



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 2024

2024



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FOR 2024**

Ljubljana, June 2025



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commendations from the Ombudsman



warnings issued by the Ombudsman

1. IMPLEMENTATION OF THE TASKS AND POWERS OF THE NATIONAL PREVENTIVE MECHANISM IN 2024

1.1

GENERAL

In this document, the Human Rights Ombudsman of the Republic of Slovenia (Ombudsman) reports on the implementation of the duties and powers of the National Preventive Mechanism (NPM) in 2024 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 since 4 February 2003.¹ **The Optional Protocol establishes a system of regular (preventive) visits by independent international and national authorities to places where people are deprived of their liberty,² in order to prevent torture and other forms of cruel, inhuman, or degrading treatment or punishment.³** At the international level, the Optional Protocol establishes the Subcommittee for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of the Committee Against Torture (CAT), and obliges each State Party to this protocol to establish, designate, and maintain at the national level a body or bodies to places where people are deprived of their liberty for the purpose of preventing torture and other cruel, inhuman, or degrading treatment or punishment (NPM).⁴

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

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 Ombudsman with important (additional) duties and powers.⁶ The Ombudsman is convinced that this was due to (1) the Ombudsman's constant attention to the complaints of persons deprived of their liberty, (2) the Ombudsman's preventive role in this field through

1 For Slovenia, the Optional Protocol entered into force on 22/02/2007 – 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.

the established and well-developed modus operandi of visiting places where persons deprived of their liberty are located. In addition, the Ombudsman's independence (functional, personal, and financial), which is guaranteed by the Constitution of the Republic of Slovenia and the Human Rights Ombudsman Act (ZVarCP), 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 the international and national levels an (additional) mechanism for the prevention of torture and other forms of ill-treatment level of persons who have been deprived of their liberty. **This is based primarily on regular visits to places of deprivation of liberty.** These preventive visits are intended to prevent torture or other ill-treatment before it occurs.

Since 2015, a special NPM unit has been operating within the Ombudsman, which does not deal with individual complaints, but only visits places of deprivation of liberty and performs other duties of the NPM. 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 complaints received. The need for such a separation is explicitly underlined by point 32 of the Guidelines on National Preventive Mechanisms (SPT),⁷ adopted at the 12th Session in Geneva from 15 to 19 November 2010. This stipulates that where the authority responsible for the NPM carries other duties other than those under the Optional Protocol, the NPM's duties must be carried out within a separate unit or ward 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 work also enables 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).⁸ Furthermore, it also stipulated that the NPM be headed by a Deputy Ombudsman, who is authorised by the Ombudsman for a specific period.

In 2024, in addition to Deputy Ombudsman and Head of the NPM Ivan Šelih, the following advisers to the Ombudsman continued to work in the NPM unit: Robert Gačnik, BSc protection specialist, Specialist in Criminal Investigation (responsible for visits to prisons, police stations, the Centre for Foreigners and the Asylum Centre), Jure Markič, MA, LLB (responsible for visits to retirement homes and special social welfare institutions), Ana Polutnik, LLB (responsible for visits to competence centres for children and adolescents with emotional and behavioural problems/disorders and other places where children are deprived of their liberty and psychiatric hospitals), and Sonja Božič Testen, LLB (responsible for visits to training institutions and care and work centres).

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

⁸ Official Gazette of the RS, no. 54/17.

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 a humanitarian organisation and are engaged in the protection of human rights or fundamental freedoms, in particular in the field of the prevention of torture and other forms of cruel, inhuman, or degrading treatment or punishment, may cooperate with the Ombudsman in carrying out monitoring at places of deprivation of liberty and verifying the treatment of persons who have been deprived of their liberty. The Ombudsman selects these organisations that carry out visits with the Ombudsman on the basis of an invitation to tender. The cooperation with selected NGOs is regulated in more detail by contracts.

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 advance in writing 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 these tasks and powers, and this applies to the Ombudsman, Deputy Ombudsmen, and the Ombudsman's staff.

The OPCAT further stipulates that funds for expenses and remuneration to 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 with the prior approval of the Minister for Finance.⁹

Based on an invitation to tender published on the Ombudsman's website on 25 November 2022 and in the Official Gazette of the Republic of Slovenia no. 148/2022 30/11/2022, the following NGOs were selected in early 2023 to participate for a period until 31 December 2026: Novi paradoks – Slovenian Society for the Quality of Life (NP), Pravo za VSE Society (Pravo za VSE), SKUP – Community of Private Institutions (SKUP), PIC – the Legal Information Centre for the Protection of Human Rights and the Environment, Ljubljana (PIC), Peace Institute Ljubljana (MI), the Slovenian Federation of Pensioners' Associations (ZDUS), Spominčica – Alzheimer Slovenija – Slovenian Association for Help with Dementia (Spominčica), the Slovenian Foundation for UNICEF, Foundation (UNICEF), Association of Friends of the Youth of Slovenia (ZPMS) and the Association of Coexistence – Association of Societies for Helping People with Mental Developmental Disabilities in Slovenia (Sožitje). The Ombudsman also cooperated with these selected organisations (with the exception of Spominčica) in the performance of the tasks and powers of the NPM in 2024.

The selected NGOs perform their tasks and authorisations 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 his purpose by the Ombudsman, and, where appropriate, other circumstances that would render an immediate visit necessary.

⁹ The current rules were published in the Official Gazette of the Republic of Slovenia, no. 13/17.

1.3

VISITS TO PLACES OF DEPRIVATION OF LIBERTY

In its capacity as NPM the Ombudsman 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 forms of cruel, inhuman, or degrading treatment or punishment. Taking into account legal standards, the NPM issues recommendations to the competent authorities on how to improve the situation and treatment of persons and to prevent torture and other forms of cruel, inhuman, and degrading treatment or punishment. In relation to this, the NPM also makes 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 branches 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 (SVZ) – retirement homes, special SVZ (PSVZ), centres for training, work, and care (CUDV), and occupational activity centres (VDC),
- psychiatric hospitals (PB),
- police detention and holding facilities at police stations (PP) 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,
- all other places under Article 4 of the Optional Protocol (e.g. police intervention vehicles, etc.).

1.3.1 Visits in 2024

In 2024, the **NPM visited 72 places of deprivation of liberty, namely 13 different locations of retirement homes, 13 CUDVs, 11 PPs, eight groups within SCs, seven PB, six ZPKZs, five VDCs, five PSVZ, two KCs and one location of the Asylum Centre.** In addition to these visits, the NPM also visited the University Rehabilitation Institute of the Republic of Slovenia Soča (URI Soča), namely the department where children and adolescents from Gaza were undergoing rehabilitation as part of the humanitarian project Rehabilitation of Children Victims of the War in Gaza, and their companions (family members) were also accommodated in the department. During this visit, the NPM did not establish any circumstances that would undoubtedly indicate that the aforementioned persons had been deprived of their liberty or that the department visited at the URI Soča could undoubtedly be a place of deprivation of liberty within the meaning of Article 4 of the Optional Protocol. All but four visits were **carried out**

without prior notice, and nine were monitoring visits (during which the NPM primarily checked the implementation of recommendations from previous visits).

Details of the visits in 2024 are shown in the following table

	POLICE STATIONS	PRISONS	ASYLUM CENTRE & CENTRE FOR UNACCOMPANIED MINORS	PSYCHIATRIC HOSPITALS	SPECIAL SOCIAL WELFARE INSTITUTIONS	RETIREMENT HOMES	COMPETENCE CENTRES FOR CHILDREN AND ADOLESCENTS	CRISIS CENTRES FOR CHILDREN AND ADOLESCENTS	CUDV	VDC	OTHER	TOTAL
NUMBER OF VISITS	11	6	1	7	5	13	8	2	13	5	1	72
ANNOUNCED VISITS	1 ¹⁰	3 ¹¹										4
UNANNOUNCED VISITS	10	3	1	7	5	13	8	2	13	5	1	68
REGULAR VISITS	11	3	1	1		4	8	2	13	5		48
MONITORING VISITS				1		8						9
THEMATIC VISITS		3		5	5	1						14
EXTRAORDINARY VISITS											1	1
MORNING	10	6	1	7	5	13		2	6	1		51
AFTERNOON	1						8		7	4	1	21

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, some of the missing experts had to be selected from outside. Following a public notice inviting applicants for inclusion on the list of medical experts – who, with the necessary expertise that the Ombudsman does not have, will help to establish, clarify or assess facts that would point to cases of torture and other forms of cruelty, inhuman, or degrading treatment or punishment, or to support him in his visits to places where persons are deprived of their freedom – the Ombudsman selected five medical experts in 2023 (a specialist in emergency medicine, two specialists in psychiatry, a specialist in general surgery, and a specialist in orthopaedics). We have also included them in some of our visits in 2024.

¹⁰ The visit to Piran Police Station was announced because representatives of the Mongolian NPM and an interpreter participated as observers (as part of a study visit to the Ombudsman). Three thematic visits to ZPKZs were also announced.

¹¹ A representative of the Austrian NPM participated as an observer in the thematic visit to ZPMZKZ Celje.

The NPM prepares a comprehensive (final) report on the findings of each visit to the institution visited.¹² 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 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 2024 is shown in the table below.

	POLICE STATIONS	PRISONS	ASYLUM CENTRE	PSYCHIATRIC HOSPITALS	SPECIAL SOCIAL WELFARE INSTITUTIONS	RETIREMENT HOMES	COMPETENCE CENTRES FOR CHILDREN AND ADOLESCENTS	CRISIS CENTRES FOR CHILDREN AND ADOLESCENTS	CUDV	VDC	OTHER	TOTAL
MIROVNI INŠTITUT	2	3										5
FINAL REPORT	2	1										3
PIC	2	1				2			5	1		11
FINAL REPORT	2	1										3
SKUP	4	2						1				6
FINAL REPORT	4	1										5
UNICEF			1					1	2			4
DRUŠTVO PRAVO ZA VSE	2				2	5	8			2		19
FINAL REPORT	2					1						3
ZDUS						1			2	2		5
NOVI PARADOKS				7	2	2						11
ZPMS					2	4						6
ZVEZA SOŽITJE									4			4

¹² In most cases, a preliminary report on the visit is also prepared.

1.4

IMPLEMENTATION OF THE RECOMMENDATIONS ISSUED BY THE NPM

Implementation of 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 are published in separate tables by visited institution on the Ombudsman's website.**¹³ These include the keywords the NPM uses to tag each recommendation, using 13 tags: **(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 tables show for each recommendation the visit during which NPM made it and in connection with which place of deprivation of liberty, as well as the type of visit, which nongovernmental organisation participated, and whether an expert also participated in the visit. The table lists the entire recommendation, a short 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. **The NPM notes with satisfaction that the majority of its recommendations from the visits in 2024 (294) were accepted, of which 100 have been accepted and already implemented, and 140 have been accepted and are in the process of being implemented.**¹⁴ A more detailed overview of the implementation of the 2024 NPM recommendations is shown in the following table.



13 See <http://www.varuh-rs.si/o-instituciji/podrocja-dela-varuha/drzavni-preventivni-mehanizem>.

14 The situation in mid-January 2025 is taken into account, and more details are provided below in the NPM report for 2024.

Recommendations in the light of the response

	NOT ACCEPTED	NO RESPONSE	ACCEPTED BUT NOT IMPLEMENTED	ACCEPTED AND IMPLEMENTED	AWAITING A RESPONSE	TOTAL
TRAINING INSTITUTIONS	3		29	15	2 ¹⁵	49
RETIREMENT HOMES			7	10	41 ¹⁶	58
PSYCHIATRIC HOSPITALS	1		24	4	3 ¹⁷	32
SPECIAL SOCIAL WELFARE INSTITUTIONS			17	10		27
CARE AND WORK CENTRES	1		6	2	1 ¹⁸	10
COMPETENCE CENTRES FOR CHILDREN AND ADOLESCENTS			7	2		9
CRISIS CENTRES FOR CHILDREN AND ADOLESCENTS			6			6
CENTRE FOR UNACCOMPANIED MINORS			2	2		4
PRISONS (ZPKZ AND BRANCHES)			21	19		40
POLICE STATIONS	2		21	36		59
TOTAL	7		140	100	44	294

15 The recommendations were addressed to the MSP, which, despite the expiry of the deadline and an additional request for a response, has not yet responded.

16 The recommendations were addressed to Dom starejših občanov Ilirska Bistrica, Dom Danijela Halasa Velika Polana, and Dom Janeza Krstnika Trnovo; the deadline for responses has not yet expired for any of them.

17 This is a recommendation addressed to the MSP, which was made in the joint report on three thematic visits. The MSP had not yet responded by the time the annual report was completed, despite the deadline having passed.

18 The recommendation was addressed to VDC Tončke Hočevar and the deadline for response has not yet expired.

1.4.1 Statistical overview of NPM recommendations in 2024¹⁹

During the visits in 2024, the NPM prepared 294 recommendations, namely 267 general, 25 systemic, and 2 individual. In the following tables, the NPM presents the recommendations according to the type of individual institutions visited and according to keywords.

Recommendations by type:

	INDIVIDUAL	SYSTEMIC	GENERAL	TOTAL
CENTRES FOR TRAINING, WORK, AND CARE	2	7	40	49
RETIREMENT HOMES		1	57	58
PSYCHIATRIC HOSPITALS		4 ²⁰	28	32
SPECIAL SOCIAL WELFARE INSTITUTIONS		8 ²¹	19	27
CARE AND WORK CENTRES		2	8	10
COMPETENCE CENTRES FOR CHILDREN AND ADOLESCENTS		2	7	9
CRISIS CENTRES FOR CHILDREN AND ADOLESCENTS		1	5 ²²	6
CENTRE FOR UNACCOMPANIED MINORS			4	4
PRISONS (ZPKZ AND BRANCHES)			40	40
POLICE STATIONS			59	59
TOTAL	2	25	267	294

¹⁹ The recommendation tables on the Ombudsman's website are updated regularly, and the statistical data in the tables

published by the NPM in this report refer to the situation as of mid-January 2025.

²⁰ All four systemic recommendations are substantially identical in content and were addressed to the MSP. During the thematic visits to three PBs, a recommendation of the same content was addressed to the MSP in the joint report on thematic visits, and a substantially similar recommendation was also given during a regular visit to one of the PBs.

²¹ These are two reasonably identical systemic recommendations that were repeated during visits to all four PSVZs visited.

²² One of the general recommendations was addressed to two ministries at the same time.

Recommendations by keyword:

	ACTIVITIES	LIVING CONDITIONS	OTHER	RECORDS, DOCUMENTATION	ADDRESSING ADVERSE BEHAVIOUR	TREATMENT, FORMS OF WORK	STAFF	LEGAL REMEDY, APPEAL CHANNELS	FOOD	TRANSFER, RELEASE	GENERAL	CONTACTS WITH THE OUTSIDE WORLD	HEALTH CARE	TOTAL
TRAINING INSTITUTIONS		24	4		1	6	8	2				3	1	49
RETIREMENT HOMES	6	15		1	2	2	6	22	3				1	58
PSYCHIATRIC HOSPITALS	1	6	2	2	10	1		9				1		32
SPECIAL SOCIAL WELFARE INSTITUTIONS		5		5	14			3						27
CARE AND WORK CENTRES		4	1				4	1						10
COMPETENCE CENTRES FOR CHILDREN AND ADOLESCENTS		1			1		3	1			2		1	9
CRISIS CENTRES FOR CHILDREN AND ADOLESCENTS	1	2					1				2			6
CENTRE FOR UNACCOMPANIED MINORS		2				2								4
PRISONS (ZPKZ AND BRANCHES)	1	24	1			6	4		1			1	2	40
POLICE STATIONS		23		15		13	1	6	1					59
TOTAL	9	106	8	23	28	30	27	44	5		4	5	5	294

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**.

In 2024, the Ombudsman actively participated in the Ministry of Health working group for the preparation of the new Mental Health Act. The Ombudsman participated in the process of adopting the **amendment to the ZKP-P**, which eliminates certain inconsistencies of the ZKP with the Constitution, identified by the Constitutional Court, and the incomplete transposition of two European directives. Among other things, the Ombudsman welcomed the proposal for a regulation ensuring substantially the same rights for persons detained by the police for the purposes of criminal proceedings as those enjoyed by a detained person, since they are also de facto in a situation that entails deprivation of liberty. Taking into account that deprivation of liberty constitutes the most serious interference with the right to personal liberty, the Ombudsman noted that such a method of deprivation of liberty must in any case last for the shortest time necessary, and the work of all stakeholders (including the court) in criminal proceedings should be organised in such a way as to avoid unnecessary prolongation of deprivation of liberty. The Ombudsman also welcomed the proposal for clearer legal regulation of the performance of work by detainees and the possibility of providing (albeit very loosely) night visits, as the Ombudsman had already pointed out the shortcomings of the existing legal regulation in this regard.

The Ombudsman also participated in the preparation of the Internal Instruction of the Administration of the Republic of Slovenia for the Execution of Criminal Sanctions on the conduct and procedure in the event of hunger strikes by persons imprisoned in prisons and the Correctional Home. The Ombudsman also submitted comments on the first report of our country on the implementation of the International Convention for the Protection of All Persons from Enforced Disappearance and also to the Regulations on amendments and supplements to the Regulations on the Carrying, Storage and Maintenance of Weapons, on the Ranks and Wearing of the Uniform of Judicial Police Officers and Their Positional Insignia, and on the Use, Marking and Equipment of Vehicles, prepared by the Ministry of Justice.

Furthermore, in 2024, members of the NPM prepared answers to questions from various networks or other NPMs and bodies, and also participated in various education, training and other meetings at which they presented their work. These also included participation in the regular visit of the CPT to our country. As part of the development of **guidelines and mandatory instructions for the preparation of the Police work plan and planning of supervision over the Police**, members of the NPM also met with the Directorate for Police and Other Security Tasks of the Ministry of the Interior in the year under review (as is customary).

From 4 to 7 March 2024, members of the NPM presented their work to members of the NPM of Mongolia as part of a study visit, and the guests also participated directly in the field in the practical course of the NPM visits. At Koper Prison, they learned about the conditions there and learned about the implementation of on-site supervision. At Piran Police Station the guests from Mongolia learned about how Slovenian colleagues

monitor the work of police officers at police stations. They also visited Dom Lukavci and, among other things, learned about the issue of placing persons with court decisions and the problems of special social welfare institutions with overcrowding, which the NPM has been warning about for many years. They were also familiarised with Strokovni center Veržej. On the last day of the study visit, the Deputy Ombudsman and Head of the NPM also presented to the guests from Mongolia the efforts of the Slovenian institution in promoting the right to life free from torture and other inhumane treatment, and the Ombudsman also devoted particular attention to the dissemination of knowledge about torture prevention among the general public and in the work of public authorities.

In March 2024, the Deputy Ombudsman and Head of the NPM attended a conference in Strasbourg, France, entitled 'Of Unsound Mind': Convention-Compliant Approaches to the Execution of Judgments Concerning Involuntary Detention and Treatment on Mental Health Grounds. The event was organised within the framework of the Liechtenstein Chairmanship of the Committee of Ministers of the Council of Europe in co-operation with the Council of Europe's Department for the Execution of Judgments of the European Court of Human Rights (ECHR). The topic of the conference was the case law of the ECHR, namely on Article 5 of the Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), which (inter alia) provides for the right to liberty and security of persons detained on the grounds of their mental health.

On 7 May 2024, the Deputy Ombudsman and Head of the NPM held a meeting with the representative of the SPT, Ms Maria Luisa Romero. At the invitation of the Council of Europe, he also attended two meetings of the working group for the preparation of a practical guide for national preventive mechanisms for monitoring and reporting on the implementation of the Recommendation on procedural rights of suspects and accused persons remanded in custody and on material conditions of detention of 8 December 2022 (C(2022) 8987 final). In September, he also attended an international conference at the Palace of the Council of Europe in Strasbourg, where they discussed the health care of persons with psychoactive substance use disorders who have been deprived of their liberty.

In 2024, NPM members also went on **three study visits to colleagues abroad**. At the beginning of October, they went on a study visit to the NPM of North Macedonia. In addition to exchanging experiences with Macedonian colleagues, they visited the Negorci Psychiatric Hospital and the Tetovo Correctional Home for Minors. At the end of October, they went on a study visit to the NPM of Croatia. As part of this visit, in addition to exchanging experiences with Croatian colleagues, they also visited the Dr. Ivan Barbot Popovača Neuropsychiatric Hospital and the Department of Psychiatry at Bjelovar General Hospital. In November, in Graz, together with a representative of the NPM of Austria, they visited several residential groups of the Miteinanderleben company, intended for post-forensic placement and treatment.

The NPM also continued to be active in the South-East Europe (SEE) NPM Network,²³ which aims to establish better cooperation, exchange experiences, and carry out a number of joint activities for more effective implementation of the tasks and mandates of the NPM for the South-East Europe region, which stem from the Optional Protocol. The Head of the NPM thus attended the SEE NPM Network meeting in Vienna in November 2024, organised by the Austrian Ombudsman Board. The topic of the meeting was the conditions for detainees.

These and other NPM activities can also be seen from the review of other NPM activities in 2024, which is annexed to this report.

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

1.6

FINANCE

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. Within the framework of the Ombudsman's budget for 2024, funds for the work of the NPM in the amount of EUR 212,510 were planned in sub-programme 010206 – Implementation of the option agreement.

In 2024, the Ombudsman spent EUR 155,536 on the payment of salaries and other expenses of employees of the Ombudsman for performing the work and tasks of the NPM – of which salaries and allowances amounted to EUR 122,500, annual leave allowance EUR 3,135, reimbursements and compensations EUR 3,488, performance-related funds EUR 4,138, other expenses to employees EUR 534, employers' social security contributions EUR 20,388, and EUR 1,353 was spent on collective supplementary pension insurance premiums pursuant to the Act on Supplementary Pension Insurance of Public Servants.

In 2024, the Ombudsman spent EUR 16,080 on material costs in the implementation of the tasks and powers of the NPM – of which EUR 8,091 was spent on office and general materials and services, EUR 407 on communication services, EUR 6,883 on business travel expenses, and EUR 699 on other operational expenses.

In 2024, the Ombudsman spent EUR 8,496 of the funds earmarked for cooperation with NGOs, of which EUR 2,393 was spent on other operational expenditure, and EUR 6,102 on current transfers to non-profit organisations and foundations.

	ALLOCATED FUNDS (STATE BUDGET) IN EUR	(STATE BUDGET) IN EUR 208.052 APPROVED BUDGET IN EU	FUNDS SPENT IN EUR	REMAINING BALANCE OF APPROPRIATIONS AGAINST THE APPROVED BUDGET IN EUR
IMPLEMENTATION OF TASKS AND AUTHORISATIONS UNDER THE NPM	212.510	181.020	180.111	909
SALARIES	148.510	156.110	155.536	574
MATERIAL COSTS	52.000	16.414	16.080	335
COOPERATION WITH NGOSI	12.000	8.496	8.496	0

1.7

CONCLUDING REMARKS

In addition to the most important preventive effect of visits, which aim to prevent torture or other ill-treatment before it occurs, the NPM notes that **in many of the institutions visited in 2024, living conditions and treatment of persons deprived of their liberty improved precisely as a result of the NPM's recommendations.** The NPM can also be mostly satisfied with the responses of the competent authorities (especially the visited institutions) to the NPM's findings and recommendations for improving the situation, as they regularly respond to them and show a willingness to cooperate. However, it emphasises that in order to improve the situation of persons deprived of their liberty in one way or another, **even better and more in-depth cooperation between the competent ministries is necessary, especially in areas where systemic changes are needed.**

The NPM reports in more detail on the visits carried out in 2024 in the second part of this report, but only highlights some of the key findings here.

First of all, the NPM must highlight the **critical conditions in prisons, which are a result of overcrowding.** These are serious and worrying conditions, which have a significant impact on the human dignity and integrity of prisoners. According to the NPM's findings, the conditions in which prisoners (mainly remand prisoners) were housed in the prisons visited during the visits are worrying, as **many prisoners were housed in living quarters whose surface area per person was below these standards and also significantly below the limit defined by the ECtHR as a limit that may amount to exceeding the unavoidable level of suffering associated with deprivation of liberty.** Due to the increasing overcrowding of institutions for imprisoned persons, it is clearly no longer possible to meet domestic and international living standards, and it is increasingly difficult to alleviate the poor living conditions with additional measures (such as opening rooms, extending the time they spend outdoors, additional activities, etc.). The resulting situation is further aggravated by the increasing shortage of judicial police officers (in addition to other prison staff), which also has a significant impact on the length of criminal proceedings (for example, due to the cancellation of escorts) and thus on the duration (occupancy) of detention and consequently on the living conditions of prisoners. All of this points to violations of the prohibition of torture or inhuman or degrading treatment.



In 2024, during visits to **crisis centres for children and adolescents,** the NPM again found that the length of proceedings at social work centres or courts, as well as the busyness of other institutions intended for the placement of children and adolescents, leads to **long-term placements in crisis centres,** which are not in the best interests of children and adolescents. In recent years, crisis centres have also been treating an increasing number of children and adolescents with complex problems, children and adolescents who self-harm, have eating disorders, severe emotional and behavioural problems, and mental health problems, and are faced with unauthorised exits, theft, and verbal violence. The NPM warned the MDDSZ that crisis centres have problems similar to those incompetence centres, whereby professional workers in competence



centres have a legal basis for dealing with numerous situations when it is necessary to protect the rights of children and adolescents or define their duties and prohibited behaviour on the one hand, and at the same time define permissible (and necessary) behaviour of employees on the other, in the ZOOMTVI and the Educational Programme for the Education and Training of Children and Adolescents with Emotional and Behavioural Problems and Disorders (Educational Programme). It was therefore recommended that the MDDSZ examine the need for more detailed regulation of the operation of crisis centres for children and adolescents in an appropriate regulation. Regarding the concept of the operation of crisis centres and the problems faced by these institutions, the MDDSZ explained that it had commissioned the Institute of the Republic of Slovenia for Social Welfare to prepare a task based on which solutions for various forms of placement of children and adolescents, including their placement in crisis centres, would be prepared.

During the visits to **competence centres for children and adolescents** in 2024, the NPM was once again informed (similar to the visits to competence centres in previous years) that the conditions in these institutions have changed considerably, that work with children and adolescents has become more demanding, that expert centres are faced with an increasing number of crisis events (various forms of violence, self-harming behaviour, abuse of prohibited psychoactive substances, unauthorised exits) and consequently disrupted dynamics in groups, that the family model of working with children and adolescents is often no longer appropriate or sufficient, and that children and adolescents are placed in competences centres who, according to the interlocutors in the competence centres, require different accommodation and treatment. The NPM stressed that it is aware that the issue is complex and that the adoption and implementation of appropriate (systemic) solutions and measures require the cooperation of several departments and the competence centres themselves. Given that the aforementioned problems have been present for some time and that the interlocutors in the competence centres mostly warn that the situation is not improving, the NPM once again warned that solutions and measures (both systemic and others) should be adopted, and above all, implemented as soon as possible. During the visits, the NPM also learned about the high fluctuation of professional workers (educators), which is said to be primarily a consequence of the demanding nature of the work and shift work, as well as the difficulties in recruiting new professional workers or the lack of the aforementioned personnel in the labour market.

In 2024, the NPM carried out several thematic visits to psychiatric hospitals. In three of them, it paid special attention to the issue of waiting in wards under special supervision in psychiatric hospitals for persons who already have court decisions on admission to secure wards of (special) social care institutions, but who cannot immediately accept them due to the (over)occupancy of the secure wards. During the visits, it was established that **persons often wait for admission to a secure ward for several months, even several years**, even though they do not require hospital treatment (anymore), but treatment in a social care institution. Since psychiatric hospitals do not generally refuse persons who urgently need treatment and assistance, wards under special supervision also become overcrowded, which results in poorer conditions for treatment or treatment of all patients in these wards and poorer working conditions for employees. During the aforementioned thematic visits, the NPM reiterated the recommendation of the MSP, which has been given several times, regarding the necessity of accepting and implementing effective measures to solve the problem of (over)occupancy of protected wards. In two psychiatric hospitals, the NPM carried out



thematic visits in 2024, during which it paid particular attention to checking the circumstances regarding the implementation of special protective measures (SPM). Of course, it also paid attention to compliance with regulations and human rights when implementing SPM during other (regular and control) visits to psychiatric hospitals. When making recommendations regarding SPM, the NPM, in addition to the legal regulation of this measure in the ZDZdr, often considered or referred to the “Standards of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) regarding the use of SPM in psychiatric institutions for adults” (Means of restraint in psychiatric establishments for adults). In relation to the legal regulation of physical restraint with straps, in 2024 the NPM again reminded the MZ of the need for the earliest possible amendments and supplements to this regulation, in particular the provisions on the duration or time limit of this SPM, as well as the need to regulate an effective complaint mechanism or judicial protection in relation to the implementation of SPM. The NPM also reminded the MZ of the need to analyse the causes of long-term obstacles and adopt measures that will eliminate or limit as much as possible the long-term implementation of SPM in departments under special supervision. Given that the NPM often repeats recommendations made to psychiatric hospitals during previous visits during its visits, in 2024 it welcomed the announcement by the MZ that “the (Ministry) will invite the founder’s representatives on the boards of public health institutions founded by the Republic of Slovenia to request that the board of the institution request past NPM reports and be informed of the timetable for implementing the recommendations adopted by the individual public health institution, and that the board of the institution is also regularly informed about NPM visits.”

During visits to **nursing homes and other social care institutions** in 2024, the NPM noted an **increasingly serious shortage of staff**, which is being exacerbated in nursing homes due to the increasing number of residents who need all-day nursing and medical care, or at least help with dressing, eating, and maintaining hygiene. Homes repeatedly call for applications to fill vacant positions, especially for nursing and care staff, but often unsuccessfully. In 2024, the Act on Temporary Measures for Improving Staffing and Working Conditions and Capacities of Providers of Social Care Services and Long-Term Care was adopted. Whether the legal solutions are a step in the right direction will become clear in the coming years. During regular visits to nursing homes in 2024, the NPM only made general recommendations, which **in no way means that the systemic problems it warned about in previous years have already been resolved**. In particular, the Ombudsman noted that in nursing homes, which define the concept of protecting residents with dementia as personal monitoring, employees de facto restrict residents’ personal freedom without a legal basis for such conduct in wards that are not verified as protected wards.



During its visits to **special social care institutions**, as well as one of the retirement homes, the NPM once again found **overcrowding of secure wards**, and that the number of people waiting for admission was significant, with some having been waiting for admission for two years or more. Taking into account the responses of the competent ministry, the NPM could only conclude that there had not yet been any significant progress in resolving such problems, which is certainly unacceptable. When examining the implementation of SPM in social welfare institutions, the NPM identified **shortcomings in the implementation of Article 99 of the ZDZdr**, namely that the MSP should provide social welfare institutions with a standardised reporting form, and based on the data received from all institutions that implement such measures,



conduct an analysis of the measures implemented and inform the institutions that implement such measures of its results and proposals for measures to reduce the number of instances of SPM.



During visits to **CUDVs and VDCs**, the NPM found that smaller units provide better living conditions and that the service is more tailored to the individual needs of users. In 2024, the NPM also found that the **majority of users have limited personal freedom and cannot leave the institutional care units independently, and none of them were placed in CUDV and VDC in accordance with the provisions of the ZDZdr, which is currently the only legal basis for restricting personal freedom in social care institutions.**²⁴ Therefore, this year, the MSP also made a recommendation to regulate an appropriate legal basis for restricting personal freedom for users in all CUDV and VDC in Slovenia. **Despite the recommendations in previous years and in 2024, the MSP still has not implemented this recommendation. The MSP has also not implemented the recommendations regarding the regulation of staffing standards** for the implementation of institutional care for adults with developmental disabilities, and therefore CUDV and VDC are still **facing a staffing shortage** in institutional care units. This is particularly acute in units dominated by older users who, due to a decline in cognitive abilities, need more assistance with everyday tasks, and a larger number of employees would also be needed to ensure appropriate professional treatment of children and adolescents with the most severe emotional and behavioural problems.



During visits to **police stations (PP)** in 2024, the NPM also found that **PP and the MNZ are implementing the NPM's recommendations**, as out of a total of 59 recommendations, 36 were accepted and implemented, which is practically half of all recommendations made. Unfortunately, it was also found that many of the recommendations that were otherwise implemented **again related to identified shortcomings in the management of documentation necessary for the implementation of detentions**, which the NPM identifies or repeats practically from year to year.



In 2024, the NPM also made an unannounced visit to the Centre for Unaccompanied Minors in Postojna, which is organisationally under the Office of the Government of the Republic of Slovenia for the Care and Integration of Migrants (UOIM). During the visit, it made a total of four recommendations, two of which were **accepted and have already been implemented**, and two were **accepted but not yet fully implemented**.



²⁴ For minors, the legal basis may also be provided in the Family Code or the Criminal Code.

2.

VISITS TO PLACES OF DEPRIVATION OF LIBERTY

2.1

VISITS TO CRISIS CENTRES FOR CHILDREN AND ADOLESCENTS

In 2024, the NPM visited **Krizni center za mlade Ljubljana (KCM Ljubljana) and Krizni center za mlade Celje (KCM Celje)**²⁵. Both visits were regular and unannounced. During these visits, the NPM made a total of six recommendations, of which one recommendation was made jointly to the MDDSZ and MVI, one recommendation to the MDDSZ, and four recommendations were addressed to the visited crisis centres or social work centres whose organisational units are crisis centres for children and young people. The recommendation made to the MDDSZ was systemic, while the other recommendations were general. **Both recommendations made to the MDDSZ and MVI were accepted, but were still awaiting implementation at the time of the competent authorities' response. The visited crisis centres also accepted the recommendations, but they had not yet been fully implemented at the time of their responses.**



Since visiting crisis centres for children and adolescents²⁶, the NPM has found, in most of its visits to these institutions, that the concept of their operation, the essential elements of which were the short duration and voluntary nature of placement, has changed considerably and that the length of stay in all crisis centres has begun to increase. According to the NPM's findings, longer placements in crisis centres are (primarily) a consequence of the length of proceedings at social work centres or courts, but also a consequence of the busyness of other institutions intended for the placement of children and adolescents, or perhaps also a consequence of the lack of an institution(s) with a suitable programme where a child or adolescent could be placed. The NPM has already pointed out the problem of long-term placements in crisis centres for children and adolescents, or rather the (harmful) consequences of such placements, in numerous visit reports, in which recommendations were made to the MDDSZ for improving the situation, and has also reported on the issue in several NPM annual reports (for 2020, 2022 and 2023). The Ministry also learned during its visits to both crisis centres for children and adolescents in 2024 that they are still facing long-term placements, and therefore **once again called on the MDDSZ to prepare, adopt, and implement appropriate measures for the operation of crisis centres for children and adolescents as soon as possible, in cooperation with other competent authorities, so that it is in accordance with the purpose of their operation and for the greatest benefit of the children and adolescents placed.**



During the visits to both crisis centres for children and adolescents, the NPM also found that **children and adolescents who are placed in a crisis centre and already have a court decision on placement in a competence centre for children and adolescents often remain in the crisis centre for quite some time after the enforcement of such a decision.** In both crisis centres, the NPM learned that this happens especially du-



25 The NPM visited KCM Ljubljana visited on 17/07/2024, and KCM Celje on 31/07/2024.

26 The NPM made its first visit to a crisis centre for children and adolescents in August 2020.

ring the summer holidays. This is also said to be one of the reasons for the long-term placements in crisis centres. Given that, in accordance with the ZOOMTVI, competence centres for children and adolescents are supposed to implement an educational programme every day of the year, the NPM **recommended to the MDDSZ and MVI that they determine how many cases there have been in recent years when children and adolescents remained in crisis centres, even though they already had an enforceable decision on placement in a competence centre for children and adolescents, and what the reasons were for the “waiting” of children and adolescents in crisis centres, and then take appropriate action.**

In response to the recommendation, the MDDSZ explained that, given the scope of services provided during the placement in accordance with Article 49 of the ZSV, placement in a crisis centre for children and adolescents can only be short-term. Placement in a crisis centre does not provide for upbringing, education, preparation for life, or replacement of the function of home, which is the content of other forms of placement of children and adolescents in institutional care, therefore, in the opinion of the MDDSZ, longer placements in crisis centres cannot be in the child's best interest. The MDDSZ also explained that it is aware of the importance of ensuring sufficient capacity for the placement of children in the event of a measure to protect the interests of the child requiring placement. **To this end, the MDDSZ is preparing a reform of the system for implementing foster care activities.** In response to the recommendation, the MVI stated that it had received an explanation from competence centres that situations where competence centres would not implement a decision to place a child or adolescent in a competence centre are not common, as competence centres regularly inform social work centres and courts about available vacancies. In the event that the competence centre is full, the courts are usually supposed to wait before issuing a decision on placement or to write in the operative part of the decision that the placement will be carried out as soon as a place is available in the competence centre. The MVI also explained that an interdepartmental working group began operating at the MVI in September 2024 to identify problems in the treatment of children and adolescents with emotional and behavioural problems and disorders. This group includes representatives of the MVI, MNZ, MP, MZ, MDDSZ, the Supreme Court of the Republic of Slovenia, and the Association of Social Work Centres and Competence Centres for Children and Adolescents, and its mandate lasts until 30 June 2025. **The working group is supposed to prepare an action plan with planned activities, measures, and tasks in the field of treatment and assistance to children with emotional and behavioural problems and their families.**

During its visits to crisis centres for children and adolescents in 2024 (similarly to its visits to these institutions in previous years), the NPM also found that crisis centres are treating an increasing number of children and adolescents with complex problems (for example, children and adolescents who self-harm, have eating disorders, severe emotional and behavioural problems, mental health problems) and that the treatment of children and adolescents placed in crisis centres is increasingly demanding. They also face escapes, thefts, and verbal violence. In previous years, the NPM has already proposed to the MDDSZ that it take appropriate action or take this issue into account when revising the explanations and professional guidelines for the operation of crisis centres.²⁷ The MDDSZ **announced in 2022 that it would, in addition to changing the explanations and professional guidelines, also address the issues related to the treatment of children and adolescents with mental health problems,** and that they will also discuss the area of operation of crisis centres at meetings with representatives of social work centres and jointly prepare a review of the situation or,





if necessary, proposals for improving work and possible systemic solutions.²⁸ In early 2024, the NPM asked the MDDSZ for an explanation as to whether the aforementioned promises had already been fulfilled, and received a response from the MDDSZ that the Ministry (among other things) had ordered the Institute of Social Welfare to prepare a task entitled “Preparation of the basis for the report of the Council of the Republic of Slovenia for Children and Families: children and adolescents with emotional and behavioural problems and disorders and mental health problems”, the aim of which is to determine the current situation in the field of placement of children and adolescents in various institutions, the reasons for placement, the needs of these children and adolescents, and to offer improvements. **The MDDSZ also explained that, based on the findings of the aforementioned task, it will be possible to systematically plan services within the framework of various forms of placement of children and adolescents, including placement in crisis centres.**²⁹



In relation to the aforementioned response of the MDDSZ and taking into account the findings from the visits to crisis centres, the NPM stated in one of the visit reports that it certainly supports the search for solutions and the adoption of measures that will, in the long term, ensure better conditions and greater benefits in the treatment of children and adolescents in various institutions, including crisis centres. However, the NPM pointed out that **even in the current circumstances, children and adolescents in crisis centres must be provided with treatment that will be in their best interest and will protect their interests and rights, and that, in the opinion of the NPM, it would be sensible for the Ministry to examine the need to prepare instructions or an appropriate (draft) regulation that would regulate some of the issues currently encountered in crisis centres when treating children and adolescents.** During its visits to crisis centres, the NPM found that these institutions often face similar problems when treating children and adolescents with complex problems as in competence centres for children and adolescents, whereby professional workers in competence centres have a legal basis for dealing with numerous situations related to the treatment of children and adolescents in the ZOOMTVA and the Educa-

27 During visits to crisis centres for children and adolescents, the NPM has repeatedly stated that the tasks of the crisis centre are specified (only) in the Catalogue of public authorizations, tasks under the law and services performed by social work centres or the Explanations and professional guidelines for the operation of crisis centres and intervention services within the framework of the regional service for coordination and assistance to victims (Explanations and Professional Guidelines), which were issued by the MDDSZ in 2010. Already in 2020, the NPM believed that the Explanations and Professional Guidelines did not fully and clearly regulate the operation of crisis centres and that it would be reasonable to examine whether the operation of crisis centres should be regulated more comprehensively in regulations or to recommend that the MDDSZ (at least) appropriately supplement the explanations. In 2021, the NPM repeated the above recommendation twice. The MDDSZ responded to the repeated recommendation that even before the entry into force of the DZ, placements of children and adolescents in crisis centres were carried out and that the regulation in the DZ, which does not provide for placement in a crisis centre as part of measures of a more permanent nature, should follow the nature of placement in crisis centres, which is systematically defined as short-term. The MDDSZ also responded that, taking into account the changes implemented by the DZ, it will examine the Explanations and Professional Guidelines in the sense of whether the tasks and concepts of placement in crisis centres for children and adolescents are still appropriately defined (MDDSZ letters No. 070-61/2021/2 of 05/08/2021 and No. 070-99/2021/2 of 03/01/2022). In 2022, the NPM recommended that, when examining and possibly revising the Explanations and Professional Guidelines, the MDDSZ also examine the issues related to the treatment of children and adolescents with mental health problems faced by crisis centres for children and adolescents, and take them into account when revising the aforementioned explanations. The Ministry responded that it agreed with the recommendation (letter from the MDDSZ No. 070-35/2022 dated 13/06/2022).

28 Letter MDDSZ no. 070-79/2022/3 of 11/11/2022.

29 Letter MDDSZ no. 070-23/2024-2611-2 of 12/04/2024.

tional Programme, which was adopted on the basis of the ZOOMTVA. For example, the aforementioned law and the Educational Programme regulate the conduct of a competence centre for children and adolescents in the event of an unauthorised exit of a child or adolescent, in the event of crisis events, in the event of suspicion that a child or adolescent is hiding prohibited or dangerous items, or in the event of suspicion that a child or adolescent is under the influence of alcohol or illegal drugs. These are situations where it is necessary to protect the rights of children and adolescents or define their duties and prohibited conduct on the one hand, while also defining permissible (and necessary) conduct of employees on the other (how a crisis centre employee should act if they suspect that an adolescent has brought a dangerous object to the crisis centre, how should they act if a violent adolescent needs to be physically stopped, etc.). **Crisis centres are facing similar situations, and their conduct is not prescribed by law or any other regulation.** In light of the above, the NPM **once again recommended that the MDDSZ examine the need for more detailed regulation of the operation of crisis centres for children and adolescents or the treatment of children and adolescents in crisis centres in an appropriate regulation, or inform the NPM why it believes that such regulation is not necessary.** In response to the aforementioned recommendation, the MDDSZ again explained that it had commissioned the Institute of the Republic of Slovenia for Social Welfare to prepare the above-mentioned task, which should be completed by the end of 2024 and whose conclusions should serve to reflect on changes to the regulation of the field of treatment of children and adolescents with emotional and behavioural disorders, but the Ministry **did not explain specific measures or solutions for the situations and problems currently encountered in crisis centres when treating children and adolescents.**



During the visit, the NPM made two recommendations to the **Ljubljana Child and Youth Centre (KCM Ljubljana)**, whose organisational unit is the crisis centre. The NPM recommended that KCM Ljubljana **provide children and adolescents with as many different activities as possible**, in accordance with the crisis centre's capabilities and the children's wishes and needs, as it believed that, despite the fact that crisis centres are not intended for long-term stays and that the programmes implemented by these institutions are not intended to replace the functions of home, upbringing, education and the like, precisely because of the long-term stay and the prevention of the undesirable consequences of such stays, it is beneficial for children and adolescents to be provided with various activities in accordance with their wishes and needs, both in the crisis centre premises and outside these premises. Regarding living conditions, the NPM recommended that **CSD Ljubljana (KCM Ljubljana) continue to ensure proper maintenance of equipment and devices, thereby ensuring optimal living conditions for children and adolescents and working conditions for employees.**

During the visit to **KCM Celje**, the NPM found that, taking into account the needs of each child and adolescent, the dynamics and nature of the group of children as a whole, and the various circumstances they face on a daily basis when treating children and adolescents, the work of a shift worker can be very demanding. Therefore, the NPM recommended that, taking into account the specific circumstances and needs of the children and adolescents, **KCM Celje should (continue to ensure the presence of more staff members in the crisis centre, or as needed).** With regard to living conditions and maintenance of the premises, the NPM also recommended that KCM Celje **continue to ensure the proper maintenance of equipment and devices, thereby ensuring optimal living conditions for children and adolescents and working conditions for employees.**

2.2

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



In 2024, the NPM visited seven residential groups and one intensive educational group at the **Mladinski dom Maribor Competence Centre** (SC Mladinski dom Maribor).³⁰ All visits were regular and unannounced.³¹ During the visits, the NPM made nine recommendations, six of which were addressed to the competence centre and three to the MVI. Two recommendations addressed to the MVI were systemic, while the other recommendations addressed to the competence centre and the MVI were general. **The competence centre accepted all the recommendations, but did not specifically explain in its response to the visit report whether it had already implemented the recommendations or what was preventing it from implementing an individual recommendation. The MVI also accepted all the recommendations and had already implemented two at the time of the response, while one recommendation was still awaiting implementation.**

During visits to competence centres in recent years, the NPM has learned that the situation in these institutions has changed considerably, that work with children and adolescents has become more demanding, that competence centres are faced with an increasing number of crisis events (various forms of violence, self-harming behaviour, abuse of illegal psychoactive substances, unauthorised exits) and consequently disrupted dynamics in groups, that the family model of working with children and adolescents is often no longer appropriate or sufficient, that children and adolescents are placed in competence centres who, in the opinion of those interviewed at competence centres, need different accommodation and treatment (for example, children and adolescents who do not actually have emotional and behavioural problems but need accommodation in foster families due to unsettled family situations, children and adolescents with health problems and limitations to whom the staff of the competence centre cannot provide appropriate treatment, children and adolescents who are addicted to illegal psychoactive substances, children and adolescents who do not only have emotional and behavioural disorders, but are dominated by mental health problems and disorders, or children and adolescents who are a threat to themselves or to other children and adolescents or employees of the competence centre).

During visits to individual groups of SC Mladinski dom Maribor, the NPM also found that they were facing the above-mentioned problems. In previous years, in numerous reports on visits to competence centres, the NPM has already pointed out the above-mentioned problems and the need to respect the interests and protect the rights of children and adolescents when placed and treated in competence centres (as well

³⁰ The NPM visited five residential groups in Maribor, one residential group in Starše, one residential group in Celje, and an intensive care group in Videm pri Ptuj.

³¹ The visits were carried out on 15, 16, 27, and 29 May 2024.

as to respect the rights of employees) and made recommendations to competence centres, and especially to the MVI. In 2024, the NPM did not repeat these recommendations. In the report on the visit to SC Mladinski dom Maribor, the NPM emphasised that it is aware that the issue is complex and that the adoption and implementation of appropriate (systemic) solutions and measures requires the cooperation of several departments and the competence centres themselves. Given that the mentioned problems have been present for some time and that the interlocutors in the competence centres mostly warn that the situation is not improving, it once again warned that solutions and measures (both systemic and others) should be adopted and, above all, implemented as soon as possible.³²

During the visit to SC Mladinski dom Maribor, the NPM found that **all groups were fully occupied**. It also learned about several court proceedings for placement, in which the courts placed children or adolescents in SC Mladinski dom Maribor despite the full occupancy of the competence centre. **In one case, the court had not yet decided on placement and was (only) checking the possibilities for placement with the competence centre, and in two cases it had already issued a decision on placement.** In all cases, the competence centre informed the court that they were fully occupied and could not place the children, and the court warned them (in cases where a court decision had already been issued) that they were nevertheless obliged to execute the court decision. The court also instructed the competence centre *“to contact the competent ministry, which, in the court’s opinion, is obliged to ensure appropriate conditions for the operation of the competence centre, and representatives of the ministry have allegedly assured the judges on several occasions that they will arrange the necessary conditions for the implementation of the competence centre’s activities to the extent it needs”*³³ or a referral *“to forward proposals for placement in specific cases, which the competence centre estimates it cannot provide, to the competent*



32 In connection with the above-mentioned issues, at the initiative of the competence centres for children and adolescents, the Association of Managers of Competence Centres of Slovenia for the Treatment of Children and Adolescents with Emotional and Behavioural Problems/Disorders and the Radeče Correctional Home (Association of Managers of ČVM) and the Ombudsman, in cooperation with the National Council of the Republic of Slovenia and the MVI, held a consultation on shortcomings in the system of assistance to children and adolescents in need on 11/11/2024 in the National Council of the Republic of Slovenia. At the consultation, representatives of the competence centres pointed out the problems they face in the treatment of children and adolescents. At the consultation, the Association of Managers of ČVM adopted the following conclusions with proposals for improving the situation: “1. The institution should not be the first response. It is necessary to ensure timely identification of risk groups and more efficient treatment in the community. 2. The institution should not be the only home. It is necessary to provide more professional support to families in their environment and to provide more foster families, as there is currently a shortage of them. 3. It is necessary to establish a system that obliges and obliges parents or legal representatives to cooperate in the care of the child, while at the same time providing parents and guardians with diverse and effective ways of support. 4. For children and adolescents with serious mental health problems, we need a diagnostic department for children and adolescents who commit serious crimes, where a bio-psycho-social assessment of the disorder is provided, as well as a forensic department, and in this way, we can ensure the safety of everyone. 5. Adolescents who are users of psychoactive substances (PAS) need accommodation appropriate to the problems they face. We propose mandatory treatment for all underage drug users who are not motivated to do so themselves. Before being placed in a competence centre (or immediately upon placement), an adolescent with PAS problems must successfully complete a treatment programme. 6. The length of all criminal proceedings for minors must be shortened to the shortest possible time. Effective measures must be taken as quickly as possible. 7. The operation of intensive groups must be appropriately regulated in terms of programme, personnel, and architecture. “The Ombudsman also drew attention to his findings regarding the issues he identified during the consideration of NPM complaints and visits to competence centres. He also undertook to monitor the implementation of the conclusions of the consultation within the framework of his tasks.

ministries for decision-making and resolution, as the state cannot afford to deny the need for placement of children at risk.”³⁴

Given that the state is obliged to ensure an adequate number of suitable capacities in competence centres so that court decisions on the placement of children and adolescents can be smoothly enforced or regulations can be smoothly implemented, the NPM asked the MVI for information on the possible overcrowding of competence centres and for an explanation of how the Ministry intends to take action in this regard. In addition, it recommended that the MVI examine the appropriateness of the division of local jurisdiction of individual competence centres in relation to their capacity and the need of individual regions for placement of children and adolescents. The NPM also **recommended that the MVI examine the need for the possible opening of another competence centre, which would be responsible for the Carinthia, Savinja, Podravina, and Pomurje regions, or for the possible opening of another competence centre in this area.**

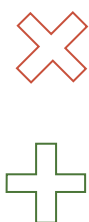
In relation to the above recommendations, the MVI explained that the decision to divide the competence centres into individual regions was coordinated with the profession, which assessed that such a regional division is the most appropriate and in the greatest benefit of children and adolescents, as it allows them to stay close to home, and competence centres can thus establish contact with parents and cooperate with them more easily. The Ministry also explained that the opening of another competence centre, which would be responsible for the Carinthia, Savinja, Podravina, and Pomurje regions, is not currently planned, **as the (already) existing competence centres are facing a severe shortage of professional staff. According to the Ministry, SC Mladinski dom Maribor is to receive two housing units in 2026 to accommodate two housing groups. The MVI stated that competence centres can form a new group at any time during the year, and that the Ministry also provides them with funds to employ new staff, while again drawing attention to the lack of professional staff on the labour market.**³⁵ The MVI also learned about the problem of the lack of appropriate staff (educators) on the labour market during a visit to SC Mladinski dom Maribor. In the intensive educational group, which accommodates children and adolescents with more serious problems who need more help and more structured and intensive help or therapeutic treatment, five educators were employed at the time of the Ministry of Education's visit, although eight would be needed to adequately treat adolescents. The NPM also found that due to the complexity of the work, three educators have already left the intensive group in four months, or that they are not getting staff to work with adolescents in the intensive group from job advertisements. The NPM also found during visits to other groups in SC Mladinski dom Maribor that the fluctuation among educators is high, mainly due to the complexity of the work and shift work.

During visits to competence centres, especially intensive groups, in previous years, the NPM has already learned that employees are exposed to various threatening situations that require their special qualifications, knowledge, and experience.³⁶ In 2023,

33 Letter from the Murska Sobota District Court No. IV N 106/2024-10 dated 23/05/2024 and letter from the Murska Sobota District Court No. IV N 88/2024-8 of 23/05/2024.

34 Letter from the Celje District Court No. IV N 702/2021 of 22/05/2024.

35 According to the MVI, in 2024, competence centres published 359 vacancies for the position of a preschool teacher with the Employment Service of the Republic of Slovenia, and newly employed a very small number of preschool teachers, as few candidates applied for the vacancies, often unsuitable ones. According to the MVI, 437.5 positions for preschool teachers have been systematised in competence centres, of which 384.82 positions are filled.



the NPM already recommended to the relevant ministry that competence centres examine the need for education or training of professional workers for their handling of crisis events and then implement such education or training if necessary.³⁷ The MVI explained that the professional education and training programme for workers in competence centres is determined by the director and not the Ministry, and that they have not received information from competence centres about the need for such training.³⁸ During the visit to SC Mladinski Dom Maribor, most employees agreed that they needed various additional skills to respond to crisis events. The NPM therefore **recommended that the competence centre examine the need for additional training and education of employees (for responding to crisis events) and to inform the MVI of any potential needs or to provide employees with such training and education. The NPM also recommended that SC Mladinski Dom Maribor prepare more detailed protocols for responding to individual crisis events and to inform all employees of them.**³⁹

During the visit to SC Mladinski dom Maribor, the NPM also found that **more and more children and adolescents remain in the competence centre (groups) for the weekend because, for various reasons, they cannot go back to their home environment** (due to parental incompetence, termination of foster care, unfavourable family circumstances, etc.). The interlocutors also highlighted the **difficulties in discharging a child or adolescent from the competence, especially in cases where children or adolescents (for various reasons) cannot return to their home environment.** SC Mladinski dom Maribor has two youth apartments in Maribor for adolescents who cannot return to their home environment after being discharged from the group, which are mostly fully occupied at all times.⁴⁰ The NPM once again adds that it has already become aware of similar issues during visits to other competence centres (as well as during visits to crisis centres for children and adolescents).



In the groups of SC Mladinski dom Maribor it visited, the NPM found that children and adolescents are provided with good living conditions, but nevertheless pointed out

36 Competence centre employees should be assisted in treating children and adolescents by the standards of behaviour of competence centres during crisis events, set out in the Educational Programme, which was adopted in March 2022 on the basis of ZOOMTVI. The educational programme sets out standards of behaviour of professional workers in cases of heteroaggression (verbal or physical violence, abuse, online violence), autoaggression (self-harming behaviour, suicidal threat, attempted suicide, suspected abuse of psychoactive substances), and in the event of unauthorised exit. Among the standards of conduct for professional workers in cases of heteroaggression; for example, it is stated that physical blocking or, exceptionally, physical restraint (holding by the arms, legs) of a child or adolescent is also permissible. During visits to competence centres, the NPM has not (yet) established that employees have detailed instructions on how to carry out such a measure or that they have received any training in this regard, although the appropriate qualification for such measures is to be carried out in a manner that is safe for both the young person and the staff member carrying out the measure.

37 Report on the visit to the Mladinski dom Malči Beličeve No. 12.2-5/2023-13, 12.2-6/2023-10, 12.2-7/2023-10, 12.2-8/2023-10 of 26/04/2023.

38 Letter from the MVI No. 0606-14/2023/2 of 22/05/2023.

39 The educational programme stipulates that the competence centre, taking into account the specifics of children and adolescents, prepares more detailed protocols for handling individual crisis events (point 3.1).

40 In accordance with Paragraph 3 of Article 27 of the ZOOMTVI, the expert group referred to in Paragraph 1 of Article 11 of the ZOOMTVI shall prepare, together with the young person and their parents, no later than the last month of the court measure, a plan for inclusion in independent living and work, which shall include, among other things, a plan for completing education, finding employment, housing, inclusion in possible forms of support, and assistance to the young person in the home environment. If the young person does not have the possibility of returning to the home environment, they shall be enabled to be included in a youth apartment.



that living conditions in all groups are not comparable. In the opinion of the NPM, the premises of competence centres or individual groups, especially intensive groups where children and adolescents with the most difficult problems are placed, should be appropriately adapted to the treatment of children and adolescents with emotional and behavioural disorders, and if possible also purpose-built for the implementation of the programme of placement of children and adolescents in competence centres or individual groups. The premises should provide children and adolescents (as well as employees) with a safe environment (with as few opportunities as possible for self-harm, other injuries, and unauthorised exits) and well-being. Therefore, the **NPM once again recommended that the MVI prepare or adopt standards or norms for the construction and equipment of competence centres for children and adolescents with emotional and behavioural problems and disorders, or individual groups operating within the framework of competence centres, as soon as possible.**⁴¹ Regarding the recommendation, the MVI stated that it agreed that such standards for the construction and equipment of premises are necessary, especially for the premises of intensive groups. It also explained that a similar measure was also proposed within the framework of the Working Group on the Identification of Problems in Placing Children in Competence Centres for Children and Adolescents with Emotional and Behavioural Problems and Disorders, which was appointed by the MVI. The group proposed the preparation of guidelines for new buildings and renovations of competence centres, which are architecturally designed according to models from other countries. **The MVI committed to inspecting all existing residential units of competence centres in which intensive groups are located in 2025 and, in cooperation with the directors of competence centres who have already visited several similar residential units abroad, to carry out an inventory of innovative foreign practices in construction and equipment for the implementation of groups where children and adolescents with the most challenging problems are included.** In 2026, the Ministry is expected to prepare a proposal for standards for the construction and equipment of intensive care unit spaces.



During the visit to **SC Mladinski dom Maribor**, the NPM **particularly praised the efforts of the competence centre and, in particular, the educators in individual groups in organising and implementing numerous activities and projects, which undoubtedly improve the experience of children and young people in the competence**

⁴¹ Already in 2018, during thematic visits to certain competence centres and centres for training, work, and care or groups operating within competence centres, when it paid particular attention to checking the material conditions for the learning and work of children and young people, the NPM found that the conditions for the work and learning of children and young people differ considerably across individual competence centres and recommended that the Ministry of Education and Science (MISŽ) prepare appropriate standards and norms for the construction and equipment of institutions that implement educational and training programmes, and provide institutions that implement educational and training programmes with (financial) funds in an amount that will enable them to meet the stated standards and norms (report on thematic visits to Vzgojno-izobraževalni zavod Višnja Gora, Vzgojni zavod Kranj, Mladinski dom Maribor, in Center za usposabljanje, delo in varstvo Črna na Koroškem, No. 12.2-73/2018, 12.2-74/2018, 12.2-75/2018, 12.2-76/2018 from 07/02/2019). In 2023, the NPM again recommended to the MVI to prepare or adopt standards or norms for the construction and equipment of competence centres for children and adolescents with emotional and behavioural problems and disorders, or individual groups operating within competence centres (report on the visit to Mladinski dom Malči Beličeve dated 26/04/2023). In response to the recommendation, the MVI stated that after preparing standards and norms for space and equipment for student dormitories and secondary schools, which is scheduled for completion in 2025, it will proceed to prepare standards and norms for space and equipment of competence centres or individual groups operating within competence centres (letter from the MVI No. 0606-14/2023/2 of 22/05/2023).



centre and contribute to developing their skills, gaining life experience, developing interests, and forming an appropriate self-image. The NPM recommended that the competence centre ensure an appropriate number of educators or other professional workers in the intensive educational group. Since the NPM supports regular supervision (or interviews), in which employees can relieve stress, discuss dealing with stressful situations in their work, and deepen and expand their knowledge and experience, it **also recommended that the competence centre continue to allow employees to participate in supervision or offer it to employees in those groups where supervision is not (yet) carried out. It also recommended that SC Mladinski dom Maribor examine the need to employ additional medical staff and then employ medical staff, and in the event of any problems in employing medical staff, inform the NPM.**⁴² During visits to residential and intensive care groups, the NPM learned that children and adolescents usually submit complaints or suggestions orally and that since the entry into force of the ZOOMTVI, they have not yet considered any (oral or written) requests for the protection of rights under Article 30 of the ZOOMTVI. During the visit, the NPM did not establish that children and adolescents were informed of their rights under Article 30 of the ZOOMTVI. Therefore, the NPM **recommended that SC Mladinski dom Maribor inform children and adolescents and their parents or guardians of their rights under Article 30 of the ZOOMTVI and publish explanations on the protection of rights under the mentioned Article of the ZOOMTVI on the websites of the competence or on the bulletin boards of individual groups.**

42 During visits to the competence centres, the NPM has already become aware of the needs of these institutions for the employment of (more) health personnel (especially in intensive groups). Regarding the need for the employment of health personnel in the competence centres, the MVI explained that the main negotiator for the competence centres is the Community of Organisations for the Training of Persons with Special Needs in the Republic of Slovenia (SOUS), to which the competence centres submit their proposals for the employment of health personnel. New employment is possible on the basis of negotiations between SOUS and the Health Insurance Institute of Slovenia, and further approval is required from the MZ and the Government of the RS. The Ministry stated that it is involved in this process at the stage of interdepartmental coordination of government materials, in which it always supports the efforts of SOUS and also argues the needs for health personnel in a substantive manner (letter from the MVI No. 0606-26/2023/2 of 04/09/2023). The MVI also informed the NPM of the prepared Proposal for Staffing Standards for the Implementation of Health Activities in Educational Institutions (December 2021) and the Proposal for a Network of Educational Institutions and Health Activity Providers (January 2023). The proposals for standards and the proposal for a network were submitted to the MZ in 2022. The MVI explained that several meetings had been held since then, but no official response had been received (letter from the MVI No. 0606-4/2023/2 of 05/02/2024).

2.3

VISITS TO RETIREMENT HOMES

In 2024, the NPM made unannounced visits to **13 retirement homes**, i.e. social care institutions whose purpose is to provide institutional care services to persons (usually) over 65 years of age.⁴³ The NPM carried **out four regular visits to retirement homes (Dom starejših občanov Žiri, Dom starejših občanov Ilirska Bistrica, Dom Danijela Halasa Velika Polana, and Dom Janeza Krstnika Trnovo),⁴⁴ eight monitoring visits to retirement homes (Dom pod Gorco Maribor, Dom starejših občanov Maribor, Dom starejših Idila, Dom upokoencev Center - enota Roza kocka, Dom upokoencev Podbrdo — enota Petrovo Brdo, Dom upokoencev in oskrbovancev Impoljca, Center starejših Notranje Gorice, and Dom starejših občanov Hoče – Slivnica)⁴⁵ and a thematic visit to Dom upokoencev in oskrbovancev Impoljca.⁴⁶**

During four regular visits to nursing homes, the NPM made a total of **53 recommendations, of which nine were implemented**, three were accepted but not yet implemented, and at the time of preparing this report the NPM was still waiting for a response from the institutions visited regarding 41 recommendations (the deadlines for response had not yet expired).

During the **monitoring visits, the NPM specifically checked the implementation of the recommendations it had made during its visits in previous years.** The NPM praised the implementation of individual recommendations, while encouraging the efforts of the visited homes to implement the remaining ones, which it will pay special attention to during future visits. The NPM did not make any new recommendations during the monitoring visits in 2024.

The thematic visit to **Dom upokoencev in oskrbovancev Impoljca** was carried out as part of checking the possible overcrowding of the secure ward and, when carrying out SPM the compliance of the conduct with Article 29 of the ZDZdr. During the visit, the NPM established that the secure ward of the mentioned institution was fully occupied, and according to the explanation received, the ward had not yet been overcrowded, i.e. residents were placed in excess of the department's capacity, until the NPM's visit. The institution's response showed that it had **accepted and had mostly implemented the recommendation on careful record keeping regarding individual SPM, supplementing the leaflet with residents' complaint channels when carrying**



⁴³ Three units of visited (combined) retirement homes are intended for adults with mental health problems and intellectual disabilities – Dom upokoencev Podbrdo – enota Petrovo Brdo, Dom upokoencev oskrbovancev Impoljca, and Dom starejših občanov Ilirska Bistrica.

⁴⁴ The NPM visited Dom starejših občanov Žiri on 07/11/2024, Dom starejših občanov Ilirska Bistrica on 19/11/2024, the Dom Danijela Halasa Velika Polana on 05/12/2024, and Dom Janeza Krstnika Trnovo on 19/12/2024.

⁴⁵ The NPM visited the Dom pod Gorco Maribor on 18/03/2024, Dom starejših občanov Maribor on 04/04/2024, Dom starejših Idila on 18/07/2024, Dom upokoencev Center – Roza kocka unit on 29/07/2024, Dom upokoencev Podbrdo – Petrovo Brdo unit on 12/08/2024, Dom upokoencev in oskrbovancev Impoljca on 20/08/2024, Center starejših Notranje Gorice on 05/09/2024 and Dom starejših občanov Hoče – Slivnica on 19/09/2024.

⁴⁶ The NPM conducted a thematic visit to Dom upokoencev in oskrbovancev Impoljca on 20/08/2024.

out SPM, and arranging the room for carrying out such measures more appropriately. Similar to the thematic visits to special social welfare institutions, the NPM recommended that the MSP provide institutions implementing SPM with a standard form in accordance with Article 99 of the ZDZdr, ensure timely submission of data by the institutions, and prepare an analysis of the implementation of SPM, which will be the basis for proposing measures aimed at reducing SPM, shortening the time the measure lasts, and eliminating other possible irregularities.⁴⁷



The NPM found a higher number of residents than the capacity of the ward during a visit to Dom starejših občanov Ilirska Bistrica. Two residents of the mentioned retirement home were transferred to a fully secure ward due to deteriorating health conditions and the related need for stricter security, while one resident was transferred from the University Psychiatric Clinic in Ljubljana. Based on the mentioned findings, the NPM recommended that the Dom starejših občanov Ilirska Bistrica ensure that all residents placed in the secure ward are provided with equal living conditions and the necessary care, while at the same time ensuring that the secure ward is not overcrowded in the future.



The retirement homes visited also warned of a staff shortage in 2023. Homes repeatedly advertise vacancies, especially for nursing and care staff, but often unsuccessfully. The problem of the shortage of these staff is all the more pronounced because the structure of residents in nursing homes is changing. In one of the homes visited, it was explained that years ago residents needed significantly less care than today, and in recent times, more and more residents have been coming to this retirement home who need all-day nursing and medical care, or at least help with dressing, eating, and maintaining hygiene. All of the above means greater pressure on employees, and consequently, due to low wages and demanding working conditions, their dissatisfaction, which leads to them searching for other employment outside of institutional care. Burnout and illness problems, also related to overwork, lead to sick leave that cannot be covered, which further increases the pressure on the remaining employees, which increasingly represents a vicious circle. The lack of staff affects the quality of care for residents, which in turn not only reduces their satisfaction with living in institutional care, but can also lead to their poorer health. The NPM found that in Dom starejših občanov Ilirska Bistrica, residents are bathed (showered) only every ten days instead of every seven days due to a lack of staff. In one of the retirement homes visited, due to unsuccessful tenders for a cook, a contract was concluded with a private provider to provide food, and after dissatisfaction with the food, food was brought in from another retirement home. In another nursing home, after the cook retired, three cooks were replaced in one year. In 2024, the Act on Temporary Measures for Improving Personnel and Working Conditions and Capacities in Providers of Social Care Services and Long-Term Care was adopted, which may be a step in the right direction. What results the law will bring and whether the envisaged measures will be sufficient to eliminate the staffing shortage in social welfare institutions will become clear in the coming years.



During four regular visits to retirement homes in 2024, the NPM only made general recommendations, which in no way means that the systemic problems it had warned about in previous years had already been resolved. During its visit to Dom starejših občanov Žiri, which defines the ward for residents with dementia as a ward with



⁴⁷ More about this in the part of the report that discusses visits to special social welfare institutions.



personal monitoring⁴⁸, the NPM found that even in this (private) social care institution, the protection of residents is actually carried out in a way that restricts the personal freedom of the resident. Passage from the ward is possible through a door that is unlocked but covered with a photo wallpaper with a motif of fields and mountains, which beautifies the space but can also mislead a resident with dementia into not recognising the door, not opening it, and not leaving through it. If they managed to get through the door, according to the explanation received, the receptionist would stop them, take them to the dining room, distract them with an activity, causing the resident to forget where they wanted to go. The receptionist would then alert the ward staff to the resident, who would dissuade him from leaving, turn him around, and return him to the ward. Based on the findings of the visit to Dom starejših občanov Žiri, the NPM recommended that it should be **ensured that only residents who have the appropriate legal basis for admission are placed in the secure ward**, in accordance with the ZDZdr (i.e. valid consent of the resident or a court decision). **The NPM also made a similar recommendation when visiting Dom starejših občanov Ilirska Bistrica**, which does have a secure ward, as well as two other wards for residents with dementia. According to the explanation received from the management of the institution, the mentioned wards do not in principle restrict the personal freedom of the ward residents; however, there is always someone in these wards who is redirected by the employees, as it would be too dangerous to simply “let” them out of the ward. The employees stop such a resident, dissuade them from leaving the retirement home building, and staff ensure they are secured.

During regular visits to retirement homes, the NPM, among other things, pointed out **the importance of arranging common areas in a way that would make them as homely as possible for residents**, i.e. such that objects and decorations would remind them of the home environment from which they come, as well as of an event in the approaching year (for example, a particular season, Christmas and New Year holidays, an event). The NPM encouraged the retirement homes visited to invite relatives to bring objects from the resident's home environment or past, thereby contributing to making their room more homely. If relatives are not active enough, it recommended that employees help furnish or decorate the room with products that the resident made as part of occupational therapy, pictures of their participation in activities and individual events, and decorations related to the upcoming holiday, season, and the like.

In some of the nursing homes visited, the NPM noticed **shortcomings in the call system that was supposed to allow residents in distress to call for help**. In certain cases, it found that the buttons for individual residents had been removed or were placed in a way that made them unobstructed, and the system for monitoring (un)responsiveness was not always such as to enable the correction of errors and deficiencies and consequently ensure a rapid response by employees in the event of a resident's distress. When the employees replied that the button had been removed because a resident was constantly pressing it without a valid reason, the NPM recommended that all residents in distress be provided with the possibility of calling. In addition, by appropriately explaining, possibly with the help of relatives, the importance of the call system, how to use it, and also by not burdening employees inappropriately when

⁴⁸ The NPM has already warned about the general dilemmas regarding such departments, the lack of understanding of the concept, and especially the personnel problems that prevent such a concept of protecting residents without restricting their personal freedom from actually coming to fruition, in the past, for example in the NPM 2023 annual report.

the system is abused (constantly pressing buttons unnecessarily), attempts should be made to increase residents' awareness of the importance of the call system and how to use it, and consequently reduce the number of unnecessary calls.

During visits to retirement homes, the NPM drew attention to the **importance of nutrition and residents' participation in preparing the menu, as well as taking into account residents' wishes or dietary preferences as much as possible**. Thus, during a visit to **Dom Janeza Krstnika Trnovo**, it recommended that it strive to provide meals adapted to residents who, regardless of the reason, desire certain dietary preferences (vegan or vegetarian food, food without pork, beef, etc.).

During visits to retirement homes, the NPM pointed out the need for residents and their relatives to be informed about the activities that will be carried out on a particular day. As an example of **good practice, it highlighted an example where a photograph or drawing is included with the recording of an individual activity** to facilitate understanding of the upcoming activity (for example, a cup of coffee at coffee time, residents exercising during exercise). It makes sense, as the NPM pointed out during a visit to Dom Janeza Krstnika Trnovo, that the mentioned events are regularly published on the institution's website in order to better inform relatives. During a visit to **Dom Danijela Halasa Velika Polana**, the NPM pointed out that when selecting activities to offer to a resident, in addition to their remaining abilities, their wishes and knowledge from the past must be taken into account to an even greater extent, as these undoubtedly also contribute to maintaining their cognitive abilities.

During its visits in 2024, the NPM found that **certain recommendations were repeated from year to year**. For example, some of the homes visited did not have all the documents required by the ZDZdr posted on the notice board of the secure ward, and the forms with which residents consent to placement in a secure ward sometimes still lacked legal information or were incomplete. In all four retirement homes where the NPM conducted regular visits, it found that there were no tools for writing applications, or at least no information on where they could be obtained, near the mailboxes for complaints, compliments, and suggestions, and the mailboxes were often not checked regularly and at reasonable intervals. For several years, the NPM has been warning that residents, relatives, and employees are not sufficiently familiar with the role of representatives of the rights of persons with mental health problems, therefore it recommends that homes establish contact with an individual representative and invite them to present their role and possibilities for helping residents in the institution at one of the group events.

During regular visits to retirement homes in 2024, the NPM **repeatedly pointed out the importance of satisfaction surveys, which it is reasonable to conduct annually for all three target groups** (residents, relatives, and employees). Such surveys not only show satisfaction in a given year, but when reviewing surveys for several years, they also allow for understanding satisfaction trends and thus making it easier to adopt measures that should increase the satisfaction of individual groups. The NPM warned, especially regarding employee satisfaction, that it can affect the attitude towards residents and, consequently, the quality of care. The NPM also pointed out the **importance of employee education**, which equips them with knowledge and good practices that they can transfer to their daily work with residents, especially with regard to managing critical situations.



2.4 VISITS TO SPECIAL SOCIAL WELFARE INSTITUTIONS

In 2024, the NPM visited five special social welfare institutions, the purpose of which is to provide institutional care services for adults with mental health problems and intellectual disabilities, namely **Dom na Krasu Dutovlje, Dom Nina Pokorn Grmovje, SVZ Hrastovec, Dom Lukavci and Prizma Ponikve.**⁴⁹ All five of the aforementioned social welfare institutions were visited by the NPM as part of thematic visits, namely during visits to Dom na Krasu, Dom Nina Pokorn Grmovje, SVZ Hrastovec and Dom Lukavci⁵⁰ attempted to determine the **possible overcrowding of the secure wards, the conditions in the event of overcrowding, and the compliance of the treatment with Article 29 of the ZDZdr in the event of the implementation of SPM** During these visits, the Ombudsman's representative and the participating representatives of the NGO spoke with the employees of the individual institution, as well as with the residents of the secure wards, from whom they tried to find out directly what the living conditions are and their care in the event of the department being overcrowded, whether SPM is being implemented and what the procedure for implementing the measure is. During the visit to Prizma Ponikve, the NPM tried to determine, by talking to the employees and residents, whether the residents of this social welfare institution have their **personal freedom restricted in any way and whether they can leave it independently and without restrictions.**

During thematic visits to four special social welfare institutions in 2024, the NPM **again found that the secure wards were overcrowded, and the number of people waiting for admission was also significant, with some having been waiting for admission for two years or more.** At Dom na Krasu, the NPM found that there were 16 residents in the (verified) secure ward, the official capacity of which is 12 beds. Four residents were placed in beds that were added to one of the (multiple) bed rooms, and one of the residents was placed in a room for the implementation of SPM. At Dom Nina Pokorn, the secure ward has a capacity of 12 beds, and at the time of the NPM's visit, there were 13 residents in the ward. One resident was placed in a larger double room, to which a bed was added. At the time of the NPM's visit, one secure ward (VO1) at SVZ Hrastovec had one resident exceeding the ward's capacity of 24 beds. The additional resident was given a bed in the common area, with a screen providing at least minimal privacy. The second secure ward (VO2) was fully occupied, with 24 residents at the time of the NPM's visit, and SVZ Hrastovec was already waiting to receive a new resident from the waiting list. At the time of the NPM's visit,



49 The NPM visited Dom na Krasu Dutovlje on 18/04/2024, the Dom Nina Pokorn Grmovje on 14/05/2024, the SVZ Hrastovec on 20/05/2024, the Dom Lukavci on 06/06/2024 and the Prizma Ponikve on 16/10/2024.

50 During these thematic visits, in addition to four special social care institutions, the NPM also visited a retirement home that provides institutional care for adults with mental health problems and intellectual development disorders (combined institution).

Dom Lukavci had a capacity of 12 beds in ward D, and at the time of the NPM's visit, 18 residents were accommodated in the ward. Five additional residents were placed in beds added to double rooms, and one resident was placed in a space previously intended for individual activities. Secure ward 2 has a capacity of eight residents, and at the time of the NPM's visit, there were nine residents in the ward. The home placed the additional resident in a room for performing SPM physical restraint with straps.

Thematic visits to four special social welfare institutions in 2024 showed that, despite the recommendations made to the National Assembly of the Republic of Slovenia and the Government of the Republic of Slovenia, as well as to the competent ministry, and the assurances received about the expected regulation of the situation, there has not yet been significant progress in regulating the problems of overcrowding in the secure departments of special social care institutions. At the same time, waiting times for admission to such departments are increasing. Based on the above, the NPM (again) **recommended that the MSP, which has taken over the field of institutional care for persons with long-term mental health problems or intellectual disabilities, should start (significantly faster) to find appropriate solutions for the accommodation of individuals who need to be held in a secure ward of a social welfare institution and therefore, in addition to appropriate care, also need appropriate protection, so that the existing secure wards of special social welfare institutions are no longer overcrowded. The NPM expressed its expectation that the MSP would inform it of the efforts to resolve the situation and, at the same time, inform it of any progress in the future.**

In its responses to the visit reports, the MSP explained that by the end of November 2024, the working group should prepare a proposal for the legal basis for establishing a Specialised Unit for the Treatment of Persons with the Most Severe Forms of Mental Health Disorders. In response to the recommendation, the MSP also announced that it had carried out all the necessary procedures for the employment of a candidate for the position of "Coordinator of Placements in Secure Departments", but shortly before the intended employment, it received information that the selected candidate was withdrawing his candidacy for the said position, and therefore the employment procedure would have to be repeated. The MSP also announced that it would recommend that all special social welfare institutions with a secure department examine whether there is a possibility for any of the residents placed in a secure department by a court order to be discharged early pursuant to Article 71 of the ZDZdr.

During the visits to the four special social welfare institutions mentioned above, the NPM also checked the possible implementation of SPM, and, when implemented, the compliance of the conduct with Article 29 of the ZDZdr. On this basis, after all four visits, it gave the same (systemic) recommendation to the MSP to **provide social welfare institutions with a standardised reporting form, and on this basis to ensure that all social welfare institutions implementing SPM also regularly report on the measures implemented in accordance with Paragraph 3 of Article 99 of the ZDZdr. The Ministry must, on the basis of the data received, conduct an analysis of the measures implemented and inform the said institutions of its results and proposed measures to reduce the number of instances of SPM.** In its response to the visit report, the MSP explained that it accepts the recommendation, and that it will inform the NPM of the findings and possible measures.



During each visit, the NPM also made several general recommendations regarding the implementation of SPM, namely, it recommended that Dom na Krasu prepare more detailed instructions on the implementation of SPM, which would be of assistance to employees in the event that such a measure had to be implemented due to the escalation of unrest or violent behaviour by a resident. Both Dom na Krasu and SVZ Hrastovec were recommended to provide regular training of employees, primarily from the perspective of the use of milder measures (e.g. de-escalation techniques), as well as behaviour during the implementation of SPM itself. The NPM also recommended that Dom na Krasu and the MSP ensure, primarily by appropriately relieving the pressure on the secure section, that the space intended for restricting movement within one space be used again for its original purpose, which is also one of the requirements for verification of the secure section. Furthermore, the NPM recommended that Dom Nina Pokorn provide sufficient privacy to a resident undergoing SPM, thus preventing the possibility of being seen by other residents or visitors who come to the ward, by removing or appropriately covering the window on the door to the room intended for restricting movement within one room, and that the said room should also be adapted to make it as safe as possible for the resident (removing or protecting dangerous objects, adjusting the door opening, ensuring two-way communication between the employee and the resident undergoing the measure). At SVZ Hrastovec, the NPM recommended that residents who are placed in a room intended to restrict movement within one room, taking into account their condition, be allowed to use the toilets. If an incontinent device (nappy) needs to be used for an individual resident, the resident's care must be taken and the nappy must be changed regularly. It is unacceptable for a resident to be wet for at least part of the night due to urine leakage through the nappy, and the omission of appropriate care for such a resident, especially by replacing the nappy and wet clothes with dry ones, could be considered humiliating, and in extreme cases even inhumane treatment. During the visit to SVZ Hrastovec, as well as Dom Lukavci, the NPM specifically warned that it should be stressed in a special leaflet intended for residents that in the event of complaints regarding the performed SPM, they can also contact a representative of the rights of persons with mental health problems for advice and assistance. The NPM also recommended to all four special social welfare institutions visited that a section be added to the forms provided for the introduction of SPM, listing the measures implemented after the SPM has been completed (e.g. a therapeutic conversation), the purpose of which is primarily to explain to the resident the meaning of the measure and why it had to be implemented, thus re-establishing trust between the resident and the employees.

An important task of the NPM is to check places⁵¹ where people could be deprived of their liberty. As mentioned, in 2024, when visiting the special social welfare institution Prizma Ponikve, the NPM checked whether the residents of this institution had their personal freedom restricted in any way, and whether they could leave it independently and without restrictions. The Ombudsman has visited the institution several times in the past, but during its visits (for example, in 2007) it was unable to establish that individual residents had their personal freedom restricted. The Ombudsman, who visited the institution while carrying out the tasks of the NPM, in 2011,

⁵¹ In accordance with Article 4 of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT), deprivation of liberty means any form of detention or imprisonment or the placement of a person in a public or private institution from which that person is not permitted to leave at will by order of a judicial, administrative, or any other authority.

2014, and 2017, also made a similar finding. From the statements from the management of the Prizma Ponikve institution, employees, and residents themselves, the NPM was again unable to establish with certainty during the visit in 2024 that the residents' right to personal freedom was restricted. In principle, they can leave the institution independently, without an escort. For their safety, they only have to say that they are leaving and give an approximate time for their return. However, during its visit, the NPM also drew certain conclusions from the explanations received that may raise concerns, in particular, the management of the institution was unable to explain in detail how the return of a resident who left the institution without notice the day before the NPM's visit was carried out. From the resident's own response, it was possible to understand that, at least to a certain extent, he understood from the reaction of the employees when they found him that he had acted wrongly. **The NPM therefore warned that the residents of the institution are vulnerable persons who must be treated with particular care.** If employees demonstrate to such a resident (who is not placed in a secure ward) through their behaviour, statements or unwillingness that he or she has acted wrongly by leaving the institution, they may thereby influence the resident's will and freedom of decision to leave the institution again independently the next time. In an extreme case, employees who intercept a resident when leaving or in the vicinity of the institution and return them to the institution without the resident's ability to decide whether to continue leaving can thus influence their free decision and thus de facto restrict their personal freedom.⁵²

The NPM will continue to monitor potential cases of restrictions on residents of the Prizma Ponikve institution in the future. The NPM understands that there may be cases where an individual resident's independent departure would be dangerous for him or others. Even in such a case, the institution is obliged to ensure the maximum possible security for the resident and their surroundings, if necessary, even by restricting the resident's personal freedom. However, it must obtain an appropriate legal basis for such restrictions, in accordance with the provisions of the ZDZdr. The NPM has made two recommendations based on the findings of this visit, namely that it recommends that the Prizma Ponikve institution be particularly careful when residents leave and not restrict them, turn them around, refer them back to the institution, or otherwise influence their will after leaving. In addition, it is necessary to pay particular attention to the vulnerability of residents due to their health and social situation, and in connection with this, in particular, that employees do not in any way give the resident the feeling that leaving on their own is wrong and that they will be in a worse

⁵² On this issue, the NPM specifically drew attention to the position of the SPT (Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment), which, in addition to the general comment on Article 4 of the OPCAT, in points 44 and 45, specifically emphasised that all reasons that limit an individual's freedom to leave must be taken into account. Thus, in certain cases, an individual may leave a place, facility, or environment at will, but de facto cannot exercise this freedom due to physical, health, economic, or other reasons and is therefore forced to stay. This creates a situation where, despite the theoretical right to leave in accordance with their will, they cannot leave in practice. In certain places, facilities, or settings, an individual's inability to leave may be associated with a high degree of vulnerability of the person. This is particularly evident in the case of children, women, the elderly, or people with disabilities. Consequently, the question of whether a certain fact or circumstance can be considered as a deprivation of liberty depends not only on whether the person concerned has a de jure right to leave, but also on whether the person is in fact able to exercise that right and can therefore leave without being exposed to serious violations of their rights. Therefore, if the person's ability to leave the place, facility, or environment in which they are accommodated is restricted or is (potentially) exposed to serious violations of his human rights, such a place, facility, or environment must be understood as a place of deprivation of liberty within the meaning of Article 4 of the OPCAT.

position or even punished because of such a departure. The described conduct of employees would (could) mean a de facto restriction of the resident's personal freedom. In response to the previous report, the institution explained, among other things, that it had presented the NPM report to employees at the institution's home unit, with an emphasis on not restricting residents and on caring for those with the most difficult mobility, who are often less able to communicate. **The NPM also recommended that, in cases where it is necessary to ensure the safety of a resident or their surroundings by limiting their ability to leave on their own, the Prizma Ponikve institution obtain an appropriate legal basis for such a restriction, in accordance with the ZDZdr (consent of the resident themselves, reflecting their true will, or a court decision on detention). The response of the Prizma Ponikve institution primarily showed that it continues with the concept of work and protection, which, as the NPM found during this visit, is not restrictive for the residents.**



2.5 VISITS TO CENTRES FOR TRAINING, WORK, AND CARE

In 2024, the NPM visited three training, work, and care centres (CUDV), which implement a special programme of education and training for children and adolescents up to the age of 26, management, care and employment under special conditions for adults with developmental disabilities and institutional care for children, adolescents and adults with developmental disabilities. These were regular unannounced visits to **13 institutional care units**, namely five units of the **CUDV Dolfka Boštjančič Draga (CUDV Draga)**,⁵³ four units of **CUDV Matevža Langusa Radovljica (CUDV Radovljica)**,⁵⁴ and four units of **CUDV Črna na Koroškem (CUDV Črna)**.⁵⁵

During all visits, the NPM determined the extent to which users' personal freedom was restricted and what the legal basis for such restrictions was, checked how the units visited dealt with cases of unwanted user behaviour and whether they used SPM in case of incidents, and also examined the living conditions in these units and the extent to which users decide about their lives and the way they live in institutional care units.

The NPM found that the personal freedom of **most users in the units visited is restricted**, as they cannot leave the institutional care units independently or of their own free will, and none of the users is placed in a CUDV on the basis of the provisions of the ZDZdr, which, in addition to the provisions of the Family Code (DZ),⁵⁶ and the Criminal Code (KZ),⁵⁷ represents the legal basis for placement in secure departments of social care institutions. The NPM has already pointed this out during previous visits to institutional care units within CUDV and VDC and has made a recommendation to the competent ministry regarding the systemic regulation of this area. Since the NPM could not establish during its visit to CUDV Draga that the MSP had already regulated the legal basis for placement of users in secure departments, **it again made a recommendation to do so as soon as possible. The recommendation was accepted, but has not yet been implemented.** In response to the final report, the MSP stated that draft guidelines have been prepared for the creation of a stimulating, inclusive, and safe environment with the aim of preventive action and management of behavioural problems of persons with special needs who are included in VDC and CUDV.



53 On 11/03/2024, the NPM visited Dom Češnja, on 13/03/2024 Dom Vižmarje, on 19/03/2024 Center slovenske Istre Ankaran, on 25/03/2024 Dom Škofljica, and on 27/03/2024 Bivalna enota Grosuplje.

54 On 10/06/2024, the NPM visited Enota Center (Dom Mavrica and Dom Žarek) and Bivalna enota Gradnikova, on 18/06/2024 Bivalna enota Bela and Bivalna enota Bor.

55 On 07/08/2024, the NPM visited Enota Center and Bivalna enota Brunet, and on 17/09/2024 Stanovanjska skupina Dobja vas and Stanovanjska skupina Ugasle peči.

56 During the visits, two children were placed in CUDV Draga based on the provisions of the DZ.

57 Placement in a CUDV can also be an educational measure based on point 6 of Paragraph 1 of Article 74 of the KZ. Since the MDDSZ, by its decision of 29/09/2010, designated CUDV Črna as the institution for the implementation of the educational measure of placement in a training institution, adolescents can also be included in this institution on this legal basis. At the time of the NPM's visit, none of the children and adolescents were included in CUDV Črna based on the provisions of the KZ.

In the report on the visit to Radovljica CUDV, the NPM explained again in relation to the mentioned response of the MSP that, according to the findings during the visits to the CUDV and VDC, the personal freedom of the majority of users of institutional care in the mentioned institutions is restricted because they are unable to independently navigate the external environment due to intellectual disabilities, while the NPM found during the visits to VDC that restrictions on personal freedom due to more severe behavioural disorders were limited in a smaller proportion of users. In the institutional care units within the VDC, this is mainly an increased level of protection for users due to intellectual disabilities and not behavioural disorders. Therefore, the NPM **recommended that when preparing guidelines for creating a stimulating, inclusive, and safe environment with the aim of preventive action and managing behavioural problems of persons with special needs included in VDC and CUDV, the MSP also take into account the needs of users who cannot leave institutional care units independently because they are unable to navigate the external environment due to a mental development disorder.** The NPM reiterated that a legal basis must be provided for the restriction of personal freedom, which means that the regulation of this area with guidelines does not meet the constitutional provisions on the restriction of personal freedom.⁵⁸ **The Ombudsman did not receive a response from the MSP, despite the expiry of the deadline for a response and the invitation to prepare this report.**



In response to the previous report regarding the NPM's authorisation to regularly inspect the treatment of persons deprived of their liberty in places of detention, CUDV Draga stated that CUDV Draga is a social welfare institution, where users are included voluntarily and can leave the institution at any time, and therefore, in their opinion, CUDV Draga cannot be considered a place of detention. The NPM informed CUDV Draga of the position of the Subcommittee on the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Subcommittee) regarding the definition of a place of detention within the meaning of Article 4 of the Optional Protocol, which, in addition to its general commentary on the mentioned Article, pointed out that the fact that a person is not allowed to leave a place or area of his or her own free will is a key element of Article 4 of the Optional Protocol. The Subcommittee emphasised that in some cases a person may be in a place that does not appear to be a place of deprivation of liberty, but in fact is one, taking into account all the circumstances of the case. Thus, in certain cases an individual may theoretically be able to leave the place, but is de facto unable to exercise his or her freedom for physical, health, economic, or other reasons and is therefore forced to remain. If the possibility of leaving a certain place is restricted in any way or if the person would be exposed to human rights violations, such a place should, according to the Subcommittee's commentary, be considered a place of deprivation of liberty within the meaning of Article 4 of the Optional Protocol (paragraphs 42 to 45 of the commentary).⁵⁹

During the visit to the CUDV Draga, it was also established that they had a negative financial situation at the end of 2023. The main reason for such operations is the

⁵⁸ Pursuant to Paragraph 1 of Article 19 of the Constitution of the Republic of Slovenia, everyone has the right to personal liberty, and Paragraph 2 of the same article stipulates that no one may be deprived of his or her liberty, except in cases and according to the procedure provided for by law.

⁵⁹ General comment No. 1 (2024) on Article 4 of the Optional Protocol (places of deprivation of liberty), adopted by the Subcommittee on 04/07/2024, is available at <https://www.ohchr.org/en/documents/general-comments-and-recommendations/catopgc1-general-comment-no-1-2024-article-4>.

arrangement of financing institutional care for adolescents over 18 years of age who are (mostly) included in a special education and training programme (up to the age of 26). The institutional care service is financed from the budget of the Republic of Slovenia for children and adolescents up to the age of 18, which means that it is free for users, while the same service must be paid for after the age of 18. In the CUDV Draga, adolescents (or their parents) who are still included in the education and training programme do not pay for institutional care (regardless of age), so these services are not paid for even by adolescents who have already turned 18, although CUDV Draga does not receive funds for the implementation of institutional care for them from the budget. The negative financial situation may also affect the quality of services provided to other users of CUDV Draga, as funding for institutional care for users between the ages of 18 and 26 is used to finance services for other users at CUDV Draga. The NPM found that CUDV Draga has exhausted its options to receive payments for services provided for institutional care for adolescents between the ages of 18 and 26 who are included in a special education programme. The obligation to pay has already been decided by the court, which rejected the claims of CUDV Draga, explaining that the price of the service should be determined in accordance with the Regulations on the Methodology for Setting Prices for Social Care Services. Based on Paragraph 1 of Article 38 of these Regulations, the competent authority (i.e. the MSP) issues approval for the price of social care services within 30 days of receiving the application with all necessary information and evidence, which the MSP did not do despite the calls of CUDV Draga. **The NPM therefore recommended that the MSP immediately begin activities to resolve the problem with payments for institutional care for young people between the ages of 18 and 26 who are included in the special education and training programme at CUDV Draga. The MSP accepted the recommendation, but has not yet implemented it.** In its response to the final report, it stated that it agreed with the NPM's recommendation and that they would try to resolve the matter as soon as possible.



During the visits to the CUDV, the NPM found that **the institutions visited were also facing staffing shortages.** During the visit to the CUDV Draga, it was highlighted that schools that implement an adapted education programme have more employees, while CUDVs that implement a special education programme have fewer employees. According to the interviewees, the reason for this is that, in the opinion of decision-makers, the school programme in the CUDV does not place as much emphasis on education. The staffing standard for users with autism and those with emotional and behavioural disorders is completely inadequate, according to the experience in the CUDV, and children in the CUDV are not even entitled to companions, as children in schools can have. **The NPM recommended that the MSP, together with representatives of the CUDV, examine the actual needs of children and adolescents in special education programmes implemented at the CUDV and adjust the staffing standards accordingly or arrange for the possibility of assigning a companion for children and adolescents at the CUDV. The Ministry of Education accepted the recommendation, but has not yet implemented it.** The report stated that when determining the number of staff for children, adolescents and adults up to the age of 26 with intellectual disabilities who are directed towards a special education programme, the Ministry takes into account the staffing standards, which are an annex to the "Rules on standards and norms of social care services: home help for families, social services, institutional care and guidance and protection, and employment under special conditions", as well as the legislative regulations of the Ministry of Education (MVI), which determine the staffing standards for the implementation

of a special education programme. The amendments to the “Regulations on norms and standards for the implementation of educational programmes for children with special needs”, adopted by the MVI, have also increased the staffing norm for the implementation of a special education programme. The Ministry, together with the CUDVs and the MVI, is still coordinating the exact number of staff in accordance with the new staffing norm. They estimate that the increase in the number of employees in accordance with the new standard will significantly improve working conditions in the special education programme. Regarding the possibility of assigning a companion for children and adolescents in the CUDV, the Ministry stated that this is decided by the expert commission of the Institute of Education of the Republic of Slovenia. In the event that a companion is assigned to a child by a decision on orientation, the Ministry provides funding within the framework of budgetary capabilities and available funds on an annual basis.

At Radovljica CUDV, it was found that **the staffing standard for adult users of institutional care is completely inadequate** and that users, after completing the special education programme, receive significantly less professional treatment than they did in the institutional care for children and adolescents. The inadequate staffing standard and the resulting shortage of staff were already pointed out to the MSP, which responded that there are more employees in the management, care, and employment service and that users are therefore provided with professional treatment within the framework of this service. However, these are two different services, since management, care and employment is an organised form of care for adult persons with disabilities under special conditions, which gives the user, in accordance with his abilities, the opportunity to actively integrate into social life and the work environment and to perform useful work that is appropriate to their abilities⁶⁰. Institutional care is a form of treatment in an institution, another family, or another organised form that replaces, supplements, or ensures the function of a home or one's own family for the beneficiary.⁶¹ These are therefore two different services, and even within the framework of institutional care services, users need professional treatment, while employees who work directly with users need professional guidance. **Therefore, the NPM recommended that the MSP, together with providers of institutional care for adults with developmental disabilities, (re)examine the actual needs of users of institutional care and, based on these findings, adjust the staffing standards accordingly.** The NPM pointed out that this should be based on the actual needs of users, as the starting point (different degrees of mental disorders) is too loose and does not reflect the actual needs of users, which the NPM had already established during visits to other CUDV and VDC. People with (for example) moderate disorders have different problems and needs, and more of them also have associated disorders (which does not arise from the decisions that are the basis for determining the staffing standards), so it would be necessary to regulate the issue of the adequacy of decisions on guidance when regulating the appropriate standards. **The NPM did not receive a response from the MSP, despite the expiration of the deadline for responding and the invitation to prepare this report.**

During the visit to CUDV Draga, the NPM also found that all users with emotional and behavioural problems receive pharmacological therapy, but this is actually a therapy

60 Article 45 of the Rules on Standards and Norms of Social Welfare Services: assistance to families at home, social services, institutional care and management and protection, and employment under special conditions (Rules on Standards and Norms).

61 Paragraph 1 of Article 19 of the Rules on Standards and Norms.





that is not intended to cure, but to make users passive, so the NPM recommended that the MSP, together with the MZ and service providers, consider a pilot project in which psychiatrists and other experts would participate with the aim of reducing or even interrupting the pharmacological hindrance of users. **The MSP accepted the recommendation, but has not yet implemented it.** In its response to the final report, it stated that the Ministry strongly supports all forms of services and programmes that contribute to reducing or (even better) interrupting medical interventions for users. The Working Group for Monitoring and Upgrading the Area of Social Care Services for Persons with Combined Intellectual Development Disorders and Mental Health Problems, in which representatives of the Ministry, the MZ, and representatives of implementing organisations participate, also discusses such topics. Draft guidelines have been prepared for the creation of a stimulating, inclusive, and safe environment with the aim of preventive action and management of behavioural problems of persons with special needs who are included in care and work centres and centres for training, work, and care. The guidelines pay special attention to preventive action, with the aim of minimising pharmacological interference for users. They conclude that the biggest challenge is recruiting and financing the appropriate number of staff.



In the visited CUDV units, it was possible to notice that the employees are trying to provide users with a pleasant living environment and quality service. During the visits to the institutional care units in CUDVs, the NPM again found that **living in smaller units allows users to have a better quality of life and an individual approach when working with them.** The NPM particularly praised the activities of CUDV Draga in the field of professional work with users with the most severe emotional and behavioural disorders, the exceptionally pleasant and relaxed atmosphere in all the visited CUDV Radovljica residential units, and the relocation of a large number of CUDV Črna users to smaller units **as an approach to the principle of deinstitutionalisation.**

About individual recommendations

For the purpose of even better service delivery, the NPM made 42 recommendations to CUDVs, of which **15 recommendations have already been implemented, 24 recommendations were accepted by the CUDVs but not yet implemented, and three recommendations were not accepted.**

Twenty-four recommendations to the visited institutions were related to living conditions and **11 of them have already been implemented, 13 were accepted and are still awaiting implementation.** Six recommendations related to staff and **four were accepted but not yet implemented, and two were not accepted by CUDV Draga.**

Dom Škofljica does not have cleaning staff; they clean everything themselves, and an external service is hired only for general cleaning. Given the structure of users, who are mostly unable to perform household chores, this unit would need a permanent cleaner, so the NPM **recommended that CUDV Draga employ a cleaner to clean the premises in Dom Škofljica.** CUDV Draga **did not accept** this recommendation and stated in its response that the work in the homes that needs to be done is not exclusively tied to an individual job position and can be vertically or horizontally distributed – if, for example, a certain unit has a third, half, one or, for example, two more care assistants than a cleaner or orderly (who they may be entitled to according to the standards), it is the task of the home manager to also cover the work that would



otherwise be done by the cleaners or orderlies within the house, with the existing care assistants and other staff employed in the unit. The mentioned dilemma was recently examined by a social inspector in one of the units as part of an inspection and upon a report from one of the employees and she found that the mentioned distribution was appropriate, as it is often difficult to employ, for example, 0.33 or 1.26 cleaners or 0.66 laundry workers and work must be shared (which also includes cleaning, folding laundry, etc.) within the existing staff, which also applies to Dom Škofljica.

When visiting the Grosuplje Residential Unit, where somewhat more independent users live, only three care assistants were employed at the time of the NPM's visit. Given the needs of the users of this residential unit and the regulations on staffing standards, four care assistants should be provided for the current number of users. By including an additional worker for direct work with users, it would be possible to provide two workers on the afternoon shifts and thus more individualised treatment, users (none of whom leave the residential unit independently and due to a lack of staff during the week do not leave the residential unit at all) would be able to leave the residential unit more often (individually or in individual groups), individual employees would also be less burdened with carrying out daily care and could thus provide a greater share of social care, which also includes the preparation and evaluation of individual plans, for which there is currently no time. The NPM therefore recommended that CUDV Draga ensure that the Grosuplje Residential Unit has four employees for permanent direct work with users. **This recommendation was also not accepted.** In its response to the preliminary report, CUDV Draga stated that it had examined the mentioned recommendation, but that this was currently not possible due to personnel problems (there are no suitable workers on the labour market, the standards for smaller units are also insufficient, etc.).



CUDV Draga also **did not accept the recommendation** regarding treatment and forms of work, **namely the recommendation to study the possibility of users having the opportunity to stay in the Grosuplje Residential Unit on weekends, holidays, and in cases of illnesses that do not require special medical care.** Due to staffing shortages, the unit is closed every 14 days (from Friday afternoon to Sunday until 2:30pm) and those users who do not go home go to the Rožna dolina Residential Unit. The unit is also closed during longer holidays, and in the summer for three weeks. Users said that they did not like the move to Rožna dolina. Those users who are sick and need rest also go there, which the users also do not like, since they believe that anyone who is sick prefers to rest at home. In cases where they also need medical care, users are placed in Dom Škofljica for the duration of their illness. In response to the previous report, CUDV Draga stated that they are facing a staffing shortage, which is particularly acute during summer vacations and sick leave, so due to rationalisation and the departure of some users for vacations to their home environment, they merged two units, Grosuplje and Rožna dolina. However, the merger can also be viewed from another perspective, namely as a welcome change for meeting other people, making new friends, and integrating into a new environment.



Two recommendations regarding treatment and forms of work were accepted by CUDV Draga and are still awaiting implementation, as are two recommendations made by the NPM to CUDV Črna. The recommendation regarding treatment and forms of work addressed to CUDV Radovljica was implemented, and CUDV Radovljica also **implemented the recommendation** related to the treatment of undesirable behaviour or violation of the rules of residence.





During the tour of the premises of Dom Škofljica, one of the users was locked in a room on the second floor, while on the first floor the user was placed in a single room, which is separated from the rest of the room by a glass wall. The room can only be unlocked from the outside, not from the inside, and from the same room there is an entrance on the left side to the single room in which the user was resting during the visit of the NPM. The room is fully upholstered, and the door is opened with a latch, which is very difficult to open from the inside, so the user cannot leave the room on their own. **The NPM recommended that CUDV Draga, when deciding on the implementation of SPM, take into account that this measure can only be implemented in emergency cases in secure departments and only for persons who are placed in these departments in accordance with the provisions of the ZDZdr (with consent or a court decision), and that when implementing SPM, one must act in accordance with Article 29 of the ZDZdr. During the implementation, course, and conclusion, the mentioned legal provision must be strictly observed, appropriate records must be kept, and persons for whom the law so stipulates must be informed.** CUDV Draga **has accepted the recommendation, but has not yet implemented it.** In response to the preliminary report, it stated that the recommendation will be presented to the Ministry's working group, where a protocol or legal basis for work in the CUDV is being prepared.⁶²



One recommendation was related to contacts with the outside world, which CUDV Radovljica **accepted but has not yet implemented.** Two recommendations related to legal protection and appeal channels. One was **implemented** by CUDV Draga, while it is **still pending implementation** at CUDV Črna. CUDV Draga also **implemented a recommendation** related to health care. A recommendation by CUDV Radovljica to prepare the menu and other information important to users in a form that will be understandable to users (easy reading or pictorial format) was also **accepted but not yet implemented.** CUDV Radovljica also **accepted but not yet implemented** a recommendation to inform users after reaching the age of 18 in a way that they understand about their right to vote and the information they need to vote, if they wish to do so.

⁶² According to information received by the NPM during visits to other units, they do not implement SPM.

2.6

VISITS TO CARE AND WORK INSTITUTIONS

In 2024, the NPM visited four care and work centres (VDC), making a total of five regular unannounced visits to institutional care units that house adult users with developmental disabilities. During the visits to VDCs, the NPM also determined the extent to which users' personal freedom is restricted and on what legal basis, whether special protective measures are used, and examined the living conditions in these units and the extent to which users decide about their lives or the way they live in institutional care units. The NPM carried out unannounced regular visits to **VDC Polž (on 24/04/2024 it visited Bivalna enota Bohova), VDC Novo mesto (on 23/05/2024 it visited Bivalna enota Trebnje and on 27/05/2024 Bivalna enota Novo mesto), VDC Murska Sobota (on 10/07/2024 it visited Bivalna enota Lendava) and VDC Tončke Hočevar (on 20/11/2024 it visited Bivalna enota Zelena jama).**

During the visits to the aforementioned units, the NPM also found that the personal freedom of the majority of users is limited, as they cannot leave the institutional care units independently. Despite numerous recommendations made by the NPM in previous years,⁶³ the MSP has not yet eliminated this systemic deficiency, which is why the NPM reiterated this recommendation⁶⁴ during the visit to the CUDV Draga and Radovljica, and reiterated this deficiency during the visits to the VDC (which were carried out later).

The NPM also once again noted that **the needs of users are increasing with ageing and that more employees will be needed to work with them.** Due to the decline in cognitive abilities, older users need more help with care and other daily tasks, and are less involved in daily tasks, which means that this must be carried out mainly by employees, while at the same time they want to enable users to have an individual approach and as many different activities as possible. However, given the staffing standards, providers cannot employ new workers, even if they need them. The regulations specify the same staffing standards for all beneficiaries with moderate developmental disabilities, but in practice this range is very wide and not everyone has the same needs. **During previous visits to institutional care units, the NPM has found that the needs of users vary greatly** and that the categorisation of users into moderate, severe, and very severe disorders and into users with multiple disorders, is too general, as the needs for the extent of assistance within each category vary greatly, which is particularly pronounced in cases of decline in cognitive abilities due to ageing of users. Therefore, in the reports on the visits to VDC Polž and VDC Novo mesto, **the NPM recommended that the MSP, together with the providers of institutional care for elderly users with special needs, examine the need for changes to the staffing standards for the implementation of this service. The MSP accepted the recommendation, but has not yet implemented it.** In its response, it stated that it is already cooperating with the Community of Social Care Work Centres of Slovenia



⁶³ In previous years, the NPM has recommended that MSP actively approach activities to ensure an appropriate legal basis for restricting personal freedom of users in all VDCs in Slovenia.

⁶⁴ More information is provided in the chapter »Visits to training, work and care centres«.

in this area. The Ministry is aware of the need for staff reinforcement. Some measures have already been adopted and they are monitoring their effects, and it emphasises that interdepartmental cooperation will also be necessary for the successful implementation of measures in the recruitment and retention of staff in the field of social care.



During a visit to the institutional care unit in VDC, the NPM once again found that **living in smaller units provides a better quality of life**, and users can make decisions about their lives to any extent, as the service in smaller units is more tailored to the individual needs and wishes of users.



The NPM did not find in any of the units that SPMs were being implemented. During the visits, the NPM also praised good practices that contribute to a better quality of service provision and thus to a better quality of life for users, and for an even better quality of service provision, it gave eight recommendations to the visited VDCs, of which **two have already been implemented, four have been accepted, and are still awaiting implementation, one recommendation has not been accepted, and the NPM has not yet received a response to one recommendation at the time of preparing the annual report.** Of the remaining recommendations during the visits to VDCs, four recommendations were related to living conditions and two had already been implemented, two were accepted and were still awaiting implementation. Two recommendations related to staff and were accepted but not yet implemented. VDC Polž, however, did not accept the recommendation to install a complaint box in a visible place in the Bohova Residential Unit, where users and their relatives could submit any written complaints. In response to the preliminary report on the visit, this VDC interestingly stated that in the past they had installed mailboxes and complaint books, but they remained empty. It explained that most users cannot read or write, but they can verbally or non-verbally express disagreement or dissatisfaction. If users want to solve problems, the VDC must know which user it is, because they need someone to talk to. Given the decline in abilities of older users, which is primarily manifested in communication, a lot of individual work and conversations must be invested in order to even find out where the essence of the complaint or dissatisfaction lies. They also assume that they live in a community where they can immediately tell each other what is bothering them, because only in this way can a quality daily life be ensured. Users have been trained for many years through various workshops and self-advocacy to stand up for themselves. They have also been practicing for years to write down every complaint that is made orally by users or relatives and deal with it. If the relatives do not want the matter to be treated as a complaint, they nevertheless, together with them, look at what can be changed, corrected, or improved in the given situation or check whether everything is done for the benefit of the user. They believe that users and their families are sufficiently empowered to express their disagreement and that VDC Polž has a good system for submitting and resolving complaints. They also believe that complaint boxes are an outdated form of submitting complaints. Today, those who can do so also use comments in various digital media, such as the social network Facebook, where they also publicly express their opinions.



2.7

VISITS TO PSYCHIATRIC HOSPITALS

In 2024, the NPM carried out **seven visits to psychiatric hospitals**.⁶⁵ It carried out a regular and thematic visit to the **Psihiatrični bolnišnici Begunje (PB Begunje)**. It also carried out thematic visits to **Psihiatrični bolnišnici Ormož (PB Ormož)**, **Psihiatrični bolnišnici Idrija (PB Idrija)**, the Department of **Psychiatry at the University Clinical Centre Maribor (Department of Psychiatry at the University Clinical Centre Maribor)** and **Psihiatrični bolnišnici Vojnik (PB Vojnik)**. The NPM carried out a monitoring visit to the **University Psychiatric Clinic Ljubljana**, at the **Unit for Intensive Child and Adolescent Psychiatry (UPK Ljubljana, EIOAP)**. All visits to psychiatric hospitals were unannounced.⁶⁶

During visits to wards under special supervision in psychiatric hospitals, the NPM made a total of 32 recommendations, of which four recommendations were to the Ministry of Health, one recommendation to the Ministry of Health, and 27 were addressed to the hospitals visited. All four recommendations addressed to the Ministry of Health were systemic,⁶⁷ while all other recommendations addressed to the Ministry of Health and psychiatric hospitals are general. The **MSP accepted one of the recommendations, but is still awaiting implementation, and regarding three recommendations (which are similar in content to the adopted recommendation), the MZ had not yet received a response from the Ministry at the time of the completion of this document (despite the expiration of the deadline for response). The MZ also accepted the recommendation, but has not yet implemented it.** The psychiatric hospitals visited accepted **26 recommendations and had already implemented four at the time of their responses, 22 were still waiting for implementation at the time of the responses, and one recommendation had not been accepted. During the monitoring visit, the NMP found that all 14 recommendations had been accepted and three of them had already been implemented.**



In 2024, in connection with the problem faced by most psychiatric hospitals in Slovenia, namely the waiting list of persons in wards under special supervision who already have court decisions on admission to secure wards of (special) social welfare institutions (PSVZ), but who cannot be admitted immediately due to the (over)occupancy of the secure wards, the NPM carried out thematic visits to three psychiatric hospitals (at the Department of Psychiatry of the University Hospital Maribor, and

⁶⁵ The ZDZdr stipulates that a psychiatric hospital is a psychiatric clinic, a psychiatric hospital, or a psychiatric department of a general hospital that provides specialist inpatient and specialist outpatient treatment and consulting services in the field of psychiatry (point 15 of Paragraph 1 of Article 2 of the ZDZdr).

⁶⁶ The NPM made a regular visit to PB Begunje on 13/02/2024 and a thematic visit on 11/09/2024. It visited PB Ormož on 12/03/2024, PB Idrija on 08/04/2024, EIOAP at UPK Ljubljana 21/08/2024, the Psychiatric department of UKC Maribor 09/09/2024, and PB Vojnik on 14/10/2024.

⁶⁷ During thematic visits to three psychiatric hospitals regarding the waiting time of patients in wards under special supervision for admission to secure wards, the same recommendation was made to the MSP in the joint report on thematic visits. A substantially similar recommendation was also made during a regular visit to PB Begunje.

PBs Begunje and Vojnik). In previous years, the NPM has repeatedly warned, based on regular, monitoring, and above all thematic visits, of the intolerable or unacceptable situation caused by the (over)occupancy of the secure wards of the PSVZ.⁶⁸ Even during the thematic visits that the NPM carried out in all four PSVZ in 2024, it once again found that despite all the warnings and decisions of the competent authorities regarding violations of the human rights of persons residing in these wards, the situation in the secure ward had not changed significantly.⁶⁹ Following the change in case law in 2019,⁷⁰ according to which the courts now decide in cases where the conditions for admission to a secure ward are met pursuant to Article 75 of the ZDZdr that a person be admitted to a secure ward, and at the same time, upon finding that all secure wards are occupied, they also decide that the person be admitted to a secure ward as soon as a place becomes available in such a ward, and until then the person (if necessary or if the person cannot wait in their home environment) is kept in a ward under special supervision of a psychiatric hospital,⁷¹ an increasing number of persons who should be treated in secure wards of PSVZ are remaining in wards under special supervision of psychiatric hospitals.



During thematic visits to psychiatric hospitals in 2024, the NPM found that **people often wait for several months, even years, to be admitted to a secure ward.** These people do not need hospital treatment (anymore), but treatment in a social welfare institution, **therefore their placement in wards under special supervision is mostly not the most appropriate place for them and is not in their best interests.** In addition, people waiting for admission to secure wards can **hinder the admission and treatment of those people who need treatment in wards under special supervision.** Since psychiatric hospitals do not generally refuse people who urgently need treatment and assistance, **wards under special supervision also become overcrowded, which results in poorer conditions for the treatment of all patients in these wards and poorer working conditions for employees.**

During thematic visits, the NPM also found that people waiting in psychiatric hospitals for admission to the PSVZ are treated appropriately and included in all activities (like all other patients), but they are often tired of waiting and activities that are not adapted to a long-term stay in a psychiatric hospital. The NPM also found that patients who stay in the hospital for a long time have a greater chance of hospital infections or recurrent hospital infections, and are also more likely to suffer injuries due to falls. Overcrowding in wards under special supervision also causes more tension and greater pressure on employees.⁷²

68 The NPM conducted thematic visits regarding overcrowding in PSVZ secure wards in 2018, 2019, 2020, 2022, and 2024.

69 More about this in the chapter on PSVZ visits.

70 See Supreme Court cases No. II Ips 51/2019 of 25/04/2019 and No. II Ips 71/2019 of 27/06/2019.

71 Courts often explain that they are aware of the disadvantages of such a decision, namely that psychiatric hospitals are not intended for the long-term stay of persons who no longer require hospital treatment and that these persons require different treatment than that provided by a psychiatric hospital, but when considering how best to protect the rights of the person being placed in a secure ward or the safety of others, they decide to place them in a ward under special supervision.

72 The issue of waiting patients is not only present in wards under special supervision, but is broader, as both wards under special supervision and open wards have patients awaiting admission, and patients are waiting for admission to both the protected wards of the PSVZ and the open wards of these institutions, as well as for admission to various wards of other social care institutions (i.e. retirement homes).

In view of the above, the NPM once again **recommended that the MSP, in cooperation with other competent authorities, adopt and implement (additional) measures as soon as possible to resolve the issue of overcrowding in secure wards of the PSVZ and the resulting waiting time for persons who need treatment in secure wards, in wards under special supervision of psychiatric hospitals or in other wards of psychiatric hospitals or in the home environment, or to intensify its activities and find more effective measures that will resolve the issue faster.** The NPM also called on the MSP to inform it of the specific measures that it is currently implementing to resolve the issue in question or of the effects of the measures adopted and implemented to date. The NPM also called on the MZ and the Extended Professional College of Psychiatry (RSK for Psychiatry) to take a position on the issue in question, or the MZ to inform it of the measures that it is implementing or intends to implement to assist psychiatric hospitals in dealing with the issue in question. **The RSK for Psychiatry stated in its response that “current solutions are inhumane, misleading and represent a stressful experience for persons waiting to be placed in social care institutions”. In the opinion of the RSK for Psychiatry, the current situation represents a return to the past of at least thirty years, or a denial of the ethical and moral values that are the commitment of healthcare professionals.**



In 2024, the NPM also paid special attention to checking the circumstances surrounding the **use of SPM**⁷³ during visits to psychiatric hospitals. thematic visits, within the framework of which he (only) checked the circumstances related to the **implementation of SPM**. In two psychiatric hospitals (PB Ormož and PB Idrija), the NPM also carried out thematic visits, in which (only) circumstances related to the implementation of SPM were checked. The NPM determined how often SPM are implemented in the visited institutions and how long the SPM lasts on average, what the premises are where SPM are implemented, how the implementation is carried out and what the treatment of the person is during SPM, what complaint channels are available to persons on whom SPM are used, whether and what documents the institutions have adopted in relation to the implementation of SPM or how they record the implementation of SPM, and other conditions and circumstances related to the use or implementation of SPM with the aim of making recommendations for improving the situation.

During thematic visits, the NPM recommended that both PB Ormož and PB Idrija ensure respect for the privacy and dignity of patients who are physically restrained with straps and that other patients (and potential visitors) are prevented from seeing the restrained patient unless the patient explicitly expresses a desire to be in the company of other patients (and this is not in conflict with his or her benefit or safety or the benefit or safety of other patients). Similarly, regarding ensuring privacy in the women's ward for emergency psychiatric treatment and intensive care, the NPM also made recommendations at Begunje hospital. In the case of Idrija, the aforementioned recommendation referred to physical restraint with straps in the lounges. **The NPM also recommended that both PB Ormož and PB Idrija ensure constant direct supervision (presence) over the patient undergoing physical restraint with straps when performing SPM.**

⁷³ In accordance with Article 29 of the ZDZdr, SPM are urgent measures that are used to enable a person's treatment or to eliminate or control dangerous behaviour of a person when their life or the lives of others are endangered, their health or the health of others is seriously endangered, or they cause serious property damage to themselves or others and the threat cannot be prevented by another, milder measure. The ZDZdr regulates two types of SPM, namely physical restraint with straps and restriction of movement within one room, whereby in psychiatric hospitals in Slovenia only physical restraint with straps is carried out.



During thematic visits to PB Ormož and PB Idrija, the NPM found that **they sometimes perform SPM on a patient who is under special supervision on the basis of consent. The Ormož hospital explained that after the SPM is completed,** each patient is interviewed and that the patient then has the opportunity to revoke their consent to be kept on the special supervision ward. PB Idrija, however, said that in cases where they perform an SPM on a patient who is detained on the basis of consent, they usually notify the court of the patient's admission. **The NPM welcomed this action by PB Idrija, because given the extremely restrictive nature of physical restraint with straps, in the opinion of the NPM, in a case where a patient is under special supervision on the basis of consent, it cannot be considered that they have also given consent to perform an SPM.** Except in exceptional cases, when the patient might request the SPM himself or would explicitly agree to the measure (in which case, extreme caution should be exercised when assessing when the patient agrees to the implementation of the SPM), the measure should always be considered to be carried out against the patient's will. In the case of such a patient, it is therefore reasonable to check and document whether they still agree to continued detention in the ward under special supervision.⁷⁴ If the above is not possible, in the opinion of the NPM, their opposition to the SPM should be understood as a simultaneous revocation of consent to stay in the ward under special supervision and the patient should be discharged or the court should be notified of the patient's admission if the conditions for their continued detention are met (the same should of course be done if the patient expresses explicit disagreement with continued detention in the ward under special supervision). In light of the above, the NPM recommended that both PB Idrija and PB Ormož act in accordance with the above in cases of performing SPM on a patient who is under special supervision in the ward based on their own consent. Both hospitals accepted the recommendation, and PB Idrija also explained that it intends to formalise it in a special document.

During the visits to PB Ormož and PB Idrija, the NPM found that **patients are informed of their rights in the ward under special supervision upon admission,** but that they have not yet received a patient complaint regarding the performance of the SPM, nor do they recall a case where a patient requested access to the recorded data regarding the performance of the SPM or requested a copy of the document with the stated data. According to the CPT Standards regarding SPM in psychiatric hospitals for adults, patients should be informed of the relevant information regarding the performance of the SPM (point 1.7.) and should have the right to comment on the recorded data on the SPM performed and be informed of this right (point 11.1.). Patients should also have the opportunity to request a copy of the document with the recorded data on the SPM performed (point 11.1.). In view of the above, the NPM **recommended to both visited hospitals that they include relevant information on the implementation of SPM or on patients' rights in relation to SPM in the leaflet pursuant to Paragraph 3 of Article 16 of the ZDZdr or in a special leaflet regarding SPM or publish it on the noticeboards of the departments under special supervision. The NPM also recommended that PB Ormož supplement the documents on the implementation and recording of SPM in accordance with the CPT standard (point 1.7. of the CPT standards regarding SPM in psychiatric hospitals for adults).**

⁷⁴ The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) Standards on the use of means of restraint in psychiatric establishments for adults, which the NPM has often taken into account when making recommendations to psychiatric hospitals or referred to, state that when using means of restraint on a patient who is being treated on the basis of consent, and this measure is necessary, and the patient does not consent to its implementation, a review of the patient's legal situation must be carried out (point 10).

Similar recommendations regarding the supplementation of the document on the implementation of SPM in accordance with the CPT standard and the inclusion of relevant information on the implementation of SPM in the leaflet were also made by the NPM during a regular visit to PB Begunje.

During the thematic visits to PBs Ormož and Idrija, the NPM paid particular attention to the circumstances regarding the **duration and recording of the SPM**. In accordance with the ZDZdr, the SPM may be used only exceptionally and may only last as long as is strictly necessary given the reason for its introduction, whereby physical restraint with straps may not last more than four hours, and after the specified period, the doctor shall verify the justification for the re-introduction of the SPM.⁷⁵ In both hospitals visited, the NPM found that they record the duration of the SPM, but do not record the total duration of the SPM, but consider each new introduction of the SPM as a new SPM. **Given that long-term obstacles can be particularly problematic from the perspective of restricting the rights of the disabled person and that special attention should be paid to respecting the fact that the measure lasts only as long as is strictly necessary, the NPM considered it sensible to clearly record the total duration of the measure in the visit reports (even if there are, for example, shorter interruptions of the obstacle), as this way, appropriate measures can be taken based on the findings on possible long-term obstacles.**



In the report on the visit to PB Idrija, the NPM also pointed out that the MZ had already pointed out the need to standardise reporting on SPM on the basis of Paragraph 3 of Article 99 of the ZDZdr.⁷⁶ In the opinion of the NPM, the competent ministry could only conduct an analysis of the use of SPM and adopt possible measures (generally for all hospitals or for an individual hospital) on the basis of standardised reporting by all psychiatric hospitals. The NPM **recommended that the MZ prepare a standardised form for reporting by psychiatric hospitals on the restriction of persons' rights and the use of SPM as soon as possible and, based on the findings of the analysis of the data received from the annual reports on the restriction of persons' rights and the use of SPM, prepare appropriate measures to eliminate shortcomings in the implementation of SPM and to effectively exercise patients' rights.** In response to the recommendation, the MZ stated that it would **strive to prepare a standardised form by the end of 2024 and that special attention would be paid to the regulation of SPM when preparing amendments to the ZDZdr.**⁷⁷ In the report on the visit to PB Idrija, the NPM also pointed out that it would be sensible for the MZ, when preparing a standardised form for preparing the annual report, to also specify in more detail the methodology for collecting data on SPM, so that the data in the annual reports of psychiatric hospitals is comparable.



The CPT Standards on the use of restraints in adult psychiatric hospitals stipulate that the duration of straps (or other so-called mechanical restraints) or the duration of the patient's isolation should be limited to the shortest possible time (a few minutes rather than hours) and that it should always be discontinued when the reasons for

⁷⁵ Paragraph 4 of Article 29 of the ZDZdr.

⁷⁶ See the NPM Annual Report 2023, p. 51.

⁷⁷ The above recommendation was given to the Ministry of Health in the report on the visit to the admission departments at the Intensive Psychiatric Unit at the Ljubljana University Hospital, which was carried out on 28/09/2023. The NPM had already mentioned the above recommendation in the Report on the Implementation of the Tasks of the NPM in 2023. Since the final report on the visit was only submitted to the Ministry of Health on 20/02/2024, and the Ministry of Health's response was received by the NPM on 03/04/2024 (Ministry of Health letter No. 122-10/2024-2711-2 of 20/03/2024), the report and the response to it are also mentioned in this annual report.



imposing the restraint cease to exist. Mechanical restraint that lasts for several days without end is not justifiable and could, in the CPT's opinion, constitute ill-treatment (point 4.1). The standards also stipulate that if, for urgent reasons, mechanical restraints or isolation are exceptionally used for more than a few hours, the justification for the measure should be reviewed at short intervals. In such cases, consideration should also be given to involving another doctor in the patient's treatment or transferring the patient to a more specialised psychiatric hospital (point 4.2).⁷⁸ During the visit to the **Idrija Police Station**, the NPM found that **several restraints lasted longer than 15 hours, or that the measure was often extended at least twice, so the NPM recommended that Idrija Police Station examine the reasons for prolonged physical restraint with straps and try to find solutions to avoid it or limit it as much as possible. In the case of prolonged restraint, it should ensure even greater (tighter) control over the duration of physical restraint and the need for its continuation (for example, after a certain period of time, the decision on the order of physical restraint is made by a college of doctors, not an individual doctor).** In addition, in 2024, the NPM also **warned the MZ of the need for the earliest possible amendments and additions to the legal regulation of physical restraint with straps, in particular the provisions on the duration or time limit of this SPM,⁷⁹ as well as the need to regulate an effective complaint mechanism or judicial protection in relation to the implementation of SPM. The NPM also warned the MZ of the need to analyse the causes of long-term obstacles and adopt measures that will eliminate or limit as much as possible the long-term implementation of SPM in departments under special supervision in psychiatric hospitals.⁸⁰**

⁷⁸ The European Court of Human Rights (ECHR) has also ruled on several occasions that the use of restraints with straps must be necessary and that the duration of such restraint must not be too long (for example, the ECtHR judgment in the case of *Wiktorko v. Poland* of 31/12/2009 or the ECtHR judgment in the case of *Bureš v. the Czech Republic* of 18/10/2012). In this regard, the NPM also draws attention to the judgment of the German Federal Constitutional Court (No. 2 BvR 309/15, 2BvR 502/16 of 24/07/2018) regarding the use of physical restraint with straps. In this case, the court ruled, among other things, that the implementation of a physical restraint measure with (five or seven-point) straps that is not of short duration (whereby a short-term restraint is considered to be a restraint that can be expected to last no more than half an hour) constitutes a restriction of personal freedom that cannot be based on a court decision regarding the admission of a person to a ward under special supervision, but that such a restriction of personal freedom requires a special court decision. In the cited judgment, the German Federal Constitutional Court stated, among other things, that a person who has been physically restrained with straps must be informed of the possibility of requesting judicial protection over the implementation of the measure after it has been completed.

In relation to the use and limitation of the duration of the SPM, the NPM also draws attention to the Concluding Observations of the UN Committee against Torture after considering the Fourth Periodic Report of the Republic of Slovenia on the Implementation of the Provisions of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, from which it follows, in relation to the treatment of persons in psychiatric hospitals (and social care institutions), that the Committee regretfully found that Article 29 of the ZDZdr, which regulates the use of coercive measures, remained unchanged and that coercive measures are still used in psychiatric hospitals (and social care institutions), not always as a measure of last resort and not for the shortest possible time. The Committee recommended that the Republic of Slovenia ensure that the use of coercive measures is limited to circumstances in which such use is strictly necessary and proportionate, subject to strict regulations and for the shortest possible time to avoid the risk of harm to the individual or others, and only when no other reasonable option would be sufficient to manage that risk. The Republic of Slovenia should also ensure that the use of restraints is consistently recorded in special registers in all institutions, that effective legal safeguards are provided, including access to a complaints mechanism, and that any abuses are effectively investigated and, where necessary, prosecuted.

⁷⁹ The NPM already made a recommendation with similar content during the regular visit to the EIOAP in 2023 (see the NPM Annual Report 2023, pp. 49–50).

⁸⁰ At the time of preparation of the annual report (the deadline for response has not yet expired), the NPM has not yet received a response from the MZ regarding the mentioned warning from the NPM.

At PB Idrija, the NPM found that they also perform physical restraint with straps in recliners. The employees explained that they try to perform the physical restraint measure in a recliner mostly in patients' rooms, and occasionally in the common living area of the ward. When performing physical restraint in a recliner, they comply with most of the provisions of the ZDZdr relating to the use and implementation of SPM. During previous visits to PB Idrija, the NPM had already pointed out the need to ensure privacy and constant supervision of staff in the event of restraint in a recliner, or to respect Article 29 of the ZDZdr, but the hospital believed that the measure of restraint in a recliner (or in a bed with a railing) with the aim of preventing the possibility of injuries due to falls does not, by its nature and technique, fall into the category of SPM within the meaning of Article 29 of the ZDZdr. The NPM agreed with individual statements and concerns of PB Idrija and warned that this is a special situation, especially in the case of the elderly (with dementia). Also during a visit to PB Idrija in 2024, the NPM recommended that the hospital comply with all provisions of Article 29 of the ZDZdr. At the same time (taking into account the statements of PB Idrija during the previous and current visits) the **NPM also reiterated that the answers to the questions raised by physical restraint measures with various devices or other methods of restraint that limit an individual's freedom of movement or perhaps even personal freedom (and which are not supposed to have been introduced for reasons from Paragraph 1 of Article 29 of the ZDZdr) should be provided by the profession or the legislator. The NPM therefore called on the MZ and the RSK for Psychiatry to define the nature of physical restraint of patients in psychiatric hospitals in recliners, chairs or wheelchairs, restraint on beds with railings or other possible methods of physical restraint in comparison with SPM, as regulated in Article 29 of the ZDZdr.** The NPM also asked the MZ for an explanation of whether and which provisions of Article 29 of the ZDZdr must be taken into account by psychiatric hospitals when implementing the aforementioned measures. After receiving responses from the Ministry of Health and the RSK for Psychiatry, the stated obstacles are nursing measures or other protective measures, the purpose of which is primarily to prevent falls or to enable medical treatment, and this purpose is not the same as in the case of SPM,⁸¹ the **MZ was given the opinion that it would be sensible to regulate health-care measures or other protective measures – especially their definition (at an abstract level), the conditions that must be met for their use, the recording of these measures and the supervision of their use – in law.** In the opinion of the Ministry of Health, these measures may also interfere with the human rights of the persons to whom they are applied or restrict these rights (for example, the right to freedom of movement), but they may of course represent (only) a way of exercising an individual right (for example, the right to healthcare).



During visits to psychiatric hospitals, the NPM often finds that **hospitals prepare and use various forms when treating patients, primarily for recording patient data and statements.** Such forms certainly facilitate various tasks and ensure uniformity in treating patients. During visits, the NPM often makes recommendations for supplementing the forms. Regarding the form that hospitals use in the case of patient admission based on consent, the NPM has repeatedly found that it does not state that



81 The MZ also explained that it had appointed a working group to prepare the substantive starting points for the proposed amendments to the ZDZdr, which should also examine the definition of SPM in the ZDZdr and, if necessary, amend or supplement it (Letter from the MZ No. 0140-257/2024-2711-2 of 09/08/2024). The Slovenian Council for Psychiatry explained that the new and expanded edition of the Recommendations and Guidelines for the Use of Special Protective Measures in Psychiatry, which is currently being prepared, will define both SPM and other protective measures (Letter from the MZ No. 013-22/2024-2711-14 of 16/09/2024).

a person who has consented to admission may, at any time, expressly or by actions from which this can be inferred, revoke the consent and request to be discharged from treatment in the ward under special supervision. In the opinion of the NPM, it would be sensible to supplement the consent form for admission with the aforementioned explanation regarding the possibility of withdrawing consent. **In 2024, the NPM supplemented the form on acceptance of the recommendations made to PBs Begunje and Ormož.** In previous years, the NPM has also repeatedly recommended that psychiatric hospitals include sections on measures taken before the introduction of the SPM or after the completion of the SPM in the form for recording all circumstances related to the implementation of the SPM (such a recommendation was often made in previous years by an expert who participated in the NPM visits). **In 2024, the NPM made a recommendation with reasonably similar content to the Begunje psychiatric hospital.** The NPM's recommendations during visits to psychiatric hospitals also occasionally refer to other forms.⁸²

In the opinion of the NPM, it would be sensible for the competent ministry to prepare standardised forms for all psychiatric hospitals. It therefore **recommended that the MZ examine the possible need to prepare forms that psychiatric hospitals most often need when treating patients in wards under special supervision, and then prepare such forms and inform psychiatric hospitals about them.** In response to the recommendation, the MZ stated that it had already been working on preparing a form for reporting on the use of SPM, but it found that in order to prepare a high-quality standardised form, it was necessary to update the Recommendations and Guidelines for the Use of SPM in Psychiatry. Since the recommendations and guidelines are in the process of being updated, **according to the MZ, the working group for preparing the substantive starting points for the proposal for amendments and supplements to the ZDZdr, whose task is also to adequately regulate the field of SPM implementation, should continue with activities related to the creation of a standard form for reporting on the implementation of SPM. The working group is also expected to examine the possibility of creating other forms with the aim of standardising practice in psychiatric hospitals and social care institutions.**⁸³

During its visits to psychiatric hospitals in 2024, the NPM often repeated the recommendations it had already made during previous visits. The NPM therefore **welcomed the MZ's promise "to invite the founder's representatives on the boards of public health institutions founded by the Republic of Slovenia to request that the board of the institution request past NPM reports and be informed of the timetable for implementing the recommendations adopted by the individual public health institution, and that the board of the institution be regularly informed of NPM visits."**⁸⁴

82 Paragraph 1 of Article 38 of the ZDZdr.
83 Letter from the MZ No. 122-17/2024-2711-4 of 16/07/2024.
84 Cited letter from the MZ of 16/07/2024.

2.8

VISITS TO POLICE STATIONS

In 2024, the NPM visited **11 police stations (PP)**, namely: **PP Brežice** and **PP Krško** on 15/02/2024, **PP Črnomelj** and **PP Metlika** on 28/02/2024, **PP Piran** on 05/03/2024, **PP Ribnica** and **PP Kočevje** on 05/06/2024, **PP Ormož** and **PP Gorišnica** on 20/06/2024, **PP Idrija** and **PP Nova Gorica** on 07/08/2024, a total of **11 places of detention due to police detention**. With the exception of the visit to PP Piran, in which representatives of the NPM of Mongolia participated as observers and was therefore **announced**, all visits were carried out **unannounced**.

During the visits, the NPM inspected the premises used at the PP for the treatment and accommodation of persons who have been deprived of their liberty, and spoke with persons who were in police custody or detention at the time of the visit in order to determine what the police officers' procedures were with them. The NPM members also spoke with the police officers, while also checking individual (randomly selected) cases of detention procedures. The NPM members also regularly checked the implementation of the recommendations from the previous visit to each police station. It is encouraging that the NPM **also found during the visits in 2024** that the **PPs are implementing the NPM's recommendations in an exemplary manner**.



During the visits to PP in 2024, **59 recommendations were made, all of which were general**. The recommendations related to living conditions (23 recommendations), records and documentation (15 recommendations), treatment and forms of work (13 recommendations), legal protection and complaint channels (six recommendations), and one recommendation each on food and personnel.

Of the total of 59 recommendations, **36 were accepted and implemented, 21 were accepted and not yet implemented, and two recommendations were not accepted**. This shows that many of the NPM's recommendations were accepted and already implemented, or remained unimplemented, especially those that require more time to implement or eliminate the identified shortcomings or require more financial resources to implement.



Of the recommendations that were not accepted, one related to **PP Brežice**, namely that all available beds used to accommodate migrants be equipped with appropriate mattresses. The Ministry of Foreign Affairs (MNZ) announced that, given the circumstances on the migrants' side (dirty clothes, etc.), it is better to install only "ArmaFlex" mats in the accommodation containers, which allow for significantly easier "maintenance" than mattresses, since in the case of mattresses, it would be necessary to change the covers for each group.



The second recommendation that was not accepted related to **Ribnica PP**, namely that, given the reduction in the number of police officers employed in 2023, the possibility of establishing a special space for conducting interrogations should be re-examined, so that they are not carried out in the employees' offices. The MNZ stated that a recommendation had previously been made to it about the establishment of

a special space for conducting interrogations, but that despite the reduction in staff in the unit, there is no space planned that could be used exclusively and specifically for conducting interrogations. The unit uses a space that was primarily intended for the processing of migrants for conducting interrogations, and this is very rarely used for this purpose. Exceptionally, the patrol leader's booth or office, which are also free most of the time, may be used for conducting interrogations. It is therefore not envisaged that a specific space in the unit will be purposefully converted into a space intended solely for conducting interrogations.



The majority of the recommendations from the PP visits related to living quarters, namely detention and accompanying rooms intended for the implementation of police procedures during the period of deprivation of liberty and detention. Some recommendations related to minor errors and deficiencies (for example, painting, repair of minor damage, numbering of rooms and marking that they are under video surveillance). **In these cases, the MNZ ensured that the errors and deficiencies were or will be eliminated as soon as possible.**



During visits to the Brežice, Črnomelj and Metlika police stations, it was found that accommodation containers were **used in the procedures for the accommodation of foreigners during the procedure, but they were only equipped with sleeping mats (Armaflex), which were also damaged.** It was also found that the containers were generally not heated in the winter. In this regard, the NPM recommended that the damaged ArmaFlex mats in the containers used for accommodation of foreigners be replaced with new undamaged ones and that the possibility of equipping the containers for accommodation of foreigners with bunk beds or installing appropriate mattresses in the containers, such as those equipped for detention, be examined, so that their cleaning and disinfection would be possible. The NPM also recommended that the possibility of properly heating the containers in the winter or during cold weather when foreigners are accommodated be examined. The MNZ reported that **they have some new mats (ArmaFlex) available in the warehouse at the Border Crossing, which are replaced if the ones already placed in the containers are damaged. When using the containers, the police officers place the mats appropriately depending on the use of the individual containers and the number of foreigners they have in the procedure. It was also reported that the possibility of equipping the containers for accommodating foreigners with bunk beds will also be examined. However, it is currently not possible to place mattresses in the containers, as this would make cleaning or disinfection more difficult.** Regarding the possibility of heating the containers, **the MNZ reported that the containers are heated by turning on the air conditioner.**

During a visit to Gorišnica PP, it was found that in the room marked as the "waiting room for foreigners" and the room for long-term detention marked with the number 1, **the voice device intended for communication between the detained person and the police officer on duty was not working.** The NPM recommended that the possibilities of eliminating the malfunctioning voice device as soon as possible be examined. The MNZ announced that the malfunctioning voice device had been eliminated.

During the visits to PP, the NPM also **inspected the intervention vehicles, namely the space for transporting persons deprived of their liberty.** At several police stations (PP Črnomelj, PP Metlika, PP Kočevje, and PP Gorišnica), during inspections of the space for transporting persons deprived of their liberty, it was found that the **spaces**

for transporting persons had not been cleaned or that there was dirt on the floor. In these cases, the NPM recommended that the police station management ensure that the spaces in the intervention vehicles at **the police station's disposal intended for transporting persons deprived of their liberty are actually regularly inspected and, if necessary, properly cleaned.** In this regard, the MNZ reported that the police officers immediately began to eliminate the identified deficiencies. It also reported that the police officers and the property manager were also warned that the spaces and the official vehicle must be monitored daily and, if necessary, cleaned and ventilated.



In most PPs visited by the NPM in 2024, it was again found that **errors or shortcomings still occur in the completion of forms required for detention**, although there are slightly fewer of them than in the past. Most errors or shortcomings occur in the completion of sections of forms required for detention (for example, in the "Detention Decision" form, in the "Performance of tasks during detention/detention - official note" form or in the "Certificate of objects seized from a detained/detained person" form) and in the correct entry of corrections in the forms required for detention. Regarding the identified errors or shortcomings that the NPM pointed out in the visit reports, **the MNZ ensured that the police officers and the management of the visited police units were warned about them, and that the police officers were informed about the identified errors at regular working meetings of the police units.**



When reviewing randomly selected cases of individual detentions at PP Črnomelj, PP Metlika, and PP Gorišnica, it was found that the "Detention Decision" form **was not served on the detained person in accordance with Article 108 of the Minor Offences Act**, which stipulates, among other things, that the defendant must be served immediately, and no later than within three hours, with a written decision ordering detention, stating the reasons for the deprivation of liberty and legal instructions. In all cases, the NPM recommended that police officers be warned that in the event of a detention order, they should strictly comply with the statutory deadlines for serving the detention order to the detained person. The MNZ reported that **all police officers were warned that in the event of a detention order, the statutory deadline for serving the detention order to the detained person should be strictly complied with.**



When reviewing randomly selected cases of individual detentions at PP Brežice and PP Idrija, it was found **during the review of archival documentation that the police officers did not use the valid "Detention Decision" form in the procedures.** In both cases, the NPM recommended that the police officers be reminded of the regular monitoring of the renewal of the forms so that they use valid forms in their work. The MNZ announced that the managements were asked to immediately correct or supplement the forms accordingly. Due to the irregularities identified, training in the procedures for deprivation of liberty and detention of persons will be conducted for all police officers in September 2024. It was also announced that **as part of the training, police officers will be again reminded of the consistent use of valid forms and of professionalism in completing them.**



When reviewing randomly selected cases of individual detentions at the Kočevje, Gorišnica and Idrija PPs, it was found during the review of archival documentation that the time data from the computerised detention book was not consistent with the data from the physical forms that police officers must keep during the procedure in the event of deprivation of liberty and detention. In all cases, the NPM pointed out



the error during the visit itself and at the same time recommended to the MNZ that police officers (especially police officers on duty) be warned to be more precise when entering time data into **the computerised records. The MNZ reported that the errors found when entering data into the computerised detention records were immediately corrected, and police officers were warned to be more precise in their work.**

2.9

VISIT TO THE CENTRE FOR UNACCOMPANIED MINORS

On 28 October 2024, the NPM carried out a regular unannounced visit to the **Centre for Unaccompanied Minors in Postojna (the Centre)**, which is organised under the **Office of the Government of the Republic of Slovenia for the Care and Integration of Migrants (UOIM)**. During the visit, members of the NPM spoke with the management, inspected the premises of the centre and spoke with some of the minors present.

The NPM made four recommendations, all of which were general, namely, they related to living conditions (two recommendations) and treatment and forms of work (two recommendations). Of the aforementioned recommendations, two **recommendations were accepted and have already been implemented**, while **two recommendations were accepted but not yet fully implemented**.



This was the first visit by the NPM, as the centre began operating on 1 April 2024. The legal basis for establishing the centre is the Regulation on the Method of Ensuring Appropriate Accommodation, Care and Treatment of Unaccompanied Minors (Official Gazette of the Republic of Slovenia, No. 106/2023 and 8/2024). The centre has a capacity of 70 places for placing minors, of which 50 places for those who intend to apply for international protection (reception rooms) and 20 places for those who have applied (placement rooms). During the visit, it was found that minors can leave the Centre freely, even during the reception period.

During the inspection of the Centre's premises, it was found, among other things, that boys are accommodated separately from girls. According to the Centre's management, girls are also provided with separate use of toilets, but the use of showers is in shared bathrooms. The NPM therefore **recommended that the possibility be examined of arranging a special bathroom which could be used exclusively by girls**. The UOIM explained that when using the shower, due to the occupancy of the Centre, the girls were allowed to use the bathrooms separately by receiving a key to the bathroom, which they could lock themselves in and thus ensure intimate use of the shower. After the NPM's visit, **to ensure even greater security and intimacy, a door was installed to separate the passage between the reception and accommodation spaces and to the floor where** the girls, permanent applicants, and children with recognised international and temporary protection are accommodated. This will make it easier to arrange for the bathroom to be exclusively for girls.



Furthermore, the NPM found that the Centre also encounters particularly vulnerable unaccompanied children (up to 12 years of age), for whom accommodation with older minors is not the best solution. At the time of the visit, this was being addressed by placing unaccompanied children (up to 12 years of age) on the third floor, preferably separately from other minors. For this reason, activities were already underway regarding the solution to the accommodation of unaccompanied children (up to 12 years of age) in order to arrange completely separate spaces for their accommodation. **The**



NPM therefore recommended that the Centre be provided with all necessary assistance in finding more suitable premises for the accommodation of children up to 12 years of age. **The UOIM announced that they are aware of the need to find new accommodation for children at least up to 10 years of age, and are therefore intensively looking for suitable accommodation for them.**

It was also found that, in accordance with the Regulation on the Method of Ensuring Appropriate Accommodation, Care and Treatment of Unaccompanied Minors, the house rules applicable to asylum centres and integration houses were used. The house rules that will be specific to the Centre for Unaccompanied Minors were still being prepared at the time of the NPM's visit and will also include the measure of locking the entrance doors at night, as this is a younger and more vulnerable population. **The MPM recommended that new – specific house rules for the Centre for Unaccompanied Minors be adopted as soon as possible and, given the minors accommodated, their translation should be ensured.** The UOIM announced that the house rules of the Centre for Unaccompanied Minors will be part of the revised Regulation on the method of ensuring appropriate accommodation, care and treatment of unaccompanied minors and are being prepared.

It was also established that since 25 October 2024, the Centre has been undergoing a trial period for submitting applications for international protection at the Centre, where representatives of the MNZ come, which significantly shortens the time until the procedure. **The NPM recommended that the MNZ examine the possibility that in the future minors will be able to regularly submit applications for international protection to representatives of the MNZ at the premises of the Centre for the Placement of Unaccompanied Minors.** The MNZ announced that the Directorate for Migration, Sector for International Protection Procedures, processes applications from unaccompanied minors with all due care and takes into account the principle of the best interests of the child. Thus, in October and November 2024, a pilot project was carried out to accept applications at the centre itself with the aim of speeding up and logistically simplifying their processing.



The findings from the pilot project showed that the successful implementation of procedures in the Centre requires the coordination, flexibility, and responsiveness of all stakeholders involved: UOIM, the Social Work Centre and the MNZ. The MNZ also announced that it has proven to be more appropriate and efficient for minors accommodated in the Centre to receive applications and conduct interviews at the location itself, and **they intend to continue this practice in the future.**

2.10

VISITS TO PENAL INSTITUTIONS

In 2024, the NPM visited 5 prison institutions (ZPKZ) or their branches and penal institutions for juveniles on remand and serving prison sentences (ZPMZKZ). Three visits were regular and unannounced, namely ZPKZ Maribor (Murska Sobota branch) on 26/03/2024; ZPKZ Dob pri Mirni (Puščava open unit) on 25/07/2024, and ZPKZ Koper (Nova Gorica branch) on 24/09/2024. Three visits were thematic, namely ZPKZ Ljubljana on 04/04/2024, ZPMZ KZ Celje on 15/04/2024, and ZPKZ Maribor on 24/04/2024, and unannounced due to their nature. A representative of the Austrian NPM participated in the thematic visit to ZPMZ KZ Celje as an observer.

A total of 40 recommendations were made during the visits, all of which were general. The recommendations related to living conditions (24 recommendations), treatment of prisoners and forms of work (six recommendations), staff (four recommendations), health care (two recommendations), and one recommendation each for activities, nutrition, contacts with the outside world, and others.

Out of the total of 40 recommendations, 19 were accepted and implemented, and 21 were accepted but not yet implemented. When reviewing the implementation of the recommendations, it was found that practically half of the NPM's recommendations were implemented in 2024. The (not yet) implemented recommendations mainly concern recommendations that require slightly more time to implement or eliminate the identified shortcomings, or require more financial resources to implement.

During the visits, we were able to verify that several recommendations from previous visits had been implemented. Thus, during the visit to ZPKZ Maribor, Murska Sobota branch, we found that the NPM's recommendation from the previous visit had been implemented, that the branch management ensure that room number 8, which is intended for short-term accommodation and in which smoking is permitted, is equipped with a suitable ashtray from a safety perspective, and that the room is also cleaned properly immediately after use, as it was found during this visit that the room was properly clean, and at the same time we received an explanation that a person who is a smoker is also given an ashtray upon check-in. It was also found that the NPM's recommendation from the previous visit to equip the detention unit with fans was implemented, as it was found during this visit that fans were installed in all the detention unit rooms. The NPM's recommendation from the previous visit to replace the windows in the detention unit corridor was also implemented, as it was found during this visit that the windows in the detention unit corridor had been replaced. It was also found that the recommendation of the NPM from the previous visit to install fitness equipment suitable for outdoor use on the promenade had been implemented, as it was found during this visit that in 2023 (in addition to the previously installed fitness equipment) fitness equipment suitable for outdoor use had also been installed on the promenade.

ZPKZ Koper, Nova Gorica branch, also implemented the NPM's recommendation from a previous visit to actually lay the rubber tiles intended for fitness rooms, as it was found during this visit that the fitness room floors were completely covered with a mat for this purpose.





During regular and unannounced visits, most recommendations related to living conditions. In several cases, these were **minor errors or deficiencies in living or common areas intended for prisoners**. In such cases, the NPM recommended that the possibilities of eliminating the identified errors or deficiencies be examined as soon as possible. In most cases, the URSIKS General Office reported in its responses to the recommendations that the identified errors and deficiencies had been eliminated.



However, other deficiencies were also identified, namely, during a visit to **ZPKZ Maribor, Murska Sobota branch**, inmates highlighted the poor quality of mattresses and related back problems. Based on this, the NPM made a recommendation that, **due to the larger number of foreigners (who find it more difficult to find their way around), employees should check the condition of mattresses in living areas themselves and, if necessary, replace them with new ones**. The URSIKS General Office announced that the worn-out mattresses had been replaced with new ones.



During the visits to **ZPKZ Maribor, Murska Sobota branch, and ZPKZ Koper, Nova Gorica branch**, it was again found that **very few prisoners are involved in work** (especially remand prisoners). Based on this, the NPM again recommended that more effort be made to find ways to improve the situation in terms of providing work for prisoners in the branches. Regarding the provision of work for prisoners in ZPKZ Maribor, Murska Sobota branch, the URSIKS General Office reported that enabling prisoners to work is one of the most important areas in the treatment of prisoners, as work has a significant impact on rehabilitation and the individual's psychological state and satisfaction, but apart from housework, they can practically not offer prisoners any other work. Regarding ZPKZ Koper, Nova Gorica branch, the URSIKS General Office explained that during the summer and during the holidays of external companies that provide work to the branch, there was indeed less work and consequently fewer prisoners assigned to work. However, the situation regarding the provision of work and the number of prisoners improved immediately after the visit.



During the visit to ZPKZ Koper, Nova Gorica branch, some prisoners (as during the previous visit) **complained about the work of the general practitioner and his slow response**, as some prisoners were said to have been waiting for a long time (even several months) for treatment. Based on this, the NPM again recommended that the management check the implementation of medical care and ensure that all prisoners have access to a doctor within a reasonable time when they need it. The URSIKS General Office explained that they had re-checked the possibility of access to medical care and found that access to medical care is provided to everyone who requests it, either verbally or in writing. It further explained that a nurse is present in the department on working days and is always ready to help outside the clinic's working hours. In the case of urgent medical care, the branch contacts the emergency medical service, which always responds, even in cases of examination of newly admitted convicts or remand prisoners.

Thematic visits

From some complaints to initiate proceedings with the Human Rights Ombudsman of the Republic of Slovenia, as well as from official records of occupancy of prison institutions, which are published weekly by the Administration of the Republic of Slovenia for the Execution of Penal Sanctions (URSIKS),⁸⁵ it was established that ZPKZ Ljubljana, the Celje Juvenile Detention and Prison Institution (ZPMZKZ), and the ZPKZ

Maribor were already severely overcrowded in 2023, and especially in the first three months of 2024. **The NPM therefore decided to conduct thematic visits regarding overcrowding, namely it visited the ZPKZ Ljubljana on 04/04/2024, ZPMZKZ Celje on 15/04/2024, and ZPKZ Maribor on 24/04/2024.** The purpose of the thematic visits was to determine the situation in the institutions visited and also to check whether, given the overcrowding of the institutions, there may be violations of Article 3 of the European Convention on Human Rights (ECHR). At the same time, the NPM tried to identify possibilities and ways to improve the situation regarding overcrowding in the prisons.

Thematic visits revealed systemic **problems with overcrowding**, which, in the opinion of the NPM, far exceeded the capacity of individual institutions to independently and satisfactorily address these challenges. **Key findings from individual institutions show that due to extreme overcrowding, which in some cases reached up to 200% of official capacity, institutions had to resort to improvised and often inadequate solutions of placing beds in unsuitable spaces, such as changing rooms or sports rooms, where basic living standards are severely curtailed.**



When capacity was exceeded at ZPKZ Ljubljana, they were forced to place two people in rooms intended for one person, or even several prisoners in group rooms, where the standard per person fell to approximately 3m², or below that limit. Similar conditions were also present in the prisons in Celje and Maribor, where, due to lack of space, they were forced to use every available space to place additional beds or even to accommodate only on mattresses.



The conditions in which prisoners (mainly detainees) were accommodated in the visited ZPKZs during the NPM's visits were therefore, according to the NPM's findings, worrying, as many prisoners were placed in living quarters in which the area per person was below these standards and also significantly below the limit defined by the ECHR as a limit that may amount to exceeding the unavoidable level of suffering associated with deprivation of liberty. The NPM also notes that due to the increasing overcrowding of institutions, it is clearly no longer possible to meet domestic and international living standards for prisoners, and it is also increasingly difficult to alleviate the poor living conditions with additional measures (such as opening rooms, extending outdoor time, additional activities, etc.). The situation is further exacerbated by the increasing shortage of prison officers (in addition to other prison staff), which also has a significant impact on the length of criminal proceedings (for example, due to the cancellation of escorts) and thus on the duration (occupancy) of detention and consequently on the living conditions of prisoners. **All of this indicates violations of the prohibition of torture or inhuman or degrading treatment.**



The NPM expressed awareness that the general overcrowding of institutions is not only a result of the current situation, but also stems from long-term systemic problems, which include a lack of adequate infrastructure and human resources. **The NPM therefore stressed that effective state intervention is necessary.** This should include short-term measures to improve living conditions in institutions in order to ensure basic human rights for all imprisoned persons. **In addition, long-term solu-**

85 <https://www.gov.si/assets/organi-v-sestavi/URSIKS/Dokumenti/Zaporska-statistika/2024/Stevilo-zaprtih-oseb-in-zasedenost-zavodov-dne-15.-7.-2024.pdf>.

tions will or are also needed that would enable an increase in accommodation capacities, improvement of infrastructure and human resources, and a possible reform of the criminal justice system to prevent further disproportionate growth in the number of detained and imprisoned persons. A comprehensive and inclusive approach is needed that will establish conditions within a reasonably short time for respect for the human rights of imprisoned persons, who are seriously endangered in these circumstances.⁸⁶

The NPM expressed its support for all possible solutions to improve the situation in terms of ensuring decent living conditions for prisoners and working conditions for employees in prisons. Based on this, the Ombudsman, within the scope of his competence, expressed his willingness to continue to cooperate in finding and implementing solutions that could further contribute to ensuring respect for human rights within the criminal justice system.

In response to the NPM's report on the executed thematic visits, URSIKS assured that, despite overcrowding, all institutions are trying to organise more activities for all imprisoned persons with the aim of them spending more time outside their living quarters. Since the establishment of URSIKS in 1995, the prison system has never faced such a large number of imprisoned persons –as of 19 June 2024 the number was 1,831. Given the trends in neighbouring countries and migration pressures, a continued growth in the number of imprisoned persons is expected, which is worrying, especially considering the fact that, even with a significantly lower number of imprisoned persons, we were among the countries with the most overcrowded prisons. Most foreign countries and various international organisations warn that overcrowding can be seen and felt in prisons, and the solutions to it lie outside prisons. **Therefore, URSIKS agreed with the conclusion that solving prison overcrowding requires a holistic approach by the state and society as a whole.**

⁸⁶ Although the Ombudsman mentions the need to increase capacity, he also warns that this should not be the only or key goal for a comprehensive solution to the problem of overcrowding in prisons. The problem of overcrowding cannot be solved (only) by building new prisons or additional facilities. Above all, greater importance should be given to the fundamental principle that deprivation of liberty is a last resort, which should be determined and used only if, due to the gravity of the criminal offence, a different sanction is clearly inappropriate. The Ombudsman has already emphasised in the past that some of the proposed measures lack measures towards greater or additional use of alternative measures that could replace detention and imprisonment. The Ombudsman has already taken this direction with Recommendation No. 17 in the 2014 annual report (the same or similar recommendation is also recommendation no. 20 from 2013) encouraged the efforts of URSIKS and the MP to eliminate overcrowding in some ZPKZ, while also increasing the use of already legislated options in this area for replacing prison sentences. In addition, the United Nations Committee against Torture, when considering the Fourth Periodic Report of the Republic of Slovenia on the implementation of the provisions of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 2023, also called on the Republic of Slovenia to redouble its efforts to reduce overcrowding in closed institutions, in particular by increasing the use of non-custodial measures in accordance with the United Nations Standard Minimum Rules for Non-custodial Measures (Tokyo Rules) and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (Bangkok Rules).



3.

ANNEXES

3.1

NATIONAL PREVENTIVE MECHANISM (NPM)

VISITS IN 2024

13 February 2024	NPM members Ana Polutnik, advisor to the Ombudsman II, and Maja Pajk and Srečko Brumen, representatives of the Društvo Novi Paradoks NGO, made an unannounced visit to the Begunje Psychiatric Hospital .
15 February 2024	NPM members Robert Gačnik, special advisor to the Ombudsman II, and Urša Regvar, representative of the PIC NGO, made an unannounced visit to Brežice Police Station .
15 February 2024	NPM members, Robert Gačnik, Ombudsman's Advisor, and Urša Regvar, representative of the PIC NGO, made an unannounced visit to Krško Police Station .
28 February 2024	NPM members, Robert Gačnik, Ombudsman's Advisor, and Katarina Vučko, representative of the Mirovni inštitut NGO, made an unannounced visit to Črnomelj Police Station .
28 February 2024	NPM members, Advisor to the Ombudsman Robert Gačnik, and Katarina Vučko, representative of the Mirovni inštitut NGO, made an unannounced visit to Metlika Police Station .
5 March 2024	NPM member Ivan Šelih, Deputy Ombudsman, and Robert Gačnik, Ombudsman's Advisor, made an announced visit to Piran Police Station . Representatives of the Mongolian National Preventive Mechanism also participated in the visit as observers (as part of a study visit to the Human Rights Ombudsman of the Republic of Slovenia), namely: TSELMEN Yadamjav, TUVSHINTUR Dal-khsuren, NENSENDEN Rentsen, OYU-ERDENE Davaanyam and translator Romana Mlačak.
11 March 2024	NPM members Sonja Božič Testen, Ombudsman's Advisor, and Sanja Jablanović, representative of the PIC NGO, made an unannounced visit to the Center za usposabljanje, delo in varstvo Dolfke Boštjančič Draga, Dom Češnja .
12 March 2024	NPM members, Ana Polutnik, Ombudsman's Advisor, and Mateja Markovič, representative of the Društvo Novi Paradoks NGO, made an unannounced thematic visit to Psihiatrična bolnišnica Ormož .

13 March 2024	NPM members Sonja Božič Testen, Ombudsman's Advisor, and Sanja Jablanović, representative of the PIC NGO, made an unannounced visit to Center za usposabljanje, delo in varstvo Dolfke Boštjančič Draga, Dom Vižmarje.
18 March 2024	NPM members Jure Markič, MA, Ombudsman's Advisor, and Rok Kuster, representative of the Pravo za VSE NGO, made an unannounced monitoring visit to Dom pod gorco Maribor.
19 March 2024	NPM members, Sonja Božič Testen, Ombudsman's Advisor, and Sanja Jablanović, representative of the PIC NGO, made an unannounced visit to Center za usposabljanje, delo in varstvo Dolfke Boštjančič Draga, Center slovenske Istre Ankaran.
25 March 2024	NPM members, Sonja Božič Testen, Ombudsman's Advisor, and Sanja Jablanović, representative of the PIC NGO, made an unannounced visit to Center za usposabljanje, delo in varstvo Dolfke Boštjančič Draga, Dom Škofljica.
26 March 2024	NPM members Robert Gačnik, Ombudsman's Advisor, and Primož Križnar, representative of the SKUP NGO, made an unannounced visit to ZPKZ Maribor, Oddelek Murska Sobota.
27 March 2024	NPM members Sonja Božič Testen, Ombudsman's Advisor, and Sanja Jablanović, representative of the PIC NGO, made an unannounced visit to Center za usposabljanje, delo in varstvo Dolfke Boštjančič Draga, Bivalna enota Grosuplje.
4 April 2024	NPM members, Jure Markič, MA, Ombudsman's Advisor, and Urša Podgoršek, representative of the Pravo za VSE NGO, made an unannounced monitoring visit to Dom starejših občanov Maribor.
4 April 2024	NPM members Ivan Šelih, Deputy Ombudsman, Robert Gačnik, Ombudsman's Advisor, and Primož Križnar, representative of the SKUP NGO, made an announced thematic visit to ZPKZ Ljubljana. The Ombudsman Peter Svetina also participated in the thematic visit.
8 April 2024	NPM members Ana Polutnik, Ombudsman's Advisor, and Maja Pajk, representative of the Društvo Novi Paradoks NGO, made an unannounced thematic visit to Psihiatrična bolnišnica Idrija.

15 April 2024	NPM members Ivan Šelih, Deputy Ombudsman, Robert Gačnik, Ombudsman's Advisor, and Katarina Vučko, representative of the Mirovni inštitut NGO, made an unannounced thematic visit to Zavod za prestajanje mladoletniškega zapora in kazni zapora Celje . The representative of the Austrian NPM, Dr Peter Kastner, also participated in the thematic visit as an observer.
18 April 2024	NPM members Jure Markič, MA, Ombudsman's Advisor, and Iva Devetak, representative of the Zveza prijateljev mladine Slovenije NGO, made an unannounced thematic visit to Dom na Krasu, Dutovlje .
24 April 2024	NPM members Deputy Ombudsman Ivan Šelih, Robert Gačnik Advisor to the Ombudsman, and Katerina Kočkovska Šetinc, representative of the Mirovni inštitut NGO, made an announced thematic visit to Zavod za prestajanje mladoletniškega zapora in kazni zapora Maribor .
24 April 2024	NPM members Sonja Božič Testen, Ombudsman's Advisor, and Ilona Osrajnik, representative of the Pravo za VSE NGO, made an unannounced visit to Varstveno delovni center Polž, Bivalna enota Bohova .
14 May 2024	NPM members Jure Markič, MA, Ombudsman's Advisor, and Vesna Lujinović, representative of the Zveza prijateljev mladine Slovenije NGO, made an unannounced thematic visit to Dom Nine Pokorn Grmovje .
15 May 2024	NPM members Ana Polutnik, Ombudsman's Advisor, and Urša Podgoršek, representative of the Društvo Pravo za VSE NGO, made an unannounced visit to Strokovni center Mladinski dom Maribor, stanovanjska skupina V in Maribor .
15 May 2024	NPM members Ana Polutnik, Ombudsman's Advisor, and Urša Podgoršek, representative of the Društvo Pravo za VSE NGO, made an unannounced visit to Strokovni center Mladinski dom Maribor, stanovanjska skupina IV in Maribor .
15 May 2024	NPM members Ana Polutnik, Ombudsman's Advisor, and Urša Podgoršek, representative of the Društvo Pravo za VSE NGO, made an unannounced visit to Strokovni center Mladinski dom Maribor, stanovanjska skupina I in Maribor .
16 May 2024	NPM members Ana Polutnik, Ombudsman's Advisor, and Urša Podgoršek, representative of the Društvo Pravo za VSE NGO, made an unannounced visit to Strokovni center Mladinski dom Maribor, stanovanjska skupina VIII in Maribor .

16 May 2024	NPM members Ana Polutnik, Ombudsman's Advisor, and Urša Podgoršek, representative of the Društvo Pravo za VSE NGO, made an unannounced visit to Strokovni center Mladinski dom Maribor, stanovanjska skupina VII in Maribor.
20 May 2024	NPM members Jure Markič, MA, Ombudsman's Advisor, and Ilona Osrajnik, representative of the Pravo za VSE NGO, made an unannounced thematic visit to SVZ Hrastovec.
23 May 2024	NPM members Sonja Božič Testen, Ombudsman's Advisor, and Lili Jazbec, representative of the Zveza društev upokojen- cev Slovenije NGO, made an unannounced visit to Varstveno delovni center Novo mesto, Bivalna enota Trebnje.
27 May 2024	NPM members Sonja Božič Testen, Ombudsman's Advisor, and Lili Jazbec, representative of the Zveza društev upokojen- cev Slovenije NGO, made an unannounced visit to Varstveno delovni center Novo mesto, Bivalna enota Novo mesto.
27 May 2024	NPM members Ana Polutnik, Ombudsman's Advisor, and Urša Podgoršek, representative of the Pravo za VSE NGO, made an unannounced visit to Strokovni center Mladinski dom Mari- bor, intenzivna vzgojna skupina in Videm pri Ptuj.
27 May 2024	NPM members Ana Polutnik, Ombudsman's Advisor, and Urša Podgoršek, representative of the Pravo za VSE NGO, made an unannounced visit to Strokovni center Mladinski dom Mari- bor, stanovanjska skupina XI in Starše.
29 May 2024	NPM members Ana Polutnik, Ombudsman's Advisor, and Urša Podgoršek, representative of the Pravo za VSE NGO, made an unannounced visit to Strokovni center Mladinski dom Mari- bor, stanovanjska skupina XII v Celje.
5 June 2024	NPM members Robert Gačnik, Ombudsman's Advisor, and Primož Križnar, representative of the SKUP NGO, made an unannounced visit to Ribnica Police Station.
5 June 2024	NPM members Robert Gačnik, Ombudsman's Advisor, and Primož Križnar, representative of the SKUP NGO, made an unannounced visit to Kočevje Police Station.
6 June 2024	NPM members Jure Markič, MA, Ombudsman's Advisor, and Rok Kuster, representative of the Društva Pravo za VSE NGO, made an unannounced thematic visit to Dom Lukavci.

10 June 2024	NPM members Sonja Božič Testen, Ombudsman's Advisor to the Ombudsman, and Mateja Žan Turk, representative of the Zveza Sožitje NGO, made an unannounced visit to Center za usposabljanje, delo in varstvo Matevža Langusa Radovljica, Dom Mavrica and Dom Žarek..
10 June 2024	NPM members Sonja Božič Testen, Ombudsman's Advisor to the Ombudsman, and Mateja Žan Turk, representative of the Zveza Sožitje NGO, made an unannounced visit to Center za usposabljanje, delo in varstvo Matevža Langusa Radovljica, Bivalna enota Gradnikova.
18 June 2024	NPM members Sonja Božič Testen, Ombudsman's Advisor, and Mateja Žan Turk, representative of the Zveza Sožitje NGO, made an unannounced visit to Center za usposabljanje, delo in varstvo Matevža Langusa Radovljica, Bivalna enota Bela.
18 June 2024	NPM members Sonja Božič Testen, Ombudsman's Advisor, and Mateja Žan Turk, representative of the Zveza Sožitje NGO, made an unannounced visit to Center za usposabljanje, delo in varstvo Matevža Langusa Radovljica, Bivalna enota Bor.
20 June 2024	NPM members Robert Gačnik, Ombudsman's Advisor, and Urša Podgoršek, representative of the Pravo za VSE NGO, made an unannounced visit to Ormož Police Station.
20 June 2024	NPM members Robert Gačnik, Ombudsman's Advisor, and Urša Podgoršek, representative of the Pravo za VSE NGO, made an unannounced visit to Gorišnica Police Station.
10 July 2024	NPM members Sonja Božič Testen, Ombudsman's Advisor, and Urša Podgoršek, representative of the Pravo za VSE NGO, made an unannounced visit to Varstveno delovni center Murska Sobota, Bivalna enota Lendava.
17 July 2024	NPM members Ana Polutnik, Ombudsman's Advisor, and Neja Čopi, representative of the Slovenska fundacija za UNICEF NGO, made an unannounced visit to Krizni center za mlade Ljubljana.
18 July 2024	NPM members Jure Markič, MA, Ombudsman's Advisor, and Urša Podgoršek, representative of the Pravo za VSE NGO, made an unannounced monitoring visit to Center starejših Idila, Vukovski dol.
25 July 2024	NPM members Robert Gačnik, Ombudsman's Advisor, and Maja Ladić, representative of the Mirovni inštitut NGO, made an unannounced visit to the Zavod za prestajanje kazni zapora Dob pri Mirni, Odprti oddelek Puščava.

29 July 2024	NPM members Jure Markič, MA, Ombudsman's Advisor, and Srečko Brumen, representative of the Društvo Novi Paradoks NGO made an unannounced monitoring visit to Dom upoko-jencev Center, Ljubljana, enota Roza kocka.
31 July 2024	NPM members Ana Polutnik, Advisor to the Ombudsman, and Katja Piršič, representative of the SKUP NGO, made an unannounced visit to Krizni center za mlade Celje.
7 August 2024	NPM members Ivan Šelih, Deputy Ombudsman, Robert Gač-nik, Ombudsman's Advisor, and Katja Piršič, representative of the SKUP NGO, made an unannounced visit to Idrija Police Station.
7 August 2024	NPM members Ivan Šelih, Deputy Ombudsman, Robert Gač-nik, Ombudsman's Advisor, and Katja Piršič, representative of the SKUP NGO, made an unannounced visit to Nova Gorica Police Station.
7 August 2024	NPM members Sonja Božič Testen, Ombudsman's Advisor, and Neja Čopi, representative of the Slovenska fundacija za UNICEF NGO, made an unannounced visit to Center za uspo-sabljanje, delo in varstvo Črna na Koroškem, Enota Center.
7 August 2024	NPM members Sonja Božič Testen, Ombudsman's Advisor, and Neja Čopi, representative of the Slovenska fundacija za UNICEF NGO, made an unannounced visit to Center za uspo-sabljanje, delo in varstvo Črna na Koroškem, Bivalna enota Brunet.
12 August 2024	NPM members Jure Markič, MA, Ombudsman's Advisor, and Srečko Brumen, representative of the Društvo Novi Paradoks NGO made an unannounced monitoring visit to Dom upoko-jencev Podbrdo, enota Petrovo Brdo.
20 August 2024	NPM members Jure Markič, MA, Ombudsman's Advisor, and Uroš Brezovšek, representative of the Zveza prijateljev mladi-ne Slovenije, made an unannounced monitoring visit to Dom upoko-jencev in oskrbovancev Impoljca.
20 August 2024	NPM members Jure Markič, MA, Ombudsman's Advisor, and Uroš Brezovšek, representative of the Zveza prijateljev mla-dine Slovenije, made an unannounced thematic visit to Dom upoko-jencev in oskrbovancev Impoljca.
21 August 2024	NPM members Sonja Božič Testen, Ombudsman's Advisor, and Maja Pajk, representative of the Društvo Novi Paradoks NGO, made an unannounced monitoring visit to Univerzite-tna psihiatrična klinika Ljubljana, Enota za intenzivno otro-ško in adolescentno psihiatrijo.

5 September 2024	NPM members Jure Markič, MA, Ombudsman's Advisor, and Lana Krznarič, representative of the PIC NGO, made an unannounced monitoring visit to Center starejših Notranje Gorice.
9 September 2024	NPM members Ana Polutnik, Ombudsman's Advisor, and Mateja Markovič, representative of the Društvo Novi Paradoks NGO, made an unannounced thematic visit to Univerzitetni klinični center Maribor, Oddelek za psihiatrijo.
11 September 2024	NPM members Ana Polutnik, Ombudsman's Advisor, and Mateja Markovič, representative of the Društvo Novi Paradoks NGO, made an unannounced thematic visit to Psihiatrična bolnišnica Begunje.
17 September 2024	NPM members Sonja Božič Testen, Ombudsman's Advisor, and Lili Jazbec, representative of the Zveza društev upokojencev Slovenije NGO, made an unannounced visit to Center za usposabljanje, delo in varstvo Črna na Koroškem, stanovanjska skupina Dobja vas.
17 September 2024	NPM members Sonja Božič Testen, Ombudsman's Advisor, and Lili Jazbec, representative of the Zveza društev upokojencev Slovenije NGO, made an unannounced visit to Center za usposabljanje, delo in varstvo Črna na Koroškem, stanovanjska skupina Ugasle peči.
19 September 2024	NPM members Jure Markič, MA, Ombudsman's Advisor, and Matevž Žugelj, representative of the ZDUS – Zveza društev upokojencev Slovenije NGO, made an unannounced monitoring visit to Dom starejših občanov Hoče Slivnica.
24 September 2024	NPM members Robert Gačnik, Ombudsman's Advisor, and Katarina Bervar Sternad, representative of the PIC NGO, made an unannounced visit to Zavod za prestajanje kazni zapora Koper, Oddelek Nova Gorica.
14 October 2024	NPM members Ana Polutnik, Ombudsman's Advisor, and Mateja Markovič, representative of the Novi Paradoks NGO, made an unannounced visit to Psihiatrična bolnišnica Vojnik.
16 October 2024	NPM members Jure Markič, Ombudsman's Advisor, and Srečko Brumen and Maja Pajk, representatives of the Društvo Novi NGO, made an unannounced thematic visit to posebni socialno varstveni zavod Prizma Ponikve.

28 October 2024	NPM members Ivan Šelih, Deputy Ombudsman, Robert Gačnik, Ombudsman's Advisor, and Neja Čopi, representative of the Slovenska fundacija za UNICEFNGO, and, as part of the legal clinic, student Nika Valentina Beltran made an unannounced visit to Center za nameščanje mladoletnikov brez spremstva v Postojni.
7 November 2024	NPM members Jure Markič, MA, Ombudsman's Advisor, and Liana Kalčina Srhoj, representative of the ZPMS – Zveza prijateljev mladine Slovenije NGO, made an unannounced visit to Dom starejših občanov Žiri.
19 November 2024	NPM members Jure Markič, MA, Ombudsman's Advisor, and Lana Krznarič, representative of the PIC NGO, and Dr Vesna Švab, expert, made an unannounced visit to Dom starejših občanov Ilirska Bistrica.
20 November 2024	NPM members Sonja Božič Testen, Ombudsman's Advisor, and Sanja Jablanovič, representative of the PIC NGO, made an unannounced visit to Varstveno delovni center Tončke Hočev, Bivalna enota Zelena jama.
28 November 2024	NPM members Ana Polutnik, Sonja Božič, and Polona Mozeitič, Ombudsman's Advisors, made an unannounced extraordinary visit to Univerzitetni rehabilitacijski inštitut Soča (oddelek P).
5 December 2024	NPM members Jure Markič, MA, Ombudsman's Advisor, and Urša Podgoršek and Danijela Brečko, representatives of the Pravo za VSE NGO, made an unannounced visit to Dom Daniel Halas Velika Polana.
19 December 2024	NPM members Jure Markič, MA, Ombudsman's Advisors, and Liana Kalčina Srhoj, representative of the Zveza prijateljev mladine Slovenije NGO, and Dr Vesna Švab, expert, made an unannounced visit to Dom Janeza Krstnika Trnovo.

3.2

OVERVIEW OF OTHER NATIONAL PREVENTIVE MECHANISM (NPM) ACTIVITIES IN 2024

10 January 2024	Ivan Šelih, Deputy Ombudsman, held a conversation with the Director General of URSIKS, Mag. Bojan Majcen, on the topic of overcrowding in prisons and the shortage of prison officers.
17 January 2024	Ivan Šelih, Deputy Ombudsman, and Jure Markič, MA and Ana Polutnik, Ombudsman's Advisors, attended a meeting at the Ministry of Health with representatives of the Ministry regarding the issue of restricting exits and visits to psychiatric and other hospitals during times of poor epidemiological conditions, as well as certain other ongoing matters in the Ministry's area of responsibility that are being handled by the Ombudsman.
26 January 2024	Sonja Božič Testen and Ana Polutnik, Ombudsman's Advisors, attended an expert consultation at the National Institute of Education to present the results of the national evaluation study Identification of Problems and Good Practices in the Upbringing and Education of Children with Special Needs with proposed amendments.
1 February 2024	Sonja Božič Testen and Ana Polutnik, Ombudsman's Advisors, attended the lecture Conducting a Counselling Interview organised by the Nacionalna mreža TOM, Zveza prijateljev mladine Slovenije.
20 February 2024	Ivan Šelih, Deputy Ombudsman, held a conversation with Supreme Court Justice Marjeta Švab Širok, Vice President of the Supreme Court of the Republic of Slovenia, and the General Secretary of this court Helena Miklavčič on the topic of overcrowding in prisons.

27 February 2024	Jure Markič, MA, Ombudsman's Advisor, attended the (online) Alzheimer's cafe organised by Spominčica – Alzheimer Slovenija entitled Insight into Neurodegenerative Dementias with Brain Imaging.
29 February 2024	Deputy Ombudsman Ivan Šelih and Jure Markič, MA, Ombudsman's Advisor had a conversation with representatives of the Social Inspectorate on the topic of the implementation of the provisions of the ZDZdr.
4–7 February 2024	Deputy Ombudsman Ivan Šelih and Jure Markič, MA, Ana Polutnik, Robert Gačnik and Sonja Božič Testen, Ombudsman's Advisors, presented their work to the members of the National Preventive Mechanism of Mongolia, while the guests also participated directly in the practical course of visits by the National Preventive Mechanism. At Koper Prison, they learned about the conditions there and learned about the implementation of on-site supervision. At the Piran Police Station, the guests from Mongolia learned about how their Slovenian colleagues monitor the work of police officers. They also visited Dom Lukavci and learned, among other things, about the problems of placing persons with court decisions and the problems of overcrowding in special social care institutions, which the National Preventive Mechanism has been warning about for many years. They also visited Strokovni center Veržej. On the last day of the visit, the Deputy Ombudsman also presented to the guests from Mongolia the efforts of Slovenian institutions in promoting the right to life free from torture and other inhumane treatment, and paid special attention to the dissemination of knowledge about torture prevention among the general public and in the work of public authorities.
14 March 2024	Jure Markič, MA, Ana Polutnik, Robert Gačnik and Sonja Božič Testen, Ombudsman's Advisors, attended the workshop Communication with Problematic Customers, held at the Ombudsman's headquarters.
26 March 2024	Jure Markič, MA, Ombudsman's Advisor, attended the (online) Alzheimer's cafe organised by Spominčica – Alzheimer's Slovenija entitled: "Is this dementia, and if so, what if now?"

27 March 2024	Deputy Ombudsman Ivan Šelih attended a conference in Strasbourg, France, entitled 'Of Unsound Mind': Convention-Compliant Approaches to the Execution of Judgments Concerning Involuntary Detention and Treatment on Mental Health Grounds. The event was organised within the framework of the Liechtenstein Chairmanship of the Committee of Ministers of the Council of Europe, in cooperation with the Council of Europe's Department for the Execution of Judgments of the European Court of Human Rights (ECHR). The topic of the conference was the case law of the ECHR, namely on Article 5 of the Convention for the Protection of Human Rights and Fundamental Freedoms, which (among other things) provides for the right to liberty and security of persons detained on the grounds of their mental health.
3 April 2024	Deputy Ombudsman Ivan Šelih, and Sonja Božič Testen and Ana Polutnik, Ombudsman's Advisors, attended a meeting of the Association of Managers of ČVM at the Strokovni center Mladinski dom Malči Beličeve, regarding the issue of placement and treatment of children and adolescents in competence centres for children and adolescents with emotional and behavioural problems and disorders.
3 April 2024	Jure Markič, MA, Ombudsman's Advisor, participated in (online) refresher training for dementia-friendly points organised by Spominčica – Alzheimer Slovenija.
9 April 2024	Deputy Ombudsman Ivan Šelih and Robert Gačnik, Ombudsman's Advisor, attended the ceremony marking the Day of the Administration of the Republic of Slovenia for the Execution of Penal Sanctions.
16 April 2024	Deputy Ombudsman Ivan Šelih, and Jure Markič, MA and Ana Polutnik, Ombudsman's Advisors, participated in a discussion on the situation in the field of protected departments of social care institutions as part of the project Transformation of Protected Departments into Community-Based Forms of Care for Adults and Children with Disabilities, which is taking place at the Faculty of Social Work.
17 April 2024	Deputy Ombudsman Ivan Šelih attended a ceremony marking the 60th anniversary of juvenile detention at the Zavod za preustajanje mladoletniškega zapora in kazni zapora Celje.

24 April 2024	Jure Markič, MA, Ombudsman's Advisor, attended the first meeting of the working subgroups for the preparation of amendments to the ZDZdr, namely the subgroup dealing with court proceedings and the subgroup dealing with special protective measures, at the premises of the Ministry of Health.
25 April 2024	Ana Polutnik, Ombudsman's Advisor, attended a meeting of the working subgroup for the preparation of amendments to the ZDZdr, namely the subgroup that deals with the regulation relating to children and adolescents with mental health problems, at the premises of the Ministry of Health.
7 May 2024	Deputy Ombudsman Ivan Šelih held a conversation with SPT representative Maria Luisa Romero.
14 May 2024	At the invitation of the Council of Europe, Deputy Ombudsman Ivan Šelih attended a meeting of the working group for the preparation of a practical guide for national preventive mechanisms for monitoring and reporting on the implementation of the Recommendation on the procedural rights of suspects and accused persons remanded in custody and on the material conditions of detention of 8 December 2022 (C(2022) 8987 final).
23 May 2024	Deputy Ombudsman Ivan Šelih, and Ana Polutnik and Jure Markič, MA, Ombudsman's Advisors, attended a meeting of individual working subgroups for the preparation of amendments and supplements to the ZDZdr at the premises of the Ministry of Health.
28 May 2024	Jure Markič, MA, Ombudsman's Advisor, attended the (online) Alzheimer's cafe organised by Spominčica – Alzheimer Slovenija entitled Social Protection of Persons with Dementia and their Relatives.
28 May 2024	Deputy Ombudsman Ivan Šelih, and Sonja Božič Testen and Ana Polutnik, Ombudsman's Advisors, attended a meeting of the Association of Managers of the Croatian Child and Adolescent Welfare Service at the Ombudsman's headquarters in connection with the planning of a consultation on the issue of placement and treatment of children and adolescents in competence centres for children and adolescents with emotional and behavioural problems and disorders.
29 May 2024	Deputy Ombudsman Ivan Šelih, and Sonja Božič Testen and Jure Markič, MA, Ombudsman's Advisors, attended the conference Deinstitutionalisation – a Necessary Process for Ensuring Human Rights, in Nova Gorica.

7 June 2024	Deputy Ombudsman Ivan Šelih and Robert Gačnik, Ombudsman's Advisor, met with representatives of the Directorate for Police and Other Security Tasks at their regular annual meeting. The meeting was held as part of preparations for inspections and the development of guidelines and mandatory instructions for police work.
7–9 June 2024	Ana Polutnik, Ombudsman's Advisor, attended the conference Contemporary Challenges of Working with Young People from Vulnerable Groups, organised by the Strokovni center Mladinski dom Jarše.
11 June 2024	Jure Markič, MA, Ombudsman's Advisor, attended a meeting of working subgroups for the preparation of amendments to the ZDZdr, namely the subgroup that deals with court proceedings and the subgroup that deals with special protective measures, at the premises of the Ministry of Health.
14 June 2024	Ana Polutnik, Ombudsman's Advisor, attended a meeting of the working subgroup for the preparation of amendments to the ZDZdr, namely the subgroup that deals with the regulation relating to children and adolescents with mental health problems, at the premises of the Ministry of Health.
3 July 2024	Deputy Ombudsman Ivan Šelih and Sonja Božič Testen and Ana Polutnik, Ombudsman's Advisors, attended a meeting of the Association of Managers of ČVM at the Osnovna šola Veržej in connection with the planning of a consultation on the issue of placement and treatment of children and adolescents in competence centres for children and adolescents with emotional and behavioural problems and disorders.
16 July 2024	Deputy Ombudsman Ivan Šelih and Ana Polutnik, Ombudsman's Advisor, attended a session of the Commission for Education, Culture, Science, Sports and Youth in the National Council of the Republic of Slovenia regarding the preparation of a consultation on the issue of placement and treatment of children and adolescents in competence centres for children and adolescents with emotional and behavioural problems and disorders.
3 September 2024	Deputy Ombudsman Ivan Šelih attended the second meeting of the working group for the preparation of a practical guide for national preventive mechanisms for monitoring and reporting on the implementation of the Recommendation on the procedural rights of suspects and accused persons remanded in custody and on the material conditions of detention of 8 December 2022 (C(2022) 8987 final).

3 September 2024	Ana Polutnik, Ombudsman's Advisor, attended a meeting of the working subgroup for the preparation of amendments to the ZDZdr, namely the subgroup that deals with the regulation relating to children and adolescents with mental health problems, at the premises of the Ministry of Health.
10 September 2024	Jure Markič, MA, Ombudsman's Advisor, attended a meeting of working subgroups at the Ministry of Health to prepare amendments to the ZDZdr, namely the subgroup that deals with court proceedings and the subgroup that deals with special protective measures.
20 September 2024	Deputy Ombudsman Ivan Šelih and Ana Polutnik, Ombudsman's Advisor, attended a meeting of the Association of Managers of the ČVM at the Radeče Correctional Home in connection with the planning of a consultation on the issue of placement and treatment of children and adolescents in competence centres for children and adolescents with emotional and behavioural problems and disorders.
20 September 2024	Deputy Ombudsman Ivan Šelih and Ana Polutnik, Ombudsman's Advisor, attended an open day at the Radeče Correctional Home.
24–25 September 2024	Deputy Ombudsman Ivan Šelih attended an international conference at the Palace of the Council of Europe in Strasbourg, which discussed the health care of persons with disorders due to the use of psychoactive substances who have been deprived of their liberty.
27 September 2024	Sonja Božič Testen, Ombudsman's Advisor, attended the webinar „Following the paths of the ZDIJZ – from A to Z“.
1–5 October 2024	Deputy Ombudsman Ivan Šelih, and Jure Markič, MA, Ana Polutnik, Robert Gačnik and Sonja Božič Testen, Ombudsman's Advisors, were on a study visit to the Ministry of Justice of North Macedonia. As part of the visit, in addition to exchanging experiences with Macedonian colleagues, they visited the Negorci Psychiatric Hospital and the Tetovo Pre-Correctional Home for Juveniles.
8 October 2024	Ivan Šelih, Deputy Ombudsman, and Jure Markič, Ana Polutnik, Robert Gačnik and Sonja Božič Testen, advisors to the Ombudsman, attended a meeting with a delegation from the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT).

14 October 2024	Jure Markič, MA, Ombudsman's Advisor, attended the online event Strengthening NHRI-NPM Cooperation for Effective Torture Prevention (Webinar 1).
17 October 2024	Ombudsman's Advisors Robert Gačnik and Jure Markič, MA, attended the final meeting with the delegation of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) at the Ministry of Justice.
17 October 2024	Ombudsman's Advisors Jure Markič, MA, Ana Polutnik and Sonja Božič Testen attended the closing meeting with the delegation of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) at the Ministry of Solidary-Based Future.
17 October 2024	Sonja Božič Testen, Ombudsman's Advisor, attended an event marking the 40th anniversary of the Tolmin Regional Community Centre at the Tolmin Cinema-Theatre.
25 October 2024	Deputy Ombudsman Ivan Šelih and Ana Polutnik, Ombudsman's Advisor, attended a meeting of the Association of Managers of the Croatian Social Welfare Service at Strokovni center Planina in connection with the planning of a consultation on the issue of placement and treatment of children and adolescents in competence centres for children and adolescents with emotional and behavioural problems and disorders.
29–30 October 2024	Deputy Ombudsman Ivan Šelih and Ombudsman's Advisors Ana Polutnik and Jure Markič, MA, were on a study visit to the Ministry of Health of Croatia. As part of the visit, in addition to exchanging experiences with Croatian colleagues, they also visited the Dr. Ivan Barbot Popovača Neuropsychiatric Hospital and the Department of Psychiatry at the Bjelovar General Hospital.
8 November 2024	Deputy Ombudsman Ivan Šelih attended a seminar in Paris, France, of the Independent Police Complaints Authority Network (IPCAN), of which the Ombudsman has been a member since 2022.

11 November 2024	Deputy Ombudsman Ivan Šelih and Ombudsman's Advisors Sonja Božič Testen and Ana Polutnik attended a consultation at the National Council of the Republic of Slovenia entitled „Deficiencies in the System of Assistance to Children and Adolescents in Need – a Call for Action from Competence Centres“, organised by the Association of Managers of the Ministry of Education and Culture of the Republic of Slovenia and the Ombudsman in cooperation with the National Council of the Republic of Slovenia and the Ministry of Education and Culture.
12 November 2024	Jure Markič, MA, Ombudsman's Advisor, attended a meeting of working subgroups at the Ministry of Health to prepare amendments to the ZDZdr, namely the subgroup that deals with patients' rights and special protective measures.
12 November 2024	Deputy Ombudsman Ivan Šelih attended a webinar organised by the SPT on the topic of the independence of national preventive mechanisms.
21 November 2024	Deputy Ombudsman Ivan Šelih and Ombudsman's Advisors Ana Polutnik and Jure Markič, MA, visited several housing groups of the company Miteinander leben in Graz, intended for post-forensic accommodation and treatment of persons, together with a representative of the NPM of Austria.
22 November 2024	Deputy Ombudsman Ivan Šelih, and Robert Gačnik, Ombudsman's Advisor, presented the Ombudsman institution in the field of restrictions on the movement of foreigners/migrants and the NPM, as well as the work and findings of the NPM during visits to police stations, reception facilities of the Asylum Centre, the Centr for Unaccompanied Minors, and the Centre for Foreigners, as part of a legal clinic for students of the Faculty of Law in Ljubljana.
26 November 2024	Jure Markič, MA, Ombudsman's Advisor, attended the presentation of the monograph Long-Term Care of People with Dementia in Slovenia in the Theory and Practice of Social Work as part of the Slovenian Book Fair at the Gospodarsko razstavišče Exhibition Centre.
28 November 2024	Jure Markič, MA, Ombudsman's Advisor, attended a meeting of the working subgroup for the preparation of amendments to the ZDZdr, namely the subgroup that deals with legal proceedings, at the premises of the Ministry of Health.

28–29 November 2024	Deputy Ombudsman Ivan Šelih attended a meeting of the SEE NPM Network in Vienna, organised by the Austrian Ombudsman Board with the financial support of the Council of Europe. The topic of the meeting was conditions for detainees.
29 November 2024	Jure Markič, MA, Ombudsman's Advisor, attended a consultation entitled Deinstitutionalisation – User-Tailored Services at the premises of the National Council.
16 December 2024	Jure Markič, MA, Ombudsman's Advisor, attended a meeting of the working subgroup for the preparation of amendments to the ZDZdr, namely the subgroup that deals with legal proceedings, at the premises of the Ministry of Health.
17 December 2024	Deputy Ombudsman Ivan Šelih and Ombudsman's Advisors Jure Markič, MA, Ana Polutnik, and Sonja Božič Testen attended a meeting of the Ministry's working group on dementia management on the topic of implementing the recommendations of the NPM at the premises of the Ministry of Solidarity-Based Future.
17 December 2024	Deputy Ombudsman Ivan Šelih and Ombudsman's Advisors Jure Markič, Ana Polutnik, and Sonja Božič Testen attended a meeting on the topic of placement in social care institutions following a court order at the premises of the Ministry of Solidarity-Based Future.

3.3 OTHER ANNEXES

- 3.3.1 UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- 3.3.2 Act Ratifying the Optional Protocol
- 3.3.3 About the NPM in the Human Rights Ombudsman
- 3.3.4 About the NPM in the Ombudsman's Rules of Procedure

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 2024

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