

***Bartering in a Psychiatric Institution - the Ombudsman on Financing the Inmates' Needs***

**With little money to spend, inmates in residential institutions are compelled to be “creative” – found the Ombudsman in the course of his inquiry. Máté Szabó proposed the review of the legal background as a possible solution.**

Under the relevant legal regulation, the Home for Psychiatric Patients in Szentgotthárd has to provide a minimum of HUF 5,700 as spending money to inmates under its guardianship. The inmates complained that this amount had not been increased, although in recent years the products they used to buy had become more expensive. Therefore, the inmates are compelled to barter among themselves so they can obtain their desired products.

In his report Máté Szabó emphasized that, while the sum of spending money and the method of its calculation remained the same, prices of the most preferred consumer goods, such as coffee or tobacco, had increased many times. He stressed, however, that the problem was very complex: fees discounted from inmates' incomes and other allowances do not always cover the costs of caretaking services, therefore it is not possible to raise the sum of spending money from this amount.

Exchange of goods between patients is not an acceptable alternative, not even implicitly, to the problem of little spending money – stated the Commissioner in his report. A comprehensive review and rethinking of the overall regulation on income conditions of residential institutions' inmates should be carried out, because a rigid regulatory environment and practice ignoring economic changes might jeopardize the application of the right to legal certainty and the requirement of the principle of equal treatment. For this reason, the Commissioner for Fundamental Rights asked the Minister for Human Resources to rethink the relevant regulations from social, legal and budgetary aspects, to review and, if needed, to amend the legal background concerning income and property conditions of inmates living in residential institutions of social care, their personal needs and the financing thereof.

The report is available in Hungarian at  
<http://www.ajbh.hu/documents/10180/111959/201204350.pdf>