



**MAY-  
JULY  
2020**

**MANAGEMENT OF  
DECONFINEMENT IN  
CATALAN PRISONS**

**MONITORING THE DEPRIVATION OF LIBERTY AND  
POLICE ACTIVITY DURING THE COVID-19  
EMERGENCY**

## MONITORING THE DEPRIVATION OF LIBERTY DURING THE DECONFINATION OF CATALAN PRISON CENTRES AFTER THE COVID-19 EMERGENCY

Following the work we at the SIRECOVI Team of the Observatory of the Penal System and Human Rights (OSPDH) are doing to monitor the impact of the pandemic and the measures adopted by the various administrations to deal with it in state penitentiaries, for our research project Monitoring the Deprivation of Liberty and Police Activity During the Covid-19 Emergency, we now present the second monitoring report on the management of the coronavirus in Catalan prisons.

Through constant monitoring of the prison system, our aim is to produce an X-ray (dynamic diagnosis) that reflects, both in a quantitative and qualitative way, the level of impact that the pandemic is having on the two prison systems that coexist in the Spanish State. In this way, we aim to offer information regarding the number of infections, but also about the measures adopted by the administrations and their implications on communications, prison population reduction, health services, social reintegration activities, work and education.

We at SIRECOVI published three reports at the beginning of July, as part of this research project. One, relating to the management carried out in the penitentiary centres dependent on the SGIP (which covers the Spanish state excluding Catalonia) another, relating to the prisons dependent on the Secretary of Criminal Proceedings, Reintegration, and Victim Care (SMPRAV, which covers Catalonia); and a third, in which the main recommendations made by civil

society organizations and entities were systematized, both at the international, state and local levels. We invite you to consult the three reports through the following links:

<http://www.ub.edu/ospdh/es/node/696>

<http://www.ub.edu/ospdh/es/node/697>

<http://www.ub.edu/ospdh/es/node/695>

In the report on the management of the pandemic in Catalan prisons, we analysed the main measures adopted to face the health emergency during the State of Alarm. Now, in this second report on the Catalan prisons, the main measures adopted during the so-called de-escalation phase have been systematized. This new stage includes the approximate period from May 11th, the date set by SMPRAV as the start of Phase 0 in all prisons in Catalonia, to July 19th, the day established as the start of the "new normal".

As in the previous report, for the preparation of this document, in addition to scrutinising the measures adopted by SMPRAV, its operational documents and the communication campaigns carried out during our analysis, we also have analysed their impact, cross-checking them with other sources, such as the experiences of prisoners and their families, and the

information that comes to us from social organizations and support groups for people deprived of liberty from all over the Catalan territory. At the same time, attention has been paid to the communications and complaints of the different prison workers' unions.

We have also had valuable information provided by entities such as the Penitentiary Legal Guidance Service (SOJP) or the Centre for Reinsertion Initiatives (CIRE), in addition to information - albeit more limited - that SMPRAV itself has provided us.

An in-depth analysis of newspaper archive material has also been carried out, although it should be noted that unlike what happened during the State of Alarm, where there were numerous news reports that echoed the reality that was being experienced in prisons, during the de-escalation the attention that the mass media paid to the day to day reality in our prisons has been significantly reduced, resuming the classic trend of no interest on the part of the media to what happens inside prisons.

Finally, since the beginning of July, the SIRECOVI team has been able to resume our visits to Catalan prisons to interview people deprived of liberty. These visits, in addition to allowing the optimal functioning of our Registration and Communication System, constitute a very useful source of information for studying the impacts that the measures adopted to deal with the coronavirus are having on inmates.

The report follows a very similar format to the previous report in which we collected the main actions taken in the prisons during the State of Alarm, so the information will be

presented in various thematic blocks. First, however, a brief introduction will be made in order to clarify how the de-confinement has been carried out in Catalan prisons. Once again, we will conclude the report with a series of assessments made after our diagnoses.

We at the SIRECOVI team hope that the results of these diagnoses can contribute to the work being done by other human rights organizations, family members' and prisoners' support groups, legal groups, and those responsible for the relevant public administrations.

# THE DE-CONFINATION PROCESS IN CATALAN PRISONS

As SMPRAV itself recognizes, in the context of the Catalan prisons, more than 100 high-impact measures were adopted during the confinement phase that have put the capacity for adaptation and resistance of the Catalan prison system to the limit. These measures could be grouped into three differentiated blocks: (1) barrier measures to prevent contact with the outside, (2) internal separation measures to prevent intermodular expansion, and (3) epidemiological surveillance and control measures to prevent the appearance of outbreaks and treat those affected.

The beginning of the de-confinement of the general population before the end of the State of Alarm, entailed the need to establish a parallel system to proceed to the deconfinement of Catalan prisons, which would allow the normal activity of these spaces to be resumed, progressively eliminating the most restrictive measures.

With this objective, on May 17, 2020 SMPRAV

published an **Action Plan for the Transition from Covid-19 Confinement in Prisons**, an operational document that includes the main measures and protocols to be adopted along with the terms and phases for its implementation.

To understand the process of de-confinement in prisons, it is important to take into account that the uneven de-escalation at the community level has necessarily led to an equally uneven de-escalation in the different prisons, depending on the health region in which they are located. Thus, on the one hand, the system of phases established by the Government for the various health regions of the territory must be considered and, on the other, the specific phases provided for in the Action Plan prepared by SMPRAV.

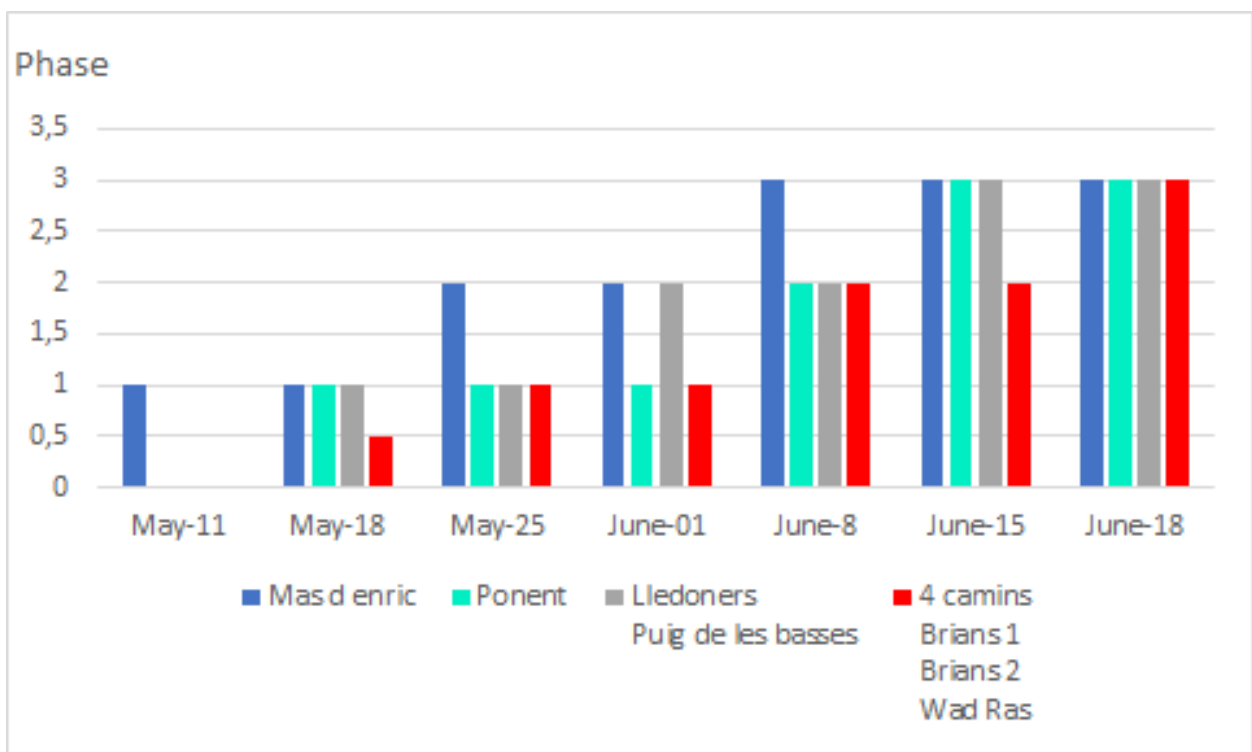
As in the phase system set by the Government, the SMPRAV de-escalation plan was designed to gradually implement measures, making it possible to evaluate their impact and introduce the necessary



corrections. The System of Phases set by the Government which began on May 11th and lasted until June 21st (start date of the "new normal" for the whole country) established 5 phases (F0 to F4, with F4 being the so-called "new normal") and included the possibility of establishing intermediate phases of different evolution depending on each health region. The SMPRAV action plan, however, which ran from May 11th to July 19th, included 4 phases (F0 to F3), whose progression, as we will now see, depended on a wide variety of criteria.

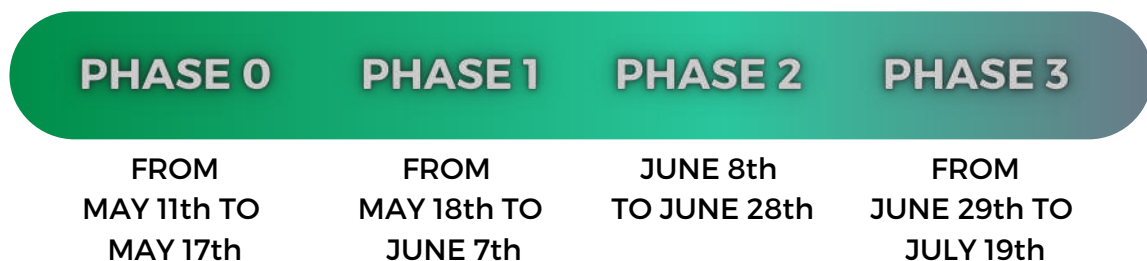
Graph number 1 shows the progression of phases over time for each of the prisons in Catalonia, depending on the health region in which they are located, and graph number 2 shows the phases of gradual de-confinement established by SMPRAV.

**GRAPH 1: DE-ESCALATION PHASES ACCORDING TO HEALTH REGION**



Source: Own elaboration

**FIGURE 2: DE-ESCALATION PHASES ESTABLISHED BY SMPRAV**



Source: Own elaboration





The de-escalation phases have not been applied uniformly in all prisons in Catalonia. The Operational Plan prepared by SMPRAV established that the management teams of each centre should be the ones who adapt the macro plan to the characteristics of their facilities, provided they inform the Crisis Committee of any possible change in its implementation. It was also established that the different management teams should be in charge of planning and executing communication strategies aimed at prisoners, workers and any possible visitor to the centre.

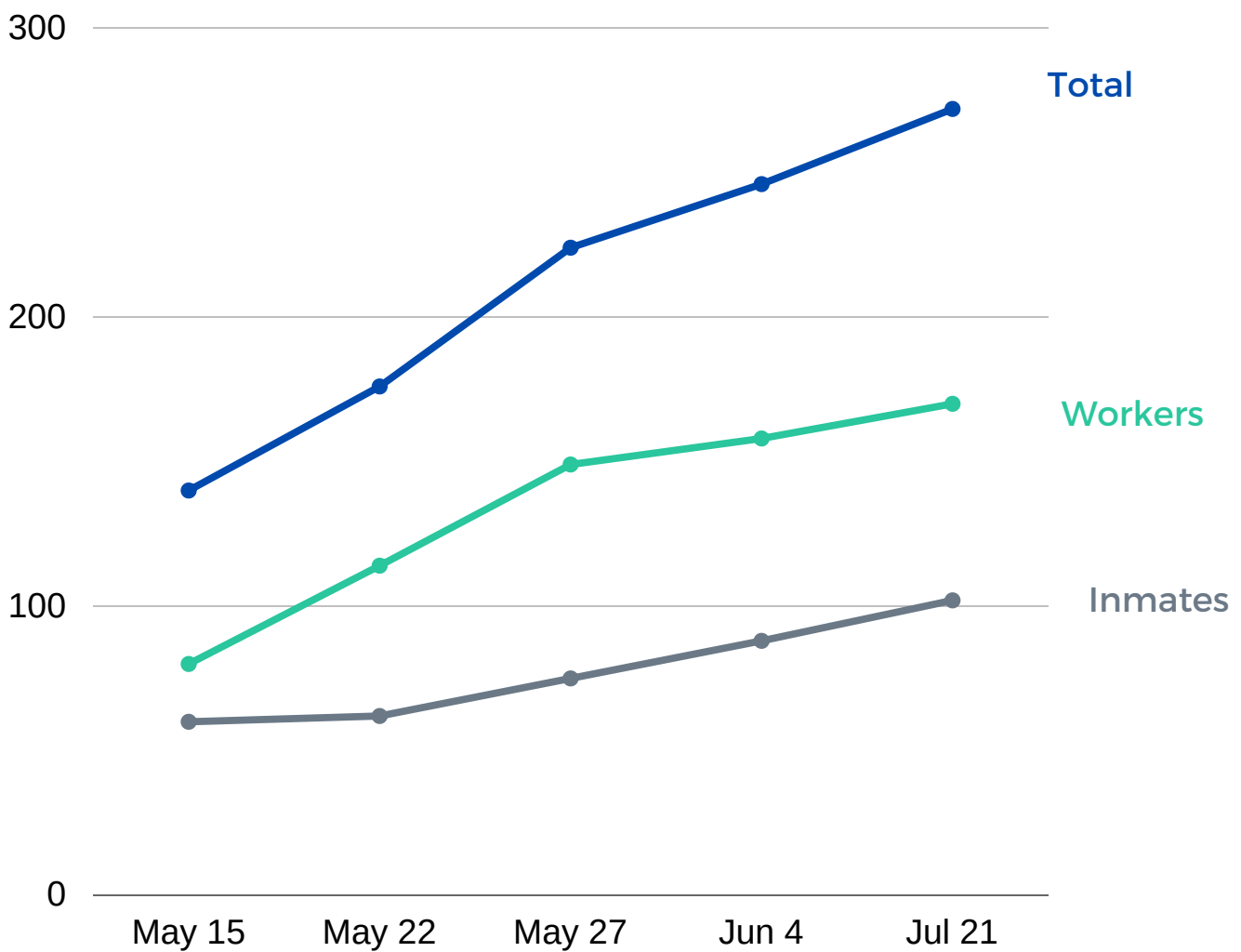
Thus, during the different phases of de-escalation the measures to be adopted in each prison were determined by three types of factors: (1) Situation of the pandemic in the wider community (2) The situation of the pandemic at the level of each penitentiary centre: load occupancy of specialized inmate care units, number of confined units in each prison, number of free cells for preventive isolation in each prison, the appearance of new positives and traceability over the chain of infections. (3) The situation of the pandemic at the worker level of each centre.

Regarding the transitions between phases, measures that involved contact with the outside world have depended on the corresponding phase of the health regions in which the centres are located. In this way, as will be seen in more detail in the section on communication measures, these were taken up progressively, starting with those that do not involve physical contact. Once the deadlines set by SMPRAV and the change in phase of the prison's health region had been considered, each prison implemented the measures at different times and on many occasions with different criteria, generating confusion among inmates and their families.

# CONTAGION STATISTICS



## GRAPH 2: BALANCE SHEET OF AFFECTED BY COVID 19



Source: Own elaboration based on data published by the Conselleria de Justícia, Generalitat de Catalunya.

# HEALTH MEASURES

## May 12th

Numerous human rights organizations present SMPRAV with proposals for de-escalation in Catalan penitentiaries that respect the rights of prisoners.

These entities complain that, despite the fact that a week ago the central government approved the different phases in which the de-confinement would take place, no specific information has yet been published on how it will be carried out in Catalan prisons.

## May 17th

SMPRAV publishes the operational document that will serve as the basis for de-escalation in Catalan prisons, while specifying that it will be updated according to what the health authorities determine.

With regard to general health security measures, these are grouped into three blocks:

## 1. Interpersonal safe distance

SMPRAV establishes the need to make people deprived of liberty and prison workers aware of the need to avoid physical contact in the event of any type of activity. To this end, measures are established to ensure that in group activities a distance of 1.5 m is always maintained between inmates, not being able to join inmates from different units either to carry out activities, or scheduled outings, or to communicate. Likewise, all spaces (classrooms, patios, waiting rooms, dining rooms, etc ...) may be used up to a maximum of 1/3 of their maximum capacity.

## 2. Hygiene measures

In order to guarantee hygiene, several points will be installed in each centre (at the entrances of the centre, in the units, in the classrooms, in the workshops, offices, communications centres, etc.) with hydroalcoholic gels.

Given the obvious difficulty of maintaining safety distances during visits, special emphasis is placed on the need to use masks and maximize the hygiene of individuals and of the space. It is established that inmates will have to wash their hands with hydroalcoholic gel before entering visiting rooms and when leaving them, and visiting spaces must be disinfected after each use.







The inmates, and even some of the workers, on the contrary, state that hydroalcoholic gels have not been installed in practically any of the places to which the inmates have access except at the entrance of the prison and the communications centre.

Family members, for their part, state that although there was disinfectant gel at the visiting centre entrance, the workers who were there did not carry out a control to ensure that all visitors made use of it.

The inmates state that hygiene has been carried out by them at all times, using either the soap they buy at the prison shop or the one that is delivered to inmates who have no money once a month in the hygienic lots that are distributed, but that there has been no extraordinary distribution of it. Instead, some inmates explained that they were given bleach.

Regarding the disinfection of communication spaces, inmates and families agree that they have not verified that these disinfections are carried out.

We at SIRECOVI have also been able to verify in our visits that the intercom booths are not always disinfected due to the change in communicators (Puig de les Basses prison on July 6th), having on one occasion (Brians 2 prison, on July 7th) asked a prison officer to provide disinfectant gel to an inmate so that he could disinfect the intercom that another inmate from a different wing had just used. On the other hand, in our last visit to Brians 1 prison on July 23rd, we were able to verify that the cleaning of the intercom booths between one interview and another was carried out by two inmate ordinances.

Regarding masks, during phase 0 and 1 all inmates were required to use it while outside the cell, but as of phase 2 its use is established as mandatory each time the inmate is outside their cell and, therefore, during visits. With regard to prison staff, the use of a mask is mandatory throughout the working day, regardless of whether or not they are protected by a glass screen. Gloves are mandatory only for personnel who perform searches of inmates or packages,

personnel from the admissions department, and personnel who must act to reduce an inmate, among others.

Family members, prisoners and workers agree that the use of masks has not been generalized either during confinement or during de-escalation. Some inmates from different prisons informed us - either during our visits, during phone calls or via their relatives - that since the beginning of the confinement they have only been given two cloth masks whose hygiene is their individual responsibility. On the other hand, other inmates claim to have received up to 6 cloth masks during the beginning of the confinement.

Members of SIRECOVI were able to verify in their visits how in some cases the inmates moved through the prison without using masks.

### **3. Identification, surveillance and monitoring of those infected**

The need to carry out PCR tests on the entire prison community is established in order to quickly detect positive cases among inmates and staff. In addition, it is decreed that in each centre 4 different types of unit be established:

- a) Units for infected inmates: those who have tested positive enter either the Terrassa Penitentiary Hospital Pavilion (PHPT), or the B2 infirmary (men), or the B1 infirmary (women). The regime in these units becomes an isolation regime; inmates cannot leave the cell except by order of the health personnel, it is also forbidden to smoke even inside the cell and the inmates cannot use the telephone.
- b) Sanitary isolation units for those prisoners who have been in contact with a positive case.

c) Confined units: whenever a positive case is detected in a unit, after transferring the individual to the sanitary unit, a study of contacts will begin. The unit will be confined, and quarantine will be imposed for all inmates, who will not be able to leave it for any reason in a period of approximately 14 days. These units can only be accessed by health and internal regime personnel.

d) Usual residential units.

Regarding new admissions, the SMPRAV protocol establishes that in the event that the inmate presents risk indicators, the official will put on an FFP2 mask and gloves and accompany the inmate to the sanitary isolation cell of the unit income until they undergo a medical review. Clothes should be given until theirs has been washed and their belongings are given to them after 72 hours.

The duration of the quarantine for new entries will evolve depending on the phase in force inside the prison. Regarding transfers, sick prisoners will be transferred by ambulance and will enter units for infected inmates. When healthy inmates are transferred, quarantine will not be necessary, except if they come from confined units.

### **May 25th**

The 14-day quarantine period required in Catalan prisons upon prisoners' return from court and hospital exits is suspended.

The results of the PCR carried out by SMPRAV to the prison officers in response to the request of the TSJC, show a balance of 72 positives and 100 inconclusive out of a total of 3,288 tests performed. The most serious situation is found at the Quatre Camins prison, where 39 positive and 60



inconclusive results have been diagnosed. There are still a large number of workers pending its completion, including the staff of the centres located in the province of Girona and the open centres.

The CCOO trade union says that PPE and protective measures and equipment have to be improved, and claims that contagions would have been minimized if the use of FFP2 masks had become widespread.

### **May 27th**

The mass round of tests carried out in the last two weeks on inmates and workers in Ponent prison have detected twice as many positives as during the first two months of the pandemic. Specifically, in the past few days 10 workers and an inmate from unit 3 have tested positive. The inmate was transferred to the centre's infirmary along with his cellmate, and his cell was disinfected.

### **June 3rd**

SMPRAV report that most of the PCR tests have already been carried out on prison workers, and they are still awaiting the results. Currently there are 293 who are on sick leave due to COVID-19, the largest number of affected is in the Quatre Camins (59) and Brians 2 (52) prisons.

Regarding the tests carried out on inmates, 5,000 have been carried out to date, and 90% of the results are known: 95.6% of those are negative (4,780), 0.77% positive (38), 3.14 % inconclusive (157), and 0.41% invalid (20).

The CCOO union requests that the provision of materials and PPE be expanded, and that the necessary masks and gloves be delivered.

### **June 4th**

Justice invests more than 175,000 euros to buy 17 cameras and 38 heat guns to measure temperature in the entrances and thus prevent contagion by COVID-19 in all the prisons, open centres, centres for minors in Catalonia and the PHPT, as well as the headquarters of the social services of penal execution, where inmates on probation are monitored and care is offered to prisoners' families.

From now on, each person who enters these spaces (whether family, worker, collaborator, etc.) must undergo a temperature control. Access workers and merchandise entry workers will carry out these controls remotely, with the system guaranteeing the protection of the privacy of those who are subject to control. At the time of access, when the equipment detects an abnormal temperature, the control workers prevent entry and refer the case to the health personnel, who will make the final decision to allow or deny access.



## June 8th

With the start of Phase 2 marked by SMPRAV, the quarantine time for new admissions is reduced from 14 to 7 days.

Currently 308 prison workers are on sick leave due to coronavirus.

The CCOO union requires that PCR tests be carried out on all inmates who enter a penitentiary for the first time. They claim that special measures must be adopted in Brians 1 prison due to its status as a remand centre, and also in the open prisons due to the movement of existing prisoners.

SMPRAV confirms that it is waiting for the Health Department to consider this request for more tests at Brians 1 and that it will reduce occupancy in the open centres. They also report that they have imported 1500 more FFP2 masks.

## June 13th

After several inmates of the Brians 1 women's unit were found drinking drinks made with hydroalcoholic gel and cola in the unit's library, the management of the centre decided to remove the disinfectant gel from the unit.

Prison sources report that in other areas of Brians 1 the hydrogels are kept on but that in other centres such as Quatre Camins they have not been supplied.

## June 19th

The Justice and Health Departments warn of the increased risk of drug overdose as face to face visits begin to resume in some prisons and they launch a harm reduction campaign aimed at inmates. The number of overdoses is reported to have halved during the period of confinement. In all of 2019, 7 inmates died of overdoses. So far this year, and pending the final results of the autopsies, there have been



four probable deaths from overdoses. Of these, two during a leave outside the prison, and two more inside the prison. Of the deaths inside the centres, one was prior to the pandemic and the other, during confinement.

**June 26th**

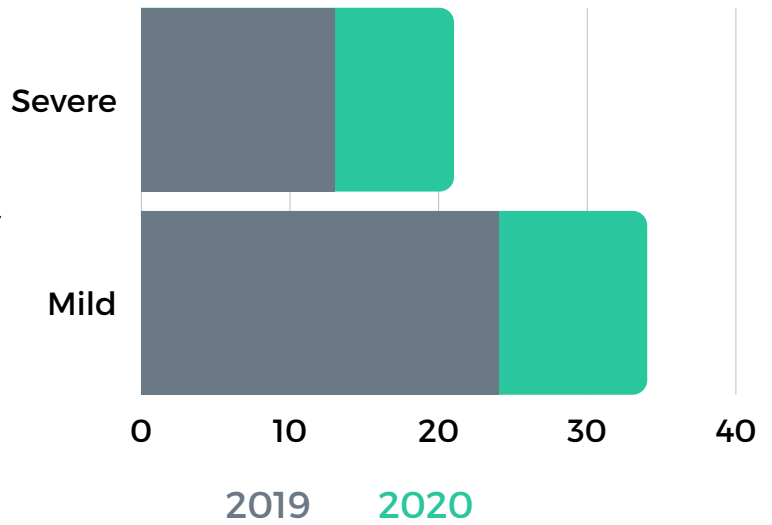
The Health Department reports that as of today PCR tests should have been carried out on 5,982 prison professionals, of which 4,182 have been done. Of the tests carried out, 4,082 have been negative, 100 positive and 126 inconclusive.

The UGT trade union requests that PCR tests be carried out on all new admissions to avoid the 7-day quarantines and that they only have to remain in the income department for 48/72 hours.

**June 29th**

With Catalan prisons entering Phase 3, the quarantine period for new entries is abolished.

**GRAPH 3: EVOLUTION OF OVERDOSES IN CATALAN PRISONS FROM MARCH 16th, 2019 TO JUNE 7th, 2020**



Source: own elaboration

**June 30th**

Regarding PPE, SMPRAV announces that to date it has delivered: 195 protective glasses; 38 digital thermometers; 7,104 cans of hydroalcoholic gel; 5,971 400/500 ml dispensers of hydroalcoholic gel; 1,258 1-litre jars of hydroalcoholic gel; 274,500 gloves; 90,500 surgical masks; 8,978 FFP2 masks;



9,700 hygienic masks; 31405 textile masks; 50,975 expired masks; 700 single-use coveralls; 269 hydroalcoholic gel dispensers; 243 soap dispensers; 176 paper dispensers; 5,700 laundry bags; 5,320 single-use cutlery sets; 25 marking tapes.

### **July 6th**

After the Generalitat once again confined the Segrià region (Lleida) to lockdown due to new outbreaks, the Justice Department returns Ponent prison to Phase 0.

From this moment on, new admissions to the prison must remain in quarantine for 14 days and sanitary isolation will also be applied to inmates who have to go to court or hospital or to work.

As of today, 8 professionals and 5 inmates of said centre are positive, one of whom is admitted to the infirmary.

The administration affirms that it continues to request materials and that it will continue the distribution of protection elements, the installation of partitions (which this week will end in Ponent prison) and the rest of the elements necessary to adapt the spaces.

### **July 12th**

The UGT prisons union denounces that the Brians 2 prison does not comply with the protocols related to inmates with mental disorders that are generally found in the Suicide Prevention Program (PPS). They warn that during weekends or holidays the inmates admitted to the Mental Health department (generally with high PSP diagnoses) are transferred to other units with the corresponding risk changing from high to moderate and with total accompaniment or

permanent visual control, thus moving responsibility for them from health personnel to surveillance personnel.

They warn that the staff of the residential units are not prepared to offer the professional and specialized care that acute and chronic patients require, and they complain that the Sant Joan de Deu Hospital ignores these inmates. The union warns that the presence of a psychiatrist on duty is necessary every day of the year.

### **July 18th**

Units 4 and 6 of Quatre Camins prison are placed under lockdown.

Inmates in the Terrassa Hospital Penitentiary Pavilion (PPHT) report that the space for inmates with coronavirus is at its maximum occupancy.

Inmates and relatives of the admissions unit of Brians 1 prison flag up that inmates are arriving from Zuera prison (in Aragon), despite the fact that there has been a restriction of movement in Aragon since July 16th.

### **July 21st**

SMPRAV reports that to date 11,000 tests have been carried out among persons deprived of liberty, prison staff and members of collaborating entities.



# COMMUNICATIONS MEASURES

## May 11th

With the start of phase 0, communication via intercom booths between inmates from different units of the same prison, in all the prisons in Catalonia, begins to be authorized.

## May 18th

Before the start of Phase 1, the SMPRAV Plan establishes that Catalan prisons can begin to authorize communications through intercom booths with relatives as long as the health region in which the prison is located is also in Phase 1.

From this moment, they can also start authorizing the entry of packages, which must remain in quarantine for a minimum of 72 hours before being delivered to inmates.

It is also established that family members can once again deliver money in person, although SMPRAV recommends continuing to deposit the money by bank transfer or postal order.

SMPRAV establishes that it will be the responsibility of family members or close friends who visit inmates to comply with the mobility provisions decreed by the Government. The protocol establishes that the maximum number of callers authorized to enter each shift must be reduced by 50%, that visits must be requested by appointment, that they will last 40 minutes and that only two people may enter the booth, instead of the four traditionally allowed. In addition, the prison must provide visitors with masks and gloves to access the centre.

The specific dates on which said measures will begin to be implemented in each of the penitentiary centres will be decided by the management of each centre.

## May 22nd

Verbal communications are resumed (by phone call) with relatives and friends in the Mas d'Enric prison and the entry of packages is authorized again after the Camp de Tarragona health region progressed to Phase



1 on May 11th.

Family members are still not allowed to deposit money in cash and must continue to use bank transfer.

Families of Prisoners of Catalonia report that there is a platform with water and bleach for visitors to disinfect their feet and a temperature meter on the ceiling. They explain that they are provided with masks and gloves, although they can use their own, and that there is a cleaning person who disinfects them every time they enter and leave the area.

Family members and support groups speak out against the difficulties they encounter in arranging communications, insofar as the protocol established by the management of Mas d'Enric prison establishes that it must be the inmate himself who requests communication with the family member or close friend and reserves an hour, and who must subsequently inform the family member of the authorized day and time. According to the inmates, they do not always have the balance to make the necessary telephone calls to coordinate with the family member to request the visit.

They also explain that they have encountered many difficulties in the delivery of parcels, i.e. long queues, due to the new protocols. Workers have to put objects and clothes in a quarantine period before they can inspect them, with the corresponding delays that this entails for their delivery to prisoners.

### **May 23rd**

Verbal communications (by intercom booth) with relatives and friends and the entry of parcels begin to be authorized again in Ponent prison.





Prisoners' support groups report a general feeling of misinformation and arbitrariness. They report that although they are not allowed to enter the waiting room, after having passed through the security control, all visitors wait together in the same room. They explain that the masks used by the prisoners are made of cloth, and that several inmates of the centre told them that they only have one and that guaranteeing its hygiene is the responsibility of the inmates themselves.

The testimonies of relatives are divergent. While some report that the number of family members who can enter the intercom booth at the same time is restricted to two, others explain that in some intercom booths there were 4 relatives. They also report that they could not verify that the phone booths were disinfected between the different communication shifts, and that visitors' use of the disinfectant gel is not enforced, which causes some relatives (especially those of advanced age or with diseases) to be afraid of visiting.

### **May 25th**

With the passage to Phase 2 of the Camp de Tarragona health region, Mas d'Enric prison can resume face-to-face visits.

In the prisons located in the province of Barcelona: Wad Ras, Lledoners, Brians 1, Brians 2, Quatre Camins and Joves, visits via intercom booths are allowed again, following the advance to Phase 1 of Barcelona's healthcare regions and its metropolitan areas.

### **May 26th**

Communications are being carried out through intercom booths with relatives and friends at Brians 2 prison. Communications are carried out from Tuesday to Sunday to avoid crowds during the weekend.

Families of Prisoners of Catalonia point out that this fact has caused problems for many relatives, because the incompatibility with the working day has made it impossible to visit their relatives and friends. They also complain about the shortage of buses during the week that allow them to reach the Brians 1 and Brians 2 prisons.

Relatives of inmates from Brians 2 prison report that despite the high temperatures they have had to remain outside the prison between one communication shift and another, and that they have not been allowed to enter the centre or to use the toilet.

### May 27th

SMPRAV announces that video calls will be maintained throughout the de-escalation phase, although they may only be made by those inmates who cannot communicate in person with their relatives or close friends. In this way, if the inmates receive a single visit (either from a relative or close friend), they will lose their right to make video calls with the rest of their loved ones, even if they reside in a different province or region that makes it impossible for them to attend the prison in person.

SMPRAV also announces that the extension of the number and duration of telephone

calls is being maintained, although the prisoners state that following the end of lockdown they have ceased to guarantee the telephone balance to those inmates who have no money.

Prisoners and support groups report that during confinement this measure resulted in the entry of a monthly balance for calls of 10 euros, which, given the high cost of calls, allowed them very few calls per week. To solve this problem, SMPRAV informs that they are working on a future project where calls would be made using a personal ID number, at a reduced cost and possibly free.

Prisoners and support groups point out that while in some prisons such as Ponent and Quatre Camins there have been no restrictions on the number of people (family members or close friends) who may be present during video calls, in other prisons like that of Mas d'Enric, only one relative could be present. They also report differences between centres in terms of the duration of video calls (which can vary from 10 to 30 minutes) or the people whom they are authorized to call. While in some prisons such as that of Quatre Camins video calls can be made to anyone who is a 'registered communicator', in others such as Mas d'Enric video calls are only authorized to direct relatives.







### May 30th

Communications with relatives and close friends at Quatre Camins begin to take place again. Families of Prisoners of Catalonia report that they measured their temperature and gave them a very thin mask, but that they did not provide anything to disinfect their hands. They report that they did not see intercom booths being disinfected after each communication, although they do not know if they were carried out later.

### June 1st

As of this week, communications by intercom booth at Puig de les Basses prison will begin to be authorized. Relatives

complain that they were kept waiting for three hours outside the door because they were not made clear of the protocols.

### June 8th

According to the de-escalation plan envisaged by SMPRAV, all Catalan prisons enter Phase 2, so that from today on, family communications (with up to 4 people), coexistence (with a partner and children up to 10 years) and intimate face-to-face visits with a sentimental partner in all centres can begin to resume. The Management of each centre must establish its own deadlines for resuming communications and may adopt different organizational criteria.

Support groups and family members complain of a lack of information and discretion used by each management, a fact that has led to a lot of confusion and misinformation among family members.

In some prisons such as Ponent as Lledoners, the management has warned that they will not start resuming face-to-face visits until the centre is in Phase 3; On the other hand, in other prisons, such as Quatre Camins, since yesterday the Directorate informed inmates that they can begin to request face-to-face visits again.

In the Brians 1 and Brians 2 prisons, starting this week, they will be able to start making



an appointment for face-to-face visits that will now also be scheduled during the week.

Relatives of inmates at Lledoners prison denounce the impossibility of communicating with their imprisoned relatives due to the lack of road communication between the centre and the city of Barcelona.

### **June 9th**

Face-to-face communications begin again at Brians 1 and Brians 2 prisons.

Some relatives complain about the lack of hygiene in the family visit rooms at the Brians 2 prison and that prison workers do not use masks.

Families of Prisoners of Catalonia report a deteriorating lack of coordination between the visiting hours and those of the bus lines that go to both prisons. As they explain, there are communications that end later than the departure of the last bus, which forces them to take a taxi to Martorell (at a cost of about 15 euros) and from there a train to Barcelona.

### **June 13th**

At Mas d'Enric prison the first face-to-face visits are held.

At Wad Ras prison, the first communications are made through an intercom booth with family and friends.

### **June 26th**

Civil society organizations denounce that the breach of the right of prisoners to serve a sentence in their home region has led to

greater violations for these persons during lockdown and demand that measures be adopted to guarantee compliance with said right.

In many cases, people deprived of liberty are serving their sentences in a penitentiary located in a different province from their home province. This is a problem that particularly affects first-degree inmates, as they are frequently transferred.

Currently 564 Catalan people with roots in Catalonia are serving sentences in another region, which, added to the mobility limitations resulting from the de-escalation, has made it impossible for these people to be reunited with their families.

### **July 4th**

Families of Prisoners of Catalonia denounce the lack of information available to families and punctuality in the communication schedules at Quatre Camins prison, which makes it difficult for them to coordinate with bus schedules; they explain that if they arrive a minute late they are no longer allowed to enter the centre.

### **July 6th**

After the Government of Catalonia once again places the Segrià region (Lleida) into lockdown on July 4th, Justice suspends all communications in Ponent prison for the duration of the lockdown.

Family members may not enter the prison nor may they travel to it to carry packages or pay money. Justice informs that the interruption of communications will be compensated again with the video call system.





### July 18th

Families of Prisoners of Catalonia report that face-to-face visits are suspended again in all Catalan penitentiaries. They show their outrage at the new isolation of inmates. They explain that families were not notified in advance, with many of them arriving this morning at the doors of the prison only to have their visits suspended.

### July 19th

Families of Prisoners of Catalonia report that today face-to-face visits are authorized again in Brians 1 prison. The feeling of the families is one of complete misinformation.

### July 21st

SMPRAV officially announces the suspension of face-to-face communications in all prisons in Catalonia. Visits of friends, family and lawyers are maintained by phone call, with the recommendation that people who come from areas affected by mobility do not move. All wedding celebrations are also postponed. Packages are admitted, but will have to pass a 72-hour quarantine before being delivered to the recipient inmates.



# ACCESS TO SOJP AND COMMUNICATION WITH OTHER LAWYERS

SMPRAV decreed that during the de-escalation period any inmate has the right to receive a visit via intercom booth by his or her designated lawyer or a lawyer from the SOJP (Penitentiary Legal Guidance Service), regardless of which phase the centre is in.

The protocols described in its action plan establish that the entry of lawyers into the centre must follow the general rules established by the rest of the visitors: mandatory mask and gloves, body temperature control, and safety social distance. In the communication spaces, inmates from different units cannot be brought together, the inmate must wear a mask for the entire duration of the communication and once the communication is finished, the call room must be properly disinfected.

In the event that a lawyer wants to visit an infected inmate, the prison will notify the lawyer of the impossibility of making the visit, also informing him of the approximate date on which the visit can be made.

It is found that at least in some centres the protocol for the disinfection of intercom booths is not followed regarding interviews with lawyers.

In Lleida, the new confinement of the Segrià region as of July 4th makes it impossible for the lawyers of the Illustrious College of Lleida to access it to be able to carry out videoconferences with inmates, in the absence of any protocol for these lawyers to

make said videoconferences without having to travel to the College.

Regarding the SOJP service, it is provided differently depending on the prison.

The preferred option during lockdown was to offer the service by videoconference in prisons, and this has been maintained so far. In some prisons, such as those of Wad Ras, Lledoners, Quatre Camins and Puig de les Basses, access is also granted to lawyers through an intercom booth but not to the usual lawyers' offices in all prisons. This extends the problems that became evident during the lockdown phase from a lack of lawyers' access to computer software which would allow them to consult petitions, write documents and print them for immediate delivery to inmates, thus guaranteeing confidentiality.

Prior to the new lockdown, at Ponent prison, the SOJP lawyers were asked to stop offering their telephone service and to resume hearings through the intercom booth as long as all the lawyers agreed. Given that there were lawyers with risk profiles, it was decided to continue providing the service by telephone.

The SOJP reported that the prison management and all the centres are in coordination to try to provide the best service possible.

# REINTEGRATION MEASURES

## TREATMENT AND EDUCATIONAL ACTIVITIES

### May 7th

SMPRAV establishes that, considering the possibility of prison workers to request holidays and annual leave, the presence of 70% of the internal regime personnel and 30% of the rehabilitation personnel is guaranteed. Each rehabilitation professional (psychologists, lawyers, educators and social workers) must always work in the same unit. Two teams are constituted in each unit - each one made up of at least one professional - that provide service on alternate days.

### May 11th

With the start of Phase 0, departures for inmates in third grade or those with article 100.2 begin to be authorized again, either to work, to carry out assessment programs or to volunteer.

The Assessment Boards (JdT) of all prisons begin to schedule the activities and programs interrupted during lockdown based on the human resources and available spaces. The most urgent programs begin to be implemented. From this moment on, the Boards will begin to evaluate the inmates who had planned their leave or grade progression during the three remaining quarters of the year 2020 and may begin to authorize extraordinary permits.

Some sports activities are also resumed, the intramodular gyms and the open sports area are reopened, which can only be used for individual sports and by inmates of the same unit.

### May 12th

Several human rights organizations ask SMPRAV to reactivate assessment and training activities and referrals to external resources, to allow compliance with the constitutional mandate of the custodial sentence: reintegration and resocialization of prisoners.

These organizations emphasize the need to recover the legal rhythm of holding Assessment Boards and, with this, the adoption of agreements regarding the classification of prisoners, and the granting of leave and scheduled departures.

### May 17th

Regarding school activity (suspended in the wider community), the SMPRAV Plan establishes that the measures adopted during the confinement phase be continued, so it will remain suspended throughout the de-escalation period, not anticipating its resumption until the beginning of the new school year from the month of September.

Despite efforts to promote online education, difficulties derived from the lack of personnel in the internal service and development area to organize classes in the absence of

teaching professionals, have meant that the majority of inmates have seen their studies totally paralyzed.

SMPRAV decree the need to give priority to maintaining teaching activities with lower-level students, so as not to interrupt the acquisition of skills.

For all group activities, the protocols establish that during the entire de-escalation, prisoners from different units cannot be brought together in the same activity, despite wearing masks. This measure will remain in force possibly until September, and will be removed as long as there are no confined units in the prison and no new positive cases have been registered for at least three weeks.

With regard to group rehabilitation activities and individualized attention, the de-escalation plan foresaw a progressive increase in the number and diversity of activities offered, maintaining certain safety standards. The protection measures adopted during the transition, such as the reduction of groups to guarantee social distancing and the reduction of the workforce, have made it necessary to make adaptations for the delivery of the programs.

Among these measures, three stand out:

1. The prioritization of inmates according to need and PIT (Individualized Compliance Program) forecasts, i.e. prioritizing those inmates who have less time remaining in their sentence or who had leave planned.

This measure has led many inmates to complain that they have once again felt completely abandoned by the Assessment Boards during the de-escalation process (as happened during lockdown), leading to their social reintegration processes slowing down

and therefore missing out on prison benefits such as leave or third degrees. Despite SMPRAV assuring that at no time have the Assessment Boards stopped being held, some inmates complain that the Assessment Board has not updated their PIT (Individualized Compliance Program), that they have not carried out any assessment program despite being close to completing their sentence, that they have seen their degree progression or leave proposals rejected due to factors unrelated to their conduct, and that grade reviews have been carried out without even having been visited by the Assessment Board professionals.

2. Program adaptations: prioritizing the delivery of intensive assessment programs (of shorter duration) or the inmates carrying out some of the sessions autonomously with material provided to them by the professionals.

3. Relocation of inmates: some inmates have been transferred to the units where the assessment programs have been carried out in order to ensure that inmates from various units do not mix.

### **May 18th**

With the beginning of Phase 1, the specific assessment programs valued as a priority in Phase 0 begin to be implemented, giving preference to those inmates who have planned short-term leave and grade progressions. Group sports activities with low contact with inmates from the same units are also authorized, in addition to individual sports.

### **June 8th**

With the entry into Phase 2 marked by



SMPRAV, the face-to-face working day for rehabilitation professionals begins to normalize and a progressive increase in the number of collaborating and volunteer entities that carry out intervention programs in Catalan prisons begins. From this moment on, information and awareness activities aimed at inmates with leave also begin.

With regard to sports activities, the sports centres are reopened, although their use is limited to low-contact sports and inmates of the same unit.

### June 29th

With the beginning of Phase 3 marked by SMPRAV, the Directorates of each prison may authorize the Board of Trustees to re-approve inmates' leave or scheduled departure, as long as the prison is in Phase 3 and the location where the inmate goes is in a health region that is also in Phase 3.

Inmates who can claim leave must all be located in the same unit, to avoid contact

with the rest of the inmates. In cases in which these inmates are assigned a job within the prison other than the unit where they reside (the exit unit), they must choose between claiming their leave or keeping the job.

These inmates will carry out the activities provided for in their PITs, starting with the specific activities and programs that are carried out in the leave and parole units, and the activities aimed at information for inmates in order to prepare them for their eventual release.

From this moment on, prison libraries were also reopened and all sports activities were resumed, although inmates of different units still cannot mix in enclosed spaces.

### July 6th

Given the lockdown of Segrià region (Lleida) and the consequent regression to Phase 0 of Ponent prison, all leave approved for Ponent inmates has been postponed, as well as all transfers going to or from Ponent.



The activities of collaborating voluntary and religious entities are also suspended.

## July 21st

SMPRAV also limits access for volunteers to all prisons in Catalonia. Professionals from collaborating entities that provide their services in the centres are allowed to carry out support programs for people with disabilities, drug addiction programs and cultural mediators, among others, except in Ponent prison where only mediators can access.

Along the same lines, SMPRAV has decided to postpone the leave of the inmates whose destination is in affected areas. Other inmates will be able to continue their leave but they will have to be located in specific units without contact with the rest of the inmates of the centre to avoid contagion and, when they re-enter, they will have to stay in their cells for about 10 days. Third degree inmates and those serving their sentence in 100.2 may continue with leave.

SMPRAV has also decided to suspend scheduled outings to participate in collective cultural and sports activities; the suspension of collective visits inside the facilities by outsiders; the suspension of transfers, except those that respond to security, judicial or health reasons; and the postponement of transfers from the Catalan system to the Spanish, and vice versa.





# PRISON WORK AND TRAINING

## PRODUCTIVE WORK

CIRE reports that, as a result of the COVID-19 health emergency, practically all the industrial production workshops in prisons have been affected, with only one exception. This impact has been mainly the result of the situation of the collaborating companies (carrying out furloughs, suspension of activity due to reductions in production, etc.) and relates both to the private and public sectors, with the possible exception of the services provided to the Catalan Health Service, which have allowed activity to continue in some clothing workshops, especially at Ponent, Quatre Camins and Brians 2.

On the other hand, the need to adapt work in compliance with health protocols has forced the principle of non-attendance of inmates from different units to be applied at all times, which has had a significant impact on production workshops, especially industrial ones, as they have been forced to reduce their workforce.

This impact has been much less in the prisons whose structure allows the location of the workshops inside each residential unit, such as Brians 1 and Ponent.

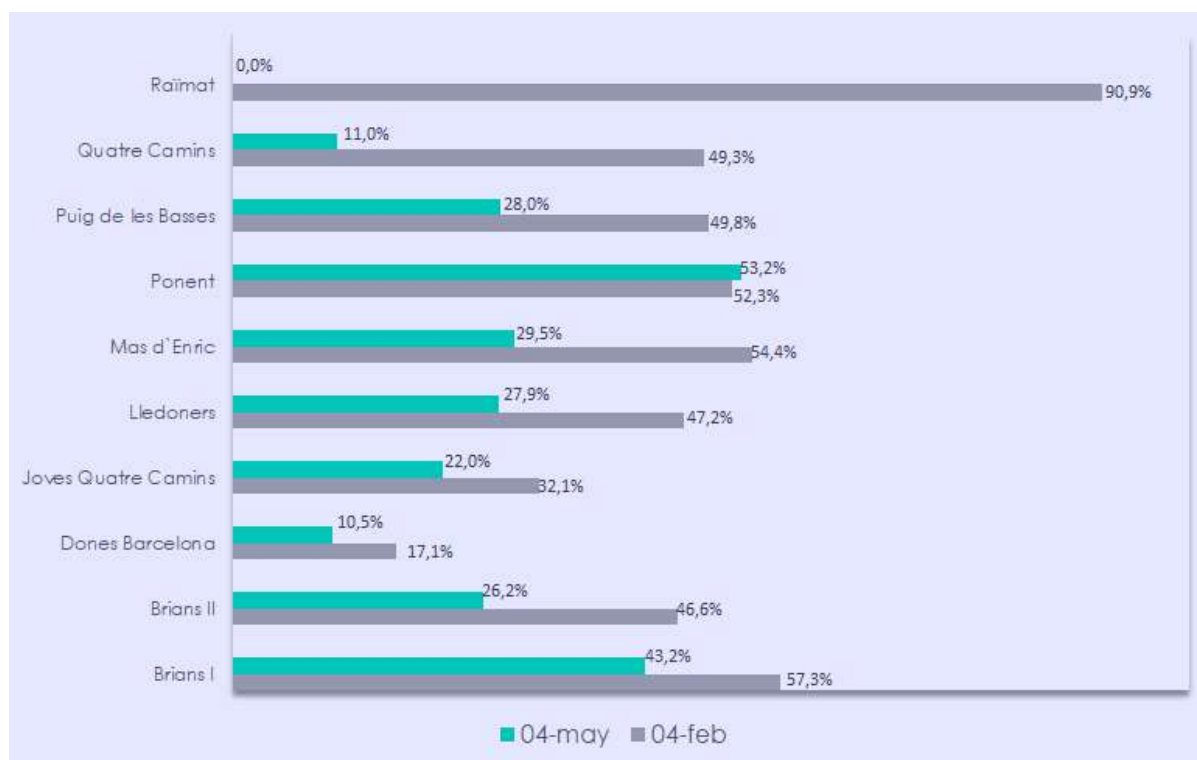
Another of the influencing factors has been the development of the pandemic inside the prisons. The detection of positive cases among inmates has resulted in confinement in residential units and the application of quarantine time, which has generated a lack of attendance at work and / or the closure of work spaces in workshops not considered essential.

The confluence of all these factors has led to a reduction of 35% in the work of all existing industrial workshops in Catalan prisons as of May 31st, with no increase being foreseen during the de-escalation period. This impact has been far smaller in service workshops (kitchen, laundry, bakery, cafeteria, or commissary and intra-unit ancillary services) which, as the vast majority are considered essential, have only been reduced by 2%. All workers from these services were placed in specific residential units to guarantee



continuation of the services, although it was impossible to adopt this measure in the industrial workshops given the high numbers of inmates who work in them.

**GRAPH 4: PERCENTAGE OF ACTIVITY IN INDUSTRIAL WORKSHOPS REGARDING GLOBAL EMPLOYMENT IN EACH PRISON**



Source: Own elaboration based on information provided by the Center for Reintegration Initiatives (CIRE).

## OCCUPATIONAL TRAINING

As part of its transition plan from lockdown to de-escalation, CIRE described various measures for the organization of training and labour reintegration activities. Among these it is worth highlighting: the adapting of training classrooms and interview spaces to suit the number of participants in each training session and the size of each of the classrooms; and adopting protection and prevention measures (physical distancing, use of masks, washing hands with hydroalcoholic gel, cleaning and ventilation).

The training provided by CIRE has been reduced during lockdown to activities that are strictly necessary, i.e. essential productive activity. The only specific training was carried out related to the hygiene and cleaning plan necessary for all prisons in Catalonia; a total of 40 training actions (face-to-face and online) in which about 500 inmates were trained around all prisons in Catalonia.

Following the suspension of training activities, training classrooms in prisons were transformed into productive workshops with the aim of manufacturing all kinds of sanitary material (gowns, masks, pants, shirts) to supply to hospitals during the health crisis caused by COVID-19.

As of June 15th, CIRE began its usual face-to-face activity with occupational trainers and reintegration professionals in Catalan prisons, although the resumption of face-to-face group training is subject to the conditions set forth in the SMPRAV Plan, depending on the evolution of each of the health regions.

The main actions that were taken from that moment were: the design of an employment training plan for the next few months, scheduling training, adopting necessary measures to guarantee the health and safety of workers and inmates, and the selection of the most appropriate participating inmates based on their professional and personal skills, needs, concerns and motivations, and, especially, taking into account the preventive measures adopted by SMPRAV regarding not mixing people from different units, among others.





# PRISON POPULATION REDUCTION MEASURES

On May 12th, numerous human rights organizations presented their proposals to SMPRAV for a de-escalation in Catalan prisons that respects the rights of prisoners. The requested measures include reducing the prison population by moving grade three inmates to home detention with electronic tags and random telephone call controls, and granting open regimes and home detention for people satisfying article 100.2 of the prison rules, for those over 65, pregnant women and mothers, for people with chronic diseases, and progressions to grade three for those with short sentences or who were already on leave before confinement, as well as people who have already served three-quarters of their sentence.

During the de-escalation period, SMPRAV has not adopted further measures to reduce the population other than those implemented during lockdown, a period in which 17% of the Catalan prison population was authorized to spend lockdown at home in application of art. 86.4 of the prison rules.

SMPRAV established that in order to prepare for a return from Phase 3 to a 'new normal' (June 29th), the Assessment Boards had to start planning their review of inmates' situations regarding article 86.4 of the prison rules and their eventual re-entry into prisons. The administration decreed that a progressive opening of open prisons would be carried out, reducing the number of inmates in these centres to below 60% of

those that existed prior to the health crisis. The objective is to minimize the presence in these centres of art. 86.4 inmates, despite the fact that those who have not obeyed the rules have returned to the centres.

In the same way, they also highlighted the need to redistribute the grade three population, taking into account the current number of inmates in ordinary centres (370) and the capacities of the existing open prisons.

It also establishes the importance of extending the use of electronic tags as a means of control, as well as the provision of devices for videoconferences, reducing the need for inmates and professionals to be inside the prisons.

Likewise, SMPRAV decrees the need for conditional releases, carrying out evaluations of those convicted who satisfy the conditions, given the substantial increase in the grade three population with application of art. 86.4 as a result of the measures taken during lockdown.

# EVALUATIONS

Contrary to the conclusions of our previous report Management of the Coronavirus Crisis in Catalan Prisons (March-May 2020), regarding the reactive nature of the measures implemented by SMPRAV to deal with the health emergency, we believe that during the de-escalation phase, the administration's performance has been more proactive and has not been characterized by a lack of planning, as happened in the previous phase. The Plan prepared by SMPRAV, in fact, is very detailed, and as explained throughout the report, it provides a protocol for each activity and each movement that must be carried out in Catalan prisons. In general, it is positive that SMPRAV began to plan the organization of the de-escalation in Catalan prisons with foresight and in such a thorough way.

Particular attention has been paid by the administration - in collaboration with the Penitentiary Health Program - to the organization and implementation of health measures in all Catalan prisons. First of all,

it should be taken into account that complying with the health measures of social distancing in a closed institution such as prison is very complicated, if not impossible. Despite the fact that Catalan prisons are not affected by overcrowding, unlike some prisons in the rest of the Spanish state or in other European countries such as in Eastern Europe or Italy, maintaining a safety distance between inmates of 1.5m in each space is extremely complex. However, despite the efforts made, we have been able to verify that in many cases the sanitary measures have not been complied with: we are referring to the lack of disinfection of the intercom booths, the complaints of several inmates who stated that they had received only two cloth masks since the beginning of confinement, the lack of hydroalcoholic gel points in some prisons, and the preferential delivery of cloth masks over surgical ones.

Regarding the ad hoc communication campaign launched by SMPRAV on the risk of drug overdose for prisoners, coinciding with Phase 2 and the consequent resumption of face-to-face visits, we believe that pointing the finger exclusively at relatives of prisoners for the illegal entry of drugs into prisons is not a very wise initiative, taking into account that during lockdown a





prison officer from Lledoners prison was arrested for attempting to smuggle drugs into the centre.

Regarding prisoners' right to communication, we value positively that SMPRAV has recognized that the video call and video conference system, having been an urgent response to an emergency situation, has not made it possible to guarantee minimum standards related to the privacy of calls and spaces with good signal coverage, and that they have committed to carry out a review to improve this service. We at SIRECOVI believe that throughout the de-escalation phase, the possibility of making video calls for the entire prison population should be maintained, and not only for those inmates who do not receive any visitors. It should be noted that many family members are elderly people or belong to at-risk groups that for health reasons do not travel to the prison; it is unfair that they cannot communicate by video call with the prisoner just because he or she has received a visit from, for example, a friend or other relative.

Regarding reserving intercom booths for face-to-face visits, the system implemented in some centres, as mentioned above, means that it is the inmates themselves who end up deciding the day and time of visits, without having the possibility to reach a consensus beforehand with the friend or family member. We at SIRECOVI invite the administration to review this protocol, so that it is the family members or friends who can call the centre to make an appointment, as support groups and Families of Prisoners Catalonia have been demanding.

In addition, the new restrictions which mean that those who are in units for infected

persons cannot make any telephone calls - making it impossible for them to maintain communication with family - should be reviewed, since the state of vulnerability of the person deprived of liberty while ill is probably even greater.

Regarding the SOJP service, we look with concern at the situation in Ponent prison following the Segrià lockdown. As the headquarters of the Lleida Bar Association (ICAL) have closed, lawyers cannot hold videoconferences with prisoners, since a system has not been implemented which allows videocalls without accessing the ICAL headquarters.

We have detected some deficiencies in the complex area of assessment. As is well known, good assessment progress is essential for access to so-called prison benefits. This means that if an inmate does not participate in the activities and assessment programs marked in their PIT (Individualised Compliance Program), despite having served enough of their sentence to enjoy leave and scheduled departures, they will not be able to access them. During de-confinement, only those inmates located in the units where these programs are carried out have been able to access the programs, since it is still forbidden to mix inmates from different units. Priority in participating in assessment activities has been given to those inmates who had already served a large part of their sentence. One wonders, what about all the other prisoners who are in the second degree of assessment? And even the inmates who are classified in the first degree of assessment (who should receive even more individualized attention)? For the deprivation of liberty to be considered legitimate from the point of view of formal legality, it must fulfil the purpose established by the constitutional dictate, that

is, the rehabilitation or, rather, the social reintegration of the imprisoned person. It is therefore urgent that all assessment programs be reactivated as soon as possible and that individualized care for persons deprived of liberty be fully resumed.

We are also concerned about the lack of personnel in the rehabilitation area, whose shortage is increased by the summer holiday period (bearing in mind that the minimum presence of assessment personnel is set at 30%), and in particular the lack of personnel in the mental health area who have still not been reinstated to pre-Covid standards.

As for the inmates who work in the prison, and at the same time qualify for leave, it is striking that they are forced to choose between taking their leave and losing their job, or staying with the job and giving up leave. It is a discriminatory measure that should be reviewed, and alternative mechanisms should be found that are more respectful of prisoners' rights.

Regarding measures to reduce the prison population, taking into account that the health emergency cannot be terminated and that it will probably be necessary to live with this situation also in the coming months, we request, firstly, to avoid re-entry into prison for those already granted article 86.4 of the prison rules, and secondly, that the Assessment Boards continue to study the progression to grade three accompanied by home detention for the rest of the prison group, especially for those inmates who have previous illnesses and are in a state of greater vulnerability.

Finally, we note with sadness that during the de-escalation phase the prison world has disappeared from the media and is once again invisible. A product of this has also been the lack of published information about the number of infected people and about the measures that were being implemented in Catalan prisons, generating confusion and despair among prisoners and their families.

