

Information on applying for postponement

Application for postponement

Postponement of the commencement of a prison sentence

A prison sentence has to be enforced without undue delay. If the admission to prison would jeopardise the treatment of a serious illness or a serious injury or if the treatment in prison would cause considerable difficulties, the commencement of enforcement has to be postponed until the impediments to the commencement of enforcement resulting from the state of health no longer exist.

A sentenced person may be granted postponement on other than medical grounds if the postponement could materially decrease the losses or difficulties that an immediate enforcement would cause for the sentenced person, for his or her close relative or other close person, or for his or her employer or other party to whom the work input of the sentenced person is particularly necessary.

Postponement on other than medical grounds may be applied and granted only after the sentenced person has received the decision on the placement in prison. The placement is prepared in a probation office closest to the sentenced person's municipality of residence and the decision is made by the Client Assessment Unit. The placement decision includes an order to arrive at prison at a specific time. The enforcement of a conversion sentence for unpaid fines is prepared by the National Enforcement Authority Finland.

If a sentenced person applies for a new postponement of the same sentence, the new postponement may only be granted in an exceptional case and on such grounds for which the date of termination is known. The Client Assessment Unit decides whether the new application postpones the enforcement of the prison sentence for the duration of the investigation of the matter. If the new application process does not postpone the enforcement, the sentenced person has to report to the prison on the specified date despite having submitted the new application.

The maximum total duration of postponements granted on other than medical grounds is one year from the determined arrival time. If several sentences become enforceable at the same time or new sentences become enforceable during a postponement, the maximum duration of one year is calculated from the arrival time determined for the first sentence ordered to be enforced.

A postponement must not be granted, if:

- 1) the sentenced person is on remand due to the matter or ordered to be remanded due to some other matter
- 2) there are reasonable grounds to assume that the sentenced person is evading the enforcement or continues his or her criminal activities
- 3) the sentenced person has already started to serve his or her sentence.

Provisions on the commencement of enforcement and postponement are laid down in chapter 2 of the Imprisonment Act.

Instructions for applying for postponement

An application for postponement has to be submitted to the Client Assessment Unit of the Prison and Probation Service. The Client Assessment Unit requests a statement of the Health Care Services for Prisoners regarding an application for postponement on medical grounds.

The postponement has to be applied in writing. The application forms are available on the website of the Prison and Probation Service and in the probation offices and the Client Assessment Unit. The application has to include the applicant's name, identity number and necessary contact information (address, telephone number, email) as well as the applied postponement period and grounds for the application. A reliable account of the grounds for the application, e.g. a certificate, has to be attached to the application. An application for postponement of enforcement on medical grounds has to include a medical statement on the grounds referred to in the application. The appendices will not be returned.

If the applicant does not attach certificates to the application, the applicant should be aware that, then, the application does not necessarily include a reliable account of the dangers, difficulties or losses caused by the immediate enforcement of the sentence, which would support the application. In that case, the decision on the postponement is made based on the information presented by the applicant. However, the Client Assessment Unit may, for a justified reason, request the applicant to add information to the application.

The postponement should be applied immediately after the need for postponement is noticed and in good time before the date of reporting to prison.

A request for an administrative review of a decision on postponement may be submitted to the Development and Guidance Department of the Prison and Probation Service.

Sending application for postponement

aay.lykkays@om.fi

Fax: +358 29 568 4121

Postal address

Client Assessment Unit
Kuopio Branch Office
Itkonniemenkatu 2 b
70100 Kuopio

The decision on the postponement is sent to the address given by the applicant. The applicant has to make sure that the postal address in the application is valid. With the permission of the applicant, the decision may also be sent via secure email.

**Application for
postponement**

Applicant's name: _____

Identity number: _____

Telephone number: _____

Email: _____

Address: _____

Applied duration of postponement: _____

Reason for application: Studies Work Family relations Medical grounds

Other, what: _____

Grounds for application for postponement:

Appendices _____ Number of written accounts of the grounds for postponement referred to
in the application

Date _____

Signature _____