

COVID-19: WHAT IS HAPPENING IN EUROPEAN PRISONS?

UPDATE #4
April 24th
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 Please note that the situation is constantly changing and that this information might already be out of date.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.

GREECE

Update: 16/04/20

Inmates have started a rebellion in Korydallos prison due to several reasons, the most important of these is that they can't see their relatives, because of the preventive measures taken to avoid the spread of coronavirus. The prisoners have decided to set fire to the building and allegedly the riot started in the drug users/abusers wing. As a form of protest, on April 14, inmates of Korydallos men's prison have decided to abstain from daily wages and from working in the kitchens, with the result that prisoners are left without food. This also causes concern because it undermines the health of

elderly's sustenance and vulnerable prisoners who are held in the prison hospital and receive food from the prison kitchen. Inmates have also claimed that the protective and hygienic measures taken immediately by the government are insufficient. They ask for decongestion, an issue that is already on the government's table. Inmates are demanding for: the early release of those who have served 1/3 of their sentence or have another year to finish to serve their sentence, the release of those belonging to vulnerable categories and the temporary transformation of prison sentences into house arrests using electronic bracelets. They also ask for a frequent disinfection of external and internal areas, the suspension of any kind of transfers, access to all necessary medical supplies and the reduction of the number of workers in order to reduce the risk of spreading the virus. If the decongestion plan that the government has

on the table will be approved, this will probably lead to release a percentage of about 20% of the 11,245 prisoners in Greek prisons (except for serious crimes, such as drug-related crimes, homicide, terrorism, rape, etc.). In particular, are expected to be released: prisoners with a maximum of 12 months left to serve, detainees with a sentence up to 5 years in prison if they have served 1/2 of the sentence, inmates indicted for financial crimes with sentences of up to 8 years, and detainees over the age of 65 if they have served 1/3 of their sentence.

The Greek ombudsman Andreas I. Pottakis has sent a letter to several Ministers, including the Minister of Health, the Minister of the Interior, and the Deputy Minister to the Prime Minister, complaining about the country's prison system. Greece houses a total of 11,245 inmates in facilities with a maximum capacity of 10,055 seats.

Prisoners exceed the available capacities in percentages that range from 102.38% to 252.83%. Pottakis has stressed the importance of the "Statement of principles" published on March 20 by the Commission for the Prevention of Torture (CPT) of the Council of Europe that reminds to avoid any kind of torture and inhuman or degrading treatment of detainees during the implementation of pandemic prevention measures and points out the need to implement alternative measures of detention. After a visit to prisons in Greece in 2019, the Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (**CPT**) has recommended to Greek authorities to remedy structural problems that have led to enduring ill-treatment of detainees, prison overcrowding and staff shortages. The CPT report was **published** on April 9 and it states that some positive changes have been done by authorities since the last CPT visit to **Greece** in 2015. The report states that police ill-treatment is still a frequent practice in Greece. In addition, far too many prisoners continue to be held in conditions that represent an "affront to their human dignity". Urgent emergency decongestion measures need to be taken to reduce overcrowding at Korydallos Men's and Thessaloniki Prisons, both operating at over 140% of their official capacity. Poor material conditions have matched the overcrowding problems in Korydallos Men's Prison: the CPT has found up to seven inmates in a 9.5m² cell containing filthy mattresses and blankets, infested with bed bugs with mould on the walls and ceiling. These conditions have also been found in the unsupervised disciplinary unit at Nigrita Prison and they have been considered by the CPT as an inhuman and degrading treatment. The CPT has required to Greek authorities to ensure that every detainee has at least 4m² of living space, excluding the sanitary annexe, and is provided with their own bed, appropriate hygiene products and regular access to hot water.





FRANCE

Update: 23/04/20

83 inmates and 204 prison officers **tested positive** to Covid-19 as on April 23. On April 14, it has been reported that 465 prison staff and 433 detainees presented coronavirus typical symptoms but hadn't been tested yet.

ITALY

Update: 23/04/20

While Italy has from one hand succeeded in **reducing the prison population** of around 6,000 detainees since the beginning of the outbreak in March, from the other hand the numbers of the infection in prisons continues to rise. One of the most problematic institute is the **Turin prison** Lorusso e Cutugno, where several members of the staff and 68 detainees were found positive to the virus. Most of them are asymptomatic, but 5 were transferred to the hospital in critical conditions. Reports of the last few days indicated that the virus had also reached the "high security" section, where the rules regulating the life of detainees are stricter. The prison hosts over 1,300 detainees and has an **overcrowding** rate of almost 130%; therefore, the risk of an even further spread of the virus is far from remote.

This example shows the necessity to speed up the release of detainees according to the new measures in place, but is also an indicator of the necessity to discuss and implement further measures to release a higher number of detainees.

Unfortunately, Piedmontese Surveillance Judges seem to be reluctant to grant measures of home detention, as opposed at what has been done by other Italian courts (such as in Lombardy).

SPAIN

Update: 20/04/20

During the coronavirus crisis, inmates in Palma de Mallorca's prison **have requested to be freed** claiming that they underwent inhuman treatment. Lawyers representing these prisoners have made an official request to government stating that since the outbreak of the virus the human rights of individuals haven't been respected and the guidelines drawn up by the World Health Organisation (WHO) to stop the spread of the virus have been violated because it is not possible to keep a safe distance between inmates and. Attorneys asked to authorities to increase testing in jail, to temporarily stop to hold illegal migrants in prison and to early release 'low-risk' inmates due to overcrowding in cells. According to a Government of the Balearic Islands press release, 40 inmates and a guard have contracted Covid-19. At the moment the prison hosts 1,210 detainees and some 500 officers.

In the Madrid VII Penitentiary Center located in **Estremera**, one inmate has died after contracting coronavirus while 3 officers and 12 other prisoners have been infected. At least four of the 19 sections of the prison are in sanitary isolation and other three were organized according to the preventive measures. Union sources stated that there had been a moment of tension among detainees. The prisoner who died on March 20 was a 78-year-old man and his death was followed by the death of an officer working in Fontcalent prison, Alicante. Three weeks later, the Interior Ministry has taken more drastic

measures to avoid the prison system collapse; Estremera prison has become the main focus. In addition to the two deaths, it has been confirmed that 21 inmates and 185 prison staff had tested positive to the virus. Among the 12 Estremera's positive detainees, 5 have been hospitalized, one of them is in the ICU as he suffered a previous serious pathology, while the other 6 have been isolated in jail with mild symptoms and the last one has already been discharged. Apparently the first two detected cases, apart from the deceased inmate, are prisoners who had left the prison before prison leaves were suspended on March 12. Prisoners in isolated sections are not benefitting from outdoor time, that was suspended, and have been provided with protective masks that they must wear whether they have to leave their cells or have a contact with staff. They must also eat inside the cell. The Prison Service has also confirmed that the Brieva prison in Ávila, is the institute with most cases of sick workers (18).

UNITED KINGDOM

Update: 18/04/20

Last week six detainees have **mistakenly been released** from prison in the attempt to follow the instructions given by the Ministry of Justice to avoid the spread of coronavirus in jail. For that reason, on Thursday, the government has decided to urgently suspend the programme of early release, which it should be resumed next week. The prisoners who have wrongly been freed, were let out of two open category D prisons (Leyhill in Gloucestershire and Sudbury in Derbyshire) while another inmate came from the Isis category C prison and young offenders institute (YOI) in South East London. The Prison Service stated that the erroneous releases have been a human mistake and that the inmates were indeed freed too early, but were otherwise **eligible** according to the program, and "returned compliantly" to jail when told to do so. There is also news of inmates self-isolating and the number of detainees in single cells is increasing. Meanwhile, due to inactivity of criminal courts the number of new inmates has reduced. Great Britain has also decided to increase the number of detainees held in **single cells**. It has been reported that about 2,000 cells are being created to facilitate social distancing in prisons.

On April 17 two of the United Kingdom's biggest **penal reform groups** have **launched a legal action** against the Secretary of State for Justice, Robert Buckland. They claim that the measures taken so far to avoid the spread of Covid-19 behind bars are inadequate and insufficient. A formal letter was sent by lawyers acting for the Howard League for Penal Reform and the Prison Reform Trust in which they have exposed "details of a proposed application for judicial review". They have complained about the rate of releases which appears too slow and limited to make any substantial difference to the prison population. Lawyers have also suggested a wide range of actions that the government should take to face the problem: vulnerable and elderly prisoners should be immediately released, as well as pregnant women and mothers, and considering the release of all children in custody. Coronavirus cases have been confirmed in more than half of the prisons in England and Wales. As on April 16, 255 inmates had tested positive for coronavirus in 62 prisons and 13 were known to have died, while 145 prison staff have contracted the virus in 49 different jails. While the Prison Governors' Association has planned that prison population should be reduced by 15,000, apparently only 18 inmates have been released to date.





WWW.PRISONOBSERVATORY.ORG/

info@prisonobservatory.org

© Ph. Philipp Hamedl. All the pictures are from Austria
(Justizanstalt Garsten)

 European Prison
Observatory