***Management of pre-trial incarceration:***

If are being in a pre-trial detention, besides the rules already listed, you need to know the following special information.

When issuing its Order, the court issued a notice to the incarceration institution regarding the pre-trial detention, further, during the course of trial preparation until issuance of a declaration the institution shall admit the prisoner based on order of the prosecutor, after that the admittance shall be based on the regulations of the court.

**At the time of admittance under pre-trial detention, you shall be given, in a language you understand, information about the following:**

* about your right to defend yourself during the incarceration proceeding (you may defend yourself, and you can give the task of defending you to an attorney at any point in the proceeding),
* about your right to request the proceeding free of cost to you, and the conditions of such request (if it doesn’t appear you cannot continuously pay the proceeding costs because of your income and asset situation, and you certify this in accordance with the requirements of a separate applicable law, on the basis of a request by the accused or the attorney of the accused, the court or the prosecutor may decide and permit that the proceeding shall be free of cost to the accused),
* the importance of the action that forms the basis for the accusation and filing of charges, as well as the right pertaining to information about changes to these,
* the right to use your mother tongue (in the incarceration proceeding everyone uses their mother tongue both orally and in writing, as published in the law based on international agreements, and within those language groups a regional or national language, or, if the prisoner cannot speak Hungarian, a second language he is recorded as knowing),
* about the right to review the criminal proceeding files,
* about your right to refuse to testify (at the beginning of your deposition you are to be informed of the fact that you are not obligated to make a confession, the giving of a confession, or the answers to any questions can be at any time be recanted during the deposition, but you can also decide to give a confession at any time, even if you recanted an earlier confession),
* that forced measures shall be carried out in accordance with the Order therefor, as well as with the possible final content determined in the law, in addition, the rules for extension or review of forced measures, and about your right to file a request to be released on your own recognizance,
* about your right to notify your recorded relative or another person in the case of forced measures being ordered, extended or maintained,
* about your right to notify your recorded relative or another person, or your consular authorities,
* about your right to health care,
* that the pre-trial detention shall be carried out in accordance with the Order therefor, as well as with the final content determined in the law, in addition, the rules for extension or review of pre-trial detention, or for an legal remedy in contravention to these declarations, and about your right to file a request to be released on your own recognizance,
* about the forms for contact (you may have oral and written discussions with your defense attorney without being observed, depending on the stage of the criminal proceeding, either the prosecutor or the court (hereinafter the “Usage Rights Exerciser”) shall decide about restrictions on rights of observation for letters, telephone calls and visits),
* about the rules of behavior that must be followed in the institution, about the rules for disciplinary responsibility and disciplinary proceedings,
* about security measures, especially about the possibility of using an electronic tracking system,
* about the rules for repayment of damages.

The institution shall ensure the exercise of your rights during the criminal proceeding.

* you may have oral and written discussions with your defense attorney without being observed. Oral discussions can take place during the institution’s official opening hours, unless the requested meeting with the defense attorney concerns such a required act in the criminal proceeding that failure to make it would have legal consequences,
* The prisoner held in pre-trial detention may call their defense attorney on the incarceration institution’s telephone. In the interest of the pre-trial detainee exercising his rights in the criminal proceeding, the detainee may request to talk to the defense attorney on the telephone once per week for one hour, according to the internal regulations of the incarceration institution.
* you may keep with you your notes on the criminal proceeding and you may give them to your defense attorney without inspection.
* the institution will send, or deliver, letters written in regard to the criminal proceeding, as well letters and documents sent to you, to the addressee.
* at your request, and based on actions taken by the Usage Rights Exerciser, you may be allowed to study documents. Study of documents in the institution will be done with supervision.

Depending on the stage of the criminal proceeding, the prosecutor or the court (Usage Rights Exerciser) may decide

* to restrict, or observe your contact, in the interest of a successful criminal proceeding,
* to separate you from other people being held in pre-trial detention as a part of the same criminal proceeding,
* for stricter security or supervision,
* about your court appearance, your deposition in the incarceration institution and about your release to investigating agencies,
* to transfer you to another incarceration institution, unless the person being held in pre-trial detention should not be transferred for health reasons,
* about declarations to, and their release to, the media,
* about visits by a seriously ill relative, as certified by a doctor, or participation by the detainee at a funeral, or about permission for exercise of the right to pardon after the fact,
* about your placement inside the institution,
* about inspection or observation of your letters, telephone calls and visits,
* about restrictions or suspensions to sending letters, telephone calls, accepting visitors and sending or accepting packages,
* about transfer to another institution, except for doctor-certified and required transfer to the Central Hospital or to IMEI.

**The detainee**

* your detention shall be determined by taking into account the provisions of the Usage Rights Exerciser and you shall be under guard, observation and inspection,
* you may not be employed by an outside entity,
* in the marked areas of the incarceration institution you may only move freely if you are working,
* your cell must be kept shut, except for when you are taking part in work, in accordance with the conditions that apply thereto,
* the types and amounts of your personal possessions may be restricted.

Pre-trial detention must be carried out based on the general rules, but the warden can order the use of stricter or less restrictive rules.

If the BFB placed the pre-trial detainee, at their request, in an education, training or special program, then placement can be provided space in a rarely-locked dormitory living quarters.

The rules of the Usage Rights Exerciser must be followed in this case as well.

For those pre-trial detainees receiving a general rating

* his or her security and supervision has to be done with intensified diligence,
* they can only move around the incarceration institution with permission and security, his or her cell has to be locked,
* they can have visitors in the assigned area for sixty minutes per occasion,
* in special cases they can join the group programs for the people in pre-trial detention,
* the type and amount of the objects in his or her possession can be restricted,
* they can wear their own clothes.

For those pre-trial detainees receiving a lenient rating

* his or her security and supervision has to be carried out,
* it can be authorized for him or her to move about in the assigned areas of the incarceration institution without security, in this case his or her cell can be opened during the day,
* can have visitors in the assigned area for at least sixty minutes, but at the most for ninety minutes per occasion,
* for him or her - according to the Usage Rights Exerciser's provisions - it can be authorized to join the group free time, sporting and cultural activities for the people in pre-trial detention,
* the type and amount of the objects in his or her possession can be expanded if the incarceration institution's order and safety are kept while doing so,
* can wear their own clothes.

For those pre-trial detainees receiving a strict rating

* his or her incarceration has to be carried out with security and according to the intensified security rule,
* can only move on the incarceration institution's area with permission and security, his or her cell has to be locked,
* can have visitors for sixty minutes in a safety speaking booth or through safety technical devices,
* for him or her - according to the Usage Rights Exerciser's provisions - it can be exceptionally authorized to join the group free time, sporting and cultural activities for the people in pre-trial detention,
* the type and amount of the objects in his or her possession can be restricted while keeping the incarceration institution's order and safety,
* the rights of wearing his or her own clothes can be restricted for security reasons in the incarceration institution.

You are required to:

* uphold the rules of the incarceration institution,
* to complete your time for pre-trial detention in the institution in accordance with the decision of the judge or prosecutor,
* to carry out the work you volunteered for and marked on your request, in accordance with your knowledge and abilities, with discipline, in accordance with the rules for the workplace and scope of activities, and to uphold the requirements for work completion,
* if you work, in accordance with the applicable law you will wear a uniform or work clothes,
* to share in your incarceration costs, through your work fee and escrow account,
* to be fed and kept clean by the institution without cost.

You are authorized:

* to exercise your incarceration rights without restriction, as a part of this you may consult with your defense attorney, and for non-Hungarians you may also consult with a representative of your consulate, in writing, orally or on the telephone, without observation,
* with your relatives and other persons, taking into account the availability of the Usage Rights Exerciser
* to write letters, the extent and frequency of which shall be unrestricted, unless the Usage Rights Exerciser decides otherwise,
* to have a visitor at least twice per month,
* to request a telephone call with your contact person each day for ten minutes per occasion,
* to receive a package at least once per month, and to make purchases twice per month for the amount determined by law from your escrow account.
* at your request and depending on the possibilities of the incarceration institution, to work, for a fee equal to the amount and quality of the work, in safe working conditions that pose no hazard to your health,
* at your request and depending on the possibilities of the incarceration institution, to participate in general school or high school classes, or specialty training,
* to exercise your right to vote from inside the institution,
* if a criminal proceeding has been brought against the detainee for a crime under the incarceration law chapter XIX, for a crime involving denial of sexual freedom and against sexual morality, the prisoner has a possibility, based on voluntary participation, to offer to take part in acceptable psychotherapy that will decrease of such an act occurring again, or participation in other work,
* the pre-trial detainee, in Hungary and with the permission of the Usage Rights Exerciser, may, with security, visit a close relative who is, as certified by a doctor, seriously ill, or may take part in the funeral of a close relative, the request for this shall be decided by the incarceration institution which shall attach its opinion to the immediate notice it sends to the Usage Rights Exerciser, if required by the circumstances, it shall give the notice in the fastest possible way, the costs for this shall be borne by the pre-trial detainee,
* if the detainee did not take part in the funeral, the Usage Rights Exerciser may permit, within thirty days after the funeral, to all the detainee to pay their respects to the close relative at the place of burial, in this case it is obligatory that the costs be repaid,
* the pre-trial detainee may only be married or form a certified life partner relationship in the incarceration institution,
* if the incarceration institution has general school, high school or specialty training classes, and they provide either work or a reintegration program, the warden may allow the detainee to take part in school or specialty training classes, or work, if this does not endanger the security of his incarceration, and does not conflict with the requirements of the Usage Rights Exerciser,
* the rules requiring the separation of detainees held for the same criminal proceeding must be upheld during classes and specialty training, or during work or a reintegration program, as well as when the detainee uses the cultural or sporting possibilities available at the institution,
* for religious ceremonies or other events held at the incarceration institution, detainees held for the same criminal proceeding may take part, but the incarceration institution must ensure that during this, the detainees do not meet.

Your right to have visitors and to write letters, with the exception of meeting with your defense attorney, as well as your right to send and receive packages, may be restricted in the interest of having a successful criminal proceeding.

The following further separation must be instituted:

* the pre-trial detainees must be separated from the convicted prisoners and the prisoners held under other legal title,
* men must be separated from women,
* regardless of the availability of the Usage Rights Exerciser, detainees under the same criminal proceeding must be separated from each other,
* smokers must be separated from non-smokers,
* infectious patients must be separated from non-infectious patients.

If you work together with convicted prisoners you may also be placed with them.

***Rewards and disciplinary proceedings***

You may receive the following rewards:

* praise,
* free usage of the conditioning room,
* having visitors without delay, extension of visiting time,
* an increase in the amount you may spend on your personal needs,
* cash reward,
* object reward,
* deletion of discipline received from registry,
* suspension of reward.

You may be disciplined in the following ways:

* + - reprimands,
    - decrease in the amount you may spend on your personal needs,
    - restriction of your personal possessions, which may extend for a maximum three months, with a maximum fifty percent decrease,
    - prohibition on participation in organized programs, events, cultural, free-time or sporting programs organized by the incarceration institution, which may be for certain events or a maximum three months,
    - solitary confinement for up to fifteen days (if you work the maximum is ten days)

You may appeal a decision on solitary confinement with the incarceration judge.

Carrying out a decision on solitary confinement cannot be an obstacle to the detainee exercising his rights in the criminal proceeding, or to him completing his obligations.

You will be placed in a cell.

If, at the request of the reception and incarceration committee, you are placed to participate in work, school or training, your placement can be provided space in a rarely-locked dormitory living quarters.

At the time of deciding placement we will try to place you with prisoners who speak a language you know.

You may ask the reintegration officer to check out books at the library, or to watch DVDs, that are in a language you know.

In order to defend the safety of the detainee and the order of the institution, while enforcing the rules adopted by the Usage Rights Exerciser, your letter, packages and visits will be inspected or observed.

If you are a pre-trial detainee and, in the criminal proceeding against you, the prosecutor or the judge (usage rights exerciser) takes over the right to inspect your letters, the institution will transfer the documents directly to the prosecutor or judge, after inspection the letters will be sent on to your relative, or delivered to the addressee, which will take additional time.

**Based on the criminal proceeding (Law XIX 1998)**

You are allowed to

* be informed about the allegations and the indictment, as well as modifications to these,
* unless otherwise provided by law – to be present at the events of the proceeding, and to review the files that affect you,
* receive acceptable time and possibilities to prepare for your defense,
* present the facts of your defense at any point in the proceeding, to make motions and observations,
* use legal remedies,
* be informed as to your rights and obligations in the criminal proceeding from the court, the prosecutor and from the investigative authority,
* make contact with your defense attorney and, if you are a foreign citizen, your consular representative, and to communicate with them written and orally without inspection or observation,
* to communicate with your relative or - based on the provisions of the prosecutor until the declaration decided during trial preparation by the court of first instance, or after, based on the provisions of the court – another person, orally, personally with an observer, by telephone or in writing, with inspection. Communication with your relative can only be restricted or prohibited in the interest of a successful criminal proceeding.