regarding the restriction of the resident’s personal liberty, there is de facto no significant difference between restriction on the secure ward and restriction on the OPP. Therefore, he expressed his belief that retirement homes, which arrange security within the scope of the OPP, should also respect the provisions of the ZDZdr regarding the legal basis for detaining a resident.

Based on the above-mentioned warnings, in 2014, the MDDSZ adopted an amendment to the Guidelines and emphasised that a distinction must be made between personal protection (with staff) and personal monitoring. Personal monitoring is thus “tied to unobtrusive individual treatment, which is tied to the wishes of the user and is based on the trust, motivation, and cooperation of the user during monitoring and care for the safety of the user and means monitoring in the true sense of the word (not obstruction and deterrence)”. The model of personal monitoring should not interfere with the restriction of an individual’s freedom of movement, therefore, according to the MDDSZ, there is no need to obtain a legal basis according to the ZDZdr. The OPP no longer knows the changed direction.

In 2018, the MDDSZ again supplemented the Guidelines and, at the same time, also supplemented the description of the concept of personal: “Personal moni-

toring is introduced as necessary and is tied to unobtrusive individual treatment, which refers to the user's wishes and is based on the user's trust, motivation, and cooperation, while monitoring and taking care of the user's safety when the user has a high risk assessment, and means monitoring in the true sense of the word (not hindering and deterring)."

In 2015, the NPM carried out a thematic visit to several retirement homes, which in the past arranged the protection of residents with dementia according to the guidelines within the OPP (as already mentioned, it usually related to protection with staff). The final conclusion of the visits to six retirement homes at that time was: "Our experience from all the institutions visited shows that the work on the wards for people with dementia has not changed significantly even after the changes to the *Guidelines for working with people with dementia*, prepared by the MDDSZ. Although some retirement homes, due to the lack of other options, especially for the establishment and verification of a secure ward, rename the wards to wards with personal monitoring, as a new concept for the organisation of such wards, or in some other way, we note that the way of working with people with dementia remains essentially the same, and the same goes for the protection of the residents, which is also understandable given the staffing levels. If these are not changed or adjusted to the concept of personal monitoring, we believe that the MDDSZ should actively approach the search for an appropriate solution, which would enable retirement homes that do not meet the conditions for the verification of secure wards to have a concept of work that would ensure the residents the best possible care and, above all, their safety, taking into account the provisions of ZDZdr. We believe that it would be very important to (again) include the social welfare institutions and others that work in this field or are connected to it in the discussion when new solutions are being prepared (Human Rights Ombudsman, representatives according to the ZDZdr, NGOs, and others). The visited homes are also convinced that only their involvement in the search for a suitable solution would bring a result that would also work in practice. We agree with this opinion of the homes and recommend their active involvement in the search for a suitable solution. Of course, when looking for a suitable solution, the MDDSZ must take into account the requirements of the ZDZdr regarding the conditions for detaining an individual on a (unverified) secure ward. At the same time, we should only point out that the necessity of finding an appropriate solution for the protection of residents in homes where verification is not possible due to non-fulfilment of technical conditions was also emphasised by the NPM expert, Dr Peter Pregelj, during the visit to the Podbrdo Retirement Home, Petrovo Brdo Unit. Until the MDDSZ, with the cooperation of social welfare institutions, finds some other suitable solution and includes it in a legal document that will represent the basis for the (new) concept of work on the wards for persons, we recommend that retirement homes take into account Indent 17 of Article 2 of the ZDZdr, which defines a secure ward as a ward in a social welfare institution, where persons receive continuous special protection and protection due to their needs and cannot leave the institution at their own will. Therefore, if the residents of this ward, and also the area of the institution, cannot leave independently, without being turned around by the staff, before detaining the resident on such a ward, the procedure specified in Articles 74 to 79 of the ZDZdr must be carried out."



Later, even after the change of direction in 2018, during (regular) visits to the retirement homes, the NPM noted that the **concept of personal monitoring has**

**not (still) fully taken off in reality.** Retirement homes which have defined the protection of residents with dementia as personal monitoring generally carry out protection with staff. This means that residents cannot leave the institution independently. If they try to do so anyway, they are stopped by employees of the ward for people with dementia, other residents may also alert them to their attempt to leave, and in extreme cases they are stopped by the receptionist. In all these cases, they try to convince the resident to return to the ward (by saying for example “you are not dressed warm enough to go out”; “this is not the right time to go out”; “join an activity on the ward”; “visiting hours are coming up”; “sit down and let’s have a coffee”, and the like) or the resident is directed back to the ward physically (a grip, turning around, accompaniment to the ward).

The above showed that there is still no adequate solution regarding the provision of a legal basis in the case of protecting residents using staff. **According to the findings of the NPM, retirement homes implement proper security with staff as much as possible, and residents are placed on the dementia ward, which (the ward or at least the area of the retirement home) they cannot leave independently and at will without an appropriate legal basis for detention.** Despite the warning during the thematic visits in 2015 and numerous warnings during the subsequent regular visits to the retirement homes, which, according to their provision, do not have a secure ward, but rather a ward (or wards) with personal monitoring, according to the NPM’s findings so far, not enough has been done enough to improve the question of the legal basis for the de facto restriction of personal liberty of residents with dementia in individual retirement homes. **Thus, in 2022, the NPM decided on new thematic visits to retirement homes, which define the way of protecting residents with dementia as “personal monitoring”, and the wards for people with dementia as “wards with personal monitoring”.** Namely, the NPM wanted to recheck whether the method of protection shows that the concept of personal monitoring, at least in individual homes, has actually come into effect and is therefore proceeding in accordance with the aforementioned Guidelines of the ministry.



Based on these thematic visits, the NPM **concluded that the visited retirement homes do support the concept of personal monitoring, but during these visits, and findings were similar during visits to other retirement homes in the past, it concluded that this concept actually (still) had not come into effect.** Homes which generally name their wards differently (e.g. as household groups) describe the way of protecting residents with a (leading) diagnosis of dementia as protection with personal monitoring; however, at all the social welfare institutions visited, it is actually about staff protection. The fact is that a resident who leaves the ward on their own is stopped at a certain point by the staff, in extreme cases the receptionist, thereby preventing them from leaving unimpeded. According to the explanations received, this stop is not followed by a search for an employee who will accompany the resident on their way, but by a diversion, often connected with persuading the resident to return to the ward. The result of this type of protection is that the resident no longer follows their original will. Whether this was real or merely a consequence of their medical condition and the associated unrealistic view of the world around them is, of course, another question that may be important from the point of view of understanding the resident; however, it does not change the fact that in any case their personal liberty or movement is restricted. The NPM expressed the opinion that the Guidelines of the ministry represent a

good basis for regulating the security of residents of retirement homes. However, a gap was found between (verified) secure wards and wards with personal monitoring. It might therefore be reasonable to write down the form of protection of residents and the staff in the Guidelines and regulate it more precisely (similarly to how OPP was regulated in the Guidelines some time ago). At the same time, it is particularly important to note that security provided by staff also interferes with the individual's right to personal liberty, which means that (according to the current regulations in the ZDZdr) such security should be given valid consent by the residents themselves or be decided by the court. Naturally, a solution would also be possible if a third party (e.g. an independent multidisciplinary team) were to decide on placement on a ward with this type of protection, with the mandatory possibility of a judicial review of the decision of such a body. However, this is already a solution that should most likely also be regulated by law (e.g. in the ZDZdr).

**Based on the above, the NPM recommended that the MDDSZ take care of the appropriate legal regulation of the wards where the protection of residents is provided by staff, and for detention on such a ward it will also be necessary to obtain an appropriate legal basis. The NPM also recommended that the MDDSZ take care of adequate staff reinforcement of the (true) wards with personal monitoring (which does not only mean a change in staffing levels, but also an appropriate incentive in the educational process of young people and adults to ensure a sufficient number of suitable staff on the labour market and a corresponding change in the remuneration of employees), and at the same time ensure adequate control over the implementation of this concept, when the personal liberty of an individual resident should under no circumstances be interfered with (either physically or by the staff).** At the time of preparation of this report, the NPM was still waiting for a reply from the MDDSZ, since the deadline for the reply has not yet expired.

In the past, on the basis of regular, follow-up, and, above all, similar thematic visits, the NPM has warned several times (most recently in 2020) of the unacceptable situation caused by the overcrowding of secure wards of special social welfare institutions (more about this, including the recommendation given to the MDDSZ based on the current visits, in the chapter on visits to special social welfare institutions). In 2022, the NPM decided to visit such institutions again, and at the same time also made **a thematic visit to Dom upokoencev Idrija, Marof Unit**, intended for adults with long-term mental health disorders or mental development disorders who need institutional care (this is a so-called combined social welfare institution). The Marof Unit subsequently provided data on the occupancy of secure wards with a total capacity of 36 beds for 2021 and the first three months of 2022. From the data received, it was clear that the two secure wards were fully occupied all the time, but there was no overcrowding of individual wards. It also provided data on the (total) waiting list for admission to the secure ward. Among them there was a certain number of non-current applications; after the last check of active applications there were still 12 pending in March 2022 (previously up to a maximum of 37).

**In 2022, the NPM also made five unannounced regular visits to retirement homes, namely Dom upokoencev Gradišče, Dom počitka Mengeš, Senecura dom starejših občanov Vojnik, Dom starejših občanov Vič – Rudnik, Bokalce**

Unit, and Dom Hmelina (dom za starejše občane) Radlje ob Dravi. During four visits, the NPM made a total of 48 recommendations, of which, according to the response of the visited homes to the previous reports on the visits, 28 were implemented, and 20 were accepted but have not yet been implemented. The NPM gave 11 recommendations to Dom Hmelina (a home for senior citizens) in Radlje ob Drava to improve the situation, and at the time of preparing the annual report, the NPM was still waiting for a response, since the deadline had not yet expired.

During the visit to **Dom upokojencev Gradišče**, the NPM **praised the cleanliness of the facilities visited**.



The NPM made 17 recommendations, of which the **Dom upokojencev Gradišče accepted and has already implemented seven recommendations, and when the response was received, 10 recommendations were still waiting to be implemented**. In response to the preliminary report, Dom upokojencev Gradišče explained that the janitor had checked all the reading lights and repaired the non-working ones, and when residents and their relatives arrive at the home, they are always encouraged to bring personal belongings from home that make the resident's room more homely. The home warned the staff that protective measures (safety belts on wheelchairs and recliners) are used only in extreme cases, for a short time with the constant presence of the staff, and reminded the home doctors to constantly check whether the prescribed measure is still adequate for an individual resident. If a particular resident needs a guardian to protect their interests, Dom upokojencev Gradišče informs the competent social work centre; they also strive for even greater involvement of volunteers, and the occupational therapist has provided the residents of the second floor of both wards with didactic and social games as well as colouring books and crayons. Recommendations that awaited implementation were to further improve the living conditions of the residents (the janitor repaired what was in his power, painted the wall behind the radiator, sawed off the dangerous part of the support bracket on the hallway wall), that residents be provided with all the necessary hygiene items in the toilets (in addition to soap and toilet paper, also towels), the staff team working on the secure wards be strengthened, especially during mealtimes, a new noticeboard be installed, and the home try should to include a larger number of residents and their relatives in the satisfaction survey. Likewise, Dom upokojencev Gradišče will have to implement recommendations regarding the (official) establishment of a secure ward, provision of an appropriate legal basis for detaining residents on this ward, appropriate behaviour in the case of measures that could limit a resident's ability to move freely, establishing a record of complaints (both written and oral), and establishing contact with representatives of persons with mental health disorders (so that they introduce themselves to the residents, their relatives, and the staff). At the time of the visit, the so-called PCT condition was still being met. As visits were tied to this, the NPM also recommended that an eligibility check application be installed on the staff's phones, as this would allow visits to be accepted on Sundays.



During the visit to **Dom počitka Mengeš**, the NPM **praised individual, friendly behaviour towards the residents**. Thus, it commended the practice that in case of more serious problems, when the situation cannot be controlled in the Home, the residents are referred to hospital care. In the reviewed cases, these procedures



were carried out correctly and on time. The NPM also praised the record keeping of complaints, and above all the fact that oral complaints are recorded and dealt with.



During the visit to Dom počitka Mengeš, the NPM made 10 recommendations, of which the home **accepted and implemented seven recommendations, and according to the response received, three recommendations were still awaiting implementation.** Dom upokojevcev Mengeš explained in response to the preliminary report that they had already equipped the list of activities with graphic symbols, agreed with the cleaning contractor that the cleaning of the secure wards will be carried out by people who speak Slovenian, warned the staff about the correct use of seat belts on wheelchairs (that is, in a way that does not restrict the movement of residents), and about the urgent action in accordance with Article 29 of the ZDZdr (special protective measures) should restrictions occur. Dom počitka Mengeš also implemented the recommendation regarding the appropriate installation of mailboxes for complaints, praise, and suggestions, and also added tools for writing a complaint, and posted the documents on the noticeboard as required by Article 16 of the ZDZdr. It will also update the leaflet and contact representatives of the rights of people with mental health problems and invite them to introduce themselves to residents, relatives, and the staff.

At the time of the response to the preliminary report, the recommendations still awaiting implementation were that the satisfaction survey should also be carried out among the residents of secure wards, that Dom počitka Mengeš be alert to the poorer results in individual fields, repeating criticism, and expressed dissatisfaction, as well as timely sending of proposals to the court for the extension of the stay.



During the visit to **Senecura dom starejših občanov Vojnik** the NPM **found a series of best practices and commended examples of individual resident-friendly conduct.** Thus, it praised the admission of a dog to the ward, as it has a good effect on the well-being of the residents. He also praised the model of an antique stove made of wood and cardboard, which reminds residents of a home kitchen, as well as the establishment of a library. At the time of the NPM's visit, in addition to the first and last names of the residents staying in the room, a picture was attached to the door of each room, which made it easier to identify the room and, therefore, to get oriented. The NPM praised the establishment of a system for quick response in the case of using the call bell button and an electronic system for recording feeding, washing, and other information about the residents. It praised the written and visual presentation (graphic display) of the programme of activities, the efforts to involve the residents of the dementia ward in activities with the rest of the residents of the Home, the installation of high garden beds, and the deliciousness of the food. It welcomed the activities that ensure equal treatment of residents, regardless of their physical abilities, and the active participation of residents and the wider surrounding area. It also welcomed the help of external participants to residents who were not able to fill out the survey on their own, which reduces the possibility of influencing the answers. The NPM also praised the efforts of the staff to maintain contact between the residents and their relatives during the pandemic.



During the visit to Senecura dom starejših občanov Vojnik the NPM made 14 recommendations, of which **Senecura dom starejših občanov Vojnik accepted and**

**realised ten, while four were still awaiting implementation when the reply was received.** In the reply to the preliminary report, Senecura dom starejših občanov Vojnik explained that the maintenance person checked the operation of all the night lights and corrected the irregularities, and moved the bell button switch, which was too far from the bed. They also removed the advance announcement of visits that was in place during the pandemic and removed the application form from the website; from the door to the fenced part of the home removed the warning about the prohibition of contact between relatives and residents, placed leaflets in the ward with information about dementia, the rights of people with dementia, and representatives in the field of mental health, adjusted the folder with comment forms, and reminded employees to regularly check the pens next to the box for complaints, praise, and suggestions. Senecura dom starejših občanov Vojnik warned the resident psychiatrist about the explicitness of citing cases of the use of prescribed therapy when necessary, and warned the staff about proper record keeping when using this type of therapy. The NPM especially warned Senecura dom starejših občanov Vojnik about the necessary care when using safety belts for residents in wheelchairs. It is clear from the response that the recommendation will be implemented to the greatest extent possible, and supervision of the residents of the dementia ward, i.e. also those with seat belts, is already ensured.



Senecura dom starejših občanov Vojnik will have to implement the recommendation that the home library be enriched with newer works, that the high garden beds be additionally raised and thus made more accessible for the residents, that the provisions of the ZDZdr regarding the placement of an individual on a secure ward with his or her consent be strictly followed, and that the home establish contact with a representative of the rights of persons with mental health problems, who will introduce themselves to the residents, relatives, and the staff.

During the visit to **Dom starejših občanov Vič – Rudnik, Bokalce Unit**, the NPM **praised individual resident-friendly changes to living conditions.** Thus, it praised the fact that personal photos were attached to the walls of the rooms, which were provided by relatives together with the residents at the suggestion of the staff, enabling the latter to feel more at home. It also commended the exemplary care of the staff for the residents, especially patient encouragement and asking about food. During the Covid-19 pandemic, psychotherapy for the residents was, if necessary, carried out by an experienced psychotherapist, two to three times a week for several hours, and she was also available to the staff, which the NPM also praised as an example of best practice.



During the visit to Dom starejših občanov Vič – Rudnik, Bokalce Unit, the NPM made seven recommendations, of which the **Bokalce Unit accepted and realised four recommendations, while three were still awaiting implementation when the response was received.** In response to the preliminary report Dom starejših občanov Vič – Rudnik, Bokalce Unit, explained that they had updated the activity schedule with graphic symbols, as well as weekend activities, prepared it in a larger format, and posted it on the noticeboard. They updated the legal instruction in the consent to placement on the secure ward in accordance with the ZDZdr, renewed the instruction for timely informing the court of the need to extend the detention, appropriately marked the mailbox for praise, comments, and objections, and noted where it is possible to get aids for filling out forms.





Dom starejših občanov Vič – Rudnik, Bokalce Unit, however, will still have to implement the recommendations on regular control over the response times of the staff in the event of an emergency call from a resident, on the provision of an additional general practitioner (which is the subject of discussions with the Vič Health Centre), and on the organisation of a meeting with a representative of people with mental health problems and a presentation of his role to the residents, relatives, and the staff.



During the visit to **Dom Hmelina (dom za starejše občane) Radlje ob Dravi** the NPM **commended** that during the NPM's visit, in addition to the first and last name, a picture of the resident or another motif was affixed to the door of each of the rooms located in the secure wards, by which the residents can more easily identify their room. They also praised the establishment of a library and a system to control the speed of response in the event of an emergency call being used. They commended the clear presentation of individual activities with pictures posted at the exit from the common area, the handling of complaints, and the analysis of satisfaction surveys, on the basis of which Dom Hmelina correctly identified its own shortcomings and noted opportunities for improvement.

During the visit to Dom Hmelina, the NPM also made eleven recommendations for improving the situation, but was still awaiting the institution's response at the time of preparing this report, since the deadline for the response had not yet expired.

**In 2022, the NPM specifically checked compliance with the recommendations made during the visits in previous years to four retirement homes, so these were unannounced follow-up visits. The following were visited: Dom upokojecev Ptuj (Ptuj Unit), Dom upokojecev Franc Salamon Trbovlje (Prebold Unit), Dom dr. Jožeta Potrča Poljčane (Slovenska Bistrica Unit), and Dom starejših Na Fari, Prevalje. During these visits, in addition to verifying the implementation of the recommendations made during previous visits, the NPM made one new recommendation, which, as stated below, has already been implemented.**



During the visit to **Dom upokojecev Ptuj – Ptuj Unit** the NPM **praised** the efforts of occupational therapy to develop devices that stimulate and consequently maintain the physical functions of the body, but above all also inhibit the progression of dementia and thus help maintain the mental health of the residents; they also praised the efforts to prepare a so-called biography, which enables individualisation, i.e. adaptation of activities, food, and daily life in general to the individual resident, their wishes, and habits.

During a regular visit to the Dom upokojecev Ptuj – Ptuj Unit in 2021, the NPM made 11 recommendations. During the follow-up visit in 2022, the NPM was able to find that Dom upokojecev Ptuj had **accepted and implemented seven recommendations, while it had accepted four recommendations, but had not yet fully implemented them.** Although their implementation is partly tied to systemic solutions (e.g. changes to staffing levels according to the competent ministry), the NPM nevertheless expressed the expectation that the Dom will pay special attention to their implementation in the future. The NPM did not make any new recommendations during this visit.



During the visit to **Dom upokojecev Franc Salamon Trbovlje, the unit in Prebold**, the NPM **commended** that in the case of a resident who was admitted after the NPM's visit in 2021, the admission took place in accordance with the provisions of the ZDZdr.



During the regular visit to Dom upokojecev Franc Salamon Trbovlje – Prebold Unit in 2021 the NPM made 14 recommendations. During the follow-up visit in 2022, the NPM was able to determine that the unit had **accepted and implemented nine** of them, while it had **accepted five recommendations, but had not yet fully implemented them**. The NPM expressed the expectation that the staff will strive to implement these recommendations in the future. No new recommendations were given on the occasion of this visit.



During the regular visit to Dom dr. Jožeta Potrča Poljčane – Slovenska Bistrica Unit in 2021 the NPM made 11 recommendations. During the follow-up visit in 2022, it was established that the unit had **accepted and implemented three** of them, while it had **accepted eight recommendations, but had not yet fully implemented them**. The NPM expressed the expectation that these recommendations will also be implemented in the future. **From the response to the preliminary report on the visit, the NPM was able to understand that even the eight unimplemented recommendations had already been implemented, which is particularly commendable**. During this visit, the NPM also made a new recommendation, namely that the Slovenska Bistrica Unit strive to invite residents who do not have visitors or when they are not with visitors to participate in various activities and thus fill their time, even at the weekend. **From the response of the visited institution, it was clear that the recommendation had already been implemented**, as the unit updated the schedule of activities and added weekend activities. In its response to the NPM's report received, the MDDSZ stated that it agreed with the recommendation, but warned that the residents' wishes must be taken into account when scheduling activities.



During the regular visit to **Dom starejših Na Fari Prevalje** in 2021 the NPM made 16 recommendations. During the follow-up visit in 2022 the NPM could find that Dom starejših Na Fari Prevalje **accepted and implemented 14 of them, while two recommendations were accepted but not yet fully realised**. The NPM expressed the expectation that the staff will strive to implement these two recommendations in the future. No new recommendations were given on the occasion of this visit.



# 2.6

## VISITS TO SPECIAL SOCIAL WELFARE INSTITUTIONS

In 2022, the NPM visited **four special welfare institutions**, the purpose of which is to carry out services of institutional care of adults with mental health disorders and intellectual disabilities. The NPM visited two of them twice (in both cases it was a follow-up and a thematic visit).



The visits in 2022 were also (once again) marked by the issue of **overcrowding on the secure wards of the visited special social welfare institutions**; this was also the topic of the **thematic visits, within which the NPM visited four special social welfare institutions: Dom na Krasu Dutovlje (11/04/2022), Dom Nine Pokorn Grmovje (13/04/2022), SVZ Hrastovec, and Dom Lukavci (19/04/2022)**. During these visits, the NPM was able to determine that the plight of institutions remained the same, despite some progress resulting from the answers of the MDDSZ.



On the basis of regular, follow-up and, above all, similar thematic visits, the NPM has warned several times in the past (most recently in 2020) of the **unacceptable situation caused by the overcrowding of secure wards of special social welfare institutions**. The Ombudsman has warned of the unsustainable situation in several of his annual reports, and the warnings of the judiciary and especially of the institutions themselves were loud. In the past, state authorities, especially the competent ministry (MDDSZ), made a series of promises about finding solutions, about opening new wards, and even about the imminent regulation of this issue – however, during recent visits to special social welfare institutions, the NPM noted that the situation has not significantly improved. Secure wards are still overcrowded, and due to court decisions that admissions must be made after the first vacancy is released, the pressure has, at least to a certain extent, been transferred to where individuals are waiting for admission. These are often psychiatric hospitals (more on this in the chapter on visits to these institutions), sometimes the home environment or other (social welfare) institutions. Some are thus even waiting for admission in an environment that, given their health condition, cannot take care of them efficiently and safely. It is not negligible that, despite an issued court order, some individuals wait for admission for so long that their (one-year) retention periods may also expire.



**During these visits the NPM found that in 2021 and the first months of 2022, Dom na Krasu and Dom Lukavci were constantly overcrowded, and the situation in Dom Nine Pokorn and SVZ Hrastovec was similar, since there was only a handful of months in which they were not overcrowded.**

Even after these thematic visits, it is possible (much as the NPM warned in the past) to determine that exceeding the capacity means a deterioration of the living conditions for all residents of the ward, not just for those newly accepted. At the

same time, the workload of the staff, who already face daily challenges, overload, and fear of possible new (violent) reactions from individual residents due to work with the most demanding residents, is also greatly increased. Moreover, exceeding the capacity only worsens the unbearable situation due to residents with very different mental health problems, which both the staff and the residents themselves point out as a special challenge and sometimes intractable problem that leads to conflicts and verbal and physical violence. Also during this visit, the NPM again received warnings from the staff that situations often escalate due to residents with different problems residing on the same ward (residents with intellectual disabilities, residents with various mental illnesses, residents who have committed criminal offences in the past and come from the forensic psychiatry unit, occasionally also residents with dementia, if they are not placed on a special ward dedicated to them). In addition, during one of the current visits, the NPM was once again informed about the attempt to place a minor resident in an institution intended for adults.

**After the thematic visits in 2020, with the emphasis on the necessary support of the Government of the Republic of Slovenia, the NPM recommended that the MDDSZ immediately find appropriate solutions for the unsustainable situation of overcrowding on secure wards of social welfare institutions. They warned that the established situation undoubtedly indicates a violation of the rights of individuals placed on secure wards. The NPM emphasised that the conditions on such wards, which have been going on for such a long time (ten years or more), can undoubtedly be defined as bad treatment of the residents, for which the institutions themselves are not responsible, let alone the staff on the secure wards, but rather the state, which does not provide the appropriate conditions so that overcrowding of secure wards does not occur (anymore). The NPM again recommended finding an appropriate solution for placing minors on secure wards, as their placement on wards intended for adult residents is not acceptable.**

On the basis of an inquiry on 13 January 2022, the MDDSZ explained to the Ombudsman the efforts to ensure a greater number of places on secure wards as a way to relieve the existing secure wards of special social welfare institutions. Thus, in 2020, according to the explanation received, 12 places were opened on the secure ward of Dom Lukavci, and five new places were opened on the secure ward of Dom upokojenecv in oskrbovancev Impoljca. The MDDSZ also explained that the special and combined social welfare institutions mostly prepared explanations, from which it follows that t within the framework of the current buildings in which these institutions provide institutional care, and within the local environment in which they are located, there are no possibilities for establishing (additional) secure wards. On this basis, the MDDSZ considered it necessary to plan new, dislocated units and at the same time take into account both the planned deinstitutionalisation (which, of course, is also supported by the NPM) for people with mental health disorders, as well as the expansion of community services, which, according to the ministry, means that a longer timeline will be needed than the one originally planned by MDDSZ.

**Although a few new positions were opened on the secure wards of two social welfare institutions, two years after the last thematic visits, the NPM regrettably notes that the situation regarding overcrowding remains almost unchanged.**



In two years, the state authorities responsible have clearly not done enough to implement the NPM's recommendations. Moreover, on the basis of visits to two psychiatric hospitals, the NPM found that distress, even spatial, is transferred to environments in which individuals are now waiting for months to be admitted or detained on secure wards of special social welfare institutions. Attempts are being made (again) to accommodate minors in special social welfare institutions, even though these institutions are not suitable for this age group, which all points to the need for (additional) secure wards in institutions intended primarily for this population.

Due to the above, the NPM (again) recommended that the MDDSZ significantly search for suitable solutions for the accommodation of individuals who need detention on the secure wards of a social welfare institution and therefore, in addition to adequate care, also need adequate security, so that there is no overcrowding on the existing secure wards of special social welfare institutions. At the same time, the NPM recommended that in social welfare institutions intended for (including) adolescents, sufficient places be provided on secure wards, so that the courts can place adolescents in need of protection in institutions designed for and suitable for this population, and which with the appropriate training of the staff can offer them the best possible care and protection.



In response to the NPM's report on thematic visits and the recommendation given, the ministry highlighted in particular the opening of a secure ward at **Dom upokojencev in oskrbovancev Impoljca** with five places, a gradual increase in staffing levels, and the start of the work of a permanent interdepartmental working group for mental health. **These are certainly important moves towards eliminating the overcrowding of secure wards, but by no means sufficient. The NPM is convinced that without further, much more radical changes, in the future we can expect cases of residents being placed in rooms for the implementation of special protective measures, in additional beds in already cramped rooms, as well as in common areas.**

Regarding the placement of children and adolescents on secure wards, the MDDSZ explained that in 2020 and 2021, based on the findings of the working group coordinated by the MDDSZ and on the basis of expert assessments of providers in training institutions, two projects were implemented to upgrade services for people with the most severe forms of mental health disorders and mental developmental disorders (children and adolescents). The projects were carried out at **CUDV Dornava** and **CUDV Draga** due to the urgent need to include (small groups directed by court order) adolescents, whereby additional specialised protected treatment is required within the framework of the institutional care service (secure ward). The MDDSZ provided funds to improve technical conditions and adjustments, as well as better staff conditions with additional jobs in the fields of social care and healthcare activities. The MDDSZ estimates that, from the perspective of the assessed needs of the users, two types of treatment should be provided for a child or adolescent with a combination of the most severe form of mental health disorders and mental developmental disorders, which are:

- a.) treatment on a secure ward based on the court's decision and
- b.) treatment with security and personal monitoring for users, whereby special security measures are not (yet) necessary. This is based on the benefit of the user (child) and ensuring safety for them and others.

The MDDSZ emphasised that in the previous working meetings with the MZ, it presented the position that an independent chapter should be placed within the framework of the ZDZdr, which will regulate the placement of children and adolescents in such treatments, whereby it is necessary to check the extent to which the procedures for the treatment of adults with mental health problems correspond to the treatment of a child. The MDDSZ expressed the opinion that by placing specific content in the ZDZdr as well as by harmonising legislation in the field of social care, it will be possible to plan additional capacities within the public network of CUDV services in accordance with needs. The MDDSZ emphasised that it has started activities aimed at revising standards and norms for children, adolescents, and adults up to the age of 26, who are included in the education programme and institutional care in CUDV. Additional staff reinforcements are foreseen on the basis of an upgraded training programme or a special programme of upbringing and education in social welfare organisations. Measures are also planned to improve other staff and working conditions in order to obtain appropriate personnel profiles in the field of education and social care in CUDVs.

**In 2022, the NPM made two control visits to special social welfare institutions, during which the implementation of the recommendations made during regular visits in 2021 was checked. The NPM did not make any new recommendations during these visits.**

On 28/07/2022, the NPM made an **unannounced follow-up visit to Dom Nine Pokorn Grmovje**. During this visit, they checked the implementation of 13 recommendations made during the regular visit in 2021. **It found that Dom Nine Pokorn Grmovje had accepted and implemented 11 out of 13 recommendations, which is commendable. However, it should be noted that Dom Nine Pokorn Grmovje has accepted two of the recommendations, but has not yet fully implemented them, so the NPM expressed the expectation that in the future they will place special emphasis on these recommendations and their implementation.**



On 27/10/2022, the NPM made an **unannounced follow-up visit to SVZ Hrastovec**. During this visit, the NPM checked the implementation of 30 recommendations made during the regular visit in 2021. It found that SVZ Hrastovec had accepted and implemented 17 recommendations, which is commendable. **SVZ Hrastovec has accepted 13 recommendations, but has not yet fully implemented them, so the NPM expressed the expectation that the institution will place special emphasis on these recommendations and their implementation in the future.**



# 2.7

## VISITS TO PSYCHIATRIC HOSPITALS

In 2022, the NPM visited the wards under special supervision of **four psychiatric institutions**. **The NPM visited Idrija Psychiatric Hospital (11/04/2022) and the Department of Psychiatry of UKC Maribor (13/04/2022) within thematic visits**, in which it determined the situation of overcrowding on secure wards of social welfare institutions, and as a result, due to waiting for admission to these wards, also an increased load on the wards under special supervision of psychiatric hospitals, where these persons are waiting to be transferred. He found out that at the time of the NPM's visit to **Idrija Psychiatric Hospital**, there were **three patients with detention orders who had been waiting for admission to the secure ward of a social welfare institution for several months**. Two other legal proceedings of this kind were in progress in which the court had not yet decided on a stay at the time of the NPM's visit. The representatives of Idrija Psychiatric Hospital explained that transfers to secure wards were generally quick in the past, so there were no problems due to those waiting. The two wards under special supervision – intensive care units (male and female) – are generally full (as was the case during this NPM visit), **and occasionally even overcrowded** (in this case individual patients are placed on emergency beds). Therefore, with a larger number of people waiting to be transferred to a social welfare institution, we could consider transferring the waiting person to another, possibly open ward. If transfer were not possible, those waiting might occupy the beds of patients who need acute treatment, and they would thus have to wait for admission at home. During a visit to the Department of Psychiatry of UKC Maribor, the NPM found out that on the ward under special supervision – male reception ward A1 – **one patient is waiting for admission to a social welfare institution based on a court decision, whose detention decision (for one year) was issued just before the end of the term**. The representatives explained that, since the treatment has been completed, he will probably be released to his home environment. For two patients, at the time of the NPM's visit, the Department of Psychiatry of UKC Maribor was still waiting for the court's decision to keep them on a secure ward, but they expressed the expectation that these patients would also remain with them, as institutions do not have the space on secure wards that would allow admittance. At the time of the NPM's visit, the capacity of 20 beds on the said ward was exceeded (also) due to people waiting to be admitted to the secure ward, one emergency bed was installed, and two additional beds were also in the room intended for the introduction of PVU.



**Based on the aforementioned thematic visits to two psychiatric hospitals, the NPM concluded that the distress, including spatial, is transferred to environments (psychiatric hospitals, home environment), where individuals are now waiting for months to be admitted to or detained on secure wards of special social welfare institutions. On this basis, the NPM made a recommendation that the MDDSZ regulate the situation as quickly as possible, as can be seen from the chapter on visits to special social welfare institutions.**

In 2022, the NPM also made two control visits to psychiatric hospitals, during which it checked the implementation of the recommendations made during the regular visits in 2021. During these visits the NPM also made six new recommendations.

On 03/03/2022, the NPM made an **unannounced follow-up visit to the Forensic Psychiatry Unit of the Department of Psychiatry of UKC Maribor**. During the visit it checked the realisation of 27 recommendations it made during the regular visit in 2021. **The NPM found that the Forensic Psychiatry Unit had accepted and implemented seven recommendations, which is commendable. However, it should be noted that the Forensic Psychiatry Unit has not yet fully implemented as many as 17 recommendations despite otherwise being accepted, so the NPM expressed the expectation that in the future it will place special emphasis on these recommendations and their implementation.** Although their implementation is partly tied to systemic solutions, the NPM expressed the expectation that both the Forensic Psychiatry Unit and the competent authorities (URSIKS, MZ, MP) will devote special attention to their implementation in the future. **Above all, the NPM pointed out that the Forensic Psychiatry Unit did not accept as many as three recommendations, which is certainly cause for concern. The NPM will pay special attention to these recommendations<sup>49</sup> in the case of unimplemented and new recommendations listed below during the next visit.**



During this visit to the Forensic Psychiatry Unit, the NPM also made **six new recommendations**. It recommended that after the final confirmation of the house rules, the Forensic Psychiatry Unit arrange their translation into English and their accessibility for all patients who do not know the Slovenian language (well enough), the walls of the patients' rooms, especially on ward F1, be repaired (plastered) or repainted as soon as possible, and the possibility of allowing patients to use spices with meals be considered. It also recommended the Forensic Psychiatry Unit consider the risk of conflict escalation when placing patients (between whom there is a conflict) in a room intended for PVU, and that when the patient or patients are not (all) disabled, a sufficient number of directly present staff (in the PVU room itself) should be ensured, who will be able to effectively prevent one patient attacking another. During this control visit, the NPM was informed that while one patient was being subjected to PVU of physical restraint with straps, they were attacked and injured by another patient. Two recommendations were addressed to URSIKS; the NPM recommended that it be ensured that another systematised, but unfilled, position of judicial police officer is filled as soon as possible, and that the amendment to the security plan be introduced as soon as possible so that the weapons of judicial police officers can be stored in the Forensic Psychiatry Unit and that the room containing the vault for storing weapons be equipped as soon as possible with a so-called bullet catcher.

On 24/11/2022, the NPM made an **unannounced follow-up visit to Vojnik Psychiatric Hospital**. During the visit it checked the implementation of 32 recommendations made during the regular visit in 2021. **The NPM found that Vojnik Psychiatric Hospital had accepted and implemented 16 recommendations, which is commendable. Vojnik Psychiatric Hospital accepted further 14 recommendations,**



49 The Forensic Psychiatry Unit did not accept recommendations regarding enabling the watching of a TV in the PVU room with adequate technical protection, regarding supplementing the forms for the implementation of the PVU with a section on implemented (milder) measures before the implementation of the PVU, and regarding marking how many times a day the patient can (at most) receive the prescribed medicine "as needed".





**but has not yet fully implemented them, so the NPM expressed the expectation that in the future it will place special emphasis on these recommendations and their implementation. Above all, the NPM expressed the expectation that Vojnik Psychiatric Hospital will re-examine and consider the recommendations that it did not accept based on the findings of the control visit** (adjustment of the forms that are filled in when the PVU is introduced, and the recording of possible milder measures before the introduction of the PVU, or the reasons why these measures could not be adopted, and checking mailboxes for complaints, compliments, and initiatives at shorter intervals, i.e. at least every 14 days).

## 2.8

# VISITS TO THE PENAL INSTITUTIONS

In 2022, the NPM made eight visits to penal institutions (ZPKZ) or their wards (Ward). Seven visits were **regular unannounced visits**: ZPKZ Ljubljana, Ig Open Ward, 30/03/2022, ZPKZ Ig, 20/04/2022, ZPKZ Dob pri Mirni, Puščava Open Ward, 17/05/2022, ZPKZ Koper, 01/06/2022, ZPKZ Maribor, Murska Sobota Ward, 28/06/2022, ZPKZ Koper, Nova Gorica Ward, 10/10/ 2022, and ZPKZ Maribor, 25 and 26/10/2022. One **follow-up visit**, to ZPKZ Dob pri Mirni on 14/09/2022, was **announced**, since representatives of the Turkish delegation (11 experts and a translator) participated as observers and were in Slovenia on a study visit, and an advisor from the institution of the Turkish Ombudsman who was based at the Ombudsman's office as part of a study exchange. An external expert medical doctor who cooperates with the NPM based on a contract participated in three visits, i.e. to ZPKZ Ig, ZPKZ Koper, and ZPKZ Maribor.

A total of **119 recommendations** were made during the visits, all of which were general. The recommendations related to options for activities (13 recommendations), living conditions (50), other (four), handling unwanted behaviour (one), treatment of prisoners and forms of work (12), the staff (16), legal certainty and appeals channels (two), food (three), general (one), contacts with the outside world (eight), and medical care (nine recommendations).

From a total of 119 recommendations, **62 were accepted and implemented and, 54 were accepted but yet unrealised, while three recommendations were not accepted.**



During the **follow-up visit to ZPKZ Dob pri Mirni**, the NPM checked **25 recommendations** given during the regular visit in 2021. It was found that **15 had been accepted and implemented, while ten recommendations remained accepted but yet unrealised.** During the follow-up visit to ZPKZ Dob pri Mirni the NPM **gave three new recommendations which are part of the total number of 119 recommendations from visits in 2022.**



During the review of the implementation of the recommendations, it was found that **in 2022, many of the NPM's recommendations were implemented or accepted, but not yet (fully) implemented.** In the case of (yet) unimplemented recommendations, it was found that these are primarily recommendations that take a little more time to implement or eliminate identified deficiencies, or require larger financial resources to implement. During the visits, it was again established that prisoners still sleep on worn out or low-quality mattresses. **Based on this, the NPM again made recommendations that the possibility of purchasing better quality mattresses be considered.** Connected to this, the General Office of URSIKS announced that, in dialogue with JGZ Rinka, they are still looking for a solution on how to establish the production of high-quality beds, which were





tested and checked in practice at ZPKZ Dob pri Mirna. Otherwise, the General Office of URSIKS explained that, in practice, a prisoner can request a mattress replacement if it is worn out. **As a rule, the mattress is changed on the same day or in the shortest possible time.**



When visiting **ZPKZ Koper**, most of the detainees complained about **problems with the heat and the lack of ventilators**. At the same time, they expressed the wish that the situation regarding the heat could be improved by allowing them to have open rooms during the day and that they might be allowed to walk outside in the afternoon as well. **Based on this, the NPM made a recommendation that the possibilities of installing ventilators in all detention rooms be studied and that the possibilities of additional ventilation of the rooms by opening the doors or in another appropriate way be considered. It also recommended that, at least for the summer months, the possibility of taking a walk in the large outdoor courtyard for the detainees be considered also in the afternoon.** The General Office of URSIKS explained that **institutional ventilators were installed in all detention rooms that do not have their own ventilators**. Regarding the recommendation that detainees also be allowed to spend the afternoon in the large outdoor courtyard, URSIKS stated that this is not possible due to security reasons and the current understaffing of the security service and the institution's overcrowding. **As soon as there are optimal conditions for this, the institution will take care of the realisation of activities on the large outdoor sports ground as well.**



During a visit to **ZPKZ Koper, Nova Gorica Unit**, upon inspection of the inner yard or walkway of the detention centre and the closed prison regime, it was found that there is still a fitness centre in this area. The provision of fitness equipment is commendable, but the installation of equipment in an already small space, which is supposed to be intended for outdoor exercise, further restricts this right for remand prisoners and those sentenced to a closed regime. The limited possibility of movement in a small, cramped space and the lack of connection of the exercise yard with the outside environment was also one of the main complaints that the NPM received during the talks with the convicts of the closed regime and remand prisoners during the visit.



The NPM pointed out that, during previous visits, it had already recommended several times that the possibility of an agreement with the owner of the building be studied, so that the inner courtyard or the exercise yard for remand prisoners and convicts serving a closed prison regime would be enlarged or at least connected to a part of the outdoor – larger exercise yard. **Complaints by incarcerated persons, which referred to an “unsuitable promenade”, are justified in the judgment of the NPM**, because the current condition of the inner courtyard does not meet the provisions of Article 43 of the ZIKS-1, which prescribes that prisoners must be allowed to spend at least two hours in the open air every day. Due to the small area, which is further limited by the fitness equipment and the high walls that limit the view of the outside environment, the inner courtyard / exercise yard does not differ significantly from the cells of the closed regime and the detention centre, where remand prisoners and convicts of the closed regime spend the rest of the day. The head of the Unit once again explained that interventions in the facility are not possible, as URSIKS is not the owner of the facility, and the owner (Municipality of Nova Gorica) is not responsive. **Nevertheless, the NPM again recommended that the possibility of an agreement with the owner of the building**

**be considered, so that the inner yard or the exercise yard for remand prisoners and convicts of the closed prison regime would be enlarged or at least connected to a part of the outer – larger exercise yard.** The URSIKS General Office explained that the spatial problems for improving living conditions on the indoor exercise yard cannot be solved without major construction interventions in the building. The building is the property of the Municipality of Nova Gorica, which rents it out for use, so adaptation by the Unit is not possible or feasible without their consent. **However, the General Office announced that it is planning a meeting with the owner of the building.**



Regarding the **three recommendations that were not accepted by the URSIKS General Office, two of the recommendations** referred to **ZPKZ Ig**. The NPM recommended that the possibility of allowing prisoners to use headsets to make video calls via the Skype application, from the point of view of ensuring greater privacy, be considered. The URSIKS General Office explained that they had already considered this possibility, but did not decide to use “shared” headphones for hygiene reasons. In addition, even the use of headphones would not ensure greater privacy in the event that this form of contact was used by two prisoners at the same time. However, if the use of Skype cabins were only allowed to one prisoner individually, the possibility of using such contacts would be halved.



The second unaccepted recommendation for ZPKZ Ig concerned the study of the possibility of filling vacant positions in the security department as soon as possible, since at the time of the visit, 22 of the systemised 29 judicial police officer positions were filled and one of the systemised 12 judicial police officer – candidate positions. The URSIKS General Office explained that the filling of unfilled positions is related to the quota of permitted employment, the approval of which is the responsibility of the Ministry of Justice. The institute estimates that the staffing in the Security Department was adequate. The General Office of URSIKS also announced that the employment of another judicial police officer – candidate is planned for July.

**One unaccepted recommendation** referred to **ZPKZ Dob pri Mirna, Puščava Open Unit**, regarding the possibility that, taking into account security aspects, the multi-bed rooms could be at least partially partitioned off, which would provide the prisoners with more privacy. The General Office of URSIKS explained that prisoners placed in multi-bed rooms ensure more privacy by moving wardrobes. They further announced that after talking with the prisoners, they (except for one) expressed the opinion that the living conditions would deteriorate significantly with partition walls (less air flow), the capacity of the room would also decrease, and thus they do not want the rooms to be additionally partitioned. Prisoners who are serving a prison sentence according to Article 12 of the ZIKS -1, prison at the weekend, are also placed in group rooms, and come to the Unit only during the weekend, at a time when, as a rule, other prisoners use free exits. It is rare that all convicts accommodated in multi-bed rooms are present at the same time.



**During the visits, the NPM saw that several recommendations from previous visits had also been implemented.** Thus, during a visit to **ZPKZ Ljubljana, Ig Open Unit**, they found that the NPM's **recommendation to look into the possibility of replacing three old smaller windows in living room number one and in living room number five had been implemented**, as on this visit it was found that the windows in living quarters number one and five had been replaced.





**ZPKZ Ig** implemented the NPM's recommendation from the previous visit to **replace the old metal beds in the reception area marked with number 44 as soon as possible**, since during this visit it was found that the reception area marked with number 44 has wooden beds. It was also found that the NPM's recommendation from several previous visits was implemented **in both the closed and semi-open prison regimes, to consider arranging separate common rooms for smoking and non-smoking female prisoners**, since during this visit it was found that separate rooms were arranged. The NPM's recommendation from the previous visit **that in the patient room the call phone for calling the room of the duty judicial officer be placed closer to the patient bed was also implemented, which enables the prisoner to more easily inform the duty judicial officer when help is needed**. Furthermore, the NPM's recommendation from the previous visit that even **in the open unit, the operation of light fixtures is regularly checked and that, if they are not working, they be replaced as soon as possible was also implemented**, since during this visit it was established that all light fixtures in all rooms of the open unit (including in the corridor and the bathroom) were working normally, and the prisoners did not point out such problems either. The NPM's recommendation from the previous visit that in **the room marked number 1 the call phone for communication with the room of the duty police officer be placed at a more suitable height was also implemented**, since during the visit it was found that the telephone was installed at an appropriate height. Another recommendation from the NPM's previous visit was implemented, which said that **during the inspection of the premises of the JGZ Rinka workshop on the first floor (assembly of gift bags) it was found that the crumbling plaster in the sanitary facilities (toilet) needs to be repaired and that the space needs to be renovated as soon as possible, or at least painted**. On this visit, it was found that the plaster in the sanitary area had been repaired and the area had been repainted. The recommendation of the NPM's expert doctor from the previous visit **to equip the institution's infirmary with a mobile seated wheelchair was also implemented**, since during this visit, the NPM's expert doctor found that the infirmary is equipped with a mobile wheelchair.



**ZPKZ Koper** implemented the recommendation of the NPM's expert doctor from the previous visit, **that it is necessary to continue with the acquisition of aids for providing first aid, among which first and foremost are scoop stretchers, the use of which is very simple and reliable**, because during this visit, the NPM's expert doctor found that the general medicine infirmary is well equipped with the necessary technical aids, as well as a mobile wheelchair and a scoop stretcher for the needs of emergency medical assistance.



**ZPKZ Maribor, Murska Sobota Unit**, implemented the NPM's recommendation from the previous visit **of the possibility of filling the vacancy for a psychologist**, since during this visit, the deputy head of the unit explained that a psychologist will start working here on 08/08/2022. The NPM's recommendation from several previous visits **to arrange a place for isolation in the Unit was also implemented**, as during this visit it was established that a suitable place for isolation had been arranged or built as part of the renovation in the Unit. Furthermore, the NPM's recommendation or expectation from the previous visit, **that the living spaces of the remand block will be equipped with new wooden cupboards as soon as possible**, was realised, since during this visit it was established that all the living spaces of the remand block are equipped with wooden cupboards.



The recommendation or expectation of the NPM from the previous visit that **the living spaces of the detention block will be marked with numbers**, was realised, since during this visit it was established that all the living rooms of the detention block are numbered. The recommendation of the NPM from the previous visit **to provide a person – a company that will take care of the regular inspection of technical items that prisoners would like to bring into the Unit was realised**. During this visit, it was established that the Unit has a contract with a local service technician who regularly carries out inspections of technical items that prisoners wish to bring into the Unit; during this visit the NPM did not hear any comments from prisoners regarding problems with bringing technical items into the Unit.



**ZPKZ Koper, Nova Gorica Unit**, implemented the NPM's recommendation from the previous visit that **the wall of the dining room be properly repaired so that the plaster no longer falls or peels off**, since during this visit it was found that the walls of the dining room had been painted over, i.e. no falling off or flaking of the plaster was observed. It was found that the recommendation of the NPM from the previous visit that the possibility of acquiring new fitness equipment be considered and **the damaged floor be properly repaired (e.g. laying a floor that is more suitable for fitness areas)**, was partially implemented, since on this visit it was found that the damaged floor of the fitness centre had been repaired, but a floor suitable for the fitness room had not yet been laid.



**ZPKZ Maribor** implemented the NPM's recommendation from the previous visit that **the replacement of old metal wardrobes in all residential rooms of the convict ward be done as soon as possible**, since on this visit it was found that all the residential rooms of the convict ward were equipped with new wooden cupboards. The NPM's recommendation from the previous visit that **all the residential rooms of the closed and semi-open prison regime (with the exception of the drug-free unit) be painted in the shortest possible time was also implemented, and primarily that residential room number 90, which was in the worst condition, be fixed first**, since during this visit it was found that both the living and common areas and corridors had been repainted. The NPM's recommendation from the previous visit that **the defect or the broken shower handle in residential room number 67/a be repaired or replaced was implemented**, since during this visit it was found that the handle of the water fitting of the shower had been replaced. Also, the NPM's recommendation from the previous visit that **the walls of room number 115 (the fitness room of the closed block) be repainted as soon as possible and that the management of the institution ensure that the prisoners are informed of the location of the cleaning and disinfecting cloths for cleaning the devices before and after use**, since during this visit it was found that the walls of room number 115 had been painted over and that there was a notice placed in front of the room that the cleaning and disinfecting cloths for cleaning the devices are kept by the duty judicial officer, which was also verified. The NPM's recommendation from the previous visit that **the remand residential rooms be equipped with TVs was implemented, thus ensuring the realisation of the right of all imprisoned persons to daily access to current news about life and events outside the institution**, since during this visit it was established that all detention facilities are equipped with TVs. The NPM's recommendation from the previous visit that **it is imperative that the renovation of the small fitness centre be carried out in the shortest possible time** was realised, since during this visit it was established that the small fitness centre had been renovated and is in



use again. Also, the NPM's recommendation from the previous visit **to repair the broken basketball hoop on the large exercise yard was implemented**, as during this visit it was found that the basketball hoop on the large exercise yard was in flawless condition. Furthermore, the NPM's recommendation from the previous visit **to consider the possibility of changing the method of distributing food to a group of prisoners so that it is not during the walk, or to adjust the time of the walk, was implemented**, since during this visit the NPM did not receive a complaint from the prisoners that meals are distributed during the walk. The recommendation of the NPM from the previous visit **that the book of complaints and compliments regarding the food should actually be placed on the shelf in the dining room, thus giving access to it to prisoners who would like to write a compliment or complaint in it, without having to request it from the instructor to do so**, as during this visit it was found that the comments and compliments book (notebook) is actually situated on the table in the dining room. Also, the NPM's recommendation or warning from the previous visit, **which referred to the elimination of the unpleasant smell in the corridor before entering the dining room**, was implemented, as the NPM did not detect an unpleasant smell in the corridor before entering the dining room during this visit.

## 2.9

# VISITS TO POLICE STATIONS

In 2022, the NPM **visited several police stations (PP)**: PP Trebnje, PP Brežice, PP Krško, PP Ljubljana Center, PP Ribnica, PP Kočevje, PP Vrhnika, PP Koper, PP Piran, PP Ormož, PP Gorišnica, PP Črnomelj, PP Metlika, PP Škofja Loka, PP Kranj, PP Tržič, PP Laško, PP Celje, PP Novo mesto, and PP Šentjernej. This is a total of **twenty (20) places of deprivation of liberty due to police detention**. All visits were **unannounced**.

During the visits, the NPM inspected the premises used by the PPs for the processing and accommodation of detained persons who have been deprived of their liberty and talked to people who were in police custody at the time of the visit, in order to find out what the police officers' procedures were in relation to them.

**During the PP visits in 2022, 131 recommendations were given all of which were general. The recommendations pertained to living conditions** (35 recommendations), record-keeping and documentation (42), processing and forms of work (27), legal protection and appeal routes (21), food (three), activities (two), and staff (one recommendation).

Of the recommendations made during the PP visits in 2022, **95 were accepted and implemented, 31 were accepted but not yet realised, and four recommendations were not accepted. The MNZ did not take a position regarding one recommendation.**



The above shows that many of the NPM's recommendations have been accepted and have already been implemented, while those that require more time to implement or eliminate identified deficiencies or that require larger financial resources to implement have remained unimplemented.

Of **the recommendations that were not accepted**, one related to **PP Trebnje**, namely that the possibility of installing video surveillance in the conference room be considered. The MNZ reported that the video surveillance system in this unit is a rounded closed whole, which is full in terms of technical capabilities, and the replacement of the entire video surveillance system is currently not planned.





The other two unaccepted recommendations pertained to **PP Ribnica**. One referred to the repeated recommendation that, as part of possible adaptation works, the possibility of installing running water in both detention areas be considered. In this regard, the MNZ has announced that the installation of running water in both detention areas is currently not planned. The second unaccepted recommendation referred to NPM's repeated recommendation to consider the possibility of establishing a special room for conducting hearings, so that they do not take place in the staff offices. In this regard, the MNZ has communicated that due to space constraints, there is no special place for hearings at the PP. As a rule, hearings are therefore conducted in the room for processing foreigners. If the police officers at the PP also have foreigners under consideration at the same time, they conduct the interrogation in their offices or in the interview room.




The last unaccepted recommendation concerned **PP Tržič**, namely that the possibility of introducing the recording of the findings of control of the documentation of detention procedures also be considered for other PPs in Slovenia. In this regard, the MNZ has communicated that it does not support the introduction of completion of the control sheet related to the control of detentions, which is filled in by PP Tržič, as well as in other units, as all the specified data is already recorded in the form for performing tasks during detention – official note (JRM-1). Reviewing the prepared documentation on the ordered and executed detention of a person is one of the fundamental tasks of the senior staff member responsible for said area.

The recommendation on which the MNZ did not take a decision was given to **PP Črnomelj**. The NPM recommended that police officers be warned about the uniform provision of data on police officers who have carried out a single act with an individual foreigner in all the forms necessary to carry out the detention; these forms are intended precisely to ensure the traceability of the process of one of the worst human rights violations, i.e. intervention in the right to personal liberty, which must be carried out legally and properly recorded at all times.

 In most of the police stations that the NPM visited in 2022, it established once again that errors or deficiencies in filling in the forms required for detention still occur, although they were slightly fewer than in the past. In most of the police stations that the NPM visited in 2022, it was again possible to establish **that errors or deficiencies in filling in the forms required for detention still occur, although they were slightly fewer than in the past**. The majority of errors or deficiencies occur in filling out all sections of the forms required for detention (e.g. in the forms “Police detention warrant”, “Performance of tasks during detention – official note” or “Certificate of items confiscated from the detained person”) and in correctly entering corrections in the forms necessary to carry out the detentions. Regarding the identified errors or shortcomings that the NPM drew attention to in the visit reports, the MNZ announced that **police officers and also the management of the police units visited had been warned about them, or police officers had been informed about the identified errors at regular work meetings of the police units**.

 Also in 2022, during the visits to the **Brežice PP, Kranj PP, and Šentjernej PP**, the NPM found that the police were using the old “Police detention warrant” form in their work, which did not yet contain the new, supplemented legal instruction, with the following provision: “In the case of detention based on Paragraph 1 of Article 24 of the Road Traffic Rules Act (ZPrCP), an appeal against this act is admissible for the duration of the detention and two more days (48 hours) when the detention is lifted.” In this regard, the MNZ has announced **that unit leaders will be instructed to remind all police officers to regularly monitor the renewal of the forms required for detention**.

 During the visit to **PP Ormož** and **PP Šentjernej**, the NPM once again found that, in the case of detention based on Article 109 of the Minor Offences Act (ZP-1) in the form “Police detention warrant” in the part of the form “Explanation of the reasons – description of the act”, police officers were not sufficiently accurately documenting (describing) circumstances that showed that the person was not able to control his or her behaviour, if it concerned the detention of a person un-

der the influence of alcohol or psychoactive substances on the basis of Article 109 of the ZP-1 and intoxication had not been established using appropriate technical means and devices. In this regard, the MNZ announced that **the management would once again remind police officers to accurately document the circumstances that indicate that the person is unable to control his or her behaviour, if it concerns the detention of a person under the influence of alcohol or psychoactive substances on the basis of Article 109 of the ZP-1 and intoxication has not been established using appropriate technical means and devices.**



During the visits to the PPs, the NPM also inspected intervention vehicles, namely the carrying space for the transport of persons deprived of their liberty. At several police stations (**PP Brežice, PP Ribnica, PP Koper, PP Ormož, and PP Celje**) it was found during inspections of the carrying spaces of vehicles for the transport of persons deprived of their liberty **that these were not cleaned**, that there were objects in them (e.g. water bottles) or that they were not ventilated. In these cases, the NPM recommended (again) that the management of the PPs ensure that the space or the carrying space in the intervention vehicles that the PPs have at their disposal, intended for the transport of persons deprived of their liberty, are regularly inspected and if necessary, also cleaned on time. In this regard, the MNZ announced that **they have reminded the management of the units to warn all police officers that in the event of the need to clean the carrying space in vehicles for the transport of persons who have been deprived of their liberty in an intervention vehicle, the property manager be notified immediately. The management of the units was also ordered to adequately ventilate the carrying space for the transport of persons who have been deprived of their liberty.**



In 2022, too, the NPM found during the visits to **PP Trebnje, PP Ljubljana Center, PP Škofja Loka, PP Celje, and PP Novo mesto** that detainees **do not have access to running water** in short-term detention facilities. Based on this, the NPM again recommended that the possibility of arranging access to running water also be considered in the mentioned police units during the next renovations of the short-term detention facilities. In most cases, the MNZ has announced that **the possibility of installing a sink in the area for (shorter) detentions will also be examined in case of major maintenance works or renovations.**



During the visits to **PP Črnomelj** and **PP Metlika**, it was established by reviewing cases of procedures with foreigners **that a translator was not included in the procedures.** Regarding the inclusion of translators in procedures with foreigners, the management explained that they are generally trying to include a translator in procedures with foreigners. However, in the area of the Novo mesto Police Department, they actually often have problems with providing translators, because contract translators are often not willing to come to the PP, as the payment that the translator gets for an hour of translation does not even cover the costs of their transportation to the PP. Based on this, the NPM recommended that the possibility of an adequate increase in the number of translators be studied, so that interviews with foreigners are conducted in a language that they actually understand. The MNZ has announced that **when working with foreigners, police officers always use translators who have a contract for translation according to the authorial contract or framework agreement, whenever possible.** The MNZ also announced that **they will study the possibility of a corresponding increase in the number of translators, but there are very few or no translators for certain**





languages. This is especially true for the Kurdish language, for which only one translator is currently available.



During the visits to PPs, the NPM also **regularly checked the implementation of the recommendations from the previous visit to each police station. Also during the visits in 2022, it was established that PPs do implement the recommendations of the NPM.** Only a few of them are listed below.

During the visit to **PP Trebnje**, the NPM found that the recommendation from the previous visit had been implemented, namely that the PP ensure that both places of detention are kept clean on a regular basis. Another NPM recommendation from the previous visit was implemented, that the management of the PP ensure regular checking of entries in the book for comments and praise, which should be confirmed by signature and date, since during this visit, by checking the book of comments and praise, it was found that the last entry checked and approved by the senior staff member was from 14/12/2018.

During the visit to **PP Brežice**, it was found that the recommendation of the NPM from the previous visit had been implemented, i.e. that the management of the PP ensure that the area for the movement of persons who have been deprived of their liberty in the open air is regularly cleaned, since it was clean during this visit. Also, the NPM's recommendation from the previous visit that if containers are to be used for the purposes of processing foreigners, they should be properly equipped with a video surveillance system and other equipment beforehand, was implemented, as during this visit the containers were equipped with a video surveillance system and a cooling and heating system.

During the visit to **PP Krško**, it was found that the NPM's recommendation from the previous visit had been implemented, i.e. that the possibility of renovating the walls due to loose plaster in the lower part of the rooms for processing and also accommodating foreigners and the waiting room had been implemented, because during this visit, no plaster was found falling off the walls of the room for processing and accommodating foreigners and the waiting room.

During the visit to **PP Ribnica**, it was found that the NPM's recommendation from the previous visit, i.e. that the possibility of installing a video surveillance system on the staircase and corridor in front of the detention facilities had been implemented, because during this visit it was established that the video surveillance system was installed both on the staircase and in the corridor in front of the detention facilities. The NPM's recommendation from the previous visit to regularly monitor the use-by date of cold meals was also implemented, because during this visit, it was established that PP had two types of cold meals (types A1 and B1) at their disposal, the expiration date of which was adequate.

During the visit to **PP Kočevje**, it was found that the NPM's recommendation from the previous visit, i.e. that in the room designated as "room for processing foreigners no. 1", it be clearly indicated that the room is video monitored, because during this visit it was established that the room was marked (with a sticker) saying that it is under video surveillance. The NPM's recommendation from the previous visit to remove the inappropriate writing regarding foreigners from the door of the premises for procedures with foreigners was also implemented, since during this visit there was no inappropriate writing in rooms for procedures with foreigners.

During the visit to **PP Vrhnika**, it was found that the NPM's recommendation from the previous visit that the walls of the corridor in front of the office of the duty police officer be painted as soon as possible and that the damage be repaired, had been implemented, since during this visit it was found that the walls have been repainted and damage repaired. Also, the recommendation of the NPM from the previous visit was implemented, i.e. that the carrying space in the intervention vehicle for the transport of persons deprived of their liberty be cleaned and ventilated before being used again, because when inspecting the space for transporting people in one of the intervention vehicles, the NPM found that it was clean and ventilated.

During the visit to **PP Koper**, it was found that the NPM's recommendation from the previous visit had been implemented, that the sanitary facilities in the area for foreigners, the waiting room, be marked so that it is clear which are for men and which are for women, since during this visit it was found that the sanitary facilities are properly marked. The NPM's recommendation from the previous visit that the areas for processing foreigners be equipped with brochures with information on asylum, was also implemented, because during this visit it was found that the corridor in front of the offices for the processing of foreigners, marked with the numbers 1 and 2, or in front of the area for foreigners, a waiting room, was equipped with an UNHCR sign, where MNZ/UNHCR brochures on obtaining asylum with information in several languages was available. Furthermore, the NPM's recommendation from the previous visit that the cleaning staff pay attention to the consistent cleaning of the detention facilities was implemented, as the detention facilities were clean during this visit. Also, the NPM's recommendation from the previous visit to fix the water connection pipe in the holding area marked with number 2 was implemented, and that the management of the PP be reminded of the regular inspection of the proper fastening of the water fittings and pipes in the detention area marked with the number 2, as the water connection were well fixed during this visit.

During the visit to **PP Piran**, it was found that the NPM's recommendation from the previous visit had been implemented, i.e. that the intended renovation of the detention facilities, marked with numbers 6 and 9, be carried out as quickly as possible, and that the water installation be properly renovated, and the detention facilities be renovated as soon as possible and returned to use, since the renovation was done and rooms 6 and 9 are again in use. Also, the NPM's recommendation from the previous visit that the police officers be warned about the regular cleaning of the carrying space for the transport of persons deprived of their liberty in the intervention vehicle was implemented, since during this visit, during the inspection of the carrying space in the intervention vehicle for the transport of persons who have been deprived of their liberty, it was found that the space was clean.

During the visit to **PP Gorišnica**, it was found that the NPM's recommendation from the previous visit to study the possibility of painting the wall of the short-term detention area, marked with number 2, had been implemented, since during this visit it was found that the walls had been painted.

During the visit to **PP Črnomelj**, it was established that the NPM's recommendation from the previous visit that the shelf life of cold meals be regularly monitored,

was realised, as during this visit it was established that all cold meals had an appropriate shelf life. The NPM's recommendation from the previous visit that the rooms dedicated to procedures with foreigners be equipped with MNZ/UNHCR brochures regarding obtaining asylum with information in several languages, was also implemented, as during this visit it was found that they were on the tables of the rooms dedicated for procedures with foreigners. Furthermore, the NPM's recommendation from the previous visit was implemented that police officers be warned that they must use the new or valid "Police detention warrant" forms, which already contain supplemented legal instruction, since during this visit (during the review of randomly selected cases of individual detentions) it was established that a new or valid form with a completed record of legal instruction was always used. The same goes for the NPM's recommendation from the previous visit that the management of the PP be warned to regularly check the adequacy of the preparation of forms for police officers and that only valid forms be available to police, since it was established that during the NPM's visit to the policemen's room (when inspecting the cabinet with prepared forms for the police officers), only new or valid forms with the correct legal instruction were actually prepared.

During the visit to **PP Metlika**, it was found that the NPM's recommendation from the previous visit to check the sinks in the short-term detention facilities, marked with numbers 5 and 6, had been implemented, since during this visit, the assistant chief explained that the maintenance man repaired the sinks. Furthermore, the NPM's recommendation from the previous visit was implemented that the police officers be warned that they must use the new or valid "Police detention warrant" forms, since during this visit, during the review of randomly selected cases of individual detentions, it was found that a new or valid form was always used with the correct legal instruction. The NPM's recommendation from the previous visit was that the management of the PP be warned to regularly check the adequacy of the preparation of forms for police officers and that only valid forms be available to police officers was implemented, since it was established that at the time of the NPM's visit, new or valid "Police detention warrant" forms were actually prepared in the police officers room with the correct legal instructions.

During the visit to the **PP Škofja Loka**, it was found that the NPM's recommendation from the previous visit that the place for the reception of persons deprived of their liberty be properly marked (with a sticker) that it is video-monitored was implemented, since during this visit it was found that the reception area for persons deprived of their liberty was marked (with a sticker) as being under video surveillance. It was also established that the recommendations of the NPM from the previous visit, which related to the identified deficiencies in the review of documentation management of randomly selected cases of individual detentions, necessary for the implementation of detentions, were implemented because during this visit, during the inspection of three randomly selected cases of individual detentions, the NPM did not find any deficiencies.

During the visit to **PP Kranj**, it was established that the NPM's recommendation from the previous visit had been implemented, i.e. that the damaged wall (cracked plaster) in the detention area, marked with number 3, be repaired as soon as possible, because during this visit it was found that the cracked plaster of the wall of the detention area marked with number 3 has been repaired and that the walls have been repainted. Furthermore, the recommendation of the NPM from the previous visit was also carried out that the ceiling of the detention area,

marked with number 1, be inspected and that, if there is sagging, it should also be repaired accordingly, because during this visit it was found that there are no more signs of sagging on the ceiling and that the walls of the detention area have also been repainted. The NPM's recommendation from the previous visit was also implemented, i.e. that the possibility of repainting the wall of the room for the reception of persons deprived of their liberty was realised, as during this visit it was found that the walls were clean or had been repainted.

During the visit to **PP Tržič**, it was established that the NPM's recommendation from the previous visit had been implemented, i.e. that since the detention areas are clearly not being used, the bed linen, blankets, and pillows be removed from them and marked as no longer in use, so that there is no doubt that the detention facilities are nevertheless (perhaps occasionally) used, because during this visit it was found that bed linen, blankets, and pillows had been removed from the detention facilities and that a notice had been placed on the door of the detention facilities that the detention facilities were not in use.

During the visit to **PP Laško**, it was established that the NPM's recommendation from the previous visit, to consider the possibility of installing a video surveillance system in the "govorilnica" area, had been implemented, as during this visit it was established that the "govorilnica" area is video-monitored.

During the visit to **PP Celje**, it was found that the NPM's recommendation from the previous visit had been implemented, i.e. to check the adequacy of the operation of speech devices in the detention facilities, in which there was noise or interrupted speech, because during this visit it was found that the speech devices in all the detention facilities were working normally (without noise or interruptions). It was further noted that the NPM's recommendation from the previous visit to replace a non-functioning light bulb in the small office, which is occasionally used to receive persons deprived of their liberty, had been implemented, because during this visit it was found that the light bulb in the small office, which is occasionally used to receive persons who have been deprived of their liberty, is working normally. Also, the NPM's recommendation from the previous visit that room "no. 017" on the ground floor of the building is actually properly marked as "govorilnica 3", since during this visit it was established that the room "no. 017" was actually marked as "govorilnica 3".

During the visit to **PP Novo mesto**, it was found that the NPM's recommendation from the previous visit had been implemented, i.e. that the police officers be warned that the circumstances that show that a person is unable to control their behaviour must be carefully documented, if it concerns the detention of a person under the influence of alcohol or psychoactive substances on the basis of Article 109 of the ZP-1 and intoxication is not established using appropriate technical means and devices, because during this visit, in a randomly selected case of detention, it was found that during the review of the case of detention, the assistant chief, upon finding that a police officer had insufficiently documented the circumstances that show that the person is not able to control their behaviour, warned the police officer himself and recorded that in the case. During the visit to PP Novo mesto, it was established that the NPM's recommendation from the previous visit to check the adequacy of the heating of the detention area had been implemented, as during this visit it was established that the detention area was adequately heated.

## 2.10 A VISIT TO THE CENTRE FOR FOREIGNERS IN POSTOJNA

On 10/03/2022 the NPM made an unannounced visit to the **Centre for Foreigners in Postojna (Centre), in which an external expert doctor, who works with the NPM on the basis of a contract, also participated.** The Centre is a Police service in charge of carrying out the forced removal of foreigners from the country, but it also accommodates and cares for foreigners in the accommodation facilities of the Centre for the time that is absolutely necessary for their removal. During a foreigner's stay in the Centre, the Police has the right to restrict the foreigner's freedom of movement under the conditions set by law (also in accordance with Article 5 of the Convention on the Protection of Human Rights and Fundamental Freedoms (Official Gazette of the RS - MP, No. 34/1994)), whereby it also implements statutory measures that still ensure effective removal.

Foreigners are never forcibly returned to countries in which their life or freedom would be threatened due to race, religion, nationality, or other affiliation and political belief, or to countries where they could be subjected to torture or inhuman or degrading treatment, as in these cases the Foreigners Act expressly prohibits their forced removal from our country.

During the visit the NPM made a total of **13** recommendations, which were **all general**. They pertained to activities (one recommendation), living conditions (three), matters marked as other (one), treatment and forms of work (three), the staff (one), legal protection and appeal routes (one), food (one), and medical care (two recommendations). The recommendations were made on the basis of an inspection of the living and other premises intended for the accommodation of foreigners, and further also on the basis of conversations with the foreigners who were accommodated and who wanted to participate, and the management of the Centre.

The Ministry of the Interior (MNZ), under whose jurisdiction the Centre belongs, responded to the recommendations from the visit report within the deadline set for it, and also agreed with the recommendations. Out of a total of 13 recommendations, **eight were accepted and implemented**, while five recommendations remained accepted and not yet implemented.



During this visit, it was found that **in the period since the previous visit, the reception department had been renovated**, which now allows for separate accommodation by gender (male/female). At the time of the NPM's visit, the premises of the reception department were equipped with posters with basic information for foreigners regarding their stay in the Centre in several languages, while according to the management's explanation, upon admission, every foreigner also receives all information regarding their stay at the Centre in person (in writing) in a language they understand. Furthermore, it was found that in the part where the reception rooms are, there were also rooms for accommodating the foreigner in



case of problems during the removal process, as well as a room for isolation in case of suspected infection, and a room for visits. All the premises of the Centre were clean and well ventilated. Also, during the inspection of the living spaces, it was found that both the daily schedule of activities for foreigners and the weekly work programme at the Centre (both translated into English) are posted on all the doors of the living spaces and departments.

The explanation from the management that all foreigners who do not have their own mobile phones and the means to buy phone cards can also make calls from the Centre's phone is commendable.

Regarding the five accepted but not yet implemented recommendations, it was determined that more time or additional financial resources are required for their implementation. Thus, one accepted and still unimplemented recommendation again **related to unaccompanied minors (MBS), namely that they be accommodated in the Centre only as an exception, or that a systemic solution for the accommodation of MBS be found as soon as possible.** In its response, the MNZ announced that the arrest of MBS, which is being handled by the Police in connection with illegal residence on the territory of the Republic of Slovenia, and in accordance with the protocol on cooperation between the Centres for Social Work (CSD) and the Police in providing assistance to MBS under the Foreigners Act, the competent local CSD is immediately informed. **At the same time, the MNZ announced that the aforementioned protocol is already in the revision phase and has been sent to all stakeholders for coordination.** All further procedures with MBS take place with the participation of a CSD expert, who decides on all further measures, including the suitability of accommodating an MBS in the Centre. The MNZ also announced that the systemic solution for the accommodation of MBS is not the responsibility of the Police, but of the Office of the Government of the Republic of Slovenia for the Care and Integration of Migrants.<sup>50</sup>

The second accepted and still unimplemented recommendation referred to the **recommendation (especially if any renovation of the premises is carried out at the Centre in the future) that the possibility of installing suitable blackout blinds in the bedrooms of the premises intended for the accommodation of minor foreigners be considered.** The MNZ announced that they will re-examine the recommendation in terms of technical implementation possibilities and find an appropriate solution.

The third accepted and still unimplemented recommendation referred to the **study of the possibility of providing the Centre with adequate support (if necessary, also financial) in order to arrange a place in each of the departments, a dining room, in which foreigners could eat their meals.** The MNZ announced that the Centre will continue the renovation of individual departments, as soon as the possibilities of drawing European funds are guaranteed. This recommendation will be taken into account when preparing projects and finding technical solutions.

The fourth accepted and still unimplemented recommendation referred to **the study of the possibility of a different arrangement for the purchase of tobacco**

<sup>50</sup> We also report on this issue separately in the report on the work of the Ombudsman for 2022.



**products or purchase in such a way that this would not represent additional work for social workers.** The MNZ announced that the Centre regularly examines options and solutions for ensuring a different arrangement for the purchase of tobacco products for foreigners. In addition, the Police must also comply with the provisions of the Restriction on the Use of Tobacco Products and Related Products Act; nevertheless, the Centre regularly examines new possibilities that appear in the local environment to solve the issue of providing tobacco products.

The last accepted and still unimplemented recommendation referred to **the study of the possibility of filling the positions of police officers, primarily those who also escort the removal of foreigners.** The MNZ announced that the entire Police force is dealing with staffing issues, so the mentioned problems are being resolved in the Centre in accordance with the possibilities. In the event of an increased scope of work, personnel assistance from other police units is provided.

# 3.

## ANNEXES

# 3.1 NATIONAL PREVENTIVE MECHANISM VISITS IN 2022

1 February 2022	NPM members, Ombudsman's Advisor Jure Markič, MA, and Lili Jazbec, representative of the ZDUS NGO, made an unannounced follow-up visit to <b>Dom upokojencev Ptuj</b> .
2 February 2022	NPM members, Ombudsman's Advisor Ana Polutnik and Sanja Jablanović, representative of the PIC NGO, made an unannounced visit to <b>Vzgojni dom Veržej</b> .
9 February 2022	NPM members, Ombudsman's Advisor Ana Polutnik and Sanja Jablanović, representative of the PIC NGO made an unannounced visit to <b>Vzgojni dom Veržej, Dokležovje residential group</b> .
9 February 2022	NPM members, Ombudsman's Advisor Ana Polutnik and Sanja Jablanović, representative of the PIC NGO made an unannounced visit to <b>Vzgojni dom Veržej, Veržej residential group</b> .
10 February 2022	NPM members, Advisor to the Ombudsman Robert Gačnik and Boris Nusdorfer, representative of the PIC NGO made an unannounced visit to the <b>Trebnje police station</b> .
10 February 2022	NPM members, Advisor to the Ombudsman Robert Gačnik and Boris Nusdorfer, representative of the PIC NGO made an unannounced visit to the <b>Brežice police station</b> .
10 February 2022	NPM members, Advisor to the Ombudsman Robert Gačnik and Boris Nusdorfer, representative of the PIC NGO made an unannounced visit to the <b>Krško police station</b> .
15 February 2022	NPM members, Ombudsman's Advisor Jure Markič, MA, and Neža Peternelj, representative of the SKUP NGO, and subsequently also expert Dr Vesna Švab made an unannounced visit to <b>Dom upokojencev Gradišče</b> .
16 February 2022	NPM members, Ombudsman's Advisors Sonja Božič Testen and Ana Polutnik and Lili Jazbec, representative of the ZDUS NGO made an unannounced visit to <b>Center za usposabljanje, delo in varstvo Matevža Langusa Radovljica</b> .
21 February 2022	NPM members, Ombudsman's Advisor Sonja Božič Testen and Stanka Radojčić, representative of the ZDUS NGO, and Ombudsman's Advisor Lan Vošnjak made an unannounced visit to <b>Center za varstvo in delo Golovec</b> .

1 March 2022	NPM members, Ombudsman's Advisor Ana Polutnik and Katja Piršič, representative of the SKUP NGO made an unannounced visit to <b>Zavod za vzgojo in izobraževanje Logatec.</b>
1 March 2022	NPM members, Ombudsman's Advisor Ana Polutnik and Katja Piršič, representative of the SKUP NGO made an unannounced visit to <b>Zavod za vzgojo in izobraževanje Logatec, residential group Vrhnika.</b>
2 March 2022	NPM members, Ombudsman's Advisor Ana Polutnik and Katja Piršič, representative of the SKUP NGO made an unannounced visit to <b>Zavod za vzgojo in izobraževanje Logatec, residential group Postojna.</b>
2 March 2022	NPM members, Ombudsman's Advisor Ana Polutnik and Katja Piršič, representative of the SKUP NGO made an unannounced visit to <b>Zavod za vzgojo in izobraževanje Logatec, Planina asertive group.</b>
3 March 2022	NPM members, Ombudsman's Advisor Jure Markič, MA, Advisor to the Ombudsman Robert Gačnik, and Srečko Brumen, representative of the Novi Paradoks NGO made an unannounced follow-up visit to <b>UKC Maribor, Department of Psychiatry, Unit for Forensic Psychiatry.</b>
10 March 2022	NPM members, Deputy Ombudsman Ivan Šelih, Advisor to the ombudsman Robert Gačnik, Urša Regvar, representative of the PIC NGO, within the Legal Clinic also a student of the Faculty of Law in Ljubljana Karin Blatnik, and subsequently also the expert Dr Zdenka Čebašek Travnik, MD, specialist in psychiatry, made an unannounced visit to the <b>Centre for Foreigners in Postojna.</b>
10 March 2022	NPM members, Ombudsman's Advisors Sonja Božič Testen and Jure Markič, MA, and Neja Čopi, representative of the UNICEF NGO made an unannounced visit to the <b>Center za usposabljanje, delo in varstvo Črna na Koroškem.</b>
14 March 2022	NPM members, Ombudsman's Advisor Ana Polutnik, and Aida Hajdarevič, representative of the UNICEF NGO made an unannounced visit to the <b>Krizni center za otroke in mladostnike 10-ka in Nova Gorica.</b>
16 March 2022	NPM members, Advisor to the Ombudsman Robert Gačnik and Neža Peternelj, representative of the SKUP NGO made an unannounced visit to the <b>Ljubljana Center police station.</b>
16 March 2022	NPM members, Advisor to the Ombudsman Robert Gačnik and Neža Peternelj, representative of the SKUP NGO, made an unannounced visit to the <b>Ribnica police station.</b>
16 March 2022	NPM members, Advisor to the Ombudsman Robert Gačnik and Neža Peternelj, representative of the SKUP NGO, made an unannounced visit to the <b>Kočevje police station.</b>

22 March 2022	NPM members, Ombudsman's Advisor Jure Markič, MA, and Amarila Rižnar, representative of the Spominčica NGO, made an unannounced follow-up visit to <b>Dom upokojevcev Franc Salam-on Trbovlje, Prebold Unit.</b>
30 March 2022	NPM members, Advisor to the Ombudsman Robert Gačnik and Lili Jazbec, representative of the ZGUS NGO, made an unannounced visit to <b>Zavod za prestajanje kazni zapora Ljubljana, Odprti oddelek Ig.</b>
30 March 2022	NPM members, Ombudsman's Advisors Sonja Božič Testen and Ana Polutnik and Neža Peternelj, representative of the SKUP NGO, made an unannounced visit to the <b>Center za usposabljanje, delo in varstvo Dobrna.</b>
6 April 2022	NPM members, Advisor to the Ombudsman Robert Gačnik and Anuška Podvršič, representative of the PIC NGO, made an unannounced visit to the <b>Vrhnika police station.</b>
6 April 2022	NPM members, Advisor to the Ombudsman Robert Gačnik and Anuška Podvršič, representative of the PIC NGO, made an unannounced visit to the <b>Koper police station.</b>
6 April 2022	NPM members, Advisor to the Ombudsman Robert Gačnik and Anuška Podvršič, representative of the PIC NGO, made an unannounced visit to the <b>Piran police station.</b>
11 April 2022	NPM members, Ombudsman's Advisor Jure Markič, MA, and Amarila Rižnar, representative of the Spominčica NGO, made an unannounced topical visit to <b>Dom na Krasu Dutovlje.</b>
11 April 2022	NPM members, Ombudsman's Advisor Jure Markič, MA, and Amarila Rižnar, representative of the Spominčica NGO, made an unannounced topical visit to <b>Dom upokojevcev Idrija, Marof Unit.</b>
11 April 2022	NPM members, Ombudsman's Advisor Jure Markič, MA, and Amarila Rižnar, representative of the Spominčica NGO, made an unannounced topical visit to the <b>Idrija Psychiatric Hospital.</b>
12 April 2022	NPM members, Ombudsman's Advisor Ana Polutnik and Barbara Smogavc, representative of the Pravo za VSE NGO, made an unannounced visit to the <b>Strokovni center Mladinski dom Maribor, educational groups in Slivnica near Maribor.</b>
13 April 2022	NPM members, Ombudsman's Advisor Jure Markič, MA, and Rok Kuster, representative of the Pravo za VSE NGO, made an unannounced topical visit to <b>Dom Nine Pokorn Grmove.</b>
13 April 2022	NPM members, Ombudsman's Advisor Jure Markič, MA, and Rok Kuster, representative of the Pravo za VSE NGO, made an unannounced topical visit to <b>UKC Maribor, Department of Psychiatry.</b>

14 April 2022	NPM members, Ombudsman's Advisors Sonja Božič Testen and Ana Polutnik and Aida Hajdarevič, representative of the UNICEF NGO, made an unannounced visit to <b>Center za usposabljanje, delo in varstvo Dolfke Boštjančič Draga.</b>
19 April 2022	NPM members, Ombudsman's Advisor Jure Markič, MA, and Barbara Smogavc, representative of the Pravo za VSE NGO, made an unannounced topical visit to <b>SZV Hrastovec.</b>
19 April 2022	NPM members, Ombudsman's Advisor Jure Markič, MA, and Barbara Smogavc, representative of the Pravo za VSE NGO, made an unannounced topical visit to <b>Dom Lukavci.</b>
20 April 2022	NPM members, Deputy Ombudsman Ivan Šelih, Advisor to the Ombudsman Robert Gačnik, Adriana Aralica, representative of the PIC NGO, Neja Čopi, representative of the UNICEF NGO, and subsequently an expert Assist Dr Milan Popovič, MD, surgery specialist, made an unannounced visit to <b>Zavod za prestajanje kazni zapora Ig.</b>
20 April 2022	NPM members, Ombudsman's Advisor Ana Polutnik and Sanja Jablanovič, representative of the PIC NGO, made an unannounced visit to <b>Vzgojni zavod Kranj, Črnava residential group.</b>
20 April 2022	NPM members, Ombudsman's Advisor Ana Polutnik and Sanja Jablanovič, representative of the PIC NGO, made an unannounced visit to <b>Vzgojni zavod Kranj, Reteče residential group.</b>
3 May 2022	NPM members, Ombudsman's Advisor Ana Polutnik and Barbara Smogavc, representative of the Pravo za VSE NGO, made an unannounced visit to <b>Strokovni center Mladinski dom Maribor, Španova kmetija in Moščanci.</b>
4 May 2022	NPM members, Ombudsman's Advisor Jure Markič, MA, and Jure Trbič, representative of the SKUP NGO, and subsequently also an expert Dr Vesna Švab made an unannounced regular visit to <b>Dom počitka Mengeš.</b>
11 May 2022	NPM members, Ombudsman's Advisor Sonja Božič Testen and Stanka Radojičič, representative of the ZDUS NGO, made an unannounced visit to <b>Varstveno delovni center Kranj, Škofja Loka residential unit.</b>
17 May 2022	NPM members, Advisor to the Ombudsman Robert Gačnik and Lili Jazbec, representative of the ZDUS NGO, made an unannounced visit to <b>Zavod za prestajanje kazni zapora Dob pri Mirni, Odprti oddelek Puščava.</b>
25 May 2022	NPM members, Advisor to the Ombudsman Robert Gačnik and Iza Thaler, representative of the Mirovni inštitut NGO, made an unannounced visit to the <b>Ormož police station.</b>

25 May 2022	NPM members, Advisor to the Ombudsman Robert Gačnik and Iza Thaler, representative of the Mirovni inštitut NGO, made an unannounced visit to the <b>Gorišnica police station</b> .
1 June 2022	NPM members, Ombudsman's Advisor Ana Polutnik and Monika Bohinec, representative of the Mirovni inštitut NGO, made an unannounced visit to <b>Krizni center za otroke in mladostnike Marelična hiša in Koper</b> .
1 June 2022	NPM members, Deputy Ombudsman Ivan Šelih, Advisor to the Ombudsman Robert Gačnik, Dr Maja Ladič, and Katarina Vučko, representatives of the Mirovni inštitut NGO, and subsequently also Assist Dr Milan Popovič, MD, surgery specialist, made an unannounced visit to <b>Zavod za prestajanje kazni zapora Koper</b> .
6 June 2022	NPM members, Ombudsman's Advisor Jure Markič, MA, and Rok Kuster, representative of the Pravo za VSE NGO, and subsequently also an expert Dr Petra Koprivnik made an unannounced regular visit to <b>SeneCura Dom starejših občanov Vojnik</b> .
9 June 2022	NPM members, Ombudsman's Advisors Sonja Božič Testen and Ana Polutnik and Srečko Brumen, representative of the Novi Paradoks NGO, made an unannounced visit to <b>Varstveno delovni center Tončke Hočevar</b> .
22 June 2022	NPM members, Advisor to the Ombudsman Robert Gačnik and Iza Thaler, representative of the Mirovni inštitut NGO, made an unannounced visit to the Črnomelj <b>police station</b> .
22 June 2022	NPM members, Advisor to the Ombudsman Robert Gačnik and Iza Thaler, representative of the Mirovni inštitut NGO, made an unannounced visit to the <b>Metlika police station</b> .
28 June 2022	NPM members, Ombudsman's Advisor Sonja Božič Testen and Lili Jazbec, representative of the ZDUS NGO, made an unannounced visit to the <b>Varstveno delovni center INCE, Naša Hiša Unit</b> . They toured the premises and talked to the users (on 18/5/2022 this was not possible due to the infection among the users, hence at the time they only talked to the head of the Naša Hiša Unit).
30 June 2022	NPM members, Ombudsman's Advisor Sonja Božič Testen and Rok Kuster, representative of the Pravo za VSE NGO, made an unannounced visit to <b>Varstveno delovni center Murska Sobota, Gornja Radgona residential unit</b> .
30 June 2022	NPM members, Ombudsman's Advisor Sonja Božič Testen and Rok Kuster, representative of the Pravo za VSE NGO, made an unannounced visit to <b>Varstveno delovni center Murska Sobota, Ljutomer residential unit</b> .

6 July 2022	NPM members, Ombudsman's Advisor Sonja Božič Testen and Marija Krušič, representative of the ZDUS NGO, made an unannounced visit to <b>Varstveno delovni center Krško - Leskovec, Leskovec pri Krškem residential unit.</b>
6 July 2022	NPM members, Ombudsman's Advisor Sonja Božič Testen and Marija Krušič, representative of the ZDUS NGO, made an unannounced visit to <b>Varstveno delovni center Krško - Leskovec, Brežice residential unit.</b>
6 July 2022	NPM members, Ombudsman's Advisor Ana Polutnik and Urša Podgoršek, representative of the Pravo za VSE NGO, made an unannounced visit to <b>Krizni center za mlade Murska Sobota.</b>
13 July 2022	NPM members, Ombudsman's Advisor Jure Markič, MA, and Amarila Rižnar, representative of the Spominčica NGO, made an unannounced follow-up visit to <b>Dom dr. Jožeta Potrča Poljčane, Slovenska Bistrica Unit.</b>
26 July 2022	NPM members, Ombudsman's Advisor Ana Polutnik and dr Živa Humer, representative of the Mirovni inštitut NGO, made an unannounced visit to <b>Krizni center za otroke in mladostnike Krško.</b>
28 July 2022	NPM members, Advisor to the Ombudsman Robert Gačnik and Valentin Delevič, representative of the Pravo za VSE NGO, made an unannounced visit to <b>Zavod za prestajanje kazni zapora Maribor, Murska Sobota Division.</b>
28 July 2022	NPM members, Ombudsman's Advisor Jure Markič, MA, and Urška Čopič, representative of the Pravo za VSE NGO, made an unannounced follow-up visit to <b>Dom Nine Pokorn Grmovje.</b>
9 August 2022	NPM members, Ombudsman's Advisor Jure Markič, MA, and Slavica Frelj, representative of the ZDUS NGO, made an unannounced topical visit to <b>Dom upokojencev Sežana.</b>
9 August 2022	A NPM member, Ombudsman's Advisor Jure Markič, MA, made an unannounced topical visit to <b>Dom starejših občanov Ajdovščina.</b>
10 August 2022	NPM members, Advisor to the Ombudsman Robert Gačnik and Katarina Vučko, representative of the Mirovni inštitut NGO, made an unannounced visit to <b>Zavod za prestajanje kazni zapora Koper, Nova Gorica Division.</b>
16 August 2022	NPM members, Ombudsman's Advisor Jure Markič, MA, and Urša Podgoršek, representative of the Pravo za VSE NGO, made an unannounced topical visit to <b>Dom za varstvo odraslih Velenje.</b>



16 August 2022	NPM members, Ombudsman's Advisor Jure Markič, MA, and Urša Podgoršek, representative of the Pravo za VSE NGO, made an unannounced topical visit to <b>Koroški dom starostnikov, Slovenj Gradec Unit.</b>
16 August 2022	NPM members, Ombudsman's Advisor Jure Markič, Ma, and Urša Podgoršek, representative of the Pravo za VSE NGO, made an unannounced topical visit to <b>Koroški dom starostnikov Črneče - Dravograd.</b>
18 August 2022	NPM members, Ombudsman's Advisor Sonja Božič Testen and Monika Bohinec, representative of the Mirovni inštitut NGO, made an unannounced visit to <b>Varstveno delovni center Nova Gorica, Stara Gora Unit.</b>
23 August 2022	NPM members, Ombudsman's Advisor Ana Polutnik and Ilona Osrajnik, representative of the Pravo za VSE NGO, made an unannounced visit to <b>Krizni center za mlade Maribor.</b>
24 August 2022	NPM members, Ombudsman's Advisor Jure Markič, MA, and Marija Krušič, representative of the ZDUS NGO, made an unannounced topical visit to <b>Dom starejših občanov Novo mesto.</b>
24 August 2022	NPM members, Ombudsman's Advisor Jure Markič, MA, and Marija Krušič, representative of the ZDUS NGO, made an unannounced topical visit to <b>Dom starejših občanov Metlika, the dislocated unit.</b>
31 August 2022	NPM members, Ombudsman's Advisors Sonja Božič Testen and in Ana Polutnik and Mateja Markovič, representative of the Novi Paradoks NGO, made an unannounced visit to <b>Varstveno delovni center Novo mesto.</b>
6 September 2022	NPM members, Ombudsman's Advisor Ana Polutnik and Lili Jazbec, representative of the ZDUS NGO, made an unannounced visit to <b>Krizni center za otroke Palčica in Grosuplje.</b>
6 September 2022	NPM members, Ombudsman's Advisor Sonja Božič Testen and Neja Čopi, representative of the UNICEF NGO, made an unannounced visit to <b>Varstveno delovni center Tolmin, Rutarjeva residential unit.</b> They toured the premises and talked to the users (on 13/7/2022 this was not possible due to the infection among the users, hence at the time they only talked to the director).
6 September 2022	NPM members, Ombudsman's Advisor Sonja Božič Testen and Neja Čopi, representative of the UNICEF NGO, made an unannounced visit to <b>Varstveno delovni center Tolmin, Zalog residential group.</b> They toured the premises and talked to the users (on 13/7/2022 this was not possible due to the infection among the users, hence at the time they only talked to the director).

8 September 2022	NPM members, Ombudsman's Advisor Jure Markič, MA, and Ilo-na Osrajnik, representative of the Pravo za VSE NGO, made an unannounced follow-up visit to <b>Dom starejših Na Fari Prevalje</b> .
14 September 2022	NPM members, Deputy Ombudsman Ivan Šelih and Advisor to the ombudsman Robert Gačnik made an unannounced follow-up visit to <b>Zavod za prestajanje kazni zapora Dob pri Mirni</b> . Within the project "Increasing the effectiveness of civilian oversight committees in accordance with European standards is implemented by the Council of Europe and financed by Sweden, Switzerland, the Republic of Türkiye, the Human Rights Fund (HRTF), and Canada", Turkish representatives participated in the visit as observers: Mehmet ÖKMEN – Deputy Director General, Mustafa Burak AÇOĞLU – Head of Unit, Atakan ÇETİNKAYA – Social Worker in Fuat ŞEN – Chief Controller, all from the Directorate General for Prisons and Detention Houses of the Ministry of Justice, Erdinç Hakan ÖZDABAKOĞLU – Public Prosecutor from Ankara Sincan Prison, Abdulhalim SAĞLAM – Justice Inspector from Inspection Board of the Ministry of Justice, Abdurrahman GÜLGEN – Civil Monitoring Board from İskenderun Justice Commission, Sevgi DEMİR – Civil Monitoring Board from Eskişehir Justice Commission, Aynur KURTAY – Civil Monitoring Board from Aydın Justice Commission, and Ezgi Koçak – Senior Project Officer from Council of Europe Programme Office in Ankara, and their translator Abdüljaziz Pocinka. Irfan Halici – Ombudsman Expert from The Ombudsman Institution of the Republic of Türkiye also participated at the follow-up visit.
22 September 2022	NPM members, Ombudsman's Advisor Jure Markič, MA, and Urška Čopič, representative of the Pravo za VSE NGO, and an expert Dr Vesna Švab made an unannounced visit to <b>Dom starejših občanov Vič – Rudnik, Bokalce Unit</b> .
28 September 2022	NPM members, Advisor to the Ombudsman Robert Gačnik and Katja Piršič, representative of the SKUP NGO, made an unannounced visit to the Škofja <b>Loka police station</b> .
28 September 2022	NPM members, Advisor to the Ombudsman Robert Gačnik and Katja Piršič, representative of the SKUP NGO, made an unannounced visit to the <b>Kranj police station</b> .
28 September 2022	NPM members, Advisor to the Ombudsman Robert Gačnik and Katja Piršič, representative of the SKUP NGO, made an unannounced visit to the <b>Tržič police station</b> .
10 October 2022	NPM members, Ombudsman's Advisor Sonja Božič Testen and Lili Jazbec, representative of the ZDUS NGO, made an unannounced visit to <b>Varstveno delovni center Črnomelj, Črnomelj residential unit</b> .

12 October 2022	NPM members, Advisor to the Ombudsman Robert Gačnik and Urša Podgoršek, representative of the Pravo za VSE NGO, made an unannounced visit to the <b>Laško police station</b> .
12 October 2022	NPM members, Advisor to the Ombudsman Robert Gačnik and Urša Podgoršek, representative of the Pravo za VSE NGO, made an unannounced visit to the <b>Celje police station</b> .
19 October 2022	NPM members, Ombudsman's Advisor Sonja Božič Testen and Neža Peternelj, representative of the SKUP NGO, made an unannounced visit to <b>Varstveno delovni center Polž Maribor, Maribor residential unit</b> .
24 October 2022	NPM members, Ombudsman's Advisor Ana Polutnik and Aida Hajdarevič Novak, representative of the UNICEF NGO, made an unannounced follow-up visit to <b>Mladinski dom Jarše, Hiša residential group</b> .
25 and 26 October 2022	NPM members, Deputy Ombudsman Ivan Šelih, Advisor to the Ombudsman Robert Gačnik, and Urša Podgoršek and Valentin Delevič, representatives of the Pravo za VSE NGO, and subsequently also Assist Dr Milan Popovič, MD, surgery specialist, made an unannounced visit to <b>Zavod za prestajanje kazni zapora Maribor</b> .
25 October 2022	NPM members, Ombudsman's Advisor Ana Polutnik and Aida Hajdarevič Novak, representative of the UNICEF NGO, made an unannounced visit to <b>Mladinski dom Jarše, Zeleni tir residential group</b> .
25 October 2022	NPM members, Ombudsman's Advisor Ana Polutnik and Aida Hajdarevič Novak, representative of the UNICEF NGO, made an unannounced visit to <b>Mladinski dom Jarše, Kokos residential group</b> .
26 October 2022	NPM members, Ombudsman's Advisor Ana Polutnik and Aida Hajdarevič Novak, representative of the UNICEF NGO, made an unannounced visit to <b>Mladinski dom Jarše, Črnuška gmajna residential group</b> .
27 October 2022	NPM members, Ombudsman's Advisor Jure Markič, MA, and Maja Pajk, representative of the Novi Paradoks NGO, made an unannounced follow-up visit to <b>SVZ Hrastovec</b> .
11 November 2022	NPM members, Ombudsman's Advisors Ana Polutnik and Jure Markič, MA, and Katja Piršič, representative of the SKUP NGO, and Slavica Dimitrievska, representative of the NPM North Macedonia, made an announced follow-up visit to <b>Zavod za vzgojo in izobraževanje Logatec</b> .

11 November 2022	NPM members, Ombudsman's Advisor Sonja Božič Testen, Deputy Ombudsman Ivan Šelih, Rok Kuster, representative of the Pravo za VSE NGO, and Aleksandar Trenkoski and Bardhil Limani, representatives of the NPM North Macedonia, made an announced follow-up visit to <b>Zavod za usposabljanje, delo in varstvo dr. Marijana Borštnarja Dornava.</b>
23 November 2022	NPM members, Advisor to the Ombudsman Robert Gačnik and Neža Peternelj, representative of the SKUP NGO, made an unannounced visit to the <b>Novo mesto police station.</b>
23 November 2022	NPM members, Advisor to the Ombudsman Robert Gačnik and Neža Peternelj, representative of the SKUP NGO, made an unannounced visit to the Šentjernej <b>police station.</b>
24 November 2022	NPM members, Ombudsman's Advisors Jure Markič, MA, and Ana Polutnik, and Srečko Brumen, representative of the Novi Paradoks NGO, made an unannounced follow-up visit to the <b>Vo-jnik Psychiatric Hospital.</b>
22 December 2022	NPM members, Ombudsman's Advisor Jure Markič, MA, Urška Čopič, representative of the Pravo za VSE NGO, and an expert Dr Petra Koprivnik made an unannounced visit to <b>Dom Hmelina, Radlje ob Dravi.</b>

# 3.2 OVERVIEW OF OTHER NATIONAL PREVENTIVE MECHANISM ACTIVITIES IN 2022

11 February 2022	Deputy Ombudsman Ivan Šelih, on the invitation of Skupnost centrov za socialno delo Slovenije, participated at a working meeting for the drafting of a protocol on the cooperation between centres for social work and the Police when helping unaccompanied underage foreigners.
7 and 8 April 2022	Deputy Ombudsman Ivan Šelih and Ombudsman's Advisors Ana Polutnik and Sonja Božič Testen participated at the consultation <i>Ali so otroci, ki storijo protipravno ravnanje, žrtve ali storilci?</i> , organised by the Center za izobraževanje v pravosodju.
14 April 2022	Deputy Ombudsman Ivan Šelih and Ombudsman's Adviser Jure Markič, MA, participated at the annual ZDUS management meeting at the headquarters of Zveza društev upokojencev Slovenije (ZDUS) with representatives of the Ombudsman and NPM members.
14 April 2022	Ombudsman's Adviser Jure Markič, MA, participated in (online) refresher training for the representatives of dementia-friendly points organised by Spominčica – Alzheimer Slovenija.
21 April 2022	Deputy Ombudsman Ivan Šelih participated at the introductory meeting in the "JUSTICE FOR ALL: Enhancing the Rights of Defendants and Detainees with Intellectual and/or Psychosocial Disabilities: EU Cross-Border Transfers, Detention and Alternatives" project.
24 May 2022	Deputy Ombudsman Ivan Šelih participated at the webinar organised by APT: Spodbujanje učinkovite zaščite LGBTI+ oseb, ki jim je odvzeta prostost.
27 May 2022	Deputy Ombudsman Ivan Šelih participated at a consultation organised within the JUSTICE FOR ALL: Enhancing the Rights of Defendants and Detainees with Intellectual and/or Psychosocial Disabilities: EU Cross-Border Transfers, Detention and Alternatives" project.
31 May 2022	Ombudsman's Advisor Jure Markič, MA, participated at the (online) Alzheimer Cafe organised by Spominčica – Alzheimer Slovenija entitled Igra možganov - kako se možgani igrajo z nami in kako se mi lahko igramo z njimi.

2 June 2022	Ombudsman's Advisor Jure Markič, MA, participated in Cankarjev dom in Ljubljana at an international conference organised by Spominčica – Alzheimer Slovenija entitled <i>V ritmu človeških možganov</i> .
7 June 2022	On the invitation of the Austrian Ombudsman, Human Rights Ombudsman Peter Svetina and Deputy Ombudsman Ivan Šelih participated at the celebration of the 10th anniversary of operation of the Austrian NPM.
21 June 2022	Deputy Ombudsman Ivan Šelih participated at the meeting of the SEE NPM Network in Vienna with the topic: <i>“Special needs of older people and physically handicapped persons in places of detention” – “Public Relations of NPM”</i> organised by the Austrian Ombudsman.
12 July 2022	Deputy Ombudsman Dr Jože Ruparčič and Ombudsman's Advisor Jure Markič, MA, participated at a consultation organised by PIC – Pravni center za varstvo človekovih pravic in okolja entitled <i>Možnosti za deinstitucionalizacijo in zagotavljanje pomoči ter storitev konkretno za stranko in tudi na splošno za osebe, nastanjene v institucijah</i> .
13 July 2022	Human Rights Ombudsman Peter Svetina welcomed the Minister of the Interior Tatjana Bobnar, MA, for an introductory visit. Together with Deputy Ombudsman Ivan Šelih, Head of the NPM, they handed over to her the 27th Annual Report of the Human Rights Ombudsman and the Annual Report of the NPM and they also agreed on the ways of collaboration. <i>They discussed the violations of human rights and the most pressing topics identified by the Ombudsman in the field pertaining to the work of the Ministry and the Police.</i>
13 July 2022	Human Rights Ombudsman Peter Svetina, Deputy Ombudsman Ivan Šelih, the Greek Ombudsman Andreas Potakis, and Markus Jaeger discussed the further work of the Napflion Group.
24 and 25 August 2022	Deputy Ombudsman Ivan Šelih participated at the fifth annual meeting of the NPM in Warsaw, Poland, entitled <i>“Monitoring the use of force and law enforcement equipment in the criminal justice system”</i> . The event, organised by APT and OVSE/ODHIR, was attended by representatives of 26 NPMs from the area of OVSE, representatives of certain international and national non-governmental organisations working in the field of preventing and combating torture in the OVSE region, and representatives of international and regional supervisory bodies.

6 September 2022	Deputy Ombudsman Ivan Šelih and Specialist Adviser to the Ombudsman Robert Gačnik met for the annual regular meeting with the Secretary of State at the MNZ Dr Branko Lobnikar and the acting General Director of the Police and Security Directorate (DPDVN) Slavko Koroš and other DPDVN employees. The meeting was held within the preparation for surveillance or the preparation of directives and mandatory instructions for the work of the Police. The Ombudsman's representatives presented the crucial findings from the complaints in the field of police procedures and visits to police stations in the role of performing tasks and authorities of the NPM in 2021 (partly also the NPM findings from visits in 2022).
13 to 15 September 2022	The NPM hosted for a study visit the representatives of the General Directorate for Prisons at the Turkish Ministry of Justice, the Inspection Council of the Turkish Ministry of Justice, three Commissions for Justice, a representative of the Sincan Prison in Ankara, and the Programme Office of the Council of Europe in Ankara. In Slovenia, the guests from Turkey learned about best practices, standards, methods, and tools for monitoring the operation of prisons and care for persons deprived of their liberty.
14 September 2022	Human Rights Ombudsman Peter Svetina, Dr Jože Ruparčič, and Miha Horvat participated at the joint session of the Commission for State Organisation and the Commission for Social Care, Labour, Health and Disabled of the National Council – the discussion of the 27th Regular Annual Report of the Ombudsman for 2021 and the NPM Annual Report.
15 September 2022	Ombudsman's Advisors Ana Polutnik and Jure Markič, MA, participated at the (online) consultation Stanje in izzivi na področju Alzheimerjeve bolezni v Sloveniji: v luči nove realnosti organised by NIJZ and Spominčica – Alzheimer Slovenija.
20 September 2022	Human Rights Ombudsman Peter Svetina and Deputy Ombudsman Ivan Šelih and Dr Jože Ruparčič participated at the 2nd meeting of the Committee on Education, Science, Sport and Youth of the National Assembly of the Republic of Slovenia – the discussion of the 27th regular annual report of the Ombudsman for 2021 and the NPM annual report.
21 September 2022	Human Rights Ombudsman Peter Svetina and Deputy Ombudsmen Ivan Šelih, Dr Jože Ruparčič, and Miha Horvat participated at the meeting of the National Council of the Republic of Slovenia – the discussion of the <a href="#">27th Regular Annual Report of the Ombudsman</a> and the <a href="#">NPM Annual Report</a> .
27 September 2022	Ombudsman's Advisor Jure Markič, MA, participated at the (online) Alzheimer Cafe organised by Spominčica – Alzheimer Slovenija entitled Kakovost življenja ljudi z demenco in njihovih svojcev in ustrezna medsebojna komunikacija.

5 October 2022	Deputy Ombudsman Ivan Šelih participated in Strasbourg, France, at the European NPM Conference “Monitoring the rights of specific groups of people deprived of their liberty”.
7 October 2022	Human Rights Ombudsman Peter Svetina and Deputy Ombudsmen Ivan Šelih, Dr Jože Ruparčič, and Miha Horvat participated at the meeting of the Committee on Labour, Family, Social Affairs and Disability – <i>the discussion of the 27th Regular Annual Report of the Ombudsman for 2021 and the NPM Annual Report</i> .
11 October 2022	Human Rights Ombudsman Peter Svetina and Deputy Ombudsman Ivan Šelih, Dr Jože Ruparčič, and Miha Horvat participated at the 1st regular meeting of the Commission for Petitions, Human Rights and Equal Opportunities – the discussion of the 27th Regular Annual Report of the Ombudsman for 2021 and the NPM Annual Report.
25 October 2022	Ombudsman’s Advisor Jure Markič, MA, participated at the (online) training organised by Spominčica – Alzheimer Slovenija entitled <i>Obnovitveno usposabljanje demenci prijaznih točk</i> .
27 October 2022	Human Rights Ombudsman Peter Svetina and Deputy Ombudsman Ivan Šelih, Dr Jože Ruparčič, and Miha Horvat participated at the meeting of the National Assembly of the Republic of Slovenia – the discussion of the 27th Regular Annual Report of the Ombudsman for 2021 and the NPM Annual Report.
10 and 11 November 2022	Deputy Ombudsman Ivan Šelih and his colleagues from the NPM hosted their colleagues from North Macedonia for two days. Within the study visit they learned about the structure of the NPM, its rich experience, and various best practices. They also visited <i>Zavod za vzgojo in izobraževanje Logatec</i> , which houses children with emotional and behavioural problems and disorders, and <i>Zavod za usposabljanje, delo in varstvo dr. Marijana Borštnarja Dornava</i> .
15 and 16 November 2022	Deputy Ombudsman Ivan Šelih and Ombudsman’s Advisor Ana Polutnik participated in Vienna at the meeting of the SEE NPM Network. The participants discussed the treatment of children and adolescents with mental health problems and mental and physical development and the use of constraining measures.
29 November 2022	Ombudsman’s Advisor Jure Markič, MA, participated at the (online) <i>Alzheimer Cafe</i> organised by Spominčica – Alzheimer Slovenija entitled <i>Kako uspešno preživeti tretje življenjsko obdobje – preventiva demence</i> .
2 December 2022	Within the Legal Clinic, Deputy Ombudsman Ivan Šelih and Specialist Adviser to the Ombudsman Robert Gačnik presented to the students of the Faculty of Law in Ljubljana the institution of the Human Rights Ombudsman of the Republic of Slovenia and its work in the field of restriction of movement of foreigners/migrants and the NPM as well as the work and findings of the NPM upon the visits to police stations, reception rooms of the Asylum Centre, and the Centre for Foreigners.



5 December 2022	Deputy Ombudsmen Ivan Šelih and Dr Jože Ruparčič and colleagues participated at the meeting at the MDDSZ, where they discussed the treatment of people with mental health problems and behavioural problems according to the findings from the NPM visits.
6, 8, and 12 December 2022	Ombudsman's Advisor Jure Markič, MA, participated at the (online) consultation "Equality bodies building their capacity on psychosocial disabilities and mental health issues" organised by Equinet.
8 December 2022	Deputy Ombudsman Ivan Šelih and Ombudsman's Advisor Jure Markič, MA, participated at a meeting of the working group for the drafting of <i>Guidelines for working with people with dementia in institutional care for the elderly</i> at the Ministry of Labour, Family, Social Affairs and Equal Opportunities.
13 December 2022	Deputy Ombudsman Ivan Šelih and Specialist Adviser to the Ombudsman Robert Gačnik participated in Lanšprež in the training for a group of 20 future correctional officers. This is a tested form of cooperation in the training of new correctional officers who in this way get closely acquainted with the institution of the Ombudsman both regarding treatment of complaints from prisoners and the implementation of tasks and authorities of the NPM.

# 3.3

## OTHER ANNEXES

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

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**3.3.2 Act Ratifying the Optional Protocol**

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**3.3.3 About the NPM in the Human Rights Ombudsman Act**

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**3.3.4 About the NPM in the Ombudsman's Rules of Procedure**

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**Report of the Ombudsman of the Republic of Slovenia on the implementation of the tasks of the National Preventive Mechanism** under the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for 2022

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**Publisher:** Human Rights Ombudsman of the Republic of Slovenia

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**Translation:** Jezikovne storitve Peresce

**Design and computer layout:** Aljaž Primožič

Ljubljana, May 2023.

This publication is also available at [www.ombudsman.si/en](http://www.ombudsman.si/en).

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ISSN 2591-099X (electronic version)



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