

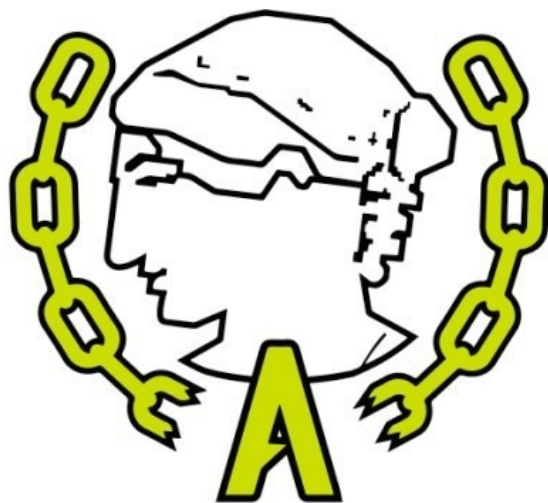
# ANTIGONE

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**Have prisons learnt from Covid-19?  
How the world has reacted to the pandemic  
behind bars**



ANTIGONE



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## N. 1/2020 HAVE PRISONS LEARNT FROM COVID-19? HOW THE WORLD HAS REACTED TO THE PANDEMIC BEHIND BARS

edited by Susanna Marietti and Alessio Scandurra

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## GREECE - Isolation for protection. Facing the Covid-19 pandemic in Greek prisons

*Ioanna Drosou<sup>1</sup>, Nikolaos Koulouris<sup>2</sup>, Theodora Pantelidou<sup>3</sup>, Sophia Spyrea<sup>4</sup>*

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“Covid-19 has forced millions of people around the globe into self-isolation and quarantine; however, millions were already living in isolation. People detained in Greek prisons are among those who must now face the pandemic with limited or no access to protective means, while living conditions in prisons have always been hygienically decadent” (E. Krithari, 2020).

### **1. Covid-19 and prisons in context**

Prisoners belong to vulnerable populations who present higher Covid-19 infection and death rates compared to the rest of the population. Many states’ ability to confront the pandemic has been challenged (according to hitherto 216 countries are reported with Covid-19 cases). The almost impossible social distancing behind bars forced countries worldwide to develop and implement two main penitentiary policies to halt Covid-19 spread:

a) preventive measures in prisons (such as sanitary measures, personal protection measures, physical distancing measures, access restrictions and movement limitations

etc.), and

b) rapid decarceration measures resulting in prison populations’ reduction (*compassionate releases*).

The latter, with the necessary prioritization, is of major importance especially as regards older people, in prisons and other closed institutions. On the other hand, preventive measures raised serious concerns over a possible circumvention and imperilment of prisoners’ rights. The Council of Europe Committee for the prevention of torture issued a statement on the 20<sup>th</sup> of March where attention is paid to the risk of inhuman or degrading treatment entailed in such measures (Cpt, 2020). This was further established as an international priority through the joint statement of the Unodc, Who, Unaid and Ohchr regarding prisons and other closed settings, stating the need to reduce overcrowding, ensure health, safety and human dignity, access to continued health services, respect of human rights, adherence to United nations rules and guidance.



## 2. Covid-19 and Greek prisons

During the pandemic, Greek prisons were in a state of suffocation, with 11,245 people being held in custodial institutions with capacity for 10,055 detainees, while in 23 out of 34 prisons overcrowding ranged from 102.38% to 252.83%. While half of the 736 Greek cases pending before the European court of human rights are related to detention conditions (G. Livitsanos, 2020), and despite the Cpt statement that the introduction of measures to tackle the pandemic should be in line with the prohibition of torture and inhuman or degrading treatment, the General secretariat for crime policy introduced measures which amplified the social isolation of prisoners, putting their human rights in question. Prison leaves were prohibited, as well as all kinds of open (family and children) visits. Closed visits were reduced and visitors were not allowed to deliver food, clothes, blankets and other goods to their imprisoned relatives. A policy of prison decongestion, (electronically supervised) release measures for vulnerable prisoners and for prisoners having served most of their sentence, suggested by the Hellenic league for human rights, the Greek ombudsman, the Athens bar association, the Initiative for prisoners rights, Amnesty international etc., although initially considered, was finally abandoned. Prisoners' complaints, some proposing to contribute to the efforts to prevent the spread of the virus offering community service, were not heard. Simultaneously, prisoners alleged that antiseptics and masks were not distributed, transfers to hospitals were allowed only in emergencies, leaving primary care inaccessible and violating the prisoners'

right to health (E. Triantafyllou, 2020). The only measure taken to counterbalance the social quarantine of prisons and maintain prisoners' contacts with the outside world is the expansion of the so-called e-visits scheme, launched in 2017 with an official document issued on 13 April 2020 by the General secretary for crime policy.

Restrictive measures lasted until 18 May. They were put in place again on 13 August and they are still in force, in a period of further increase of the prison population to 11,522. The second imposition of the same set of measures was not combined with other initiatives to improve detention conditions and health infrastructures (D. Kiskira-Bartsoka, 2020). Prisoners point out that "the measures are more repressive than substantial" and propose the continuation of court hearings, the restart of social visits and prison leaves and measures for prison decongestion. Restrictive measures, though, still apply, showing that prisoners are exempted from protection measures which are deemed necessary for other people.

## 3. Supportive voluntary initiatives

A number of voluntary social campaigns and events that aimed at the protection of health and safety of prisoners in several custodial institutions took place, organized by either the private sector or local authorities. Moreover, the Ship-owners' association donated 11,500 bed mattresses to the Ministry of citizens' protection for prisoners, a very welcomed initiative from state officials, who were criticized for the lack of an overall plan to improve conditions. Active groups of prisoners took also some initiatives. Prisoners



attending school collaborated with their educators designed and printed 3-D medical face-masks and donated their products to organization caring for other vulnerable groups, such as homeless unattended children and deaf people.

#### **4. Long-standing weaknesses besetting custodial institutions during the pandemic crisis**

Long-standing deficiencies of the prison system such as prison overcrowding, understaffing, lack of medical staff and inadequate health care services, took the lions' share in the discussion of prison issues during the pandemic. As personal space for prisoners determining certified accommodation has been set at 4 square meters, physical distancing is unfeasible in crowded prisons. Insufficient space, combined with the above mentioned restrictive measures, resulted in prisoners' distress, isolation and depression.

A tacit agreement for prisoners to bear the costs for running tests for Covid-19 detection when returning from their leave is reported (D. Kiskira-Bartsoka, 2020), replicating known practices which pass on prisoners the burden of prison deficiencies (i.e. paying to buy or asking their visitors to provide food, clothing and personal hygiene items etc). The sudden transfer of an infected prisoner to a custodial institution without first ensuring that facilities for his proper accommodation were available caused reactions and criticisms. Opposition parties criticized the authorities' intention to use rapid tests for Covid-19 detection in prisons, doubting that they could substitute molecular tests and expressing concerns as regards the involvements of the private sector. Other issues raised by critics of the

competent authorities was the assignment of prison establishments disinfection to private companies with no previous experience in the field, and the resignation of four doctors offering their services at a health care unit of the prison system, claiming that they were working unpaid for months in unacceptable sanitary conditions (G. Tessi, 2020).

Last but not least prison employees unions repeatedly expressed their concerns as regards the sufficiency of measures taken for their protection, asking the Ministries of health and citizens' protection and regional and local authorities to support them in their effort to avoid the expansion of the virus in their workplace. The Prison officers union characterized the new set of measures contradictory because prisoners are still transferred to courts and other authorities and return to prison. The Prison perimeter security staff union referred that existing protocols are not observed due to lack of sufficient tests and staff training. Recently a violation of prison employees' rights has been reported after the guidance sent by the General secretary for crime policy to prison directors to reject employees applications asking for legislated special-purpose leaves during the pandemic.

#### **5. Reaffirming the prison, neglecting human rights?**

The measures applied to prevent Covid-19 expansion in prisons make them social spaces of segregation in additional quarantine, increasing the distance between prisoners and the outside world. Up to mid October the numbers of infected prisoners and prison employees were very low (there are four detected cases, one prisoner and three officers), this

effectiveness has been achieved at the expense of prisoners' rights. A couple of weeks was sufficient to destructure the success story told for months, as 208 suspected or confirmed infections spread in 14 (of the totally 34) custodial institutions were reported by the competent deputy Minister at the Parliament on 13 November 2020 (K. Kosmatos, 2020), and two of the infected prisoners have lost their lives up to 21 November. Additional sanitary and health care measures (regular tests, two special units in National health service hospitals for prisoners, medical staff) to shield prisons from further dispersal of the virus announced by the General secretariat for crime policy on 11 November 2020, but the wide picture does not change; prisons now look more like the closed, total institutions of the past and less like the normalized places of the European and international standards of the 21<sup>st</sup> century (European prison observatory, 2020).

## Notes

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