



**COVID-19
Feedback Collection
10 June 2020**



Supported by the Justice Programme of the European Union

| | Infected | | Isolated / quarantine | | Dead | | |
|----------------|----------|-------|-----------------------|-------|----------|-------|--|
| | Prisoner | Staff | Prisoner | Staff | Prisoner | Staff | |
| Slovenia | 2 | 1 | 28 | 14 | | | |
| Poland | 6 | 7 | 59 | 52 | | | |
| Slovakia | 0* | 0 | 6 | 2 | | | *1 positive tested prisoner has recovered |
| Belgium | 14 | 61* | 50** | | | | *25 of the 61 are recovered and back at work; **on average 50 per day in quarantine |
| Czech Republic | 1* | 2** | 3 | 8 | | | *in pre-trial detention prison hospital; ** 11 recovered |
| Israel | 0 | 7* | 7 | 56 | | | *6 all recovered |
| Spain | 70* | 30** | 95 | 142 | 2 | 4 | *81 total, 15 already recovered; ** 277 total, 243 already recovered |
| Catalonia | 1* | 60** | | | | | *60 already recovered; **32 already recovered, total of 92 |
| Sweden | 125* | ** | 20-30 | 0 | | | *107 recovered fully |
| Italy | 132* | 192** | | | 1 | 2 | * 2 of them are hospitalized; **184 of them penitentiary police / 8 administrative staff; 11 hospitalised |
| Austria* | 0* | 0 | 0 | 0 | | | *481 inmates tested negative until now |
| Norway | 0* | 1** | | 69 | | | *9 prisoners have recovered; ** 10 staff members have recovered |
| Netherlands | 20* | | | | 1 | | *14 in prisons, of which 11 are recovered, 1 deceased and 1 released from prison; 6 in forensic care of which 5 are recovered |
| Hungary | 0 | 1* | 0 | 1* | | | *1 infected staff member that is in quarantine |
| Finland | 0 | 0* | 6 | 1 | | | *5 already recovered |
| Lithuania | 0 | 0 | 0 | 0 | | | |
| Georgia | 0 | 0 | 0 | 0 | | | |
| Latvia | 0 | 0 | 0 | 0 | | | |
| Luxembourg | 1 | 0 | 2* | 0 | | | *prisoners quarantined upon their arrival are not calculated. Every new detainee stays in isolation for 7 days before being transferred to regular sections. |
| Malta* | 0 | 0 | 0 | 0 | | | |
| Bulgaria | 0 | 0 | 0 | 0 | | | |
| Romania | 0 | 9 | | | | | |
| Estonia | 0 | 4 | some | some | | | |
| Denmark | 0* | 0 | | | | | *1 prisoner is recovered |
| Moldova | 1 | 7 | 9 | 28 | 0 | 0 | |
| Croatia | 0 | 2* | 138** | 27 | 0 | 0 | *one staff member was quarantined immediately after returning from travelling abroad and has been on sick-leave since then (never entered a prison), **all newly admitted prisoners are isolated for reasons of precaution |
| France | 35 | 51 | 127 | 312 | 1 | 1 | |
| Portugal | 0 | 7 | | | | | |
| Ireland | 0* | 47** | 15*** | | | | *10 awaiting testing (results) **337 cleared from isolation |

How do you deal with multi-person cells?

| | |
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| Spain | We avoid the multi person cells. The number of inmates has decreased and we try to follow the philosophy of one inmate one cell. |
| Finland | The cell-structure in Finnish prisons is concentrated mainly on single cells and two-person cells. Therefore, making the necessary arrangements for quarantine cases has not caused major difficulties. |
| Estonia | In Estonia 28% of prisoners live in single-occupancy cells, all other prisoners live in double-occupancy cells. There are no cells for more than two people in Estonian prisons. Average number of inmates per one cell is 1,5 (SPACE1, 2019). |
| Sweden | If one of the inmates shows symptoms of being infected both are tested and quarantined though separately from each other if the other seems healthy. |
| Czech Republic | We do use multi-person cells in the Czech Republic and since we deal with slight overcrowding, there hasn't been much space to reduce them. We strictly applied all measures related to hygiene – regular disinfection of all prison areas, use of face masks (for each inmate 3 textile face-masks available, prison ensured their washing, ironing and disinfection, 2 extra face masks for working inmates during shifts), common placement-accommodation of inmates working in one place, using the walking yards for the same groups, distribution of meals to the cells (where possible). All staff members wear face masks or other protective equipment (respirators, face shields, protective suits) in all areas of prison. Inmates wear face masks whenever they move outside the cell. |
| France | Only remand homes are affected by multi-person cells. The decreasing of overcrowding in these facilities had a big impact on the number of person/cell and helped to limit the spread of the virus in detention. |
| Austria | If an inmate shows symptoms he/she and all persons who have come into contact with him/her are quarantined and tested. |

| | |
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| Scotland | In order to further reduce the risk of COVID-19 spread, SPS is actively seeking to provide single cell accommodation to everyone in our care. Currently around 85-90% of the Scottish prison population reside in a single cell. It is hoped that efforts to ensure a greater proportion of the prison population reside in single cell accommodation will be assisted by the implementation of Early Release legislation and greater provision of Home Detention Curfew (HDC). While it is clearly not possible to maintain a social distance within a shared cell, Health Protection Scotland's interpretation is that a prison cell is considered a "household". Further, SPS is not, at this time, transferring people in our care between areas of prison, unless absolutely necessary in order to limit the risk of any further cross contamination or introduction of COVID-19 to a new area. If an individual sharing a cell shows symptoms of Covid-19 they would be transferred to a single cell to isolate, as would the other occupant of that cell. |
| Italy | Regarding the risk of COVID 19 infection, if a prisoner shows symptoms compatible with the virus, he/she is subjected to medical examination in a suitable place for treatment. It must conduct a medical screening and swab test for prisoners who share the cell with the infected person or for those who have had contact with him/her; in the case of a positive subject, the doctor will assess the need for the subject to stay in the prison rooms dedicated to the condition of sanitary isolation, or the transfer of the prisoner to an external health facility. There is also the decontamination of the facilities hosting inmates suspected or ascertained to be suffering from COVID-19. |
| Poland | If one person in the multi-person cell have symptoms of the COVID-19 all inmates from this cell are isolated and the tests are made for all of them |
| Slovakia | Multi-person cells or rooms have been used regarding the accommodation capacities. The accommodation follows the principle of joint accommodation of inmates who were admitted to the prison in the period specified by the prison until the cell/room is fully occupied having in mind separate placement of men and women, smokers and non-smokers, pre-trial detainees in collusion |
| Norway | Currently all inmates live in single cells. The number of inmates was reduced to achieve this |

What is your test policy?

| | |
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| Spain | We are priority sector to be tested when an officer has some Covid symptoms. |
| Finland | All prisoners who have symptoms of COVID-19 are tested. The test are carried out in the public health care system. The prisoner is transported to the testing point by the staff with a prison car. Tests are taken at the public test sites of each hospital district. |
| Estonia | All people entering a prison are checked with a no-touch thermometer and for other possible symptoms of virus. All prisoners and staff members showing even the mildest symptoms are tested. In case, C-19 infection is tested positive, all other staff members and prisoners who have been in contact with the infected person, will also be tested, and re-tested when necessary. |
| Sweden | All staff who show signs of infections are given the opportunity to be tested. It is being implemented as of this moment in cooperation with the Swedish equivalent of the CDC. |
| Czech Republic | We provide tests for all individuals (staff members and inmates) who have been in contact with someone tested positive. After each positive test, all people who have been in contact with the person are identified and tested. Due to a very low number of positive cases it has not been a complicated issue. Everyone potentially infected was placed in isolation (inmates) or quarantine (staff-members). |
| France | There is an instruction from the Minister of Health and the Interior on April 9, relating to the deployment of new screening test capacities which identifies prison staff and detainees among the priority populations while positioning the prefects, in conjunction with the regional agencies of health, on the preparation and support for the deployment of tests. The governor of the prison has to inform the health authorities of any suspicious case in the staff or in the detainees. |
| Austria | Basically, the decision on testing lies with the health authorities. However, a recently purchased medical device enables rapid tests for inmates and staff and collective testing in prisons by the prison authorities. |
| Scotland | If anyone in custody is displaying or develops signs of COVID-19, they must be referred to an NHS Healthcare Professional immediately. An NHS Healthcare Professional must assess the individual and determine if they require to be isolated. |
| Italy | In accordance with the Local Health Authorities has been installed tensile structures at the entries of penal institutions to carry out the necessary sanitary procedures (<i>pre-triage</i>). <i>Thermo-scanners</i> procedure is carried out to all the people who have access to the facilities (including employees). The swab test is performed to subjects who present symptoms related to pandemic infection. There is arrangement of <i>dispensers</i> of disinfectant solutions at the entrance of each wing. The penitentiary staff wears personal protection equipment (DPI: surgical mask, gloves and FFP2 visor). In compliance with the directives of the Ministry of Health and in regional connection with the Local Health Authorities, serological tests are carried out on the penitentiary staff for the purpose of the epidemiological inquiry. |
| Poland | The tests are made according to the indications of the Sanitary Agency |
| Slovakia | We test in case of symptoms. Prison staff does not ensure taking samples, we carry out escorts of inmates to hospitals (infectious clinic) in order to get them tested or we use a Mobile testing unit for testing. In case of inmates from abroad, it is necessary to ensure taking samples for the COVID-19 test (from 6th to 11th day after admission of such inmates) |
| Norway | If inmates are showing symptoms of Covid-19, they are tested. Over the last month this has become easier as test capacity in the municipalities has improved. |

Does your prison staff wear face masks?

| Spain | It is compulsory to wear masks. | | | | | | | | | | |
|----------------|---|------|------------------|---------|------------------|---------|---------------|-----|----|----|----|
| Finland | Face masks are used when the staff is working with prisoners who have symptoms of acute respiratory infection (fever, cough and/or dyspnoea) or when taking an intoxicant test. According to the instructions, when working with asymptomatic prisoners and staff, it is not necessary to use protective equipment. | | | | | | | | | | |
| Estonia | There have been no infected prisoners in Estonia, therefore at the moment staff is advised (but not required) to wear a face mask – especially when in contact with people who don't work in prison full time, also when escorting a prisoner outside the prison (e.g. to the hospital). Personal Protective Equipment is definitely required when a prisoner shows suspected infection or infection is detected; also in the isolation and quarantine units. | | | | | | | | | | |
| Sweden | Yes in some cases, they wear visors when dealing with high risk clients to minimize the risk that staff infect these inmates. | | | | | | | | | | |
| Czech Republic | Staff members wear face masks in all areas of prison, particularly when in contact with inmates. | | | | | | | | | | |
| France | Yes. We generalized the wearing of the mask to all agents in contact with detainees, whether or not they are sick. 4 protective masks are given to each agent, allowing the use of a mask every 4 hours, regardless of the agent's service life. | | | | | | | | | | |
| Austria | All staff are required to wear face masks or facial visors while on duty. | | | | | | | | | | |
| Scotland | <u>In line with Health Protection Scotland the table below details what PPE must be worn depending on the task being carried out</u> | | | | | | | | | | |
| | <table border="1"> <thead> <tr> <th>TASK</th> <th>GLOVES</th> <th>MASK</th> <th>SLEEVELESS APRON</th> <th>GOGGLES</th> </tr> </thead> <tbody> <tr> <td>Handling Mail</td> <td>YES</td> <td>NO</td> <td>NO</td> <td>NO</td> </tr> </tbody> </table> | TASK | GLOVES | MASK | SLEEVELESS APRON | GOGGLES | Handling Mail | YES | NO | NO | NO |
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| Handling Mail | YES | NO | NO | NO | | | | | | | |

| | | | | |
|---|-----|-----|-----|-----|
| Handling any paper (such as complaints, self-reps) | YES | NO | NO | NO |
| *Handling Laundry Bags | YES | NO | YES | NO |
| *Handling laundry | YES | YES | YES | NO |
| Searches/Rub downs | YES | YES | YES | NO |
| Contact with suspected/confirmed case (no symptoms) | YES | YES | YES | YES |
| Contact with suspected/confirmed case with symptoms | YES | YES | YES | YES |
| Escorting prisoners to external location including court and hospital | YES | YES | YES | YES |
| Escorting a suspected /confirmed case within the prison (re-locating cells) | YES | YES | YES | YES |
| Supervising outside exercise (Maintaining social distance) | NO | NO | NO | NO |
| *Cleaning of normal cells | YES | NO | YES | NO |
| *Cleaning cells where suspected/confirmed case located | YES | YES | YES | YES |
| During Control & Restraint | YES | YES | YES | YES |
| Working in Reception (maintaining 2 metre distance) | NO | NO | NO | NO |
| Daily duties within a hall with no COVID-19 cases | NO | NO | NO | NO |
| Handling prisoner's property | YES | NO | YES | NO |

Italy The penitentiary staff wears personal protection equipment (DPI: surgical mask, gloves and FFP2 visor).

Poland Prison staff which has a direct contact with the inmates is wearing face masks.

Slovakia Wearing face masks by prison staff is compulsory wearing of masks or other protective equipment

Norway Only when they are in an environment with suspected infected inmates or inmates that have tested positive.

What is done with home leaves?

Spain We have started with leaves. After them, inmates have a 14 days quarantine.

Netherlands Prisons: As of the second of June incidental leave is allowed in exceptional situations, such as attending a funeral of a family member. Forensic psychiatry and juvenile institutions: Leave is an essential part of the treatment in FPC's and in correctional institutions for juvenile offenders. As of the second of June individuals in TBS clinics and juveniles in correctional institutions are therefore allowed to go on supervised leave once a week for a maximum of two hours, if this is part of their treatment plan and this is in the interest of their reintegration. A leave authorization is required for this leave. With supervised leave, the supervisor can identify whether and how the offender follows the guidelines provided by the National Institute for Public Health and the Environment (RIVM). If necessary, individuals can be quarantined if they have not followed the guidelines.

Finland Decision about starting to allow home leaves will be made in mid-June.

Estonia Starting from 01.06.2020 home leaves have been resumed as usual.

Sweden Leaves from prison have been cancelled. The Swedish Prison and Probation Service is still in the very early planning phase for the situation after Covid-19. However, the cessation of special measures related to the Covid-19 virus will happen gradually, and in line with national health policies

Czech Republic Home leave is an inmate benefit approved by the prison governor. Currently the home leaves are suspended upon recommendation of the prison service management.

France Home leaves are allowed. But they may present a risk to the health security of detentions; also, the opinions which the SPIP will have to formulate on requests for home leaves will take into account in particular the situation, in the green or orange zone, of the place of the permission to go out. Priority is given in particular to requests linked to major events, particularly family events. As a reminder, the permit holders are given a protective mask by the establishment upon their exit. Upon their return from home leaves, the detainee is directed to the arriving area or to a dedicated unit for a period of 14 days since this person may not have respected the barrier gestures when he was outside.

Austria Home leaves are generally not permitted until June 30th. However, the Directorate-General approves exceptions in individual cases for non-deferrable, non-substitutable personal matters or to prepare for release. After returning from such leaves, the inmates must be accommodated separately from others in all areas for 14 days.

Scotland There are no home leaves at present.

Italy Until 30 June 2020, with Law Decree nr. 18 of March the 17th 2020, the Italian Government has suspended the prison leaves for detainees. It has suspended the entrances of non-detained persons and also the re-entry of detainees in a semi-liberty regime, with the aim of limiting the chances of contagion,

Poland At the moment the leaves are suspended. We don't know when they will be restored

Slovakia As of 1 June 2020, prison governors can again allow walks outside prison and home leaves for prisoners

Norway The Correctional services has the last 3 weeks opened up for some unescorted leaves. The Directorate has lifted the bar for granting leaves because of Covid-19, so its only a very few leaves that are granted at the moment.

What measures were taken by Prison Services and judiciary to reduce overcrowding?

Spain The main release measure has been the one of moving inmates from open regime prison facilities to their homes under electronic monitoring.

Finland The Ministry of Justice first issued a decree on postponing the enforcement of prison sentences of a maximum six months and conversion sentences for unpaid fines during the time period from 19 March to 19 June 2020. The purpose of this decree was to lower the number of short-term prisoners and prevent the spreading of coronavirus among prisoners and staff. Subsequently, on 7 April 2020, an Act of Parliament postponing the enforcement of prison sentences and conversion sentences for unpaid fines during the time period from 10 April to 31 July 2020 was enacted. This act revoked the previous decree. In the judiciary the hearings of thousands of criminal cases have been suspended during the COVID-19 epidemic.

Estonia Estonian Prison Service and judiciary did not take any measures to reduce overcrowding as the Estonian prison density per 100 places is 77,5 (SPACE I, 2019,).

Sweden Persons sentenced to prison that are not incarcerated are denied of entering any prison or remand prison to start serving time if they show symptoms of Covid-19.

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| Czech Republic | It has not been possible to apply long-term measures to address the issue of overcrowding. In short time perspective, the prison service has asked and agreed with the courts on postponing the orders to enter the prison sentences. This currently leads to small decrease in prison population, however, we expect a rise in the number of new admissions after the epidemic. |
| France | The entry into force of the ordinance of March 25 adapting the rules of criminal procedure on the basis of the emergency law which offers certain convicted persons exceptional prospects and, in the short term, in particular house arrest at the end of the sentence for remaining less than 2 months and exceptional additional sentence reductions for remaining 2 to 6 months in particular. The implementation of this ordinance strongly mobilizes, as you imagine, the prison registers and SPIP. It met with a favorable response in the courts, whether at the prosecution for summons or among the judges for the enforcement of sentences for the granting of exceptional additional sentence reductions. The impact on our detentions was very strong since before the entry into force of these measures, due to the slowdown in jurisdictional activity and the entry into force of the circular of March 14 of the Ministry of Justice which promotes alternatives to detention, the average number of entry per day has dropped significantly. This double phenomenon (the increase in exits and the sharp decline in entries) under the effect of both the slowdown in the activity of the courts, the promotion of alternatives to detention and the order criminal allowed to lead to a huge decrease – on May 25, 2020, the penal population had decreased by less than 13,525 detainees compared to the stock of March 16, including 4,329 defendants and 9,291 convicted. |
| Austria | A staggered postponement of the orders to start serving the prison sentences was laid down by ordinance. Financial penalties will not be enforced until September 30th. |
| Scotland | The Coronavirus (Scotland) Act confers a power on the Scottish Ministers to provide for the early release of a class of persons from prison (to make regulations with immediate effect in order to release prisoners who would be released in any event in the following 180 days). The Scottish Ministers can only exercise this power if they are satisfied that it is a necessary and proportionate response to the effects of coronavirus on prisons. The early release of prisoners who are due to be released shortly is considered to present a much lower risk to the public, and that lower risk, coupled with the significant risk to the effective operation of prisons, justifies the use of such action. People serving 18 months or less sent who have only 3 months left to serve of their sentence are now eligible for early release, following the introduction of emergency legislation. Under the Coronavirus (Scotland) Act a number of categories of prisoners are excluded from early release (such as those convicted of sexual offences or terrorism related offences) and prison governors are able to veto the release of prisoners they deem to pose a risk of harm. The Release of Prisoners (Coronavirus) (Scotland) Regulations 2020, laid before the Scottish Parliament on 4th May 2020, extended these exclusions to include those serving sentences for domestic abuse offences, those with non-harassment orders or those convicted of certain COVID-19-related offences. Scottish Government has also announced that the presumption against Home Detention Curfew being granted to people who have committed certain offences (including those with an index offence involving an act of violence) will now no longer apply. Decisions will be made on a case by case basis following an assessment of available information on relevant risk factors. The decision has been made in consultation with HMIPS and HMICS and was taken following the introduction of changes to HDC assessment practices and guidance and in light of challenges posed by the current COVID-19 outbreak. |
| Italy | <u>Home Detention</u> : derogating from the legislation currently in force, starting from the day of entry into force of Law Decree 17 March 2020, n.18, the sentence to imprisonment shall be executed, upon request, at the sentenced person's home or in other public or private healthcare center, where the sentence to be served is under 18 months, even if it is the remaining part of a longer sentence. The measure is effective until 30 June 2020. The following offenders are excluded from that measure: persons sentenced for serious crimes and social alarm, among which the inmates who participated in the recent riots in prisons. All offenders who benefit from home detention and who have to serve a sentence or the remaining part of a sentence longer than six months shall undergo electronic surveillance, giving their consent to it. When the sentence remaining to be served falls under the threshold of six months, the electronic surveillance will no longer be applied. <u>Semi-liberty</u> : the offenders who are already benefiting from semi-liberty regime can have their prison leaves extended until 30 June 2020; this to prevent their re-entry into prison and thus limit the chances of contagion. |
| Poland | We don't have overpopulation. At the moment the level of population in Polish prisons and remand prisons is 86%. |
| Slovakia | No special measures were taken |
| Norway | Reduce and stop newly convicted inmates from entering our prisons (instead they are home awaiting for a calling to come) Now the prisons have opened up for new inmates again. Normally our prisons are never overcrowded and the normal use of capacity is between 90-94% |