

# COVID-19: WHAT IS HAPPENING IN EUROPEAN PRISONS?

**UPDATE #9**  
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The following information on prisons in different European countries has been collected in the last few weeks thanks to the work of the European Prison Observatory members. Please note that the situation is constantly changing and that this information might already be out of date.

The information published here and the upcoming updates will be available on the [European Prison Observatory website](#).

**WHO/Europe** has published an interim guidance on how to deal with the Coronavirus disease (COVID-19) in prisons and other places of detention, entitled "Preparedness, prevention and control of COVID-19 in prisons and other places of detention". The guidance can be found on the WHO page: [Preventing COVID-19 outbreak in prisons: a challenging but essential task for authorities](#)

**The CPT** has [published a statement](#) of principles relating to the treatment of persons deprived of their liberty in the context of the coronavirus disease (COVID-19) pandemic.

**Penal Reform International** has issued a briefing note on the situation of the outbreak of a novel form of Coronavirus (COVID-19) and prevention measures in prisons and wider impacts of responses to

governments on people in criminal justice systems: Coronavirus:

## Healthcare and human rights of people in prison

Other information can be found on the following websites.

**OHCHR, WHO, UNAIDS and UNODC** issued a [joint statement](#) to urgently draw the attention of political leaders to the heightened vulnerability of prisoners and other people deprived of liberty during the COVID-19 pandemic, and urge them to take all appropriate public health measures in respect of this vulnerable population. The joint statement is also available in [French](#) and [Spanish](#).

The **Association for the Prevention of Torture (APT)** has launched an [information hub](#) of news and resources, including on how different actors in the criminal justice, penitentiary, healthcare and oversight spaces are responding to the COVID-19 situation around the world.

The **European Organization of Prison and Correctional Services (EUOPRIS)** has set up a [webpage](#) where it gathers and shares all regulations/protocols/approaches European Prison Services or related organisations have drafted or taken in order to deal with the Covid-19 virus.

**Prison Insider** collected in a [webpage](#) the measures that countries around the world are taking to guarantee the safety of all prisoners and prison staff and the consequences of the pandemic on the living conditions in prisons.

## FRANCE

Update: 27/05/20

Since March, **14,000 inmates have been early released** in order to avoid the spread of COVID-19 in prisons and, despite the end of the lockdown, these releases continue. At the moment there are less than 59,000 inmates in French prisons for 61,137 places. In a circular issued on May 20 the Ministry of Justice, Nicole Belloubet, asked prosecutors to facilitate exits and limit entries in prisons. Sentences of less than one month are now prohibited and the execution of sentences shorter than six months is now carried out without detention, using electronic monitoring. Apparently the government is thinking of building 15,000 additional prison places. **Several polemics** have been triggered by the releases of detainees that allegedly couldn't benefit from the directives linked to Coronavirus. Guillaume Jeanson, spokesperson for the IPJ (Institute for Justice), has declared that the overcrowding must be resolved by building enough prison places, claiming that the massive releases of prisoners mechanically generate an increase in crime.

## GERMANY

Update: 4/06/2020

In German prisons, protective masks were distributed and, in some cases, produced by the prisoners. In some prisons, the masks are only handed out to specific groups of staff and prisoners. The use of the masks is not everywhere and always mandatory.

In a prison of the federal state Berlin reverse quarantine has been established. Prisoners with severe fundamental diseases in connection with advanced age or with an acute immune deficiency regardless of age, can be placed in this quarantine area. The classification into different categories of vulnerability is carried out by the prison doctors.

In Hamburg, prisoners of selected prisons receive simple prepaid mobile phones. A total of 470 mobile phones have been provided, which can be purchased for 20 Euros. The SIM cards and the credit must be sent or handed in by people from outside the prison. These mobile phones do not have a camera and are not capable of accessing the internet. As soon as the measures are lifted, mobile phones are supposed to be handed back.



The approach to the management of the workplaces and the continued payment of wages differs greatly between the federal states. In North Rhine-Westphalia, prisoners who are concerned about their health are allowed to stay away from work temporarily and unpaid. This only applies in the case of increased risk due to proven previous illness and sick leave approved by a doctor.

Federal associations in the field of offender rehabilitation have **published a statement** on the closure of the workplaces and the loss of wages. They are concerned that the resocialization of prisoners is at risk. Due to the lack of income, many prisoners lack the means to support relatives or to pay off debts. Employees outside of prison are entitled to short-time work compensation during the COVID-19 crisis. However, this does not apply to prisoners.

Schleswig-Holstein is one of the few federal states that offers wage compensation. Except for the service facilities, all workplaces have been closed. Initially, in April 2020, a wage continuation payment of the last wage level was paid out. Since May, there has been a considerable reduction in the continued payment of wages.

There is little known information about the quarantine stations. In one prison in the federal state Schleswig-Holstein, the newly arrived prisoners in the 14-day quarantine cannot use the showers due to the infection control and are therefore provided with washbowls and warm water. Furthermore, it is reported that the duration of the outdoor exercise does often last less than 60 minutes, as the exercise can only be carried out by two individuals at a time. The period for opening up the cells in the other sections and wings of the prison was also reduced from six to two hours, as the building structure does not allow for other ways of avoiding larger groups.

In a prison in North Rhine-Westphalia tablets for Skype-calls were installed. Prisoners can use them for 30 minutes per week. Besides, the telephone hours were extended from 35 minutes per week to 10 minutes per day in the respective prison.

In Schleswig-Holstein, Skype is also used for conversations in the context of preparing for release. For other group offers, alternatives are to be found, such as podcasts on CD.



## ITALY

Update: 04/06/20

Life in Italian prisons is starting to return to normality, even though with many limitations. In many prisons, family visits have restarted but it is left to the prison administration to decide how many people will be accessing the prison according to circumstances of the facilities; unfortunately in many cases the administration has suspended the access to technology for detainees, while in other cases there is still the possibility to decide whether to benefit from video-calls or to have real life visits from the family. Visits from volunteers and other professionals that are not part of prison staff are still suspended.

Regarding the data on the detained population, on 31 May 2020 it is possible to observe that the decrease of the number of detainees has stopped after having slowed down significantly from mid-April onwards: at the end of May there were 53,387 prisoners.

The drop in prison entries since the end of February is at this point 7,843, a figure that is certainly significant, but still insufficient to bring the number of detainees at the level of the prison capacity, which on the same date was 50,472.

The most significant drop in number of detainees is recorded in Emilia-Romagna, where at the end of May there were 23.0% detainees less than at the end of February, 32.5% less among women, while in the country the drop was on average of 12.8%, and of 18.1% among women alone.

There was a significant change in the trend. At the end of April, there was a proportionally greater decrease among those in pre-trial detention (-13.2%) than among those with a final sentence (-11.4%), a sign that, in addition to the Surveillance Judges, also the decisions of the judges and prosecutors on the application or revocation of pre-trial detention had an impact on the decline in the detained population. At the end of May the figure was reversed and the decrease since the end of February is proportionally more significant among the detainees with a final sentence (-13.69%) than among people in pre-trial detention (-10.83%).



The cause is clear: in the last month the number of persons in custody remained substantially unchanged (8,118 at the end of April, 8,107 at the end of May), while the number of inmates with a final sentence continued to fall (from 37,098 at the end of April to 36,140 at the end of May). It would seem, therefore, that the media campaign on "easy releases" of mafia bosses has affected Surveillance Judges less than the judges that decide on the application of pre-trial measures.

The average occupancy rate, measured on the prison capacity, has dropped to 105.8%, while if we subtract the unavailable places is around 115%. But as many as 10 institutions continue to have an official occupancy rate of over 150%, including Latina (184.4%), Larino (186.8%) and Taranto (199.4%).

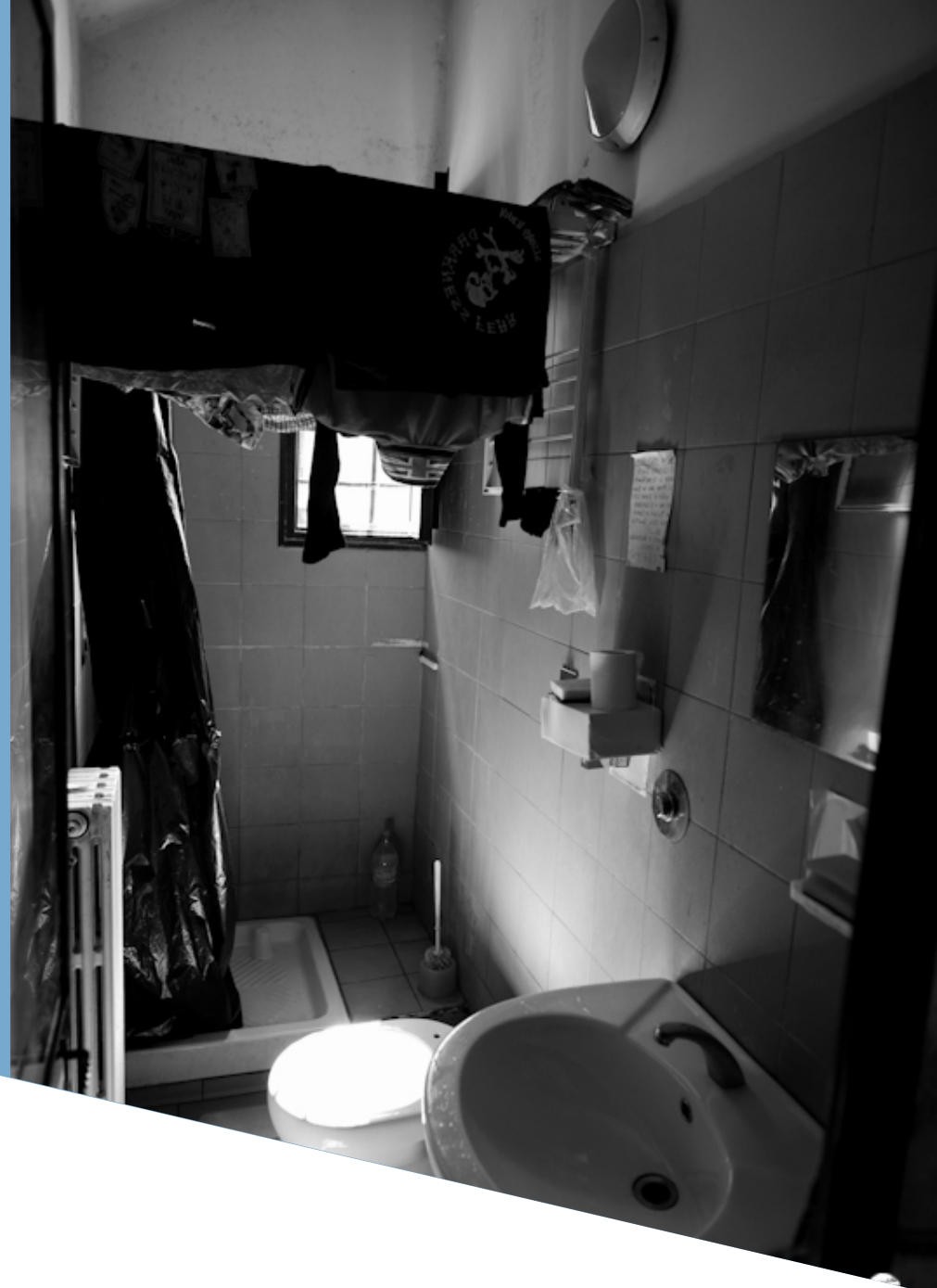
A positive development is represented by the latest Decree Law n.34 of 19 May 2020, that has allocated 31.7 million euros to the judicial offices and central offices of the Ministry of Justice to allow the sanitation of environments, the purchase of hygienic-sanitary equipment and other personal protective equipment and IT equipment. In addition, the Courts and Appeals Courts have been authorized to hire personnel to quickly carry out the work that has accumulated during this period and to encourage the digitization of files. As regards the penitentiary system for adults and minors, 7 million were allocated for overtime work of staff, 1.2 million for sanitation costs and 4.6 million for the purchase of IT equipment. Antigone hopes that the funds allocated for new technologies are not a temporary concession, but a sign of a shift towards a greater use of technology. The long-term goal must also be to use new technologies not only for 'private' communication between inmates and their families, but also to access the world of distance-education, which, although it cannot replace a class held by a teacher, can certainly enhance it, as well as to guarantee inmates a full right to information, as explicitly enshrined in the reformed prison system in October 2018.



## TURKEY

Update: 24/05/20

On May 22 **an inmate has died** after contracting COVID-19 in Istanbul's Silivri Prison, while the number of infected detainees in the prison has risen to 82. According to official data, 4 inmates have died of coronavirus. In a series of parliamentary questions on the same day, Feleknaş Uca, member of the pro-Kurdish Peoples' Democratic Party (HDP), has reported that detainees in Bayburt Prison are provided with only one protective mask for every eight of them. Other important issues that may increase the number of infected inmates regard the lack of hot water, the insufficient hygiene precautions taken by prison authorities and overcrowding. Murat Yılmaz, a human rights attorney in Ankara, claimed that public authorities have not revealed in a transparent way data about the outbreak risk in prisons, saying also that a lot of prisoners with chronic diseases such as cancer and high blood pressure are still in jail, even though the number of prison nurses and doctors is very insufficient. Gamze Akkus İlgezdi, a lawmaker for the main opposition Republican People's Party (CHP), has stated that at the end of April COVID-19 cases in prison increased by 606 percent.



## UNITED KINGDOM

Update: 1/06/20

According to the Ministry of Justice, as of May 31, 466 inmates across 79 prisons and 949 prison staff across 105 prisons have **tested positive for COVID-19** in England and Wales, while 23 inmates and 11 prison staff members are known to have died. In just six days, **five detainees have committed suicide in English and Welsh prisons**, causing more fears that the restrictive regime used to avoid the spread of the Coronavirus is having a devastating impact on prisoners. Four deaths were recorded in the adult male facilities (Bure in Norfolk, Risley in Cheshire, Dartmoor in Devon, and Cardiff) while the last suicide was committed at Aylesbury young offender institution (YOI) in Buckinghamshire by a 19 years-old boy, who was found dead in his cell on 16 May. Data show that there have been 16 self-inflicted deaths in British prisons since the beginning of the lockdown on 23 March. The only way to protect both inmates and prison staff seems to be the early release of prisoners. Her Majesty's Inspectorate of Prisons also recently discovered that a lot of detainees were spending less than one hour a day out of their cells. In Scotland five inmates are currently self-isolating with suspected Coronavirus at HMP Perth, while **25 detainees have been released early** from Perth Prison in order to increase the prison capacity during the pandemic. Up to 450 prisoners are eligible for early release in Scotland and so far, a total of 272 inmates have been freed from penal facilities. As of May 22, the Scottish Prison

Service stated that 15 detainees housed in 6 different prisons were self-isolating. At the moment the 18% of the SPS workforce is absent from work with 11.7% of the total workforce being absent for Coronavirus related reasons. The office of the children's has started an investigation in order to guarantee the right treatment of children in custody during the pandemic. This measure was taken after the news that some have been spending just 40 minutes a day out of their cell. The ministers have warned that there is an increased risk of self-harm and violence in prisons as a result of the restrictive measures taken to avoid the spread of the virus. As lockdown slowly eases, lawyers have recommended prison system to focus again on inmates' education and rehabilitation. **Children are reported to be currently struggling with the lack of visits**, since some facilities don't even have the means to guarantee the videocalls. Another problem is the lack of space and staff to let the children play in small groups. According to the latest data, prison **visits from relatives will resume from July** as part of a Coronavirus recovery plan for penal facilities in England and Wales, as well as class-based education and offender behaviour programmes. Both inmates and visitors will be required to maintain physical distancing and to wear personal protective equipments (PPEs), while plexiglass screens may be used. The government is hoping to move to alert level three for the general population in July, meaning that some restrictions and distancing measures will be eased. At the moment prisons will not move to alert level two until there is only evidence of infection in a small number of facilities.



## PORTUGAL

Update: 28/05/20

On 10 April, the Assembly of the Republic approved the exceptional measures for flexibility in the execution of prison sentences and measures of grace (**Law No. 9/2020**). According to it, 1,294 people were released for pardons, 14 people for presidential pardons and 691 people benefited from precarious exits of 45 days renewable. Also, recent **official data** from the Directorate-General of Reintegration and Prison Services (DGRSP) shows that from all people released with these measures: 5 persons re-offended committing small crimes; 34 persons went back to prison because didn't respect the rules of the precarious exits and 3 persons voluntary went back to prison.

The Ministry of Justice **stated** on 18 May that the necessary measures are being taken to restore visits to prisons and education centres for minors in June.

On 19 May, the official media **reported** the detection of two inmates with COVID-19 in Pinheiro da Cruz prison and Vale de Judeus prison. APAR, a civil society organisation that provides assistance to prisoners, and the Prison Guards Union have **denounced** that this situation is due to the fact that in these establishments measures for prophylactic isolation are not being complied with because inmates entering from outside are being placed together in a cell.

On May 26 the Directorate-General of Health (DGS) have **released information** about the conditions of the visits in prisons and tutelary educational centres for minors that will start during the month of June. The visits have to be pre-scheduled, only one person can enter and will last 30 minutes. "It is necessary to reorganize (and if necessary decrease) the number of seats available per visitation in order to guarantee the recommended physical distance of at least 2 meters. Videoconferencing should also be preferred, especially if the space does not allow for maintaining distance. To avoid crowds of people entering and leaving the space, lagged visiting times should be set. (...) If a positive case is identified, visits may be temporarily suspended. The space for visits must be reorganised to ensure distance. If this is not possible, the use of physical barriers to ensure visual and auditive contact shall be considered."





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