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The Impact of COVID-19 Outbreaks in the Prisons, Jails, and Community Corrections Systems Throughout Europe

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ABSTRACT

This article documents country-level differences in the extent of COVID-19 outbreaks in corrections systems across the European region. Variations in the timing, duration, and intensity of front-end, in-prison, and back-end mitigation strategies are also identified. We conclude by providing a preliminary assessment of the effectiveness of these mitigation strategies, particularly in those countries that combined transparency and proactive, early release mechanisms.

Introduction and overview

Prisons are key settings for communicable diseases due to the greater prevalence of health issues, such as hypertension, diabetes, asthma, substance–use disorders and mental health issues among inmates, relative to community settings, in addition to environmental factors including unavoidable close contact, over-crowding, poor ventilation, and limited access to health care services (WEPHREN, 2020; World Health Organization: Regional Office for Europe, 2020). Once infected, inmates, staff, and visitors can rapidly transmit communicable diseases such as COVID-19 throughout prisons. Due to the contagious nature of the virus, COVID-19 can easily transfer from community and staff members to inmates, and can also spread between prisons through staff transfers and employment crossing. Consequently, correctional settings are an important part of the public-health response to COVID-19. While responses to COVID-19 have differed and continue to differ in correctional settings across and within regions and countries, there is value in investigating trends regarding the impact of COVID-19 within prison systems at the global scale to illuminate and compile the most effective responses to the virus thus far. Due to increased risk of spreading COVID-19 in large prison systems, the response to the threat of the virus is critically important.

COVID-19 outbreaks in European prisons

Europe accounts for 10 of the 50 largest prison systems in the world (see Table 1), including the Russian Federation, Turkey, the United Kingdom (England and Whales), Poland, France, Germany, Spain, Italy, Ukraine, and Belarus (World Prison Brief, 2020). On January 1, 2020, there were 1,390,683 inmates in the Council of Europe member states'

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Figure 1. Europe's largest prison systems. The labeled countries in Figure 1 are among the top 50 largest prison systems globally and represent the ten largest prison systems in Europe. Among the 50 largest prison systems, the Russian Federation is placed fourth, Turkey is seventh, the UK (England and Whales) is 22nd, Poland is 24th, France is 31st, Spain is 32nd, Germany is 33rd, Italy is 38th, Ukraine is 40th, and Belarus is 50th (World Prison Brief, 2020). *Notes*. Portions of the United Kingdom that are represented in the top 50 largest prison systems are limited to England and Whales (excluding Northern Ireland and Scotland). The rankings for European countries within the top 50 largest prison systems are based on current data between February 14 and August 28, 2020. For purposes of categorization, the Russian Federation is included as part of Europe; however, it should be noted that the Russian Federation is a transcontinental country spanning from Europe into Asia.

46 correctional institutions (Aebi & Tiago, 2020).[1] Aebi and Tiago (2020) found the approximate incarceration rate across European prisons, as of January 1, 2020, to be 106 inmates per 100,000 individuals. By April 20, 2020, the incarcerated population rate remained at 106 inmates per 100,000 individuals, implying that the rate had remained stable during the early stages of the pandemic. This situation has changed in more recent months, due to front-end and back-end mitigation strategies designed to reduce the spread of COVID-19 in prisons and jails.

Table 1. Europe's largest prison systems in the world's top 50.

Rank	Global Region	Country	Prison Population	Date of Most Recent Report
4	Europe/Asia	Russian Federation	496,791	August 2020
7	Europe/Asia	Turkey	281,094	July 2020
22	Northern Europe	UK: England and Wales	79,433	August 2020
24	Central and Eastern Europe	Poland	69,375	July 2020
31	Western Europe	France	58,695	July 2020
32	Southern Europe	Spain	58,642	February 2020
33	Western Europe	Germany	57,600	June 2020
38	Southern Europe	Italy	53,619	July 2020
40	Central and Eastern Europe	Ukraine	52,609	April 2020
50	Central and Eastern Europe	Belarus	32,500	October 2018

Notes. All data were extracted from the World Prison Brief database (2020).

The majority of European countries have reported outbreaks among inmates,[2] staff, or both, (Aebi & Tiago, 2020).[3] Based on data provided by the Council of Europe on April 15, 2020, there does not appear to be a clear association between prison population size or geographic location and the outbreak of COVID-19 cases among inmates, staff, or both. However, on April 22, 2020, EUROPRIS reported that countries within the European Union whose general population was highly impacted by COVID-19 (e.g., Spain and Italy), were the same countries that reported the highest number of cases among inmates and/or staff.[4]

Mitigation strategies used in European countries

We have highlighted the front-end, in-prison, and back-end mitigation strategies for five of the European countries in the top 50 largest prison systems globally (see Table 2). Romania, Portugal, and Sweden are also included in Table 2 and are examined in more depth in the country-level reports in this volume (see Durnescu, Redondo Illescas et al., and Lindström et al., this volume, respectively). According to the Council of Europe (2020), the initial response from the vast majority of countries in Europe, Sweden aside, was to emulate the community's response to COVID-19: to place the prisons on lockdown, suspending visitation rights and confining inmates to very little movement away from their cells. However, contrary to containing inmates through a lockdown approach, in April, the European Committee for the Prevention of Torture (CPT) of the Council of Europe urged all member states to apply alternative practices to detention, whenever possible and without discrimination, to combat COVID-19. To establish recommended practices such as social distancing as a means of prevention and intervention (i.e., to contain the spread of the virus, once detected)—and to comply with the CPT's request to divert imprisonment as a sanction, some prison systems in countries across Europe released (and have continued to release) inmates to varying degrees. For example, in a preventative effort to reduce the size of prison populations and to alleviate overcrowding, some European countries/regions including Norway, Denmark, Ireland, Italy, France, the United Kingdom (Northern Ireland), Portugal, and Turkey reported the release of inmates between January and April[5] (Aebi & Tiago, 2020).

Turkey, for instance, preventatively released approximately 35% of its prison population ($N = 281,094$) into the community,[6] thus accounting for the largest total number of inmates released from prisons in Europe as of April (Aebi & Tiago, 2020; Kuru, 2020). About half of

Table 2. A comparison of mitigation strategies used in European prisons and jails.

Country (Rank)	Front-End	Within-Prison	Back-End
Russian Federation (4th)	Suspension of in-person court hearings (in some cases); suspension of visitation (in some regions); reduction in the use of pretrial detention; preventive screening of prison staff and visitors before admission to facility	Lockdowns (quarantining); aggressive testing; daily preventive sanitation and disinfection; mask-wearing by prison staff and visitors; isolation of infected inmates; rotations of 14 consecutive days on and off work among prison staff; newly admitted inmates in isolation for 20 days prior to assimilation with the general prison population	None
United Kingdom (22nd)	Temporary suspension of visits; suspended educational programs and non-essential work; halted interprison transfers; movement from courts to prison effectively stopped (court hearings were held remotely by video and by phone); lockdown of facilities with only essential staff permitted access to facilities	Establishment of hand-washing stations and adequate soap and cleaning supplies; distribution of personal protective equipment (PPE) to staff; routine testing of prison officers; isolated confinement of inmates for social distancing purposes; movement from prisons to courts effectively stopped (court hearings were held remotely by video and by phone)	Early release of some inmates (if deemed necessary); addition of temporary accommodations across prisons; implementation of a "cohorting" strategy
Spain (32nd)	Suspension of visitation but free telephone and video-conferencing with families and attorneys; use of pre-trial and sentencing alternatives; electronic monitoring; decline in the number of offenders remanded to prison by courts during the pandemic (50% decrease between early 2020 and the same time period in 2019)	All external communications and all leave exits suspended except for reasons of force or extreme necessity; prohibition of access to prisons of any person (volunteers, collaborating entities, etc.) who are not part of the prison staff, unless their work inside was considered essential; suspension of teaching activity and production workshops; suspension of inmate transfers, except for health or judicial reasons; authorization for the inmates to stay voluntarily in their cells; staggering of mealtimes in dining areas; communication of mitigation efforts to inmates; provision of PPE to inmates and staff	Extensive release to community (an increase of over 400% of the number of offenders on home confinement)
Germany (33rd)	Courts limited their work and mainly dealt only with cases of alleged offenders being sent to pre-trial detention, reducing new prison admissions; elimination of incarcerations for non-payment of fines; restricted visits by suspending all visits with personal contact; implementation of video telephone calls	Provision of masks, hygiene products, and other PPE to inmates; establishment of quarantine areas in facilities; restriction of inmates to cells for more hours per day; suspension of activities such as work, reentry programs, and recreation	Early release or non-execution of short-term prison sentence since March (i.e., Germany's prison occupancy level has decreased from 83.3% to 78.7% between March and September 2020)

Table 2. (Continued).

Country (Rank)	Front-End	Within-Prison	Back-End
Italy (38th)	Restricted access into and out of prison facilities; substitution of phone calls or other available technology in lieu of in-person visits with relatives or third parties (other than defense lawyers)	Temporary suspension of treatment programs that involved participation from persons in the local community; curtailment of work-related activities serving the facilities that involve persons coming in from outside; extended release time for those already out on leave	Eligible persons with 18 months or less of their sentence to serve remainder of sentence at home or at other private health care facilities; expanded use of electronic monitoring for those released to the community; measures resulted in a decrease of nearly 10% of the incarcerated population
Romania (70th)	Restriction of new intakes during the first weeks of the pandemic; court hearings through video-conferencing or rescheduling upcoming hearings	Certain penitentiary units were specially designated to serve as quarantine units; monitoring and isolating of those inmates who, after an epidemiological screening, had symptoms of coronavirus infection and/or were new to a facility; reducing staff who come into contact with inmates by 30% (those staff remained home while accomplishing professional tasks); psychological services provided only in critical situations; informational campaigns for inmates; disinfection of accommodation-based areas	None
Portugal (88th)	Temporary suspension of visitation; restriction on outside goods coming into facilities	Creation of specific facilities for COVID-positive inmates; quarantine of new inmates coming into facilities; suspension of transfers between facilities other than in cases of security; work activities with external entities and leisure activities suspended; reassignment and differentiation of inmates' daily routines to try to separate, as much as possible, inmates considered most vulnerable (e.g., aged over 60 years, with immunosuppression or chronic disease such as respiratory ailments, hypertension, or diabetics); increased testing and monitoring of staff and inmates	Partial pardoning of sentences for those whose sentences were less than two years, age 65 years and older, having mental or physical diseases, or with degrees of autonomy that are incompatible with life in prison (N = 1,289)
Sweden (117th)	Cancellation of furloughs and visitation	Isolation and quarantine of new intakes; minimizing the size of the custodial and treatment staff; use of PPE by staff, elimination of face-to-face contact in probation and parole when possible; no-charge phone calls to compensate inmates for the loss of visitation and furlough and as a way to maintain the treatment plans of many inmates who need prosocial contacts as a part of their rehabilitation; communication with inmates to keep them informed of safety protocols	None

Note. See country-level articles in this volume for more detail regarding the variability in European countries' mitigation strategies to address COVID-19 within their prison systems.

these inmates were released temporarily and will remain released until as late as November 2020 (Kuru, 2020). In April, Turkey's parliament paved the path for countries in similar situations by developing and implementing legislation that would allow for the release of large numbers of inmates to mitigate the negative impact of public health emergencies such as the COVID-19 pandemic (Kuru, 2020).

The patterns that have emerged early on in the pandemic in Europe insinuate that traditionally less punitive countries, such Norway, Iceland, and Denmark, and countries whose general populations were burdened by a larger number of infections and/or characterized by large prison populations (e.g., Turkey, France, Italy, and Spain), were more inclined to adopt the preventative, back-end approach of releasing inmates in response to the threat of COVID-19 in prison settings.

According to the European Organization of Prison and Correctional Services (EUROPRIS, 2020), some jurisdictions released inmates by replacing short and nearly expired (longer-term) sentences with release, in addition to replacing pre-trial detention with non-custodial measures such as home detention (in homes, in health care centers, or in half-way homes/supervised apartments). Other inmates were required to report to supervising officers regularly (sometimes supported with electronic monitoring) through phone calls, video calls, and/or alcohol meters. While the majority of jurisdictions banned the transport of inmates between prisons to contain individual prison populations, some reinstated the travel of small groups between prisons on a limited basis to alleviate large prison population sizes in areas of need (EUROPRIS, 2020).

Other European countries, including Finland, the Netherlands, Sweden, Romania, Scotland, the United Kingdom (England and Wales), Poland, Czech Republic, and the Russian Federation, also experienced prison population reductions[7]; however, these countries did not actively facilitate this process through the proactive release of inmates (Aebi & Tiago, 2020). One potential explanation for the decline of these inmate populations, despite the lack of proactive release, is that although inmates may have been released at the same rates as usual, there were fewer opportunities and locations to commit new crimes due to societal lockdowns and, therefore, fewer opportunities to be arrested and prosecuted for those crimes. Moreover, jurisdictions have been postponing prison sentences because judiciaries in most countries have also postponed the adjudication of criminal cases (EUROPRIS, 2020). Regardless of the mechanism by which prison population sizes have decreased, increased space within prisons is more conducive to the isolation of infected inmates and distancing among non-infected inmates (e.g., one inmate per cell), thus, reducing the likelihood of viral transmission.

Banning and/or limiting in-person visitations between loved ones and inmates, in theory, reduces the likelihood of transmission via visitors to inmates and/or to staff. However, doing so does not mitigate the contraction of COVID-19 among prison workers that enter facilities every day. To address this potential issue, jurisdictions in Europe have required that prison staff who manifest symptoms of COVID-19, have chronic illnesses or health susceptibilities, are 60 years or older, and/or are pregnant, must stay home (EUROPRIS, 2020). Some countries have also temporarily suspended vacation days, canceled group trainings, and/or are working at a reduced staff size. Staff in most countries are required to wear a mask, protective clothing, and other protective gear (EUROPRIS, 2020).

Concluding comments

The governments of European countries, with a few notable exceptions, appear to be more transparent in their acknowledgment of the extent of the COVID-19 outbreaks in their prisons and jails than the governments of other global regions, most notably Asia. Many of these same governments have moved proactively to reduce the potential spread of outbreaks in prison by aggressively downsizing their prison and jail populations. There has been no documented crime increase linked to the utilization of these front-end and back-end release strategies at this point in the pandemic (Redondo Illesces et al., this volume). There appear to be two important lessons from a review of the country-level reports of how the problem was defined and how prison-population-reduction strategies were developed, namely, (1) be transparent about the nature and extent of the problem, and (2) be proactive in reducing prison and jail populations.

Notes

1. The total number of inmates reflects only member states that provided data on both January 1 and April 15, 2020.
2. The Romanian prison system reports that no inmate has contracted COVID-19 in its prisons during the first several months of the pandemic, but we are skeptical of this claim. See the country-specific review in this volume for more detail.
3. Bosnia and Herzegovina, Bulgaria, Georgia, Iceland, Latvia, Lithuania, Malta, Montenegro, and North Macedonia reported no outbreaks between January and April (Aebi & Tiago, 2020).
4. For example, Spain reported that 46 inmates and 238 staff members tested positive while Italy reported 37 infections among inmates and 163 among staff members.
5. Other countries/regions that released inmates between January 1 and April 20 as a tactic to prevent the spread of COVID-19 included Monaco, Iceland, Slovenia, Andorra, Cyprus, Luxembourg, Armenia, Spain (Catalonia, state administration, and total), the Republic of Serbia, Albania, and Azerbaijan.
6. Turkey has the second largest prison population among all European countries and holds seventh place globally (World Prison Brief, 2020).
7. Other countries/regions that have achieved prison-population reductions, but not through the active release of inmates, included Lichtenstein, Bosnia and Herzegovina, Croatia, Austria, North Macedonia, Greece, Bulgaria, Malta, Moldova, Hungary, Montenegro, Latvia, Estonia, Slovak Republic, Lithuania, and Georgia.

Disclosure statement

No potential conflict of interest was reported by the author(s).

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