



## COVID-19 Feedback Collection 24 July 2020



### Is it compulsory for detainees to wear face masks?

Ireland	At present it is not compulsory for inmates to wear masks in the Irish Prison Service
Spain	Inmates working have to follow the compulsory sanitary indications and have to wear face masks. That is not the case in the non working population.
Lithuania	No
Latvia	Detainees and inmates in Latvian prisons are not required to wear face masks, except those in quarantine for 14 days.
Poland	Detainees and inmates in Polish prisons are not required to wear face masks.
Belgium	In Belgium every inmate receives every day a washable mask. The instructions in French: Principes de base. Le principe de base de cette phase de déconfinement est un retour vers la normalisation du régime et du fonctionnement de la prison, ce qui signifie la reprise de toutes les activités au sens large (certaines de manière progressive, comme les visites par exemple), tout en conservant des conditions sanitaires et d'hygiène adaptées. Durant la phase de confinement, la prison constituait une zone « protégée ». Bien que l'évolution actuelle des chiffres de l'épidémie en Belgique soit plutôt encourageante, l'assouplissement des mesures et la reprise des activités et des modalités d'exécution de la peine augmentent de facto le risque d'une contamination venant de l'extérieur. Pour continuer à préserver la sécurité des détenus et celle du personnel durant cette phase, les trois principes suivants sont d'application : 1) port obligatoire du masque (notamment lors des mouvements) et respect des règles de distanciation sociale : toute personne (personnel, personnel assimilé, détenus, externes, etc.) doit porter un masque dans l'enceinte de la prison. o le masque peut être abaissé sous le menton lorsque : - les règles de distanciation sociale peuvent être respectées ; - la personne se trouve en position fixe ; - il y a un écran en plexi entre les personnes (p.ex. salle de visites, parloirs individuels, etc.). Exemple : le détenu porte son masque pour se rendre à une activité ; lorsqu'il arrive à destination, il baisse son masque sous le menton et le repositionne lorsqu'il quitte l'activité. o Le détenu ne doit pas porter de masque durant certaines activités comme le préau ou les activités sportives (salle de fitness entre autres). Garder ses distances et éviter les contacts physiques devient alors d'autant plus important, et davantage encore lorsque l'activité se déroule à l'intérieur. Une attention particulière au respect de la distanciation sociale est en outre un principe de base général lorsque les masques ne sont pas portés. 2) il est impératif de disposer d'un plan de nettoyage pour l'ensemble de l'établissement (tous les locaux, les poignées de porte, etc.). Ce plan doit prévoir un nettoyage préventif et réactif. Il doit préciser pour chaque local de la prison - quelle que soit sa destination - avec quelle fréquence, quels moyens/outils et par qui ce nettoyage doit être fait ainsi que les mesures de contrôle de son exécution. Il est impératif, dans cette optique, de consulter le conseiller en prévention et d'organiser, si nécessaire, des sessions d'information adéquates. 3) recours limité au compartimentage : Pendant la phase de confinement, le compartimentage a constitué un pilier fondamental de notre politique. Dans cette phase-ci, qui vise un retour à la normale, il revêt une importance secondaire. Les masques, le maintien de la distance et une bonne hygiène sont les mesures de protection prioritaires et les points d'ancrage de la stratégie de sortie. Il est donc d'autant plus important de suivre ces nouvelles instructions. Si l'infrastructure et le fonctionnement opérationnel de l'établissement le permettent, le compartimentage peut toujours être utile, mais il ne doit pas compromettre le fonctionnement normal. Le compartimentage reste néanmoins un principe important pour les groupes dits à risque au sein de la population carcérale (p.ex. les personnes âgées, les personnes fragiles, etc.). Dans une même optique, l'organisation des activités collectives par compartiment peut être poursuivie pour autant que cela n'impacte pas l'accès des détenus à ces activités. Vu que dans cette approche, les risques se limitent surtout aux détenus qui séjournent ensemble dans une même cellule, il y a lieu de limiter au maximum les mutations de cellules. Enfin, la capacité de certains locaux (salles de visites, salles de cours, etc.) doit être limitée de sorte que les règles de distanciation sociale puissent être respectées. Masques: Les catégories suivantes sont autorisées à porter leur propre masque : ☑ membres du personnel et assimilés; ☑ collaborateurs externes ; ☑ partenaires externes ; ☑ visiteurs. Chaque prison doit néanmoins prévoir un stock de masques qui peut être mis à disposition des personnes ci-dessus si nécessaire. Les détenus sont quant à eux tenus de porter les masques fournis par la prison.
Israel	All detainees have to wear masks in the public areas. It is compulsory for the detainees to wear masks outside of their cells.
Netherlands	The detainee only wears a mask when he/she is in isolation and needs to leave the cell.
Slovakia	At the moment, all persons entering prisons (apart from prison staff and inmates from the respective prison) must wear facemasks during their whole stay in the prison.
Estonia	In Estonia it is not compulsory for the detainees to wear face masks. Face mask is compulsory only when the detainee is in COVID-related isolation and needs to leave the cell.
Czech Republic	Prisoners have to wear face masks whenever being outside the cell or bedroom in the whole area of prison, including outside areas.
Finland	Detainees do not need to wear a mask unless they have symptoms of respiratory infection.
England and Wales	Face coverings are not routinely worn by prisoners as the exceptional delivery models allow for social distancing at 2 meters. Social distancing is more effective at reducing transmission.
Catalonia	Currently in Catalan prisons the use of facemasks is compulsory for all professionals and inmates except for inmates when they are in their cells.

### Have physical visits resumed, and if so, are prisoners' entitlements back to where they were pre-COVID

Spain	Yes. The idea is to recover the same situation as previously but progressively and depending on the situation of each region, which still changes day by day.
Austria	Physical visits have resumed in the Austrian PS, but not entirely as before specially because of the requirements relating to hygiene and maintaining distance.
Latvia	From 10 June 2020, representatives of the state and local government institutions are allowed to visit Latvian prisons, from 1 August visits of third parties will be resumed.
Lithuania	No. Currently short-term contactless visits (visitors and inmates are separated by the glass screen) of the same duration, frequency, etc. are allowed in the usual way as before COVID, long-term physical visits are not resumed.
Israel	Physical visits resumed with new rules. 2 visitors from the immediate family for inmates.
Netherlands	As of June 16 all prisons have gradually opened for visits. Detainees can receive one visitor a week for one hour. Also, the visitor can take one child with them aged up to 4 years old. The child must remain on the lap of the visitor. To minimize the risk of contamination, physical contact during visits must be avoided. Detainees and their visitors will be separated by plexiglass. Beforehand visitors will have to fill in a questionnaire to indicate if they have any signs of an infection. Further downscaling is planned for August the first.
Slovakia	With the intention to restore the direct contact of inmates with relatives, based on recommendations of the Chief Health Officer of the Slovak Republic and upon approval of the Minister of Justice of the Slovak Republic, the Corps of Prison and Court Guard resumed on 1 July 2020 visits of inmates; however, visits take place only in restricted regime under hygienic and organisational-technical measures recommended by the Chief Health Officer of the Slovak Republic.

Estonia	Yes, physical visits have resumed to where they were pre-COVID.
Czech Republic	Currently visits are allowed for 1 adult and 1 child/teenager up to age of 15/18 per an inmate for 3 hours per a month. This means that number of persons is limited, normally 4 persons are allowed. Length of the visit is back as it was before the pandemic. Long term visits when the prisoners leave the prison are limited to 3 hours.
Finland	Physical visits have resumed, and visits are granted using normal practices of pre-COVID period. However, special attention has been paid to sanitation, and prisoners need to follow hygiene instructions, or the visits will be discontinued or cancelled. There is an absolute prohibition of touching in all visits.
England and Wales	Consistent with the framework, establishments can recommence visits following local assessments and approval of local operating procedures. More establishments continue to reintroduce visits each week, with information published on GOV.UK. In order to comply with public health advice, capacity is expected to be reduced while visits are safely reintroduced compared to pre-covid-19 entitlements.

**Catalonia** Family and conjugal visits with direct contact had been resumed since mid-June, however these have been suspended again since 20 July. Family visits in a glass partition room are still possible in all prisons except for CP Ponent, which is located in Lleida, a particularly affected area.

#### If not at pre-COVID levels (ie, frequency of visits, duration of visits etc) what arrangements are in place?

Spain	As stated before, the aim is to achieve the same level of activity as before. Regarding sanitary measures and the infrastructure of each prison, this can be more difficult. That is why the number of communications could be sometimes a bit lower.
Austria	On June 15th the Austrian PS has restarted visits to a limited extent concerning number and duration of visits because it requires more physical space and time to meeting the hygiene and distance requirements. We allow at present only one visitor at the same time per visit; an exception was made for underage children, who can come with an adult companion. Visits by lawyers, courts, probation, religious or professional services are possible again under the already mentioned specific conditions.
Latvia	Short-term and long-term visits have been resumed. Inmates, serving their sentence in an open prison, may receive guests and leave the territory of the open prison in connection with employment (with the prior agreement of the relevant employer) or education. Currently, the implementation of interest and non-formal education programs and the organization of family days are resumed. From 1 August 2020 mental care and free time activities for prisoners involving third parties will restart.
Lithuania	Long-term physical visits are not resumed.
Israel	The duration of the visits are shorter. The visits are behind partition with very strict hygiene rules.
Slovakia	Only visits without any direct contact are permitted lasting one hour a month. During the visit, one inmate can receive maximum three persons including children. Juveniles and open units' prisoners are entitled to visits lasting one hour once a week. Visits take place under strict anti-epidemic measures. Upon entry to the prison, body temperature of each visitor is measured (in case it is more than 37 °C, the visit does not take place), his/her hands are disinfected and visitors must have their mouth and nose covered during the whole stay in the prison (facemask or scarf). Similarly, during the whole stay in the prison visitors must keep physical distance from other persons and refrain from any physical contact with the inmate.
Czech Republic	The visits are carried out under strict hygienic rules. People entering prisons are measured body temperature and they are obliged to wear face masks. Facemasks are obligatory also for prisoners any time they are outside the cell. All the sanitary measures are applied during the visits: face masks, plexiglass, no physical contact, disinfection available, no possibility for the visitors to bring something to the prisoner, no possibility to buy food or drinks in these visiting rooms.
England and Wales	An Exceptional Delivery Model (EDM) provides establishments with a framework for the reintroduction of visits. Establishments are responsible for determining local visits arrangements in line with the EDM following local assessments to ensure visits can be restarted safely in accordance with local circumstances. Revised visiting arrangements are published on their Prison information page on GOV.UK.
Catalonia	For family visits in a glass partition room, only 50% of the visitors per inmate is now allowed. All kinds of visitors before meeting the inmate in a glass partition room, will have their temperature measured, must wear facemasks, have their hands sanitised and keep the safety distance of 2 m. Given the time required for disinfection of the glass partition room after each use, the time frame and the number of days of the week for these visits has been broadened in order to allow for more visits to take place.

#### If physical visits have not resumed, have alternatives (extra phone calls, video-visits etc) been put in place

Spain	Though physical visits have been resumed, alternative means of communication are maintained.
Austria	Video-visits and extra phone calls will continue to be offered though.
Latvia	Prisoners have the opportunity to make additional telephone and video calls.
Lithuania	Alternatives are offered instead of physical visits
Netherlands	Alternative modes of communication are still in place, like video calling. The detainee can choose between video calling or a face-to-face visit.
Slovakia	Despite resuming the contactless entitlement visits, upon approval of the Minister of Justice, video-visits continue to be realised (via Skype), they are an alternative to the entitlement visits. The inmate, who, for any reason decides not to make use of the visit realisation, can request for a video-visit lasting 20 minutes. Similarly, the prison governor has a possibility to permit inmates in reasoned cases, especially inmates with minor children, a visit and a video-visit as well.
Czech Republic	Extended phone calls are still possible, however the inmates don't make use of them as much as it was in the time when visits were not allowed. Video visits are also still available and prisoners ask for them a lot. We facilitate about 10,000 video visits per a month.
England and Wales	Over half of the prisons across the estate in England and Wales now have in-cell telephony to facilitate communication with family and friends. For those prisons where in-cell telephony is not yet in place we have provided additional secure handsets to support contact for risk assessed prisoners while still having access to wing telephones. We have also provided all prisoners with additional PIN Phone credit, and have rolled out secure video calling with family and friends, to maintain family ties. Details of which prisons have secure video calling are published and updated on GOV.UK.
Catalonia	As explained in the Measures implemented in Catalan prisons already in March, in order to mitigate the suspension of direct contact visits, videoconferences and video calls are set up again with mobile phones and computers. The management of such videoconferences and video calls is described here. The number of phone calls inmates can make to their relatives has been increased from 10 to 20 per week again (additional 80 minutes per week). The cost of the calls by inmates with no income is covered by every prison budget, also when their relatives live abroad.

#### Are visit entitlements set out in law, and if so, did the law need to be changed to give effect to COVID-related restrictions?

Spain	We did not change the law, we only apply temporary regulations according to the general indications of the Government.
Austria	Inmates have a legal right to receiving visits. The Prison Act did not have to be changed.
Latvia	Visits of persons in prison are governed by the internal regulations of the Latvian Prison Administration. No changes were made to the legislation, LPA has issued separate orders regarding restrictions during the COVID-19 pandemic.

Lithuania	Visit entitlements are set out in the national legislation and Internal Rules of prisons. No amendments to the laws were initiated due to COVID-related restrictions. Temporary COVID-related restrictions in prisons were implemented by the Order of the Director General of the Prison Department.
Israel	The visits are entitlements by the Israeli law every 2 months only for criminal inmates. However pre-covid visits were every 2 weeks according to the Israel Prison Service commands and orders. When we closed down the facilities on March and stopped the physical visits it was according to Israel emergency regulation.
Netherlands	As of yet, no law has been changed to give effect to COVID-related restrictions within the Dutch Custodial Institutions Agency.
Slovakia	All these diversities from the conditions laid down by law are realised without any legislative changes of the respective laws regulating the pre-trial detention and prison sentence execution conditions, namely on the basis of the recommendations of the Chief Health Officer of the Slovak Republic or with the consent of the Minister of Justice.
Estonia	Visit entitlements are set out in national legislation and Internal Rules of Prison. No amendments to the laws were initiated due to COVID-related restrictions. Temporary COVID-related restrictions in prisons were implemented by the Order of the Director of the Sentencing Enforcement Division of the Prison Department.
Czech Republic	The right for the visits and their extend is set by law. Current diversities are made by orders of Government or Ministry of Health Care within the Act on Defence of Public Health.
Finland	The visit entitlements are set out in the Finnish law. Finland declared a state of emergency between 16 March and 16 June, during which it was possible to make restrictions to prison visits.
England and Wales	The relevant legislation is the Prison Rules 1999 and the Young Offender Institution Rules 2000.
Catalonia	Indeed, visits of different types are set out by law, however, like in the community, the health emergency and the health authorities' directives are reasonable grounds for temporarily suspending such provisions.

#### Are prison systems conducting visits in accordance with the European Prison Rules, or are they 'fitting their own circumstances'?

Spain	The European Prison Rules are considered as before. The changes can affect the frequency, number of people and general conditions of the communication, according to sanitary indications.
Austria	Both applies to the Austrian PS.
Latvia	Visits to prisons are regulated in accordance with the LPA internal rules.
Lithuania	The valid national legislation and the European Prison Rules are respected.
Slovakia	All measures implemented are carried out in compliance with recommendations of the CPT Committee ( <a href="https://www.coe.int/en/web/cpt/-/covid-19-council-of-europe-anti-torture-committee-issues-statement-of-principles-relating-to-the-treatment-of-persons-deprived-of-their-liberty-">https://www.coe.int/en/web/cpt/-/covid-19-council-of-europe-anti-torture-committee-issues-statement-of-principles-relating-to-the-treatment-of-persons-deprived-of-their-liberty-</a> ) Possible differences relate only the elimination of transfer and spread of the infection among prison population.
Estonia	National legislation and the European Prison Rules are respected.
Czech Republic	The valid national legislation and the European Prison Rules are respected. Minor adjustments have been currently made within the orders mentioned above in question 4.
Finland	Finnish prison system conducts visits in accord with the European Prison Rules.
England and Wales	Visits are recommencing in line with the arrangements set out in response to question 1.
Catalonia	Prison visits by relatives, friends, professionals, consulates or religious representatives amongst others, are in line with the European Prison Rules. Against the current backdrop however, health authorities have re-established measures of social distancing and movement restriction for people in order to prevent the spread in community and prisons.