

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

UPDATE #7  
May 15th 2020



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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 Please note that the situation is constantly changing and that this information might already be out of date.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.

## BELGIUM

Update: 28/04/20

Since the start of the pandemic, 147 inmates have been released from the Anthwep region prisons. At the end of March the Minister of Justice, Koen Geens, had taken several measures to prevent the spread of COVID-19 and to protect health in Belgian prisons. According to the Prison System data, across Belgium there's a prisoners decrease of almost 12% and a part of that reduction can be explained by the measures taken to combat the risk of contamination in jail.

## FRANCE

Update: 12/05/20

As of May 12, there are 118 inmates and 294 prison staff members who tested positive for COVID-19 in the French penitentiary system. More than 11,000 detainees have been released so far and even though this measure has eased the overcrowding issue, reducing the potential Coronavirus spread through jail, it has also created a new series of problems. According to data, the rate of recidivism among French inmates is more than 60%; for this reason it has been created "Wake up Café" an organisation where 215 people are helping to reduce the chances that people will re-offend. The former prisoners that take part to this program apparently re-offend at a rate of less than 10 percent; but with all the newly freed detainees in the past few months, the request for these services has tremendously grown. Being released early means that many prisoners didn't have the time to be prepared for the life outside and this can cause several problems; to name one: they don't have jobs and aren't able find one. The Wake up Café director, Bourgain, has declared that he is worried that there will be a huge overpopulation in prisons in six months; but Richard Garside, director of the Centre for Crime and Justice Studies, has stated that while the prospect of releasing people from prison before they are prepared to re-integrate into society is less than ideal, it beats the alternative to risk their death.





## GREECE

Update: 14/05/20

According to the civil society, the repeatedly discussed (by prison authorities) and proposed (by prisoners, prison staff, opposition parties, human rights organizations, professional associations etc) prison population deflation measures have never been put in place. The government withdrew the plan to legislate early release measures for selected categories of prisoners, claiming that such a need does not exist as the number of prisoners and prison staff infected by Covid-19 is zero. Despite serious criticisms from a wide range of social, political and professional forces, the General Secretariat for Crime Policy of the Ministry of Citizen's Protection insists in applying a "wait and see" policy. According to a recent newspaper article referring to **corruption and drug smuggling** in prisons, a number of 30-40 prisoners and prison officers have been tested for Covid-19 in the last two months and the results were negative. No official data, though, have been published up

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to now. The expansion of teleconferencing (the so called **e-visits**) to 11 of the 34 prisons of the country, implemented initially in 6 prisons, is used to counterbalance prisoners' isolation from the outside world. Moreover, it has just been reported that the de-escalation and removal of measures restricting prisoners' social contacts, transfers and staff leaves will take effect gradually, starting from 18 May.

For a full account of the way the sanitary crisis is being dealt with in the Greek prison system since mid-March 2020 see **here**.

For some general positions regarding Covid-19, social distancing and people in custody see **here**.



## HUNGARY

Update: 14/05/20

Visits are suspended in all institutions, referring to the curfew restrictions Hungary introduced on 27 March 2020. Detainees are allowed to Skype their relatives, 15 minutes per week is allowed. Between 20 and 26 April altogether 3145 Skype calls were made. Additional phone minutes are offered (15 minutes/week), but detainees have to pay for the extra time. The tariff of phone calls in Hungarian prisons is excessive compared to the average tariff outside. The Hungarian Helsinki Committee has received information about the suspension of all the training and educational activities in prisons. It is also been declared that the daily routine, including the one-hour outdoor walk has been changed. The free use of the gym and a TV set in each cell are now accessible in order to compensate for the restrictions.

The Hungarian Helsinki Committee called on the Government to consider the early release especially of elderly and sick offenders who are particularly vulnerable to COVID-19, and to suspend the sentence of all petty offenders. (As of 15 April 2020 16560 people are detained in Hungarian prisons, 296 are older than 65 years, there are no data regarding other vulnerable groups.)

Based on publicly available information, temperature testing and health assessments at point of entry is ordered in all institutions. The Hungarian Helsinki Committee has asked the Government to reveal the number and results of COVID-19 tests and the availability PPEs and disinfectants in prisons, but they're still waiting for a response. They also suggested to test prison staff on a regular basis and that to provide them with the necessary protective equipment.

As of 23 April 47 detainees and 63 staff members were tested. According to the data provided by the Hungarian Prison Service, as of 23 April, there is no infected detainee and only one infected staff member in the penitentiary system. 47 detainees were isolated.

As of 6 May five new detainees with symptom of COVID-19 have been transferred to hospitals, before entering the prison.



## ROMANIA

Update: 07/05/20

Up until 7 May, according to data provided from the regional Public Health directions, 333 detainees out of 20,000 inmates have been tested and none of them was found positive to the virus. There was only one case of a false positive but two other tests excluded that the inmate was infected with the virus. 558 penitentiary officers were also tested and 22 were found positive.

## SPAIN

Update: 13/05/20

The Interior Minister, Fernando Grande-Marlaska, has decided that, on May 14, Spanish

penitentiary institutes will once again allow inmates to take leaves and to receive family visits. Since the start of the pandemic until May 12, the Prison System has confirmed that 254 prison staff members and 56 inmates have **tested positive for COVID-19**. According to prison data, the 87 women who at the end of 2019 were in prison with their children (aged under three years), have been **reduced to 69**. The reduction has been possible thanks to electronic monitoring, that is now used to make sure that women are serving their sentences at home. The ones left in prisons are currently housed in almost empty wards. In Spain there are also three external mothers units, located next to two Social Insertion Centers (CIS), that are intended for inmates classified in the third degree or semi-liberty. Penitentiary Institutions have stated that the tendency to

reduce the number of minors in prison is not new, although this practice has been accelerated due to the health crisis created by COVID-19. The Ministry of the Interior has declared that, whenever circumstances allow, the progression of the mothers' degree to semi-freedom is suggested in order to let the minors to spend as little time as possible in the penitentiary institutions.

## TURKEY

Update: 15/05/20

Ömer Faruk Gergerlioğlu, an opposition member of the Turkish parliament has declared, on May 10, that 8 inmates from Istanbul's Silivri Prison have been hospitalised due to Coronavirus complications. Apparently [191 inmates](#) and 79 prison staff members have tested positive so far. In the past few days the İstanbul Chief Public Prosecutor's Office has confirmed that there are 44 prisoners with COVID-19 in Silivri Prison. Sezgin Tanrıkulu, a Turkish deputy, has declared on May 6, that COVID-19 has already spread into prisons of Samsun, Konya, İzmir and İstanbul provinces; for this reason it is possible that there are more positive cases among prisoners. Even though about 90,000 inmates have been released so far, in the past few days a report has been released by the Istanbul branch of the Lawyers for Freedom Association (ÖHD) and the Association of Solidarity Prisoners' Families on prisons in Turkey (TUHAY-DER), that states that the spread of COVID-19 among detainees is alarming. The organizations ask for new measures to prevent the spread of the virus in prisons, including an increased disinfection of cells and personal protective equipments for prison staff. Detainees can only obtain cleansing and hygiene products from the canteen in exchange for a fee. Their [report](#) also wants the release of Turkey's political prisoners, echoing the UN, which in April said that political prisoners should be among the first released in the pandemic response. Apparently detainees are not being hospitalised unless there are emergency cases, and the 14-day quarantine period following a hospital visit cannot be implemented due to the lack of doctors in jails. Another issue is nutrition, which is a vital element in order to maintain a healthy immune system to protect against the virus; but sources have declared that there is a currently a shortage of food stock in prison canteens. Staff working outside prisons is allegedly not wearing any PPE and disinfectant liquid is not available at the entrances and lawyer waiting rooms of penitentiary facilities.



## UNITED KINGDOM

Update: 14/05/20

As of 11<sup>th</sup> May, 399 prisoners have tested positive across 74 of 117 prisons in England and Wales. 493 prison staff have tested positive across 69 of these prisons. As of 7<sup>th</sup> May, 21 prisoners and 8 prison staff had died with COVID-19.

On 4<sup>th</sup> April the government announced a scheme to release up to 4,000 prisoners who were within two months of their release date and had passed a risk assessment. By 12<sup>th</sup> May Prison Minister Lucy Frazer revealed that only 81 prisoners had been released under this scheme. Lucy Frazer, Justice Minister, has stated that, as of 11 May, 21 **pregnant women** have been released from prison, and 5 inmates have been released on compassionate release. Frazer has also told the justice committee that the 4,000 was the number of people who would be eligible for the

scheme, not necessarily the number of those who would be released. According to prison data at the start of the crisis, the penitentiary facilities population was about 83,000 while now is about 80,000 due to scheduled releases and reduced numbers of inmates coming into prisons.

On 29<sup>th</sup> April the controversial Medway Secure Children's Centre, formerly run by G4S and closed earlier this year due to a scandal, was reopened to house 70 adult prisoners in a bid to ease overcrowding in the prison estate. 300 of a planned 500 single-cell units made from converted shipping containers had also been installed across 9 prisons by the end of April.

On 11<sup>th</sup> May the Justice Secretary Robert Buckland announced that jury trials are to resume in England and Wales.

As of 12<sup>th</sup> May 20 prisoners across 7 prisons in Scotland are self-isolating, including 3 who have tested positive for COVID-19. As of 8<sup>th</sup> May, 560 members of Scottish Prison Service staff, or 12.6% of

the workforce, are absent due to coronavirus-related reasons, including 50 who are symptomatic.

As of 30<sup>th</sup> April, no prisoners had tested positive for the virus in Northern Ireland, but 5 prison officers had.

Meanwhile, because of **several reports of wrongful convictions**, lawyers and prosecutors working at the Crown Prosecution Service (CPS) in Great Britain will **re-examine every charge**, conviction and sentence brought under the new coronavirus emergency legislation. The CPS has stated that it is the first time ever that they launch a comprehensive review of every charge under a specific piece of legislation, with some of the cases already listed for review as incorrectly prosecuted. Apparently the police has used the powers concerning only potentially infected persons, to arrest and charge people that didn't have any indication that they were ill, when they wanted to restrict movement or believed someone to be in a public place without a valid excuse. This situation has increased the concern over the new and widespread powers given to the state and the armed forces amid the COVID-19 crisis.





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