



## COVID-19 Feedback Collection 1 April 2020



Supported by the Justice  
Programme of the European Union

	Infected Prisoner	Staff	Isolated / quarantine Prisoner	Staff	Dead Prisoner	Staff
Slovenia	1		1	28	14	
Poland	1		0	0	0	
Slovakia	1		Several	several		
Belgium	4		4	0	0	
Czech Republic	0		6	0	3	
Israel	0		5	0	0	
Spain	6		81	150	870	1 1
Catalonia	9		19	34		
Sweden	1		0	0	0	
Italy	19		116			
Hungary	NONE	NONE	NONE	NONE		
Finland	NONE	NONE	NONE	NONE		
Lithuania	NONE	NONE	NONE	NONE		
Georgia	NONE	NONE	NONE	NONE		
Latvia	NONE	NONE	NONE	NONE		
Luxembourg	NONE	NONE	NONE	NONE		
Malta	NONE	NONE	NONE	NONE		
Bulgaria	NONE	NONE	NONE	NONE		
Romania	NONE	NONE	NONE	NONE		
Estonia	NONE	NONE	NONE	NONE		

### Early release & intake of new prisoners

Israel	240 prisoners remainder serving time less than 1 month
Latvia	imposition of short term custodial sentences has stopped
Norway	applying early release measures to decrease prison crowding, 126 inmates were released, 10-20-30 days earlier, if security allows;decided on 16 March 2020 that early releases should be used as a means to reduce the number of inmates in Norwegian prisons. The purpose of this measure is both to minimize the risk of infectious outbreaks in prisons, both among inmates and staff members, and also to enable all inmates as soon as possible to serve their sentence in single-bed cells. As of 27 March 2020, 28 inmates are still sharing cells. This is a significant reduction compared to 20. March 2020, when the number of inmates sharing cells was 147! Early release means that the convicted person is being released before the time when he/she normally would be released. Early release means that the release takes place 10, 20 or 30 days earlier than normal release, depending on the
Estonia	not considered the option of releasing inmates at this point
Lithuania	no early release; temporary no intake of pre-trial detainees
Finland	no early release; temporary postponement of prison sentence execution for max 6 months sentences and conversion of sentences for unpaid fines until 20 June
Slovenia	provided security allows: early release for sentences left of max 6 month before release; temporary suspension of imprisonment for one month
Austria	provided security allows: temporary suspension of imprisonment for sentences up to three years
Slovakia	Prisoners can be conditionally (early) released from prison sentence execution after fulfilling the below mentioned conditions provided by Penal Code. Prisoners can file a request for conditional release; however, they are not entitled to it – the court decides. Following conditions must be fulfilled: 1. condition of positive behaviour and favourable re-socialisation forecast = during prison sentence execution prisoner must prove his/her "improvement" by performing one's duties and one's behaviour and at the same time it can be expected that he/she will lead decent life in the future – the prison where the prisoner is placed expresses to fulfilment of this condition and setting the re-socialisation forecast; 2. time condition = depends on the type seriousness of the committed crime for which the prison sentence was imposed: a) one half of the imposed unconditional prison sentence – sentenced for a misdemeanour; b) two thirds of the imposed unconditional prison sentence – sentenced for a serious crime; c) three quarters of the imposed unconditional prison sentence – sentenced for a life sentence. As of 1 January 2015 the prisoner sentenced for a crime can be conditionally released also after serving one half of the imposed unconditional prison sentence. This applies only to prisoners who serve the prison sentence for first time and at the same time it is technically possible to monitor them electronically. The electronic monitoring can be a part of the control of every conditional release. Prisoners can be conditionally released from each prison sentence apart from that sentence from which he/she has already been conditionally released and he/she did not prove good during the trial period (e.g. he/she committed another during the unlawful act during the trial period set by the court).In relation to the COVID-19 epidemic, the courts limited the public trials or they are performed via videoconferences.However, at the moment Slovak Republic does not consider any special measures on conditional release.
Czech Republic	The Prison Service of the Czech Republic does not, at the moment, consider any such measure. There have been voices pleading the Ministry of Justice to release prisoners because of COVID-19 epidemic, through some form of a presidential amnesty for example. However, both the Ministry of Justice and the President of the Czech Republic stated this is not something they would consider at the moment.

## Criteria for early release / suspension of sentence

1. If your country proceeds in early release of detainees (prison service), the Dutch Custodial Institutions Agency would like to know which criteria are used.

Does the early release of detainees in your country concern:

- partial remission/pardon;
- provisional release/suspension (the sentence has to be served at a later date)?

If so,

- what criteria are used to determine if a detainee qualifies for early release?
- what are the grounds for exclusion, for example type of offence, regime, type of imposed sentence, gender? Could you mention these explicitly?
- is early release depending on the length of the imposed sentence?
- which part of the sentence is eligible for remission/pardon or provisional release/ suspension (in absolute and/or in percentage terms)?
- does early release of detainees include electronic monitoring?

Catalonia	Early release of inmates has not been applied as such. Inmates on 3rd grade is reviewed and in many cases they will remain in their homes (instead of spending every night in open prison). More cases on 3rd grade are under revision by the prison board. Inmates under art. 100.2 of Prison Regulations, meaning that they are in a closed prison and going out some hours a day to work or to taking care of a dependent relative, will now be reviewed by each prison board. Revisions of the prison board need to be validated by the Prison Supervisory Judge who so far has approved all the reviews of 3rd grade. Such revisions are made on various grounds: positive evolution of the inmate, availability of proper home to stay during the confinement and no treatment to undergo in prison.
Lithuania	Not considering early release of inmates
Israel	Released 240 inmates to stay at home; Inmates with max 30 days to finish their sentence; not sentenced for violence and / or sex offenses; have a place to stay during this period of time with the coronavirus.
Latvia	Stopped the imposition of short-term custodial sentences - we do not admit new prisoners for sentence execution. We have not considered other options for now.
Norway	Early release is a measure used in all types of prison, but does not include EM.

## Juveniles visits

2. Are juveniles in detention still allowed to receive visits of their parents? If so, what safety measures are taken (e.g. behind glass)?

Catalonia	Family visits have been suspended as from 16 march for prisons and juveniles; number of phone calls has been doubled (from 10 to 20); conference call systems and video calls via WhatsApp on smartphones are piloted
Lithuania	All visits are prohibited, also for juveniles
Israel	No visits at all
Latvia	Stopped the imposition of short-term custodial sentences - we do not admit new prisoners for sentence execution. We have not considered other options for now.
Estonia	All visits to prisoners are suspended, except visits by criminal defence counsels, advocates, ministers of religion, notary, consular officers of country of nationality to prisoners and independent monitoring bodies.
Norway	All visits to inmates from family and friends have been suspended. There has not been divided between minors and other detainees, which means that the suspension includes also minors. Exceptions can be made under extraordinary circumstances, but only if the prison governor decides that a visit is strictly necessary, and there is no risk for spreading of the Corona virus. Visits from defence lawyers, police and embassies will still take place, but must be conducted in a manner that prevents the risk of being infected (glass wall, 2 meters distance etc). Representatives from police/procurator and defence lawyers should be urged to, and be provided with the possibility to conduct communication with the client using a video-link. The correctional service will procure 800 tablets for this purpose. Inmates will be compensated by receiving free call-hours. An information letter for dependents/relatives is being prepared. The Red Cross continues to provide digital visits, and it is up to the local level to determine to which extent this can be conducted.
Slovakia	In relation to the COVID-19 epidemic, several rights of prisoners were adapted (suspension of visits etc.) For details see <a href="https://www.europris.org/general-directorate-of-the-corps-of-prison-and-court-guard-sk/">https://www.europris.org/general-directorate-of-the-corps-of-prison-and-court-guard-sk/</a>
Czech Republic	No, all visits have been temporarily cancelled as a preventive measure keeping COVID-19 out of prisons.

## Forensic psychiatric patients & Juveniles outflow acceleration

3. Are forensic psychiatric patients - as a consequence of the fear for contamination with COVID-19 – locked up in their rooms for a longer period of time than legally allowed? If so, what measures are being taken to maintain safety and health?

4. Does your country take measures to accelerate the proces of outflow of forensic psychiatric patients or juveniles in detention? If so, what measures does your country take?

Lithuania	Forensic psychiatric patients are within the jurisdiction of the Ministry of Health, not the prison system. No specific measures are taken for accelerating the outflow of these groups
Israel	Forensic psychiatric inmates are having their routine. They are in an isolated ward. This is a joint ward managed by the prison guards and a team of health care givers. No specific measures are taken to accelerate the process of outflow of forensic psychiatric patients or juveniles
Latvia	For forensic psychiatric patients, the sentence execution is implemented according with the general procedure. For this period, all prisoners have more outdoor activities, but in small groups. No specific measures are taken to accelerate the process of outflow of forensic psychiatric patients or juveniles in detention.
Estonia	Forensic psychiatric patients are not placed in prison and are within the jurisdiction of the Ministry of Health. Not taken specific measures to accelerate the process of outflow of juveniles in detention.
Norway	There is no division between inmates with psychiatric diseases and others. Strict measures concerning quarantine have been enforced, isolation of infected and ill persons etc. We are following instructions from national authorities concerning treatment of persons who might be infected (for example if they recently have been abroad). We are working actively to compensate for all restrictions that are enforced, and the needs regarding inmates' health assistance are

ensured. It is obvious that it might be more demanding for the inmates to live with the current restrictions. Concerning inmates with psychiatric diseases, as for all other groups of inmates, one tries to compensate the suspension of visits by introducing other compensating activities, in order to prevent a deterioration of their health. Currently health staff such as psychologists are working from home. They are subordinated to the Ministry of Health and are not staff of the correctional service (import model). Consultations are currently provided electronically, through I-pad or Skype.

Concerning early release, please see criteria described under question nr. 1. There are no special measures taken for outflow of psychiatric patients or juveniles. Early release may be granted to all types of inmates. (In Norway, we have the import model, and health services for all citizens, including persons in prisons, are provided by the Ministry of Health.)

Slovakia No different regime of psychiatric patients. Several rights of prisoners were adapted (suspension of visits etc.). For details see <https://www.europris.org/general-directorate-of-the-corps-of-prison-and-court-guard-sk/>  
Not adopted any special measures on earlier release of psychiatric patients. In case of psychiatric patients the court can refrain from prison sentence execution or its rest when it finds out that the prisoner has fallen ill with an incurable life endangering or mental disease.

Czech Republic No. Except for restrictions on visits, there has been no change (of restrictive nature) in their regime. No steps on accelerating outflow of forensic patients or juveniles have been taken

#### Other measures

Catalonia A **helpline** has been put in place through which prison social workers are providing support to families and friends of inmates.

Czech Republic We have not noticed any incidents related to COVID-19 measures so far. On the contrary, the situation in prisons seems rather stable.