

COVID-19: WHAT IS HAPPENING IN EUROPEAN PRISONS?

UPDATE #3
April 17th 2020



COVID-19: WHAT IS HAPPENING IN EUROPEAN PRISONS?

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 Please note that the situation is constantly changing and that this information might already be out of date.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

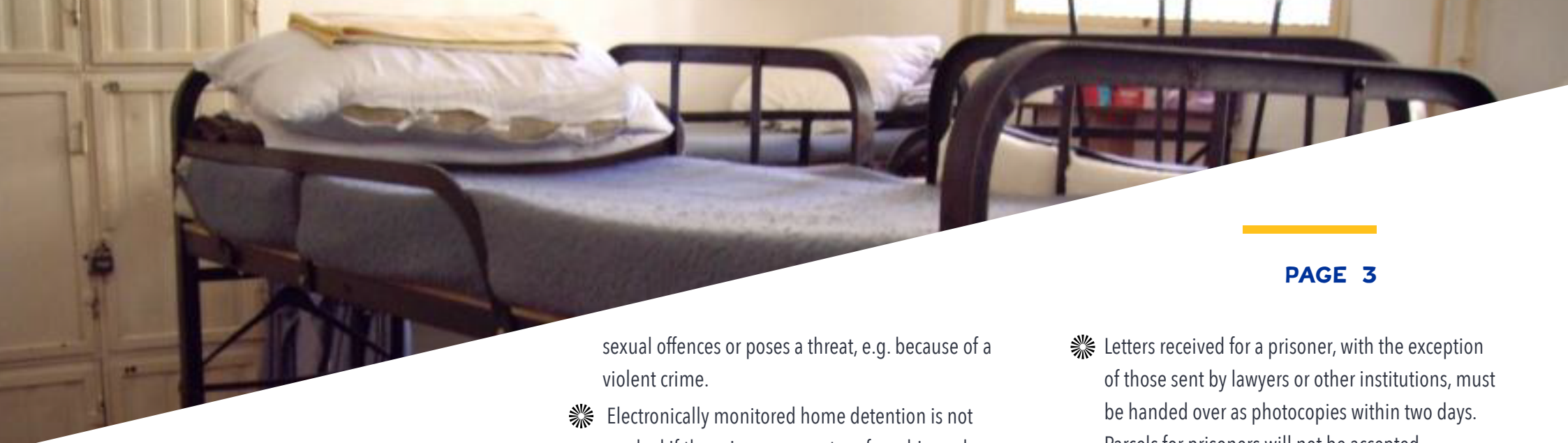
Other information can be found on the following websites.

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.

World Prison Brief is compiling a [list](#) of news articles from around the world on COVID-19 and prisons which will be updated regularly.



AUSTRIA

Update: 15/04/20

According to the [COVID-19 information homepage](#) of the Ministry of Justice, after two reported SARS-CoV-2 cases among inmates in two different prisons, there are no more inmates with COVID-19 imprisoned in any of the 28 institutions.

Measures to reduce the prison population and to hinder the spread of SARS-CoV-2 within prisons were adopted with several adjustments to the [penal law](#):

- ☀ If the convicted person is at large, and the extent of the sentence to be executed does not exceed three years, the prison sentence cannot be enforced unless the offender has been convicted of

sexual offences or poses a threat, e.g. because of a violent crime.

- ☀ Electronically monitored home detention is not revoked if the prisoner cannot perform his work due to the measures taken against the spread of COVID-19 (The Minister of Justice, Alma Zadić promised to find a solution with the Ministry of Social Affairs and Labour regarding the social insurance of these inmates during this period, as they are usually insured because of their jobs)
- ☀ Moreover, a postponement of the execution of sentences must not be revoked if charitable services cannot be carried out due to the measures taken to prevent the spread of COVID-19
- ☀ Persons infected with COVID-19 or who are in quarantine due to contact with an infected person are considered unfit for detention.
- ☀ Trials and court hearings with inmates should be conducted via video conferencing.

- ☀ Letters received for a prisoner, with the exception of those sent by lawyers or other institutions, must be handed over as photocopies within two days. Parcels for prisoners will not be accepted.

Since 1 April, prison staff are required to wear masks. New inmates, after having spent 14 days in quarantine and got tested for SARS-CoV-2 according to regulations, must wear masks for four weeks when being out of their cells.

At a [press conference on 03/04/2020](#), the Minister of Justice announced that it is planned that [inmates in several Austrian prisons will sew up to 5000 mouth-nose masks](#) per week for internal use but also for hospitals and other organisations in need.

Furthermore, Minister Zadić said that the prisoners are having a deep understanding of the SARS-CoV-2 related restrictions a conducted survey in all 28 prisons showed that the measures were very well received.

The media reported differently, stating that they were informed by prison officers and defense lawyers that at least in Austria's largest prison Wien-Josefstadt, holding 1100-1200 inmates, the atmosphere is "explosive". Telephone time is limited to 10 minutes per day (also because there are not enough telephones), video calls are not possible as promised, inmates in open wards are instructed to stay in their cells all day and to make room for isolation cells, common cells of the already overcrowded prison are now occupied by too many inmates.

Additionally, inmates claimed in letters to the Austrian Press Association that members of prison staff are not wearing their masks and both inmates and prison officers are not keeping a distance of one meter. Moreover, the time outside in the open air was reduced from one hour to **15 minutes**.

The Ministry of Justice rejects all allegations and stated that inspections were carried out. "The results were very gratifying, and there was a positive mood - both among inmates and among prison officers in the prison Wien-Josefstadt. All measures are implemented accordingly, especially the increased possibility for phone and video calls. This was emphasized in a facebook post by the Minister of Justice, comparing the number of telephone minutes consumed in March 2019 and March 2020. Accordingly, the usage increased by 42,74% e.g. in the last week of March.

The Ludwig Boltzmann Institute of Human Rights has published a statement (written by Philipp Hamedl, E.MA) on the situation of inmates in Austria and on some of the measures taken by the government.





DENMARK

Update: 18/03/20

The prison authority has **announced** that Denmark has closed its doors to new prisoners and limited family visits, to avoid the spread of coronavirus. Day release permits and all group activities have been suspended. Newly convicted prisoners will serve their sentences by being held in remand.

ESTONIA

Update: 04/04/20

The Ministry of Justice has introduced a new measure to avoid the spread of coronavirus: prison guards in Estonia are now switching to a 24/5 schedule, which means they will work five days in a row and spend their time off after work on site at the prison. Prison officials, who have been chosen for the shifts on a voluntary basis, will stay in prisoners' living quarters for five consecutive days. Family visits, group work and walks have been suspended and prisoners must remain in their living quarters. For this reason, inmates have been given access to more reading material and TV channels, a larger variety of food and more phone calls. It is also known that there are currently about 300 inmates with HIV and 700 detainees with hepatitis C in Estonian prisons, in addition to many others for whom contracting Covid-19 could be lethal.

FRANCE

Update: 10/04/20

According to the **prison administration**, there are 63 coronavirus positive cases among inmates and 145 among prison staff. On April 3, another prisoner has died after contracting Covid-19.

On March 22, nearly 200 prisoners detained in Uzerch prison, in Corrèze, managed to take control of the "C" building. The supervisors lost control of the building, which they had to evacuate, and prisoners took possession of the gangways. This **revolt** has led to nearly 250 unusable cells. Several outbreaks of fire have been recorded, in particular they burned several mattresses, and an inmate who inhaled smoke had to be hospitalized. A gendarmerie helicopter and dozen vans of mobile gendarmes converged on place to bring order. The main reason of the revolt was the fear of coronavirus and the suppression of family visits. Detainees were then sent back to the cells in the floors that were not destroyed and the protesters were identified. Earlier in the same day, other inmates had started some protests in several prisons across France, but with much less intensity.

In France, trials have been postponed, proceedings take place remotely and many prisoners have been released. The International Prison Observatory (OIP) has however **reported** many cases in which suspects, who normally are entitled to a lawyer, can't be assisted by them since the coronavirus outbreak.

The videoconference system doesn't always work and hasn't been implemented everywhere. This situation can both occur during the time in police custody and after, when the judge decides whether the suspect should be imprisoned or not. In some cases, the defense intervenes remotely and transmits the files by e-mail. The Ministry of Justice has defended **the ordinance of March 25** saying that the measures taken preserve the rights of citizens and respect the essential guarantees. According to him, a total of 6,266 detainees have left prison since the start of confinement, but apparently the overpopulation persists as the major problem in French prisons.

GREECE

Update: 9/04/20

The **abandoned wing** of Korydallos Prison for Women was recently renovated to accept prisoners infected by the virus. The wing operates as a section of the Special Health Care Centre for Prisoners (formerly called "Korydallos Hospital for Prisoners"), and in previous years it has been used as unit for the separation of HIV positive prisoners, now dispersed in various prisons throughout the country. It should be clarified that the second unit which is planned to be used for the segregation of prisoners in case they will be infected by Covid-19, is located within Thessaloniki (Diavata) Custodial Institution, and it is not a wing of one local public hospital, as it was reported in the previous contribution published on 25 March 2020. The mentioned unit was operating up to September 2019 as a section for women prisoners and it was evacuated to be transformed into a disciplinary section, but the pandemic has postponed the original plan.

In the meantime, proposals, petitions, complaints etc. by various human Rights bodies and organizations (such as the **GNCHR**, **HLHR**, and **Amnesty Greece**), professionals (see [here](#) and [here](#)), prisoners and supporters (www.tokeli.gr/) are daily increasing, asking the Government to improve prison conditions and finally legislate measures to alleviate the unequally distributed prison crowding (11,354 prisoners in 10,055 places, with occupancy exceeding 150% of official capacity in many institutions and reaching 250% in some of them: Volos Special Custodial Institution for Young Offenders: 134 prisoners in 54 places, Tripolis Custodial Institution: 142 prisoners in 53 places, Komotini Custodial Institution: 353 prisoners in 142 places, Ioannina Custodial Institution: 137 prisoners in 66 places and so on so forth, Nafplion Custodial Institution: 446 prisoners in 273 places).

It is important to mention that the Greek National Commission for Human Rights on 8 April 2020 expressed their **disappointment** as regards the measures reported to the Plenary of the Commission by the representatives of the General Secretariat for Crime Policy (currently the competent authority for prisons) for the protection of prisoners within the health crisis.





The death of one **42-years-old woman** prisoner in Thiva Custodial Institution triggered the reaction of prisoners, who **claimed that she was infected by the virus**, a cause which **has not been confirmed** by the prison authorities. Up to now, though, no infection of prisoners or prison staff members has been detected in Greek prisons..

While the Government is still hesitant to decide on their repeatedly announced (with interviews of the Government officials to the mass media, but never with an official press release) intention to release some hundreds of selected categories of prisoners, i.e. those serving the last part of their short or medium term sentences, the elderly etc (see **here** and **here**), restrictive measures prohibiting social and legal contacts and the suspension of prison leaves are still enforced. At the same time allegations of prisoners, their supporters, prison staff and others as regards inadequate and insufficient cleanliness and hygiene measures are continuously published, with prisoners announcing various forms of protests (see **here** and **here**).

HUNGARY

Update: 15/04/20

The penitentiary institutions in Hungary became more closed and less transparent than they were before the outbreak of COVID-19, and they were extremely restrictive and difficult to access by the public before as well.

Back in 2017 the Hungarian Prison Service terminated the cooperation agreement with the Hungarian Helsinki Committee and denied them access to prisons after two decades of cooperation and countless monitoring visits by the NGO. Now **NGOs** have no access to prison. **Churches** and other religious organizations had to suspend their operations in prisons. Due to the lack of adequate resources and funding, the **National Preventive Mechanism** has no capacity to visit a sufficient number of prisons (it has conducted 12 monitoring

visits in prisons in the past five years). The **Prosecution Service** supervises the legality of penal institutions' operation, and they still conduct regular visits weekly in most institutions, however, the effectiveness of their control has always been questionable.

Attorneys are allowed to enter penitentiaries for consultation after their temperature is taken. The warden of the Budapest-based Metropolitan Penitentiary Institution informed the Budapest Bar Association about the following measures taken with regard to attorneys: prison staff takes the temperature of attorneys before entering, and pose them a series of questions about potential exposure to COVID-19, and may deny entry on the basis of these; communication happens with a plexiglass between the attorney and the defendant, via phone; they disinfect regularly the rooms used for consultations; they ask attorneys to refrain from handing over documents to the defendants; they ask attorneys to rather consult their clients via phone or Skype.

The Hungarian Prison Service called upon the relatives of detainees to "minimise the number of visits". However, **visitation** in general is still allowed if the family members are separated from the detainee by a plexiglass screen. (All penitentiaries have been equipped with these already, irrespective of the epidemic, and visits conducted behind plexiglass screens became the main rule in April 2019, not allowing physical contact, kisses or hugs, without any differentiation with regard to the security concerns posed by a given detainee. This has been heavily criticized by NGOs previously.) Also, the number of visitors has been reduced to two per visit, and the Hungarian Prison Service proposed to detainees to avoid initiating visits with their elderly or young relatives. Phone calls and Skype calls are allowed to everyone to a certain limit, but according to complaints received from relatives and attorneys, not all can use this opportunity, partially because of the lack of sufficient financial or technical resources of their family.



It is to be mentioned that some institutions suspended visitation referring to the curfew restriction Hungary introduced on 27 March 2020. The rules of the curfew allow people to leave their homes for work or for “essential” activities such as buying food (or even for going to a hairdresser), but visiting family members in prison is not one of the reasons for leaving home under the rules.

On 5 April 2020, a Government Decree introduced tighter measures for prisons, for example:

- new detainees are isolated for two weeks;
- new detainees with any symptom of COVID-19 will be transferred to hospitals;
- leaving the institution shall not be authorised even if a close relative is dying or to attend a funeral.

The Hungarian Helsinki Committee also received information that all training and educational activities have been suspended in the prisons, and the daily routine, including the one-hour outdoor walk (which is the only obligatory out-of-cell activity) might be changed. In order to compensate the restrictions, free use of the gym and television to each of the cells is authorized and provided. Furthermore, the Hungarian Prison Service introduced some other supportive measures, like the suspension of petty offense confinement in the less severe cases, providing information to detainees on an ongoing basis, and the provision of defensive equipment.

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.

There is no publicly available information on how the Hungarian Prison Service seeks to prevent the virus spreading into or within the Hungarian prisons. Based on publicly available information, temperature testing and health assessments at point of entry is ordered in all institutions.

However, the key would be the regular testing of prison staff and providing them with the necessary protective tools. The Hungarian Helsinki Committee has submitted FOI requests regarding the number and results of COVID-19 tests, and regarding the availability of masks, protective equipment and disinfectants in prisons; the response is pending.

According to publicly available information, **there is no infected detainee or staff member** in the penitentiary system.

ITALY

Update: 15/04/20

On April 15, the Penitentiary Administration released the latest numbers on the spread of the virus in Italian prisons: 94 detainees are positive to the virus, 19 recovered and 2 died.

The first detainee to die because of Covid was a 76-year-old man; he was detained in the Bologna prison and died at the Bologna hospital, where he was being treated. The second death was confirmed on April 10. The pre-trial detainee was a 58-year-old man detained at the Voghera prison. A third person died in a Residence for Security Measures during the Easter holidays.

Among the 94 detainees, almost all of them are asymptomatic while 11 were transferred in external health structures. Among the 19 who recovered, 14 were kept in quarantine in isolation wards that were set up in prisons for the emergency and 5 of them were taken to the hospital.

Among the prison staff, 204 police officers and 5 civilians were found to be positive: 170 are quarantined at home, 22 in police barracks and 17 in hospitals. 6 police officers recovered and 2 died.

In the prison system, on April 15 there were 6,000 detainees less than at the end of February. A brief analysis of official numbers (dated a few days earlier, 31

March) showed that the decrease of the number of detainees is not evenly distributed. The average of the decrease on the overall territory is of 5%, with peaks of -16.3% and -7.2% in Emilia-Romagna and Lombardy (areas that were hardly hit by the virus) respectively. In Veneto and Piedmont decreases were less pronounced (-3.8% and -1% respectively) even though they are among the areas that were most affected by the virus. In some regions (such as Marche and Calabria) the prison population has shown an inverted trend and has increased. In particular, the number of women has decreased more sharply than the number of men (-7.6%), while the curve of the foreigners is more flat (-4.7%). Surprisingly the number of people in semi-freedom is decreased only of a few hundreds of them (from 1,097 to 884 people), considering that according to art. 124 of the most recent Decree should have reduced their number to avoid their daily return inside prison institutes.

The decrease of pre-trial detainees is even more pronounced (-7.6%) than that of detainees with a final sentence (-4.5%) notwithstanding the lack of a specific change of the normative framework. This could suggest that judges are limiting the use of pre-trial detention and this is contribution to the decrease of the number of incarcerated people.

NORWAY

Update: 20/03/20

In an internal regulation sent by the Prison and Probation Service (KDI) to the country's regions on March 16, it is stated that **more than 200 inmates must be released** as a measure to minimize the risk of infection in prisons. The Norwegian Correctional Service announced that it has **granted 126 inmates early release** from prisons on the last week of March and a further 73 inmates on the first week of April. It has also been confirmed that three employees have tested positive for Covid-19, but no inmates has been infected. Medical staff has started testing inmates, but there is a lack of test equipment and there are about 200 inmates who are older than 60 and are considered part of the risk group.

POLAND

Update 06/04/2020

As from March 12, the body temperature has been measured to anyone who enters prisons and pre-trial detention centres: if the temperature is found to exceed 38°C degrees, the person is not allowed in. In order to guarantee contacts between inmates and their relatives, the possibilities to access to telephone communications have been increased. Detainees have also more access to television, radio and press. Moreover, additional therapeutic and educational activities have been introduced. Visits to all detention centres and prisons have been suspended since March 19. On April 6, **the Prison Service has introduced** new security measures in penitentiary units: officers who come into contact with prisoners must wear protective masks and there's now a total ban for prisoners to do external work. Currently there's only one prisoner who has tested positive for Covid-19 and he's one of the two inmates arrested by the court because they didn't respect quarantine rules. At the moment this detainee has been isolated, living in a separate building from the others, and he has contact only with medical staff. According to the Penitentiary Service some 60 prisoners are under preventive medical surveillance in isolation, because before their incarceration they've been in countries where coronavirus was already present. It has also been confirmed that two officers and one prison employee have contracted the virus and they're in good condition, isolated in their homes. All prisons and detention centres have been provided with disinfectants, sanitary masks, hygiene and medical supplies, protective suits and gloves and all the cells are sanitized several times a day.



PORTUGAL

Update: 14/04/20

There are currently about 13,000 people in custody in Portugal, to which must be added a few thousand professionals and dozens of children in 49 prisons. The majority of the prisons are overcrowded and do not guarantee the isolation of people in an environment where precarity and living conditions are degrading. In the prison population there are a significant number of elderly people (24 over 80 years old) and prisoners declared to be at risk, chronically ill (oncologic, diabetic, cardiac etc.) and infected (HIV, hepatitis B and C), pregnant women and children, not to mention the picture of mental health problems that will increase with the current situation.

Since 16 March, visits to all prisons have been suspended. In order to overcome the isolation of prisoners, the state has increased the number of telephone calls allowed, giving the right to 3 daily calls of five minutes, however, they have to have money to make the calls, which is difficult for the majority. In some prisons video calls have also been allowed and extended but with many limitations due to the lack of human and material resources to make the calls, as the use of mobile phones and other technological means within the prison wards remains prohibited and many family members don't have access to computers with internet and skype. So there is no possibility to use mobile phones and WhatsApp for the videocalls.

Educational, recreational and religious activities have also been suspended. Unfortunately, the technical staff and prison guards have been halved, which directly affects prisoners who could spend an average of 23 hours locked in cells. The Kindergartens in women's prisons have also closed, which greatly worsens the conditions of women mothers and children in prisons that are confined to cells and wards. The work carried out by prisoners has also been mostly suspended with the exception of some services such as cooking, cleaning, agricultural work (in some prisons). In the women's prison of Sta Cruz do Bispo one of the companies that uses prison workforce has adapted its production for protective material, masks, uniforms for health workers and other products, promoting the labor exploitation of dozens of women prisoners who work day and night and receive derisory wages.



Judicial proceedings are slower or even suspended implying prolonged waiting periods of decisions for pre-trial detainees or suspension of sentences for convicted prisoners.

Also, the two prison hospitals have been prepared to receive COVID-19 patients, two prisons have been seconded to receive sick prisoners, infirmary spaces in prisons are being created and increased and the armed forces have built 5 camp hospitals within 5 prisons for a total of 150 beds.

People now entering the prisons are lockdown into quarantine. When there are suspicious cases between prisoners, all prisoners and professionals who have come into contact with the sick person are put in isolation. Transfers of prisoners between prisons have been suspended. The protective equipment only began to enter the prisons for the use of professionals and guards at the beginning of April, after almost a dozen cases of COVID-19 have already been confirmed in different prisons. It was only at the end of March and after the first confirmed cases of COVID-19 appeared, that the

Director General of the Prison Services and later the Minister of Justice called for the release of some prisoners in response both to the imminent danger of the spread of COVID-19 in prisons and to the recommendations of the UN and the Council of Europe for the release of prisoners.

During the first week of April, measures for the release of some prisoners were discussed and approved in parliament: 1) the pardon by the President of the Republic for prisoners and inmates over 65 years of age and with chronic diseases but not convicted of sexual crimes, domestic violence, murder, drug trafficking, arson, among others. 2) the pardon of 2 years for those who lack two years to serve or who have sentences of less than 2 years except for those convicted of crimes of domestic violence, murder, sexual abuse of minors, drug trafficking, among other exceptions and finally 3) the granting of 45 days of renewable precarious leave to those who are already in the precarious regime. These measures could at best cover around 2000 people.

A grave problem is represented by the lack of new support programs for the social and economic reintegration of people coming out of prisons since only networks with local authorities will be strengthened. On April 14, 40 liberated men who were left homeless were resettled on the Monsanto camping site as a result of a partnership with the local authority.

SLOVENIA

Update: 01/04/20

On March 16 the government has drafted a bill that plans several coronavirus containment measures. These measures include: a one-month suspension of the prison sentence, which can be extended, and an early release for inmates who have less than six months left to be served. These measures will also help to ease the overcrowding problem, which doesn't allow the effective isolation of infected persons at all locations. It is also now possible to interrogate a person via videoconference with the exclusion of public from all procedures. These measures should be in force until 1 July but could end earlier if needed. On March 28 **an inmate has tested positive for Covid-19 in Dob prison complex**, and that is first confirmed case of a prisoner contracting the disease in Slovenia. On March 29 the drafted bill of law entered into force and the Minister of Justice Lilijana Kozlovič announced that **prison sentences have been suspended for 68 detainees** and an additional 15 inmates have been released early.

TURKEY

Update: 13/04/20

Eligible prisoners will be **released** under judicial control until the end of May and the Ministry of Justice will be able to extend the period twice by a maximum of two months each time, according to the law. The Minister has also confirmed on April 13 that there are 17 confirmed cases of COVID-19

among inmates, including three deaths. He affirmed that 79 prison staff have also tested positive, along with 80 judges, prosecutors and staff from the judiciary and forensic science officers.

UKRAINE

Update: 08/40/20

The Ministry of Justice has drafted an amnesty bill in order to **release about 900** inmates, only those who don't pose a danger to society, amid the coronavirus pandemic. The Minister has declared that he won't start a mass release of tens of thousands of prisoners, because this process should be gradual, prepared and controlled in order to avoid the spread of the virus. The current measures will be in effect from April 6 to April 24. The ministry also wants to amend laws to reduce the number of new people sent to pretrial detention centers or penal colonies.



WWW.PRISONOBSERVATORY.ORG/

info@prisonobservatory.org