

An abstract graphic on the right side of the page. It features large, overlapping red and white geometric shapes, possibly representing a stylized letter 'V' or a folded piece of paper. Black lines of varying thicknesses and orientations are layered over these shapes, creating a complex, architectural feel.

# PRISONERS' RIGHTS AND COURTS

The Portuguese case

# **PRISONERS' RIGHTS AND COURTS**

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**A – Introduction**

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**B - The legal status of the prisoner in Portugal**

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**C - Fundamental rights and imprisonment**

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**D - Conditions for the exercise of rights**

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**E -Safeguarding the exercise of rights/ the Court of Execution of Sentences**

## INTRODUCTION

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The perfect prison does not exist.

Mankind was not made to live deprived of liberty,

In a perfect world prisons would not exist...

but, in this perfect world crimes would not exist either!

In any prison system there is always space for improvement

# INTRODUCTION

## THE JAPANESE PRISON SYSTEM



Many positive points, namely:

- Reduced dimension of prison population
- Non-existence of overcrowding, violence among prisoners, gangs or drug trafficking networks
- A clear focus on work, school and vocational training
- Transmission of social values to inmates (the best way for prisoner's reintegration)
- Legislative amendments introduced in 2005 in the right direction

# THE LEGAL STATUS OF THE PRISONER IN PORTUGAL



**"PEOPLE GO TO PRISON  
AS PUNISHMENT  
NOT TO BE PUNISHED"**



# FUNDAMENTAL RIGHTS AND IMPRISONMENT

## RIGHTS UNAFFECTED BY IMPRISONMENT

- Right to Life
- Right to Health Care





# FUNDAMENTAL RIGHTS AND IMPRISONMENT

## RIGHTS SUPPRESSED BY IMPRISONMENT

- Right to physical liberty
- Right to emigrate
- Right of displacement

# FUNDAMENTAL RIGHTS AND IMPRISONMENT

## RIGHTS LIMITED BY PRISON

- Right to private property
- Right to privacy
- Right to maintain family bonds
- Right to freedom of religion and worship
- Right to vote





# CONDITIONS FOR THE EXERCISE OF RIGHTS

Information to the  
prisoners on their  
rights (and duties)

in a way that they

**UNDERSTAND...**



# ON ADMISSION

depressed,

frightened,

anxious,

worried,

unhappy,

not in a mood to cooperate...





## ON ADMISSION

Informing about  
rights (and duties) and daily routine

- Understanding the prisoner's state of mind
- In a professional, intelligent, and human way,

so that the prisoner

“gets the message”

A hand holding a wooden gavel over a stack of books. The gavel is dark wood with a fluted head. The hand is in the center, holding the handle. The books are stacked in the foreground, showing their spines. The background is dark and out of focus.

## THE COURT OF EXECUTION OF SENTENCES

- Ensuring respect for prisoners' rights
- Ensuring respect for the purposes of the deprivation of liberty

(defence of society and  
social reintegration of the prisoner)



# THE COURT OF EXECUTION OF SENTENCES

- Individual Plan for the Prisoner's Rehabilitation
- Regime
- Contact with the outside world
- Prison leaves
- Order and security measures
- Disciplinary measures
- Parole



An abstract graphic on the right side of the slide. It features a large, irregular red shape with a torn, paper-like edge on its left side. Overlaid on and around this red shape are several sets of parallel black lines. These lines form a series of nested, angular shapes that resemble a stylized 'V' or a series of connected chevrons, creating a sense of depth and movement.

**THANK YOU**

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