

MEASURES AND ACTIVITIES IN A PRISON SYSTEM AIMED AT THE PREVENTION OF SPREAD OF CORONAVIRUS

Since the beginning of February 2020, epidemiological indicators on the risk of new coronavirus disease (SARS-CoV-2) have been monitored regularly by the Ministry of Justice, Directorate for Prison System and Probation, and measures and activities have been undertaken as recommended by the Croatian Institute of Public Health and the National Civil Protection Headquarters, for the purpose of protecting the health of all persons deprived of their liberty and state officials - prison staff. Accordingly, enhanced monitoring of the health of prisoners and juveniles was initiated immediately and precaution measures were taken, including enhanced hygiene of persons and premises, additional provision of protective equipment to the health departments and the issuance of internal instructions for handling suspected coronavirus infection (for state officials - prison staff, and for prisoners).

Following the current epidemiological indicators on the increased risk of the disease, from March 14th 2020 onwards, the following measures are being gradually introduced and implemented in correctional institutions (penitentiaries, prisons, juvenile correctional institutions and Diagnostics Centre in Zagreb):

- prisoners' right to visits is restricted and visits can be granted only with the special permission of the director, and when necessary to protect the rights of prisoners in court proceedings or in other urgent and unforeseen cases
- prisoners are not granted the benefits of more frequent contact with the outside world, which includes the benefits of longer and more frequent visits and the benefits of going out (prison leaves)
- all activities of civil society organizations in correctional institutions are suspended
- the use of a video link with the competent courts has been intensified to reduce the number of prisoners being escorted outside of the correctional institutions
- the referral of prisoners to work outside the correctional institutions was suspended
- protocols for the receipt of packages for prisoners were established in cooperation between officials of the health and security departments in the correctional institutions

In order to mitigate the adverse psychological effects of these measures and to allow contacts between prisoners and their families, especially children, prisoners were offered more frequent and longer telephone calls, and with the support of UNICEF, video visits were expanded and gradually enabled to all prisoners (convicted and on remand). In accordance with the capacities of the correctional institutions, prisoners are allowed to stay in the fresh air more often and the activities of structured and purposeful use of free time were intensified, as applicable given the necessity of social distancing.

Correctional institutions are ensuring that footwear disinfection measures are carried out on entry, and that, when adequate protective equipment is provided in sufficient quantities, all prison staff are required to wear a protective mask and gloves when performing their duties. The Ministry of Justice is in regular contact with the Directorate of Civil Protection of the Ministry of the Interior to ensure sufficient supplies of primary medical equipment and disinfectants.

Newly admitted prisoners are housed in separate rooms of the correctional institutions for at least 14 days.

In addition, a protocol for the treatment of prisoners manifesting respiratory problems and/or other symptoms that may indicate the onset of illness is established. According to the protocol the prisoner

will be separated from the common room and in the event of suspected infection by a new coronavirus, the competent services of the Croatian Institute of Public Health will be contacted for further instructions on how to proceed. Where prisoners are required to be escorted to a public health facility, securing of a prisoner will be conducted in accordance with security assessment, with due regard for health protection measures.

Pursuant to the legal obligation to provide the prisoner who is being released with the cost of a travel ticket to the place of release, and given the temporary suspension of public traffic and the prohibition of leaving the place of residence, if family members cannot reach the released prisoner by private vehicle, correctional institutions ensure that the prisoner is transported by official vehicle to the place of release. If the family is able to reach the prisoner by private vehicle, the correctional institutions inform the Ministry of Interior and the competent civil protection headquarters thereof in order to secure a pass to temporarily leave the place of residence.

In order to protect the health of all prisoners and state officials - prison staff, and indirectly to protect the health of the wider community, the Minister of Justice recommended to the county, municipal and misdemeanor courts that, wherever possible, the date of referring offender to the enforcement of a prison sentence be extended, and that offenders' requests for postponement of referral to the enforcement of the prison sentence be approved, as well as prisoners requests for intermission of the enforcement of the prison sentence. A recommendation was also submitted to the State Attorney's Office that in the case of a decision on the intermission of the enforcement of the prison sentence, they should take into account the expediency of submitting legal remedies. To temporarily reduce the number of prisoners, the assistant minister of justice responsible for the prison system used her legal right to submit to the courts a request for intermission of the prison sentence for around 60 prisoners.

It is also noted that number of pre-trial prisoners has reduced in last period, as courts are as far as possible not extending the measure of custody in remand.

In order to reduce the possibility of virus transmission, the work of correctional institutions is organised in such a way that at the same time there is a minimum number of state officials - prison staff in the correctional institution, with whom it is possible to organize necessary regular work. For this purpose, wherever possible prison staff work in two separated teams and officers are encouraged to use the days of their annual leave to stay home as much as possible. For the duration of the measures, the correctional institutions are instructed to cooperate with one another on equipment, protective equipment, vehicles, human resources, accommodation facilities and all other circumstances that are important for their regular functioning.