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# *Measures and experiences in preventing and reducing the risk of COVID-19 in Italian prisons*



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# The situation in Italian prisons before the pandemic

- As of 28 February 2020:
  - 61,230 prisoners
  - Number of penal establishments: 189
  - Percentage of female prisoners: 4.4 %
  - Percentage of foreign prisoners: about 32.5 %
  - Percentage of finally sentenced prisoners: 68.4 %
  - Staff: about 40,000 staff members (more than 36,000 Penitentiary Police staff members and about 4,000 civil servants and technicians)

# THE VERY FIRST PHASES

- Since 22 February 2020, at the early outset of the pandemic in our Country, the Italian Penitentiary Administration has been issuing organisational provisions which regulated the healthcare emergency in prisons due to COVID-19 pandemic.
- The pivotal provision at the basis of the steps taken by the Italian prison service was the Decree of the Prime Minister (DPCM) of 8 March 2020, which closed the access to penal establishments
- The following provisions deriving from that decree regulated the new life in Italian prisons

# Activities in prison at the time of pandemic: a) the Administration and the staff

- Several measures were put in place, in each prison, in cooperation with the local Healthcare Service Agencies, in order to set up practices useful to reduce at the minimum the risk to get the infection inside the penal establishment
- 145 tensile structures were installed outside the prisons for an initial screening of all the people accessing the structures
- Special focus on newly arrived prisoners (medical screening, swab tests, etc.)
- Stop to transfers of prisoners from one prison to another one
- Staff wear Personal Protective Equipment (PPE): goggles, FFP2 mask (with filter), gloves and protective coat





# Prisons at the time of pandemic: b) the inmates

- First reactions of fear and disorientation
- Riots and disorders in 49 prisons
- Protests of inmates' relatives outside prison facilities that were concentrated mainly in two days

# Prisons at the time of pandemic: b) the inmates



- Prison work activities (cleaning, cooking, etc.) were still in place
- Treatment activities requiring physical contacts were reduced
- Outdoor exercise was still possible, with adequate safeguards
- Possibility to continue their educational activities remotely
- They can still receive packages from outside, after adequate checks
- They start producing masks for the needs of Italian prisons: today the internal production is of 400,000 masks a day in three industrial establishments

# Visits in person were suspended, but some "compensation measures" were introduced

- Family visits in presence were replaced by free-of-charge video-interviews by PCs or smartphones for all inmates
- Telephone calls can be made also to mobile phone numbers
- The purchase of 1600 Smartphones plus 1600 more mobile phones, allowed a larger number of telephone calls to all prisoners (only to selected telephone numbers)
- Permission to use Skype platform (both via PC and Smartphone) or of other platform for video-calls.
- Video-interviews with lawyers are always allowed through Skype
- Use of e-mails to send and receive communications selected and managed by prison e-mail address.

# Measures to reduce the number of inmates - 1

- Law-by-decree n. 18 of 17 March 2020 provides for the granting of **home detention** to inmates having to serve a **sentence up to 18 months**: "*As a derogation to the legislation currently in force, the sentence to imprisonment is executed at the offenders' own domicile or in a place of care, assistance or housing where it does not exceed eighteen months, even if remaining part of a longer sentence*", with the exception of offenders sentenced for serious crimes and for high social alert crimes or who underwent disciplinary sanctions.
- That measure was complemented in most cases by electronic surveillance – where available.
- The same law-by-decree provided for another derogation to the Penitentiary Act: leaves granted to people benefitting from semi-liberty **were extended until 30 June 2020**, in order to avoid the subjects' re-entry into prisons during the acute phase of the pandemic.

# Measures to reduce the number of inmates - 2

- At the same time, the **General Prosecutor at the Court of Cassation addressed** his own **suggestions** to all judges and prosecutors at all levels of the Courts about the need to reduce the number of entries into prisons, by stating that the "***COVID-19 emergency is to be considered as an element of evaluation***" while requesting a sentence for an offender.
- He stated that "*the healthcare emergency is exceptional, and as such, it requires that we have recourse to exceptional assessment parameters when it comes to adopt preventive detention and non-detention measures.*"
- In general, the Judiciary followed those indications

# Results of the measures to reduce the number of inmates

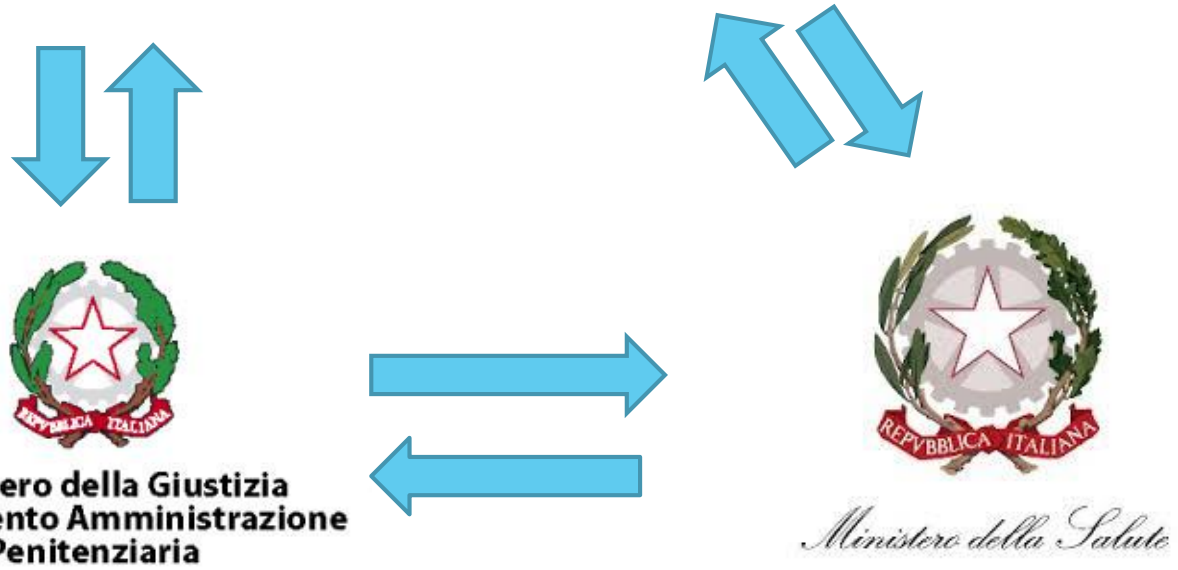
- As a whole, the reduction of inmates in Italian prisons was quite remarkable
- The total number of prisoners decreased from 61,230 on 28 February 2020 **to 53,530 as of 15 June 2020**.
- This was due to:
  - 969 prisoners released from prisons in terms of the above-mentioned law-by-decree n. 18 (special home detention) between 17 March and 15 September 2020
  - A decrease in the number of entries into prisons, as a consequence of the larger application of measures alternative to pre-trial and remand detention
  - The Supervisory Judiciary bodies made a larger recourse to measures alternative to imprisonment to execute a final sentence

# Fruitful cooperation among institutional stakeholders

The ***National Guarantor for the rights of persons deprived of their liberty*** was *de facto* entrusted as the main communicator on behalf of the Italian penitentiary Administration.
That body issued periodic bulletins with data, figures and information about the situation in places where people are deprived of their liberty, including prisons.

NPM

Garante Nazionale
dei diritti delle persone detenute o private della libertà personale



# One example: the remand prison "R. Cinotti" in Rome (Rebibbia)

- Rome Rebibbia "R. Cinotti" remand prison (1,600 inmates, with a wide variety of prison population.)
- Inflow of 300/400 visitors per day in "normal" times
- Use of *Skype for Business* to make interviews with families at a distance. That instrument was already in use in the hearings before the Supervisory Courts.
- Some IT posts were set also in the prison theatre, where the inmates could get video-connections with their relatives.
- The use of *Skype for Business* and *Teams* platform allowed to guarantee the video calls service with lawyers
- This service allowed about **6,550 talks** over the period from March to July 2020
- In the same period, about **550 connections** with Courts at different levels were secured as well
- Thanks to a dedicated IT platform, the students did not miss lessons and regular exams were guaranteed for primary school, High school and College.

# Positive outcomes arisen at national level

- Greater safety/security in conducting talks (*e. g. impossibility of introducing prohibited items*)
- Workflow reduced (*no need of long procedures for identification and check of family members in person*)
- Maintaining family links even for those subjects who normally do not receive visits due to the distance from their place of residence.
- Satisfaction among prisoners for remote interviews with their families, who can save money and time otherwise dedicated to visit their relative in prison
- The spreading of infection in the prisons has been effectively avoided because of the measures adopted

# *Current Challenges for the Penitentiary Administration*

- In July 2020, the prisons started to gradually re-open to visitors (prisoners can receive at least one visit in person per month).
- Today, our structures are struggling with the «second wave» of COVID-19 pandemic throughout our Country: the number of infected inmates and staff members is rapidly growing.
- After some months of sharp decrease, the prison population starts increasing again.
- A few days ago, a new Law-by-Decree re-boosted the granting of home detention to inmates having to serve a final sentence up to 18 months, in line with the provisions adopted last March

# National guidance issued against the risk of a "second wave"

- **New provisions** were issued by the Headquarters (22 Oct. and 2 Nov.):
  - For newcomer inmates: first test, period of isolation and second test, before assignment to one detention wing
  - Drafting of regional plans concerning the places available to accommodate COVID-19 infected inmates, according to different scenarios of infection spreading within the prison system
  - Set-up of a tracking system of contacts for infected persons within the prisons
  - Careful consideration of **gradual and temporary reduction** in the contacts between inmates and people coming from outside (visits, treatment activities).
- **Provisions already in force** were confirmed
  - PPEs: face masks must always be worn by those who are in the prisons, no matter where they are. Only when in their cell, inmates are exempt to wear face masks
  - Ventilation and accurate cleaning and disinfection of premises, furniture and objects
  - Hydro-alcohol gel available for both prisoners and staff
  - Regular screening tests on staff

# Regional Provisions against "second wave": healthcare

- At regional level it has been stressed the essential need to work in close coordination with Regional Healthcare Agencies in order to ensure swab tests and three areas of healthcare interventions: Triage, induction visits and isolation;
- Identify suitable places in order to keep separated prisoners in accordance with their conditions as below:
  - Inmates isolated because they come from outside the prison (coming from liberty, from another prison, etc.)
  - Inmates isolated because they are "close contacts" of infected persons, as they are defined by the Ministry of Health
  - Inmates isolated because they are positive to COVID-19 virus.
- Detailed instructions concerning three different scenarios depending upon the number of infection cases inside the prisons of the Region

# Regional Provisions against "second wave": rehabilitation

- The general guidance is to maintain all those activities where people are in a small number, well distanced and wearing face masks (school, work, leisure and cultural initiatives, religious activity, etc.)
- Another orientation is trying to make use of e-learning as much as possible (school, vocational training)
- Only sport activities without physical contact can be carried out
- Exercise with other inmates is only allowed to inmates living in the same wing
- Inmates shall always be grouped per detention wing
- One or two visits per month still allowed (with only one visitor aged between 12 and 65, in premises ventilated and with Plexiglas partitions and wearing face masks and gloves).

# Thank you for your kind attention!

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