



Fehler! Unbekannter Name für Dokument-Eigenschaft. (Justice and Security Department of the Canton of Basel-Stadt)

Fehler! Unbekannter Name für Dokument-Eigenschaft.

▷ Amt für Justizvollzug (Office for the Execution of Penal Sentences)

▶ Gefängnis Bässlergut (Bässlergut prison)

House rules

Gefängnis Bässlergut (Bässlergut prison)

Penal system

based on Section 10 (1) of the Ordinance on the Execution of Penal Sentences (JVV)

Status: 1 February 2023

Table of contents

1.	Basics	Fehler! Textmarke nicht definiert.
1.1	Scope	Fehler! Textmarke nicht definiert.
1.2	Leaflets	Fehler! Textmarke nicht definiert.
2.	Admission	Fehler! Textmarke nicht definiert.
2.1	General	Fehler! Textmarke nicht definiert.
2.2	Effects	Fehler! Textmarke nicht definiert.
2.3	Penal system plan	Fehler! Textmarke nicht definiert.
3.	Accommodation and leisure	Fehler! Textmarke nicht definiert.
3.1	Daily routine.....	Fehler! Textmarke nicht definiert.
3.2	Food	Fehler! Textmarke nicht definiert.
3.3	Cell arrangement.....	Fehler! Textmarke nicht definiert.
3.4	Smoking	Fehler! Textmarke nicht definiert.
3.5	Clothing	Fehler! Textmarke nicht definiert.
3.6	Health protection and hygiene.....	Fehler! Textmarke nicht definiert.
3.7	Walking and sports	Fehler! Textmarke nicht definiert.
3.8	Electronic devices.....	Fehler! Textmarke nicht definiert.
3.9	Library	Fehler! Textmarke nicht definiert.
3.10	Own books, newspapers and magazines	Fehler! Textmarke nicht definiert.
3.11	Call systems (hand button alarm, intercom system, cell call system).....	Fehler! Textmarke nicht definiert.
3.12	Premises and ward offices of prison staff.....	Fehler! Textmarke nicht definiert.
3.13	Consideration	Fehler! Textmarke nicht definiert.
3.14	Behaviour in Gefängnis Bässlergut (Bässlergut prison).....	7
4.	Finances	8
4.1	General	Fehler! Textmarke nicht definiert.
4.2	Free account.....	8
4.3	Blocked account 1 (special purpose account).....	Fehler! Textmarke nicht definiert.
4.4	Blocked account 2 (savings account).....	Fehler! Textmarke nicht definiert.
4.5	OASI/IV/EO	9
5.	Work and educational opportunities	Fehler! Textmarke nicht definiert.
5.1	Work	Fehler! Textmarke nicht definiert.
5.2	Pay	Fehler! Textmarke nicht definiert.
5.3	Educational opportunities	Fehler! Textmarke nicht definiert.
6.	Visits, holiday and leave	Fehler! Textmarke nicht definiert.
6.1	Visits	Fehler! Textmarke nicht definiert.
6.2	Holiday and leave	Fehler! Textmarke nicht definiert.

7.	Telephone, post and goods	Fehler! Textmarke nicht definiert.
7.1	Telephone	10
7.2	Post	10
7.3	Purchase and receipt of goods.....	Fehler! Textmarke nicht definiert.
8.	Counselling, support and pastoral care	Fehler! Textmarke nicht definiert.
8.1	Offers	Fehler! Textmarke nicht definiert.
8.2	Registration	Fehler! Textmarke nicht definiert.
9.	Medical care	Fehler! Textmarke nicht definiert.
9.1	Obligation to report illness and accidents	Fehler! Textmarke nicht definiert.
9.2	Medical care	Fehler! Textmarke nicht definiert.
9.3	Hospital and clinic admission	Fehler! Textmarke nicht definiert.
9.4	Dental treatment	Fehler! Textmarke nicht definiert.
9.5	Medication	12
9.6	Healthcare costs, health and accident insurance.....	Fehler! Textmarke nicht definiert.
9.7	Force-feeding	Fehler! Textmarke nicht definiert.
10.	Security measures	Fehler! Textmarke nicht definiert.
10.1	Checks	Fehler! Textmarke nicht definiert.
10.2	Special security measures	Fehler! Textmarke nicht definiert.
11.	Disciplinary law	14
11.1	Principles	Fehler! Textmarke nicht definiert.
11.2	Breach of duty	Fehler! Textmarke nicht definiert.
11.3	Disciplinary action.....	14
12.	Release, transfer and escape	Fehler! Textmarke nicht definiert.
12.1	Release	Fehler! Textmarke nicht definiert.
12.2	Transfer	Fehler! Textmarke nicht definiert.
12.3	Escape	16
13.	Making complaints	Fehler! Textmarke nicht definiert.
13.1	Appeal	Fehler! Textmarke nicht definiert.
13.2	Regulatory notice.....	Fehler! Textmarke nicht definiert.
14.	Final provisions	Fehler! Textmarke nicht definiert.

1. Basics

1.1 Scope

¹ These house rules apply to persons of legal age who are incarcerated in Gefängnis Bässlergut (Bässlergut prison) and who are serving sentences and measures.

1.2 Leaflets

¹ Prison management issues leaflets that specify the house rules.

2. Admission

2.1 General

¹ People who are new to Gefängnis Bässlergut (Bässlergut prison) are informed about their rights and obligations in a way that they can understand.

² The detainee has the right to make a short phone call to a third party about their whereabouts on the day of admission or the day after in Gefängnis Bässlergut (Bässlergut prison) at the expense of the prison.

³ After entering Gefängnis Bässlergut (Bässlergut prison), the detainee is given the opportunity to speak to prison management.

⁴ With each new admission and after each return to Gefängnis Bässlergut (Bässlergut prison) (after a holiday or leave, a stay in a hospital or clinic, a court hearing etc.), the identity is checked and a body search is carried out.

⁵ Every person who is newly admitted to Gefängnis Bässlergut (Bässlergut prison) is subjected to a medical examination by the prison's medical service to clarify any health problems.

⁶ The cells are assigned by Gefängnis Bässlergut (Bässlergut prison). The detainee is accommodated in a single or double cell. There is no entitlement to a single cell or to a change to a specific cell or ward.

⁷ Detainees receive everything that is usually needed during a short stay in prison free of charge.

2.2 Effects

¹ During the incoming inspection, a list of personal effects is drawn up, which is presented to the detainee for written confirmation. Changes in the portfolio of effects are continuously updated.

² Personal effects that do not endanger peace, order and security may be kept by the detainee in their cell as far as there is space available.

³ The effects not covered by section 2 and the identity documents are taken into custody by the securities authorities of Gefängnis Bässlergut (Bässlergut prison). The prison is only liable for items in its custody.

⁴ After a summary check, large pieces of luggage can be included in the list of effects without listing the contents.

⁵ Items that cannot be stored by Gefängnis Bässlergut (Bässlergut prison) may be rejected or stored at the detainee's expense. If neither rejection nor storage is possible, the items may be destroyed.

⁶ Keeping animals is prohibited.

Fehler! Unbekannter Name für Dokument-Eigenschaft.

Fehler! Unbekannter Name für Dokument-Eigenschaft.

→ For details, see leaflet no. 1 (Effects and receipt of goods)

2.3 Penal system plan

¹ Gefängnis Bässlergut (Bässlergut prison) draws up a penal system plan together with the detainee for the duration of their stay in prison.

3. Accommodation and leisure

3.1 Daily routine

¹ A daily schedule, which can be viewed at every ward, provides information about the daily routine. Prison management can make different orders at any time if operational reasons require it.

→ For details, see leaflet no. 3 (Daily routine)

3.2 Food

¹ The detainee receives a balanced and sufficient meal three times a day. Special dietary requests based on religious or ethical convictions will be taken into account as far as possible.

² Special medical food, such as diet food, is only provided upon order from the prison doctor.

³ Meal deliveries by external parties are not permitted.

⁴ Eating takes place in the cells or in the common room of the ward.

→ For details, see leaflet no. 4 (Food and purchasing)

3.3 Cell arrangement

¹ The detainee has to keep the cell tidy and is obliged to clean it regularly. Care must be taken with the inventory. Any painting, lettering or pasting over of walls or furnishings is prohibited. The pin board is to be used for photos, pictures etc.

² Depictions or items that violate morals and decency or are likely to disturb order and security in Gefängnis Bässlergut (Bässlergut prison) will be removed.

³ Radio and television sets are to be operated at room volume.

⁴ Deliberate or grossly negligent damage to property can lead to liability for damages and disciplinary action. Criminal prosecution remains reserved.

→ For details, see leaflet no. 7 (Cell arrangement and cleaning)

3.4 Smoking

¹ There is a strict smoking ban for detainees in Gefängnis Bässlergut (Bässlergut prison), including the entire area. This does not apply to cells and courtyards, as well as specially marked zones.

Fehler! Unbekannter Name für Dokument-Eigenschaft.

Fehler! Unbekannter Name für Dokument-Eigenschaft.

3.5 Clothing

¹ The detainee always wears their own clothes. At work and during visits and stays in the security cells and in disciplinary detention, the detainee wears the clothing supplied by Gefängnis Bässlergut (Bässlergut prison) and provided on loan.

² Gefängnis Bässlergut (Bässlergut prison) provides the detainee with clothing on loan if they do not have appropriate clothing.

³ The detainees are required to dress appropriately in Gefängnis Bässlergut (Bässlergut prison). Outside the cells, provocative and revealing clothing will not be tolerated.

3.6 Health protection and hygiene

¹ The detainee must observe the necessary health protection and hygiene measures and follow the relevant instructions of the prison doctor, the medical service and the prison staff.

² The detainee is specifically obliged to maintain regular personal hygiene. It is possible to shower and shave daily.

→ For details, see leaflet no. 6 (Personal hygiene)

3.7 Walking and sports

¹ The detainee has the right to spend at least one hour a day in the assigned courtyard of Gefängnis Bässlergut (Bässlergut prison). The walk takes place alternating between the morning or the afternoon.

² The detainee can generally use the fitness room at Gefängnis Bässlergut (Bässlergut prison) once a week for one hour under supervision.

³ In exceptional cases, walking times and sports opportunities may be restricted for security or operational reasons.

3.8 Electronic devices

¹ At their own expense, the detainees can use the TV sets in the cells and buy radios, audio playback devices and game consoles without camera, video and Internet functions. All other electronic devices are not allowed.

² The electronic devices may be a maximum of 25 centimetres long, 15 centimetres wide and 15 centimetres high.

³ The content consumed must not endanger the peace, order or security of Gefängnis Bässlergut (Bässlergut prison). In particular, pornographic or criminal content is prohibited.

→ For details, see leaflet no. 13 (TV fees)

3.9 Library

¹ Books from the prison library are made available to the detainee free of charge upon request.

3.10 Own books, newspapers and magazines

¹ The detainee can bring newspapers, magazines and books with them or order them at their own expense from prison authorities, provided that their free account has sufficient balance.

Fehler! Unbekannter Name für Dokument-Eigenschaft.

Fehler! Unbekannter Name für Dokument-Eigenschaft.

² The amount of personal reading material allowed in the cell may be restricted for security reasons. It is possible to obtain books from personal effects in the exchange process.

³ Media whose content endangers the peace, order and security of the Bässlergut prison are prohibited. This includes in particular writings with pornographic or criminal content.

3.11 Call systems (hand button alarm, intercom system, cell call system)

¹ The systems are basically for security. It is not permitted to misuse them.

3.12 Premises and ward offices of prison staff

¹ The detainees are not permitted to enter the prison staff's premises or ward offices without authorisation.

3.13 Consideration

¹ Racially discriminatory or seditious propaganda is prohibited. This can also include making political symbols or content visible or audible.

² Making noise is prohibited so that other detainees and those in the immediate vicinity of Gefängnis Bässlergut (Bässlergut prison) are not disturbed. This includes, in particular, rioting, knocking and screaming.

3.14 Behaviour in Gefängnis Bässlergut (Bässlergut prison)

¹ Prison staff and detainees treat each other with decency and respect.

² The detainees must refrain from anything that disrupts or endangers the orderly conduct of the prison, the achievement of prison goals and the maintenance of security and order in Gefängnis Bässlergut (Bässlergut prison).

³ The detainees must comply with the regulations of Gefängnis Bässlergut (Bässlergut prison) and follow the instructions of the staff.

⁴ Private and legal relationships (e.g. purchase, exchange, donation) between detainees and prison staff, as well as legal relationships among detainees, are prohibited. Prison management decides on exceptions.

⁵ Betting, gambling and games of skill for money or property are prohibited.

→ For details, see leaflet no. 3 (Daily routine)

4. Finances

4.1 General

¹ One free and two blocked accounts (special purpose account and savings account) are kept for each detainee. The detainee will receive a written statement upon request.

² Possession of cash, foreign currency of any kind, credit cards or cheques is prohibited.

³ Any funds must be given to prison staff unsolicited. Valid cash in Swiss francs will be made available to the detainee on their free account. All other funds are taken into custody by Gefängnis Bässlergut (Bässlergut prison)'s securities authorities.

⁴ Valid funds intended for detainees can be transferred in Swiss francs by postal or bank transfer to the account designated by Gefängnis Bässlergut (Bässlergut prison) or handed over in cash directly to Gefängnis Bässlergut (Bässlergut prison). The funds will be credited to the free account of the detainee.

⁵ Detainees may only give funds to third parties with the consent of prison management. Detainees are not allowed to give each other any funds.

⁶ Detainees can contact social services for advice on financial matters, such as securing rent and health insurance premium payments.

⁷ Upon release or transfer to another prison or another institution, any funds in free and blocked accounts (special purpose account and/or savings account) will only be transferred or paid out in Swiss francs.

⁸ When transferring from another prison or another institution, any funds are divided between free and blocked accounts (special purpose account and/or savings account) according to the release statement of this prison or this institution or according to the decision of Gefängnis Bässlergut (Bässlergut prison) management.

4.2 Free account

¹ The balance on the free account is used by the detainees to pay for their personal expenses during imprisonment. This includes – in accordance with the guideline of the Penal Concordat Northwest and Central Switzerland regarding pay (Guideline for pay, SSED 17.0) – for example, the purchase of hygiene items and luxury goods, telephone costs, postage of letters and parcels, the rental of TVs or claims for damages.

4.3 Blocked account 1 (special purpose account)

¹ The balance on blocked account 1 is used to ensure that the detainees share in the costs if the funds in the free account are not sufficient and social welfare does not provide a cost credit or if the detainee violates their duty to cooperate.

² Prison management can initiate payments in accordance with the pay guideline without the consent of the detainee, in particular, to pay for the costs of medical care (e.g. health insurance premiums, deductibles, dental treatment), medical aids of all kinds (e.g. glasses, hearing aids), maintenance payments, contributions to old-age and survivors' insurance, as well as disability insurance (OASI and IV), recovery claims for victim assistance or costs for repatriation.

Fehler! Unbekannter Name für Dokument-Eigenschaft.

Fehler! Unbekannter Name für Dokument-Eigenschaft.

4.4 Blocked account 2 (savings account)

¹ The balance on blocked account 2 is basically used to create a reserve for the time after your release. Payments can only be made in exceptional cases in accordance with the pay guideline if the amounts in the other accounts are not sufficient.

4.5 OASI/IV/EO

¹ Detainees who are a resident in Switzerland or who are or have been gainfully employed in Switzerland are obliged to pay contributions to old-age and survivors' insurance, disability insurance and the income compensation scheme (OASI/IV/EO).

² If the detainee is obliged to pay OASI contributions, this amount will be debited from the free and special purpose account on the effective date of 15 December of the respective year.

³ If a detainee draws a pension, they are obliged to report this immediately to the social service on entering Gefängnis Bässlergut (Bässlergut prison) using the "Registration for social counselling in Gefängnis Bässlergut (Bässlergut prison)" form.

→ For details see leaflet no. 2 (Finance)

5. Work and educational opportunities

5.1 Work

¹ The institutionalised person is obliged to work within the scope of the existing job offer and must carry out the work assigned to them conscientiously.

² Work is offered in production, in the kitchen, in cleaning and in the laundry area. Job allocation is carried out by prison management, taking into account the needs and opportunities of Gefängnis Bässlergut (Bässlergut prison), as well as the abilities, training and preferences of the detainee. Prison management decides on any job changes.

³ The daily schedule and working hours must be observed.

⁴ In justified cases, prison management can order overtime and special work assignments.

5.2 Pay

¹ The detainee receives a payment for the work performed that is dependent on their performance. Prison management determines the amount of pay, taking into account the guidelines of the Penal Concordat Northwest and Central Switzerland.

² The pay is credited weekly as 70% to the free account, 20% to the special purpose account and 10% to the savings account of the detainee.

5.3 Educational opportunities

¹ Participation in internal training courses is equivalent to regular work within regular working hours.

→ For details, see leaflets no. 10 (Work), no. 12 (Food) and no. 14 (Prison education [BiSt])

Fehler! Unbekannter Name für Dokument-Eigenschaft.

Fehler! Unbekannter Name für Dokument-Eigenschaft.

6. Visits, holiday and leave

6.1 Visits

¹ The detainee is entitled to at least one hour of visits per week. A visit permit is not required. Visits are generally only permitted during the applicable visiting hours. Prison management decides on any exceptions after prior request.

² Visitors must comply with the applicable regulations and the instructions of prison staff. They must identify themselves with a valid official ID card and undergo checks. Children under the age of ten are exempt from the ID requirement. Children and young people under the age of 18 are generally only allowed to visit when accompanied by an adult. Personal effects such as mobile phones, wallets and keys must be left outside the visiting room on the instructions of prison staff.

³ Visitors are not allowed to give or receive anything directly from the detainee. The handing over or receipt of documents in the presence of prison staff is an exception to this rule.

⁴ After the visit, detainees can be subjected to a body search in justified cases to prevent prohibited items from being smuggled in.

⁵ People can be excluded from the visit or the visit can be cancelled in the event of official contact bans, violations of visiting regulations and if the security and order of prison operations are endangered.

→ For details see leaflet no. 5 (Visits)

6.2 Holiday and leave

¹ The detaining authority decides on approval for holiday or leave.

7. Telephone, post and goods

7.1 Telephone

¹ The detainee has the opportunity to make telephone calls in the wards on the telephones provided for this purpose at their own expense.

² The possession and use of private mobile phones and radio pagers, as well as other private communication and data transmission devices is prohibited.

7.2 Post

¹ The detainee is entitled to receive letters and, to a limited extent, parcels and to send them at their own expense.

² Outgoing post is to be handed over to prison staff. The addressee and their address, as well as the first name and surname of the sender, must be clearly visible. The detainee is obliged to send post to lawyers or authorities provided with a clearly visible note of "Legal mail" resp. "Authority post".

Fehler! Unbekannter Name für Dokument-Eigenschaft.

Fehler! Unbekannter Name für Dokument-Eigenschaft.

³ Same-day posting is only possible if the post is handed over to prison staff by 9:00 a.m. (Monday to Friday). There is no delivery on Saturdays, Sundays and public holidays. Outgoing letters that are subject to deadlines must be handed over personally to prison staff by the sender, whereby the detainee must note the date and time of delivery on the envelope.

⁴ Prison management has containers checked for incoming post; the secrecy of the letters is preserved. If there is a suspicion of a threat to security and order, a content check can be carried out. Letters from lawyers and authorities are excluded from the checks.

⁵ Incoming parcels are subject to the specifications regarding the receipt of goods.

⁶ Criminal prosecution remains reserved.

7.3 Purchase and receipt of goods

¹ Detainees who have sufficient funds in the free account can usually shop once a week for their own needs at the prison kiosk.

² Goods handed over to the detainees will only be accepted by Gefängnis Bässlergut (Bässlergut prison) if they do not endanger the peace, order and security in the prison.

³ The goods are checked by prison staff.

→ **For details see leaflets no. 1 (Effects and receipt of goods) and no. 4 (Food and purchasing)**

8. Counselling, support and pastoral care

8.1 Offers

¹ The social service is available to the detainee for personal advice and support during imprisonment. They arrange contact with authorities and advice centres.

² Pastoral advice and support is provided by a pastor.

8.2 Registration

¹ You can register for a counselling or consultation session using the relevant registration form.

→ **For details, see leaflet no. 9 (Pastoral care and social service)**

9. Medical care

9.1 Obligation to report illness and accidents

¹ In the event of illness or an accident, the detainee must immediately contact the supervisory staff or the medical service of Gefängnis Bässlergut (Bässlergut prison). Detainees who fall ill or have an accident while on holiday or leave and need medical help must contact Gefängnis Bässlergut (Bässlergut prison) immediately.

9.2 Medical care

¹ Basic medical care is guaranteed at all times. The detainees are not free to choose their doctor.

Fehler! Unbekannter Name für Dokument-Eigenschaft.

Fehler! Unbekannter Name für Dokument-Eigenschaft.

² Doctor visits take place regularly. In addition, the detainee can request a medical examination from Gefängnis Bässlergut (Bässlergut prison) medical service at any time. The decision to carry out the examination is in principle the responsibility of the medical service. In emergencies, immediate medical care is guaranteed.

9.3 Hospital and clinic admission

¹ If the health of a detainee requires transfer to a hospital or psychiatric clinic, the prison doctor or prison psychiatrist will first obtain the approval of the detaining authority. In urgent cases, the prison doctor or prison psychiatrist arranges for the transfer to take place while at the same time informing the detaining authority.

² Provided that the imprisonment is not interrupted by the detaining authority, the person concerned continues to be considered a detainee in Gefängnis Bässlergut (Bässlergut prison) during their stay in the hospital or clinic. They have to follow the instructions of prison management and the hospital or clinic staff.

9.4 Dental treatment

¹ Dental treatments are only carried out if they cannot be postponed. Further treatment can be approved if it is ensured that the detainee or a third party bears the costs.

² The treatments are arranged by the medical service of Gefängnis Bässlergut (Bässlergut prison) and carried out by the prison dentist in the Untersuchungsgefängnis Basel-Stadt (Basel-Stadt detention centre). The prison dentist decides on the allocation to a hospital, a clinic or a specialist dentist after consultation with the detaining authority. No dental treatment is carried out in Gefängnis Bässlergut (Bässlergut prison) itself.

9.5 Medication

¹ The detainees may only take the medication approved or prescribed by the prison doctor, the prison psychiatrist, the prison dentist or the medical service. Possession of medication is strictly prohibited. The medical service decides on exceptions.

² Prescribed medicines that are not taken by a detainee are confiscated and documented accordingly.

³ The support for drug addicts is tailored to the specific situation of those affected within the framework of cantonal capacities and opportunities.

9.6 Healthcare costs, health and accident insurance

¹ The detainee must ensure adequate health and accident insurance for the duration of the sentence and pay for the health costs that are not covered by the insurance.

² Health costs that are to be borne by the detainee are debited from the free and special purpose account. Payments are made in accordance with the guidelines of the Penal Concordat Northwest and Central Switzerland and the specifications of the responsible social welfare authorities.

³ If the detainee does not have the necessary insurance or financial means, Gefängnis Bässlergut (Bässlergut prison) will take care of health and accident insurance or a subsidiary payer (usually the social welfare or detention authority or Gefängnis Bässlergut (Bässlergut prison)) will cover the health costs.

→ For details, see leaflets no. 2 (Finance) and no. 8 (Doctor, dentist and psychiatrist, medication)

9.7 Force-feeding

¹ Prison staff informs the prison doctor if the detainee refuses to eat or drink.

Fehler! Unbekannter Name für Dokument-Eigenschaft.

Fehler! Unbekannter Name für Dokument-Eigenschaft.

² The prison doctor repeatedly informs the detainee about the possible risks of refusing food. If the doctor and the detainee cannot communicate clearly and securely, a translator or another suitable assistant will be called in.

³ Upon recommendation of the prison doctor, the detaining authority orders force-feeding if there is a risk of death or serious damage to the health of the detainee.

⁴ Force-feeding is monitored by the prison doctor.

⁵ As long as the person concerned is capable of judgement, no force-feeding takes place. In the event of incapacity, any living will in accordance with Art. 372 of the Swiss Civil Code (ZGB) will be observed.

⁶ Despite the expressed refusal to eat, the detainee is offered meals three times a day and access to drinks is ensured at all times.

10. Security measures

10.1 Checks

¹ The detainees, their effects and accommodation, as well as visitors and their effects, can be checked upon order of prison management. Prison management and prison authorities can have breath, urine, blood and hair tests carried out.

² A positive result will be followed up with disciplinary action. The refusal or manipulation of a check counts as a positive result. If the result is positive, the costs of urine, breath, hair and blood tests will be passed on to the detainee, provided that they have the necessary financial means.

³ Checks to ensure order in the cells are always carried out in the presence of the detainee. Cell checks to ensure security are carried out in the absence of the detainee. You will be informed about the check afterwards.

⁴ Women are body searched by a female guard and men by a male guard. Police staff of the same sex as the person to be checked can be called in to assist. Intimate body searches are carried out by medically trained specialists of the same sex as the person to be checked.

10.2 Special security measures

¹ If a detainee shows concrete signs of escape, a risk of harm to others or themselves, or a risk of significant damage to property, prison management can order special security measures.

² The following special security measures are particularly relevant:

- a. Confiscation of personal belongings;
- b. Contact ban during walks;
- c. Confinement in the assigned cell or in a specially equipped security cell;
- d. Handcuffing, in particular, for the arrival and removal of the detainee.

³ To protect the detainee or third parties, the detaining authority can order accommodation in a department with increased security for up to six months.

⁴ The measures may only be maintained for as long as there is a compelling reason to do so.

**→ See leaflet no. 11 for details
(Disciplinary action/special security measures)**

11. Disciplinary law

11.1 Principles

¹ Disciplinary sanctions can be imposed on detainees who culpably violate the Law on the Penal System (JVG), its implementing provisions, the house rules of Gefängnis Bässlergut (Bässlergut prison), other prison regulations and orders from the management or the staff of Gefängnis Bässlergut (Bässlergut prison). Criminal prosecution remains reserved. Official offences are reported.

² If the detainee has caused damage through their misconduct, they can be obliged to pay reasonable damages, in addition to the disciplinary sanction. The free and savings accounts of the detainee can be used to cover damage.

³ The basis of the disciplinary proceeding is the rapport of prison staff. The detainee is heard (legal hearing). They remain in a cell assigned to them until the first instance has dealt with the disciplinary proceedings.

11.2 Breach of duty

¹ In particular, the following are considered breaches of duty:

- a. Assault, battery or threats;
- b. Abuse;
- c. Escape or preparation for escape;
- d. Non-return or late return from holiday;
- e. Failure to comply with the operational procedure or daily routine;
- f. Possession or consumption of narcotics, psychotropic substances and alcohol;
- g. Making unauthorised contact with people inside and outside Gefängnis Bässlergut (Bässlergut prison);
- h. Procurement, negotiation or possession of prohibited items;
- i. Property damage;
- j. Appropriation of someone else's property;
- k. Conducting games involving money or goods;
- l. Refusal to work.

² Attempting, inciting and assisting in committing disciplinary offences can also be sanctioned.

11.3 Disciplinary action

¹ Prison authorities may order the following disciplinary action:

- a. Written reprimand;
- b. Withdrawal or restriction from availability of funds for up to six months;
- c. Withdrawal or restriction from leisure activities for up to six months;
- d. Withdrawal or restriction from external contacts such as a ban on visits, reduced holiday days or a telephone ban for up to three months;
- e. Withdrawal from employment opportunities for up to three months;
- f. Fines of CHF 20 to 300;
- g. Cell confinement up to 30 days;
- h. Arrest in a special cell for up to ten days.

² Written reprimand is the easiest; arrest is the most severe disciplinary action. The type and duration of the disciplinary action depends on the type of breach of duty or impairment of prison operations and the fault of the detainee.

Fehler! Unbekannter Name für Dokument-Eigenschaft.

Fehler! Unbekannter Name für Dokument-Eigenschaft.

³ If it appears appropriate due to the specific breach of duty or impairment of prison operations, several disciplinary actions can be ordered at the same time.

⁴ After evidence proceedings and the granting of a fair hearing, prison management can order the appropriate disciplinary action. The order is made in writing, designated as an order, justified and provided with information on the possibility of appeal. It is opened to the detainee orally. The receipt is to be confirmed by signature.

⁵ Property and assets obtained through disciplinary offences or with which disciplinary offences have been committed may be used, rendered unusable or destroyed for the benefit of the Canton of Basel-Stadt. Prison authorities can grant exceptions.

⁶ The detaining authority is informed about the ordered disciplinary action.

→ **See leaflet no. 11 for details**
(Disciplinary action/special security measures)

12. Release, transfer and escape

12.1 Release

¹ Upon leaving, the detainee receives their effects, identity documents and assets back. The entire balance that is in their free, designated and savings account is transferred to them or paid out to them. The detainee confirms receipt of their effects, identity documents and assets by signing the list of effects and the final statement. You will be given a copy of both documents.

² The detainee must take all effects with them. Any personal effects left behind will be sold or destroyed three months after leaving.

Fehler! Unbekannter Name für Dokument-Eigenschaft.

Fehler! Unbekannter Name für Dokument-Eigenschaft.

12.2 Transfer

¹ If the detainee is transferred to another prison or another institution, the entire balance in the free, designated and savings account of the detainee will be transferred or paid out to the successor institution. The effects, identity documents and assets are handed over to the successor institution for proper use.

² Personal effects that cannot be transported together with the detainee (e.g. because of their size) are subsequently delivered by Gefängnis Bässlergut (Bässlergut prison). The transport costs will be charged to the detainee.

12.3 Escape

¹ After an escape, the items and effects found in the escaped person's cell will be removed by prison staff. The effects are kept by Gefängnis Bässlergut (Bässlergut prison). They can be used or destroyed after one year has passed since they escaped, provided that the whereabouts of the escaped person have not become known to Gefängnis Bässlergut (Bässlergut prison) by this time. Gefängnis Bässlergut (Bässlergut prison) is not obliged to investigate the whereabouts of the escaped person.

² The proceeds from realisation and the balance in the free, designated and savings account of the person who escaped will be transferred five years after the escape to the office designated by the canton responsible for the sentence or the canton responsible for the execution of the overall sentence.

13. Making complaints

13.1 Appeal

¹ Appeals can be made to the Justice and Security Department of the Canton of Basel-Stadt against orders issued by prison authorities.

² Appeals must be submitted to the appeals authority within ten days of the decision being made. Within 30 days, calculated from the same point in time, the grounds for the appeal must be submitted, which must contain the applications and their grounds with details of the evidence. The appeal process can be subject to a fee; in the event of complete or partial defeat, the appellant may be charged a judgement fee.

13.2 Regulatory notice

¹ Any person can report circumstances and facts, namely incorrect personal treatment, which require prison management to intervene. Within a reasonable period of time, you will receive information about how the report was processed.

² If the person making the complaint is not satisfied with the way that the complaint has been dealt with, this can be reported to the head of the Amtes für Justizvollzug (Office for the Execution of Penal Sentences) with a brief explanation.

14. Final provisions

These house rules come into force on 1 February 2023 and replace all previous versions.

Basel, 1 February 2023

Prison authorities