Kanton Bern
Canton de Berne

Contacts of detainees of the Thorberg Custodial Facility with the outside world – fact sheet for relatives and other significant private persons

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1. Object

This fact sheet regulates detainees' options for contacts with relatives and other significant private persons (hereinafter “private contacts”). These contacts include private visits to the custodial facility, video phone calls, cell telephony, the receipt of letters and parcels, the reception of money, as well as short leave and leave during which private contacts are met or visited. All forms of contact serve the purpose of resocialisation and the maintenance of relations with the outside world.

This fact sheet is based on the Act on the Penitentiary System (JVG) of 23 January 2018 of the Canton of Berne, the Ordinance on the Penitentiary System (JVV) of 22 August 2018 of the Canton of Berne and the Institutional Rules (IR) of the Thorberg Custodial Facility of 25 February 2019.

2. Principle for private contacts (Art. 75 (1), Swiss Criminal Code; Art. 67, JVV)

The Thorberg Custodial Facility supports private contacts within the meaning of the principle of encouragement, normalisation and counteraction in the execution of custodial sentences (Art. 75(1), Swiss Criminal Code).

The custodial facility may check private contacts and, for the protection of security and order, limit or prohibit them, particularly if there are fears that contact rights may be misused or if a contact is incompatible with the purpose of detention.

3. Private visits (Arts. 32, 34, 41, 42, JVG; Arts. 45, 67-68, JVV; Art. 21.2, IR)

3.1 General remarks

Detainees are themselves responsible for the organisation of their private contacts' visits and for informing them. This fosters their personal responsibility and autonomy in the spirit of the concept of resocialisation.

Visiting time for private visits is limited to five hours per calendar month. It can be used during the official visiting hours in units of at least one hour's duration, provided that a free visiting room is available. Visiting hours that have been left unused may not be carried over to the following month.

A maximum of four visitors are admitted per visit, including minors, who have to be accompanied by a person of full legal age.

The times for video phone calls (cf. Chapter 4) are deducted from the maximum visiting time of 5 hours per calendar month.

3.2 One-off registration of future visitors

Detainees themselves complete the form entitled “Initial registration for visitors and video phone partners” for the private contacts whom they want to visit them or request the private contacts to download the form from the Internet, fill it in and return it to the custodial facility by post or e-mail. This also applies to visitors from Prison Fellowship, the Salvation Army and other religious groupings.

Underage private contacts who have not yet filled in an initial registration form must be registered in the same way as adult private contacts.

Irrespective of whether the form is filled in by a detainee or by a private contact, the detainee has to ensure that the private contact sends a colour copy of their valid passport or ID card to the custodial facility:

- by post: JVA Thorberg, detainee's name,Thorbergstrasse 48, CH-3326 Krauchthal
- by e-mail: jva.thorberg@be.ch (signed and completed form and valid passport/ID scanned in colour!).

If merely the copy of the travel document is sent to the custodial facility by e-mail, the custodial facility will require the name of the detainee to whom the document is to be forwarded.

To be able to vet the registration, the custodial facility may ask private contacts to submit a current criminal records excerpt.

In the case of former detainees of the Thorberg Custodial Facility, accomplices, victims and persons who are in a special form of detention (semi-detention, electronic monitoring, community service), the custodial facility checks individually whether they may be registered as visitors and admitted for visits.

If the custodial facility does not sanction the subsequent registration, the detainee in question will be notified of the reasons for this.

The form entitled "Initial registration for visitors and video phone partners" and the colour copy of the passport or ID card must have been submitted to the custodial facility 14 days before the first planned visit or video phone conversation.

Private contacts whom a detainee has registered as visitors are automatically also deemed to be registered as admitted for video phone calls (cf. Chapter 4).

3.3 Before every visit: registration by the detainee and determination of date and time

Only private contacts who have successfully undergone the registration process may be registered for a visit in the custodial facility by a detainee.

After agreeing on a visiting date with his private contact, the detainee fills in the application form for a visit and submits it to members of the care team no later than eight days before the date of his choice (e.g. on a Tuesday for a visit on the following Tuesday).

The detainee informs his private contacts himself whether the visit can take place on the desired date.

3.4 Visiting times

Visits are possible at the following times, provided that a visiting room is available:

- In standard detention, long-term detention and high-security detention B:

  From Mondays to Fridays:

  08.15 - 09.15 13.15 - 14.15

  09.30 - 10.30 14.30 - 15.30

  10.45 - 11.45 15.45 - 16.45

  On Saturdays and Sundays, as well as on public holidays* which do not fall on a Saturday or Sunday:

  13.50 - 14.50 15.00 - 16.00

  * New Year's Day, 2 January, Good Friday, Easter, Easter Monday, Ascension Day, Whitsun, Whit Monday, 1 August, Christmas Day, Boxing Day.

- In high-security detention A:

  From Mondays to Fridays:

  08.15 - 11.15 13.15 - 16.15

3.5 Procedures for private visits

On entering the custodial facility, private visitors have to produce a valid official ID document. Visitors with metal implants or pacemakers must additionally produce the relevant certificates.

Bags and coats must be deposited in lockers.

To ensure that visitors are able to purchase beverages during their visit, they may take a maximum of CHF 10.00 in one and two franc pieces into the custodial facility. Bringing along private beverages and foodstuffs is prohibited. For babies, a baby bottle, a nappy and wet wipes may be taken in for the visit. Private toys are prohibited.

Private visitors have to a pass through a metal detector. **This is only possible with clothes which do not contain any metal** (i.e. no metal studs on jeans, no buckles on tops, no underwired bras). **If the metal detector triggers off an alarm, the visitor concerned may not be allowed to enter the custodial facility, and the visit cannot take place. No changing rooms are available in the custodial facility.**

For reasons of security and order, private visitors may be subjected to a surface body search by members of staff of the same gender.

When entering the custodial facility, you will be provided with an institutional visitor's pass, which you must wear clearly visible on your person.

During the visit, the detainee and his visitors remain seated (with the exception of children).

Any direct handover of any goods whatsoever by detainees to visitors and vice versa is prohibited, with the exception of beverages purchased by visitors from the vending machine.

Any sexual acts are prohibited.

A toy chest is available for children.Private contacts' visits are recorded by cameras in the visiting rooms.

3.6 Presents from visitors (Art. 45(2)(b) and Art. 68(3), JVV)

On the occasion of a visit, visitors may deposit the following presents for detainees at the reception:

- 10 photos max. and
- 2 newspapers/magazines (without content with violence, martial arts and pornography).

After these presents have been checked, they will be delivered to the detainee on his floor/in his department. Any other presents are rejected.

Parcels deposited on the occasion of a visit will only be accepted by the reception desk if they comply with the provisions of the parcel regulations (cf. Chapter 7).

3.7 Taking photographs during a visit

During a visit, photographs may be taken at the detainee's request with a camera/mobile phone brought along by a visitor. The devices must be handed in at the reception desk when the visitor enters the custodial facility. The photographs are taken by a member of staff of the custodial facility before the end of the visit.

3.8 Failure to comply with visiting provisions (Art. 34(2), Art. 41(2)(g), JVG)

Visitors who are unable to pass through the metal detector without triggering off an alarm will not be admitted to the custodial facility. The detainee concerned is informed about the termination of the visit.

In the case of non-compliance with the framework conditions stipulated in Chapter 3.5, a visit may be aborted.

Visitors who misuse a visit (non-compliance with the framework conditions, handover of drugs, sexual acts, etc.), may be banned from visiting temporarily or, in the case of a repeat infringement, permanently.

3.9 Cancellation of a visit

If the detainee is prevented from attending, visitors will be informed of the fact directly by the detainee concerned or, if he cannot do so, by the custodial facility if possible.

The detainee must cancel any time slots reserved by him but not taken with the care staff by 4 p.m. on the day before. Otherwise the visit is considered to have taken place.

4. Contact by video phone as a substitute for visits

4.1 General remarks

Detainees are themselves responsible for organising video phone calls with their private contacts and for keeping them informed.

The permitted video phone call time per month is 1 hour maximum. It may be used up during the official video phone call times in two half-hour units, provided that a free videotelephony room is available.

Video phone calls are a substitute for visits by private contacts in the custodial facility. For this reason, contacts by video phone are deducted from the maximum visiting time of 5 hours per calendar month. If a detainee only makes use of a video call slot of 30 minutes, the second such slot cannot be replaced by a visit that is prolonged by half an hour.

The detainee must cancel any time slots reserved by him but not taken with the care staff by 4 p.m. on the day before. Otherwise the time slot is considered to have been used.

4.2 One-off registration of video phone partners

The procedure for the registration of new video phone call partners is set out in Chapter 3.2.

4.3 Before every contact by video phone: registration by the detainee and determination of date and time

Only private contacts who have successfully undergone the registration process may be registered for video phone calls by a detainee.

After agreeing on a video phone call date with his private contact, the detainee fills in the application form for videotelephony and submits it to care team members no later than eight days before the date of his choice (e.g. on a Tuesday for a visit on the following Tuesday).

The detainee informs his private contacts himself whether the visit can take place on the desired date, notifies them of the allocated virtual visiting room, the Internet address/QR code and gives them the necessary dialling PIN.

A total of 4 video phone call stations are available.

The allocated video phone station and the necessary visiting PIN are not notified to the detainee until the appointment has been confirmed by the care team member.

4.4 Video phone call times

Video phone conversations are possible at the following times:

- In standard detention, long-term detention and high-security detention B:

  From Mondays to Fridays:

08.15 - 08.45	13.15 - 13.45
09.00 - 09.30	14.00 - 14.30
09.45 - 10.15	14.45 - 15.15
10.30 - 11.00	15.30 - 16.00
12.15 - 12.45	18.15 - 18.45
	19.00 - 19.30

  On Saturdays and Sundays, as well as on public holidays* which do not fall on a Saturday or Sunday, no video phone calls can be made.

  * New Year's Day, 2 January, Good Friday, Easter, Easter Monday, Ascension Day, Whitsun, Whit Monday, 1 August, Christmas Day, Boxing Day.

- In high-security detention A:

  From Mondays to Fridays:

08.15 - 11.15	13.15 - 16.15

4.5 Procedures for video phone calls

Detainees undertake to establish video phone connections solely with private contacts whom they have registered as video phone partners. Any connections with further persons are prohibited.

Both the detainee and his video phone partner are prohibited from engaging in sexual acts. The same applies to the display by means of the camera of images of contents that are pornographic or glorify violence.

Video phone calls are monitored by cameras or by employees.

If a video phone contact cannot be established or can only be established for a shorter period of time because the private contact dials in late or because the connection is broken owing to technical problems, the slot cannot be repeated.

The detainee's private contact can dial in at the agreed time with the contact data obtained previously from the detainee.

For a connection to be established, the following system requirements must be satisfied:

- Mobile devices (mobile phone, tablet, laptop) or personal computer (with camera and audio output) which are linked to the Internet;
- An up-to-date installed browser (Google Chrome recommended)..

The address of the allocated video phone station can be selected either directly with the following QR code or by entering the appropriate link directly on the browser command line.

4.6 Links to the 4 virtual video visit rooms

Visit 1 Dial the allocated station using the QR code or enter the link directly on the browser command line: https://join.myjustice.ch/ajvbe/webapp/#/?conference=besuch1.jva.thorberg.vmr.ajvbe@myjustice.ch
Visit 2 Dial the allocated station using the QR code or enter the link directly on the browser command line: https://join.myjustice.ch/ajvbe/webapp/#/?conference=besuch2.jva.thorberg.vmr.ajvbe@myjustice.ch
Visit 3 Dial the allocated station using the QR code or enter the link directly on the browser command line: https://join.myjustice.ch/ajvbe/webapp/#/?conference=besuch3.jva.thorberg.vmr.ajvbe@myjustice.ch

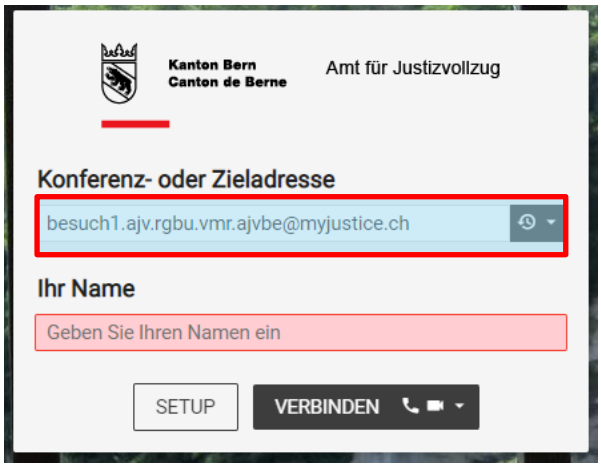
Visit 4

Dial the allocated station using the QR code

or enter the link directly on the browser command line:

https://join.myjustice.ch/ajvbe/webapp/#/?conference=besuch4.jva.thorberg.vmr.ajvbe@myjustice.ch

4.7 Video phone operating instructions



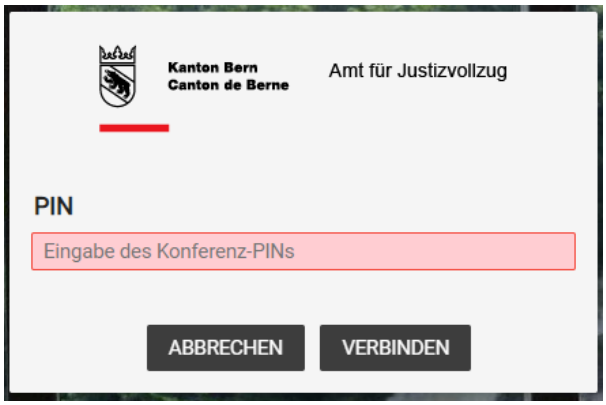
The target address appears in the start window. *This must not be changed.*

Enter your name (*as shown on identity document*).

Use SETUP to make any necessary camera and microphone settings.

If your own image cannot be seen on the device, the camera setting is incorrect.

When a tablet or mobile phone is used, access to the camera and microphone must be cleared/authorized when the connection is established.

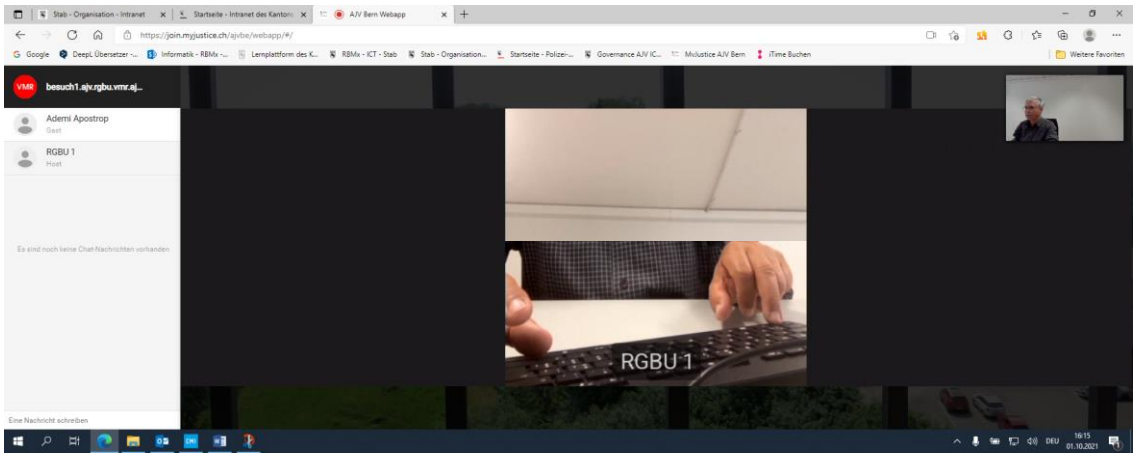


Press START and the mask to enter the conference PIN now appears.

You will also be given this PIN directly by the detainee.

The conference call is established by CONNECT.

If the visit window has already been opened by JVA Thorberg, you will see the contact person responsible for this visit in the main image.



Screen view if the correspondent is online.

Once the start screen has appeared, the application is ready for use.

If you have dialled up a little early or the visit window has not yet been opened in the Thorberg custodial facility, the following image appears. As soon as the correspondent has logged in, the image shown above will appear..

Screen view if the correspondent is not yet connected.

4.8 Non-compliance with video phone rules

In case of non-compliance with the conditions set out in Chapter 4.5, the video phone contact can be disconnected by the members of staff of the custodial facility.
Video phone partners who misuse videotelephony may be banned from its use temporarily or, in case of a repeat infringement, permanently.

5. Contact by cell telephone (Art. 72 JVV; Art. 21.4, IR)

5.1 General remarks

During their spare time, detainees may avail themselves of a cell telephone and a telephone station for private calls on their floor/in their department (exception: detainees in high-security detention A; cf. Chapter 5.5.). Detainees may use the telephone to call private contacts, but not to receive incoming calls.

In cases of serious illness or deaths of family members, official matters that brook no delay, as well as preparation for release, case management staff may grant approval for telephone calls during a detainee's working hours.

Cell telephony may be monitored by the custodial facility.

5.2 Topping up the telephone credit balance by private contacts

A detainee's private contacts can top up his telephone credit balance to the maximum amount of CHF 300. For this purpose, a private contact must proceed as follows:

- Log in to the Internet page www.myphon.io.
- Dial the detainee's eight-digit detainee account number (you will have to ask him for it directly on the occasion of a telephone call).
- Enter the amount to be transferred.
- Confirm use and data protection provisions.
- Select payment method.

5.3 Detainees in high-security detention A

The cells in high-security detention A are not equipped with prison cell telephones. Detainees who want to call private contacts must contact members of the care team to fix dates for telephone conversations. They are allowed not more than 3 conversations lasting for 15 minutes each per week, of which not more than one conversation after 18.00 hours.

5.4 External calls to the custodial facility

External telephone calls to detainees cannot be put through by the custodial facility. Messages are only forwarded in urgent cases.

6. Contacts by letter (Arts. 45 and 70, JVV; Art. 21.2, IR)

Communication by letter by and with detainees is basically unrestricted. Any possible restriction and any content check are governed by Art. 70 JVV.

Letters are checked for prohibited objects by the custodial facility and forwarded on a daily basis in as far as is operationally feasible.

Letter address: Justizvollzugsanstalt Thorberg
Detainee's name
Thorbergstrasse 48
CH - 3326 Krauchthal

7. Sending parcels (Arts. 45 and 71, JVV; Art. 21.3, IR)

7.1 General remarks

Private contacts may send detainees parcels with a total weight of 40kg per calendar year. The number and periodicity of the parcels is the detainees' responsibility.

In high-security detention, partially different rules are applicable, about which detainees can obtain information from the care team.

7.2 Permitted parcel contents

- Foodstuffs (in the original package)
- Tobacco products (a maximum of 4kg tobacco or related products per year)
- Books
- Small amount of furnishing objects for the accommodation (photographs, posters)
- Handicraft materials (provided they cannot be used for self-harm or harming others)
- Writing materials
- Daily newspapers or periodicals

Articles which are not listed on the list of permitted parcel contents require prior permission granted by the custodial facility.

7.3 With prior permission by the custodial facility (outside the weight limit)

- Leisurewear, tracksuit, trainers
- Clothes for leave and release
- 1 coffee cup, 1 tea glass
- 1 wristwatch
- Musical instruments
- Teaching materials

7.4 Prohibited parcel contents

- Meat, fish, eggs, dairy products, fresh vegetables and fruit
- Cans, tubes, Tetra Pak cartons
- Beverages
- Herbs and spices, baking powder, baker's yeast
- Chewing gum
- Food supplements
- Alcohol (including liqueur chocolate and similar)
- Tobacco products with THC and/or CBD hemp
- Medicines
- Toiletries
- Tools, items of furniture, sports equipment, woollen blankets, bedcovers
- Personal items of equipment which are not permitted by the Institutional Rules or by the Appendix thereto
- Cooking utensils (including teapots/coffee pots, crockery, cutlery)
- Electric and/or battery-powered appliances
- Mobile telephones, pagers and other means of communication
- Photo/video cameras, photo CDs and video cassettes

- Films/video games, printed matter with pornographic content (PEGI classification over 16 years and USK classification over 12 years, or X-rated (i.e. not suitable for young people) and contents representing and glorifying violence and weapons)
- External storage media of any kind (e.g. MP3 and multimedia players, including iPod)
- All kind of CD/DVD
- Postage stamps
- Substances which cannot be checked inside the custodial facility

7.5 Check on incoming parcels

Incoming parcels are checked by the custodial facility.

If an objection is raised to the contents of a parcel, the detainee concerned will be informed. The detainee will be able to decide whether the parcel is to be returned to sender at his own expense or to be destroyed.

If an incoming parcel contains drugs, this will be reported to the police.

8. Cash (Arts. 44 and 45, JVV)

A detainee has the option to receive amounts of money from his private contacts by transfer to the postal account, on the occasion of visits, as well as in letters and parcels (**the latter two are not recommended**).

Transfers must be made into the following postal account:

Justizvollzugsanstalt Thorberg
3326 Krauchthal
Konto 30-1372-7

IBAN Thorberg: CH08 0900 0000 3000 1372 7
BIC Thorberg: POFICHBEXXX

Under the heading of **purpose of payment**, senders must indicate the detainee's first name and surname and his date of birth in clearly legible letters to ensure that the transferred amount can be credited to the detainee concerned.

Payment by **online banking** is recommended to ensure that the detainee will not have to pay any charges. If charges are due, they will have to be paid by the detainee and will be deducted from the amount transferred to the custodial facility.

If amounts cannot be allocated to any particular detainee or retransferred as a consequence of missing information (no indication of the purpose of payment, no indication of the sender), the amount will be credited to the detainee fund of the Thorberg Custodial Facility.

Amounts up to CHF 200 per calendar year which detainees receive by postal transfer or by parcel/letter (the latter is not recommended) will be **credited to their free accounts**. Any higher amounts will be credited to their special purposes account, which detainees may not dispose of freely.

9. Short leave and leave (Art. 84(6), Swiss Criminal Code; Art. 75, JVV; Art. 21.7, IR)

Privileges such as (accompanied) short leave and leave are governed by Art. 84(6) of the Swiss Criminal Code and the concordat guidelines of the canton responsible for detention.

Planned privileges are adopted into the detainee's detention plan. First-time short leave and leave have to be approved by the referring authority and, if necessary, by the specialist concordat committee.

The grant of short leave or leave may be made contingent on the satisfaction of conditions.

Any misuse of short leave or leave will result in a disciplinary sanction.

Regine Schneeberger

Director