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OMBUDSMAN BOARD

Safeguards for the Protection of the Fundamental Rights of Children in Conflict with the Law

Meeting of the SOUTH EAST EUROPEAN NPM NETWORK
Sofia, 10.-11.11.2026

Mag. Nadine Riccabona, MA

Basic I nformat ion

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Male prisoners:

- Adult s: 5.565
- Young adult s: 223 (18 t o 21 years old)
- **J uveniles: 95** (14 t o 18 years old)

Male persons who are involunt ary hospit aliz ed (det ent ion in forensic inst it ut ions)

- Adult s: 1.484
- Young Adult s:16
- **J uveniles: 4**

Basic I nformat ion

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Female prisoners:

- Adult s: 378
- Young adult s: 16 (18 t o 21 years old)
- **J uveniles: 6** (14 t o 18 years old)

Female persons who are involunt ary hospit aliz ed (det ent ion in forensic inst it ut ions)

- Adult s: 189
- Young Adult s: 4
- **J uveniles: 2**

Basic I nformat ion

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Tot al Number of prisoners : 10.221 inmat es

Tot al number of **j uveniles**: 190

- 177 male
- 13 female

Tot al number of young adult s: 402

- 377 male
- 25 female

Safeguards

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- Persons **under 14 years**
  - cannot be held criminally liable
  - no penalties may be imposed
  - Instead: corrective measures under juvenile welfare law
- Beneficiary status for adolescents between the ages of 14 and 16
- Reduced sentencing ranges
- Mandatory legal representation
- Priority of Diversion
- Involvement of Juvenile Court Services
- Right to a support person / person of trust

Safeguards during detention

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- Pretrial detention as a last resort
- Adolescents must be held separately from adults
- Specialized juvenile correctional facilities or in dedicated institutions and units
- Specialized staff
- Limitations on disciplinary penalties; instead educational consequences
- More frequent and longer visits
- 2 hours a day out doors
- Compulsory school and training

Isolation of an adolescent

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- Adolescents should not be isolated for preventive, protective or security purposes.
- Only in absolutely exceptional cases, when no other solution can be found, should solitary confinement be imposed on adolescents for this purpose for the shortest possible duration.
- Adolescents should not be subject to house arrest as a penalty for administrative offences. The statutory basis must be amended.
- In all cases, adolescents should receive socio-pedagogical support and at least two hours of appropriate human contact per day whilst serving a sentence of solitary confinement.

Correctional Facility Vienna- Münnichplatz

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- Special facility for the detention of juveniles
  - opened January 2026
  - newly refurbished facility
  - max. capacity for 92 inmates (three units)
  - convicted, detention on remand and detention in forensic institutions.

- **Not** intended for **female** adolescents
- Female adolescents remain in the regional court prisons or in the special facility for the detention of women

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Juvenile sections in (court) prisons

- 15 court prisons
- Located at the seat of the state courts
- Primarily responsible for enforcing pretrial detention and short prison sentences of up to 18 months
- Not all court prison have a juvenile section
- Very small number (especially of female) adolecents

Challenges

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- Problematic staffing situation
- Increasing number of adolescence
- The new juvenile prison was originally designed for 72, the max. capacity was increased to 92 inmates

Challenges especially in court prison:

- Lack of specific trained staff
- No predictable weekly schedule and no daily structure, particularly in the afternoons and at weekends
- Lang lock-up hours
- Not housed in shared accommodation

Children under t he age of 14

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- Challenging development : I ncreasing numbers of children under t he age of 14 repeat edly commit serious crimes
- Result : Ongoing discussion regarding t he lowering of t he age of criminal responsibilit y
- Political will to establish a closed unit (“time-out” resident ial facilit y) for j uveniles under 14 who have commit t ed unusually high number of serious crimes
- Goal: to interrupt highly problematic behavior and to create a temporary framework for a comprehensive “analysis” so t hat t hey can subsequent ly be placed in appropriat e care set t ings
- July 2026 the first “time-out” facilit ies opened in Vienna run by t he Yout h Welfare

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Thank you for your attention