

Agreement on Pastoral Service, 27 June 1999

The Prison Service of the Czech Republic [...] and the Ecumenical Council of the Churches in the Czech Republic [...] and the Czech Bishops Conference [...] under the article 48 of the law No. 59/ 1966 Sb., on the punishment of imprisonment, in wording of later amendments, and the article 15 of the Law No. 293/ 1993 Sb., on detention, in accordance with the article 19 subsection 1. and 2 of the Law No. 308/1991 Sb., on religious freedom and legal status of churches and religious societies, conclude the Agreement on Pastoral Service (henceforth "the Agreement").

Art. 1

1. The aim of the Agreement is to lay down, in accordance with legal rules, conditions of mutual collaboration and assistance of the Prison Service of the Czech Republic (henceforth -the Prison Service,) and churches and religious societies (henceforth «churches») mentioned in the Appendix I relating to participation in remedy of prisoners in prisons or in separate departments of detention facilities, and in pastoral service for accused persons in detention facilities or in separate departments of prisons (henceforth «prisons»).
2. The pastoral service under the Agreement is provided by the persons who have commission of a church (henceforth «the commissioned persons»).
3. The competence of the parties to the Agreement in appointment and removal of the commissioned persons is respected.

Art. 2

1. The commissioned persons visit to prisons on the ground of voluntary administration of churches or religious societies, or on the ground of work contracts.
2. On the ground of work contract, the commissioned person is ranked to a councillor of the Prison service - priest.
3. The rights and duties of a councillor of the Prison Service - priest are ruled under concluded work contract and legal regulation
4. Extent of activities of the councillor of the Prison Service - priest is given in the document "Stock of the Work".

Art. 3

1. The extent of activities of the commissioned persons administering in prisons on the ground of voluntary administration is given by the Agreement.
2. Security and health protection of those commissioned person is provided under special regulation.

Art. 4

1. The parties to the Agreement
 - a) create appropriate conditions for pastoral activities in prisons and other facilities,
 - b) provide collaboration, exchange of experiences and assistance relating to pastoral, respectively charitable activities of the commissioned persons in benefit of prisoners and accused persons in prisons and similar facilities.
2. On the ground of consent of the parties to the Agreement, mutual collaboration is provided by the association of the commissioned persons "Prison Pastoral Service" (henceforth "PPS").

3. PPS:

- a) operates in ecumenical sense and on the ground of collaboration and mutual tolerance of the churches,
 - b) collaborates with prison personal at all the levels, especially with the councillors of the Prison Service - priests, for creation of appropriate conditions of pastoral service,
 - c) announces actual problems of prison pastoral service to the parties to the Agreement.
4. In contact with the Prison Service, PPS is represented by its chairman or deputy chairman.
5. The executive board of PPS coordinates pastoral service, especially:
- a) expresses on the commissioned persons participating in pastoral service in prisons,
 - b) collaborates with the Prison Service on appointment a priest to a councillor of the Prison Service - priest.

Art. 5

The commissioned persons especially:

- 1) celebrate the Divine Service,
- 2) hold private conversation, pastoral visits and provide individual ceremonies,
- 3) keep study groups for religious texts interpretation ("biblical courses"),
- 4) provide pastoral and religions literature,
- 5) hold lectures and discussions, especially on ethical themes, respectively arrange concerts,
- 6) participate in special remedy procedures,
- 7) participate in preparation of prisoners for discharge and in social works with prisoners,
- 8) contribute with other appropriate means to the realization of the aim of imprisonment.

Art. 6

1. The commissioned persons especially:

- a) visit prisons minimally twice a month in arranged terms if nothing else follows from the work contract,
- b) prove their identity and the right to access to prisons under special rules,
- c) keep confession secrecy,
- d) respect rules of detention and imprisonment and other internal rules of the prison.

2. The commissioned persons have especially the right to:

- a) access, with limits, to the prison in which they administer pastoral service,
- b) participate, with appropriate means, in remedy of prisoners,
- c) announce to prison officials any embarrassments for pastoral service, respectively for remedy,
- d) ask for information about prisoners who receive pastoral service,
- e) inspect in personal papers of prisoners on condition of consent of those prisoners,
- f) bring to the prison in which they administer pastoral service needs for religious ceremony, for example for eucharistia etc. (article 5 subsection 1 and 2), at the extent and quantity approved by the prison director.

3. The commissioned persons associated in the PPS have the right to access to the prison departments under oversight, respectively to the detention departments under a milder regime on condition of consent of the prisoners or

accused. The prison director decides, in accordance with legal rules, on the access to the other departments of the prison.

Art. 7

1. The prison director can forbid the access for the commissioned person who broke legal rules or the Agreement.
2. The commissioned person can appeal to the General Director of the Prison Service in seven days after delivering of that decision of the prison director.
3. The General Director of the Prison Service issues decision on appeal after negotiation with the executive board of the PPS and deliver it to the commissioned person in 60 days after he receives the appeal.

Art. 8

Individual divisions of the Prison Service assist to the commissioned persons – employees and to the executive board of the PPS for providing pastoral service (for example, correspondence and telephone services etc.).

Art. 9

1. The Agreement is concluded for indefinite time.
2. The Agreement can be amended by written appendixes numbering in ascending order on the ground of consent of all the parties to the Agreement.
3. The Agreement can be cancelled on serious reasons and its validity ends after six calendar month Following the month in which the announcement of cancellation was delivered to other parties to the Agreement.

Art. 10

1. The Agreement becomes valid by signing and comes into force in the day in which the Agreement is issued by the order of the General Director of the Prison Service of the Czech Republic.
2. The former Agreement cm Pastoral Service, reference number G?-635/107/93, from 7 January 1994 is cancelled by the day of issuing of the Agreement.