



**MARCH
-MAY
2020**

CORONAVIRUS MANAGEMENT IN SPANISH PRISONS

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

NEW RESEARCH PROJECT INTO COVID AND THE DEPRIVATION OF LIBERTY

Since the beginning of the Covid-19 health emergency, here at the SIRECOVI team of the Observatory of the Penal System and Human Rights (OSPDH) we have been analysing how political decisions taken to control the spread of the virus have affected the penal system.

We have held various campaigns in collaboration with other human rights organizations and families' associations in support of people deprived of liberty, urging public administrations to comply with the recommendations issued by numerous international organizations, and to adopt measures that are more respectful of the fundamental rights of prisoners.

After the first two months of work, we decided to shape a structured research project that we have called **"Monitoring the deprivation of liberty and police activity during the Covid-19 emergency"**. The main objective of this new project is to carry out constant monitoring of the impact that the pandemic - and measures adopted to combat it - are having in prisons, and implications of police activity, monitoring compliance with restrictive measures of movements, activities or social distancing. For more information regarding the project's objectives and methodology, you can consult our presentation letter at the following link:

<http://www.ub.edu/ospdh/ca/node/656>

To monitor the prison system, we intend to produce an ongoing dynamic diagnosis that reflects, both in a quantitative and qualitative way, the level of impact that the pandemic is having on the prison systems belonging to the General Secretary of Penitentiary Institutions

(SGIP, which covers the Spanish state, except Catalonia) and the Secretary of Criminal Proceedings, Reintegration, and Victim Care (SMPRAV, which covers Catalonia). More than just monitoring the number of infections, this dynamic diagnosis aims to offer information regarding the measures adopted by the administrations and their implications on communications, prison population reduction, health services, social reintegration, work and education.

Obviously, the end of the State of Alarm does not mean the end of the pandemic. Administrations face a complex challenge in which they will likely have to continue to take action in an unpredictable pandemic, with its possible peaks and troughs.

With all this in mind, we have drawn up a plan to carry out monitoring that continues, at least, until the summer of 2021. We hope that the results of these diagnoses can contribute to the work of other human rights organizations, families' groups, support groups for imprisoned people, legal groups, and the managers of public administrations.



COVID IN SPANISH PENITENTIARY CENTRES

Prisons in all Spanish autonomous communities, with the exception of Catalonia, depend administratively on the Ministry of the Interior's General Secretariat of Penitentiary Institutions (SGIP), which is responsible for managing and organizing the Spanish penitentiary system. Details of health care offered to inmates are set out in General Penitentiary Law number 1/1979, from September 26th, 1979, which states that the Ministry of the Interior is responsible for primary care, while specialized care or hospitalization are subject to the Spanish National Health Service.

Within the structures of the SGIP, the General Sub-directorate for Penitentiary Health Coordination (SGCSP) is responsible for delivering health and hygiene guidelines as well as providing health information and the epidemiological surveillance of diseases that may be more frequent in penitentiary centres. Therefore, during the current health crisis, it is up to the SGCSP to dictate the main guidelines to be implemented inside prisons.

Thus, health professionals working in SGIP prisons work under this model of health management, so their hierarchical superior is not a medical professional, which may mean that in certain situations, security issues are prioritized over health issues.

However, as well as structural issues, prison health has been going through a crisis for years now, owing to a shortage of doctors in Spanish prisons - mainly due to the exodus of these professionals for early retirement or because general working conditions are poor - as well as the multi-pathological profile of the prisoners. Today, the Covid-19 pandemic makes the vulnerability of prisoners even more evident.

Obviously, the coexistence of two prison systems with different competences leads to differences in the measures each administration adopts in managing the current health crisis, requiring a differentiated analysis of the main measures and results for each one.

For this first report on the monitoring and analysis of the impact that the pandemic and the measures adopted are having on Spanish prisons during the confinement period (March-May 2020), we have analysed

the measures adopted by the SGIP and the communication campaigns they have carried out during the pandemic, analysing their impact in conjunction with the information collected through social organizations, family members and support groups, as well as prison workers' unions, highlighting collaborative work with other human rights organizations in Spain. We have also provided an in-depth study of newspaper archive material.

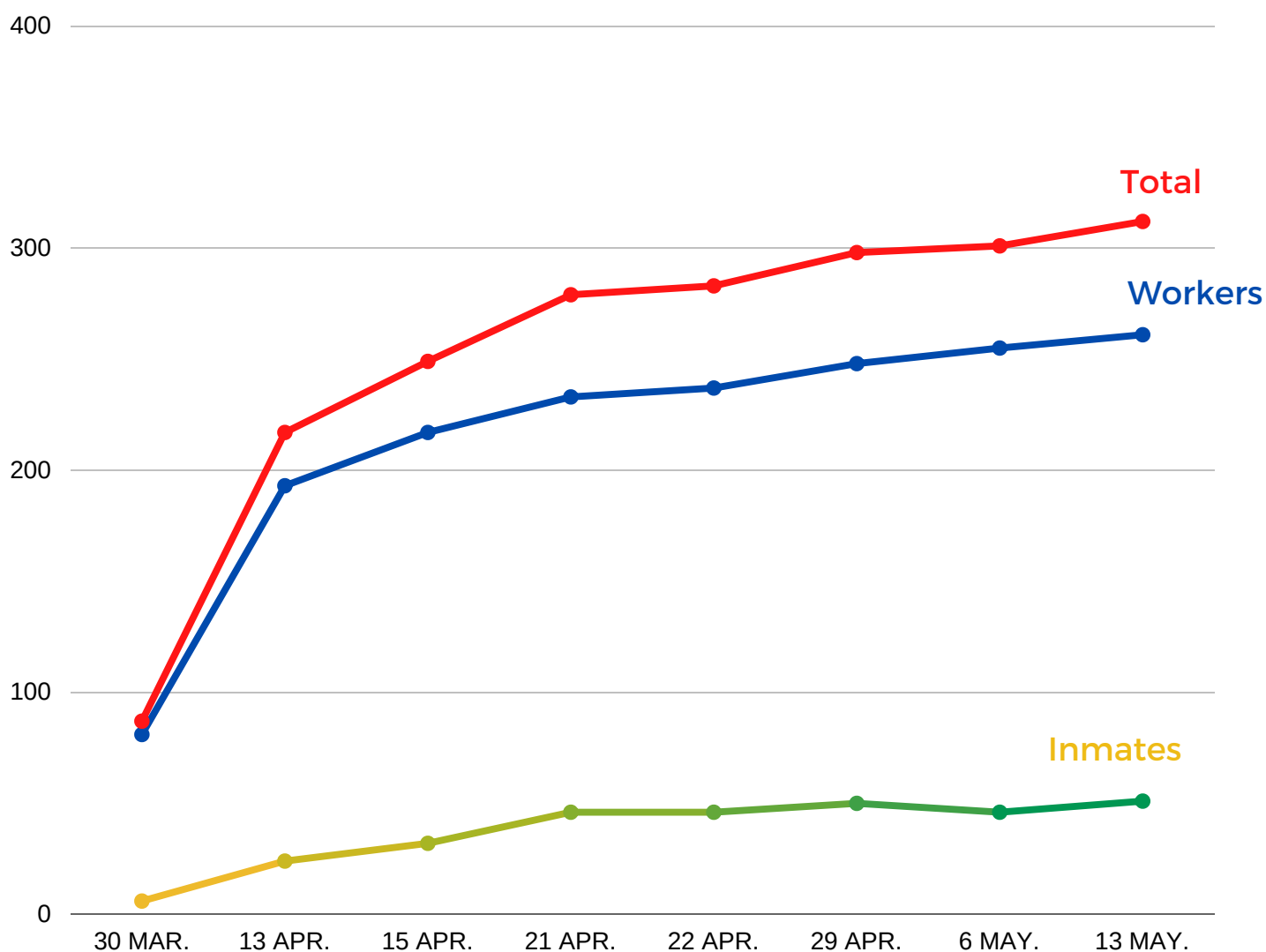
After systematically presenting our information, we conclude this report with a series of evaluations highlighting those measures that have had a significant impact, and those that have not, pointing in turn to other measures that we believe could have been adopted, and others that could be expanded or maintained even after the pandemic.

We at the OSPDH are convinced that more open, less populated prisons with a reinforcement of health care will offer a post-covid19 prison system that is much more respectful of the fundamental rights of prisoners and consistent with the constitutional purpose of the custodial sentence.



CONTAGION STATISTICS

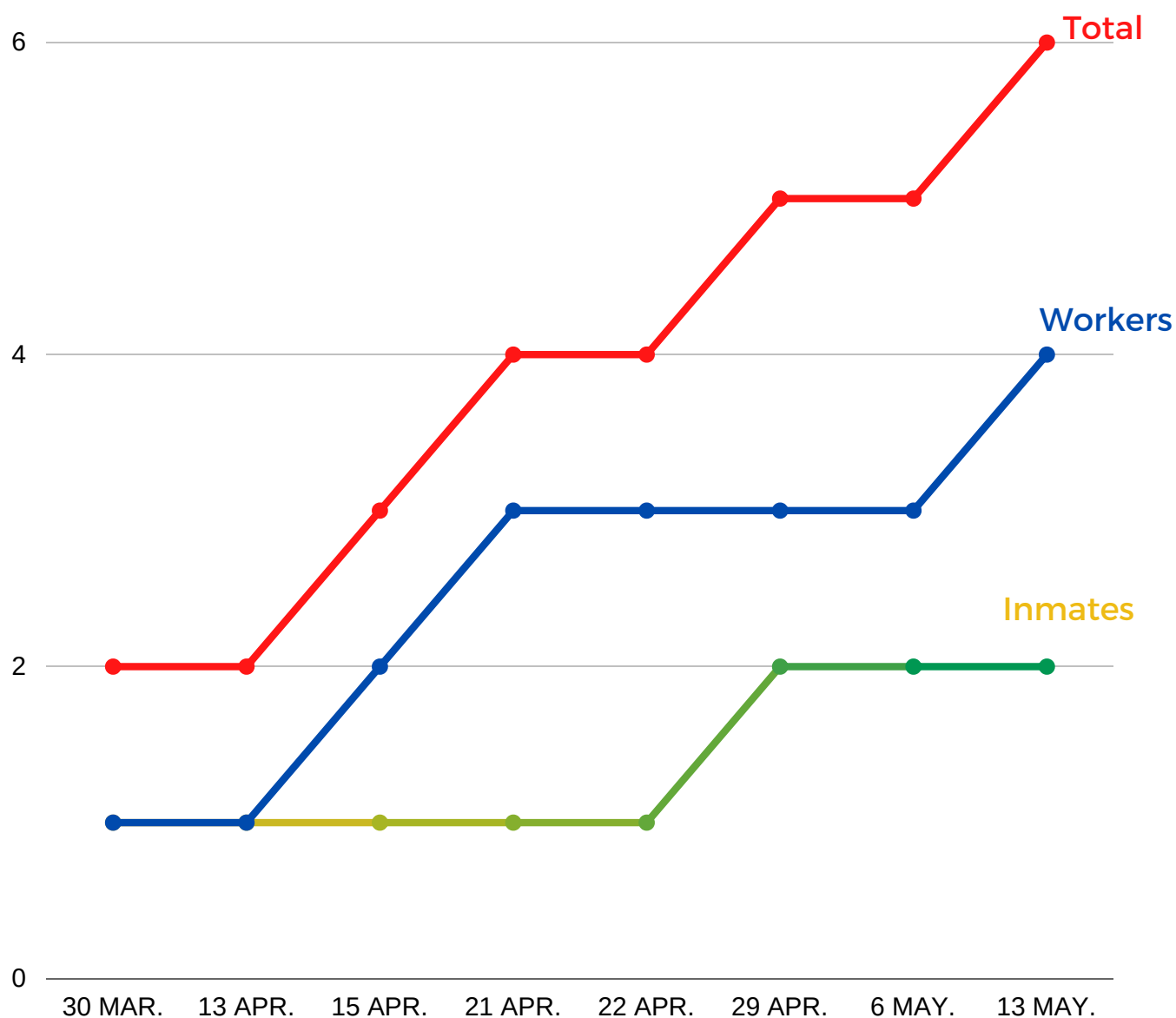
GRAPH 1: BBALANCE SHEET OF AFFECTED BY COVID 19



Source: Own elaboration based on data published by SGIP.

CONTAGION STATISTICS

GRAPH 2: BALANCE SHEET OF COVID-19 DEATHS



Source: Own elaboration based on data published by SGIP.

SANITARY MEASURES

January 27th

The CSIF Trade Union demands that the SGIP draws up a specific action protocol on how to act in the event of a coronavirus outbreak in prisons.

February 4th

The SGIP begins to adopt measures against the spread of the coronavirus. They establish that in the event of a possible case of coronavirus, if hospital admission is not necessary, suspected individuals will be isolated in individual cells while their cases are transferred to the health authorities for evaluation. They also establish that the relevant health and judicial authorities must be notified immediately if an inmate with a suspected or confirmed case of coronavirus is to be released from prison.

Training activities aimed at healthcare professionals are suspended, except for those carried out in their respective centres, and meetings and activities involving healthcare professionals coming into prisons from outside are cancelled.

March 5th

The SGIP contacts prison managers with recommendations for dealing with the coronavirus crisis, stating that "each establishment must adopt the indicated measures individually and in the most effective way." Health professionals have been asked to check the protective equipment they have in stock and make a list of the material they need to replace.

The General Sub-directorate for Penitentiary Health Coordination (SCCSP) reports that suspected cases must remain in the admissions department for 14 days in individual cells, and spaces reserved exclusively for this purpose must be enabled.

The Professional Association of Prison Officers (APFP) warns that all cells are the same and they do not have any prepared for respiratory isolation.

SGIP asks that prison staff "strictly comply with the measures included in the respiratory and contact isolation protocols", i.e. always wearing high-powered filtration FFP2 / FFP3 masks well-fitted around the nose and mouth, gloves, eye protection and washing hands after contact with infected inmates.

A doctor from Ocaña prison in Toledo province complains that it will be impossible to comply with everything they are being asked to do, stating that, "some prisons have only one doctor, others spend whole days without them. We have masks, goggles and gowns from the Ebola crisis, but they are not enough. We have ordered more but at the moment there are supply problems". He claims that the government is passing the buck by leaving the application of the rules in the hands of the prison management teams, and says "the problem is that there is a lack of doctors because they have been breaking laws and turning a blind eye for 17 years".

March 6th

After detecting the first positive case in a prison worker in the mothers' wing of the



Madrid VI prison (Aranjuez), the wing is confined and inmates, officials and children are put under medical observation.

March 10th

The SGIP decrees the need for prisons to carry out health evaluations new inmates in case it is necessary to take preventive measures or action.

SGIP reports that it is increasing the provision of protective equipment (masks, splash-proof eye protection, liquid-resistant gloves and gowns) in prisons, which already have material to deal with an eventual increase in cases, and that it will install more hydroalcoholic gel dispensers in the different departments, especially in the communications departments.

An inmate who was in solitary confinement at the Zaballa prison in the Basque Country is the first confirmed positive case among the prison population after contact with an infected officer of the Ertzaintza (Basque police). The inmate, who has previous pathologies, is transferred to the Txagorritxu hospital.

March 11th

The SGIP requests that the Civil Service urgently hire forty temporary doctors, and they guarantee the provision of sufficient PPE for “all SGIP workers who need it”.

March 12th

The SGIP extends the restrictions already adopted in some prisons to all prisons in the country. According to SGIP, prisons already have more than 90,000 surgical masks, almost 13,000 FFP2 masks, about 2,500 FFP3 masks,

more than 2,000 liquid-resistant gowns and 1,000 eye protectors. The installation of hydroalcoholic gel dispensers is also being reinforced in the different departments, especially in the visiting areas.

All new inmates and those returning from leave will have to remain under health observation in separate units from the rest of the inmates.

March 16th

Dozens of civil society organizations petition the SGIP asking that they immediately increase the numbers of health personnel in prisons, given the critical situation of healthcare in prison and the effects that the coronavirus can have on a particularly vulnerable population, and they also ask that the isolation of people infected by coronavirus happens in a medical facility rather than a cell.

March 18th

CAMPA (a collective which supports female prisoners in Aragon) launches an appeal for the collection and manufacture of masks, given the lack of PPE for the prisoners and staff in the Zuera prison (Zaragoza).

March 19th

An inmate faints at the CP in Tahiche (Lanzarote) and is transferred to the prison health clinic, where medical services finally transfer him to the Molina Orosa Hospital. Trade unions condemn the lack of sanitary protection measures in the prison.

March 20th

The ACAIP prison officers' trade union complains that its members do not have

individual PPE - in the Castellón prison there is only hydro-alcoholic gel and the nearby Abocasser prison only has gloves, neither of them has masks - which generates tension between prisoners who see them as sources of contagion. They also complain that if any prison officer has worn a mask, they have been ordered to remove it so as "not to cause alarm."

The network organised by the CAMPA collective for the collection of PPE makes a first delivery of 107 masks to Zuera prison (Zaragoza). As stated by the group, they are not enough since that prison has a population of more than 1,300 people, so the network will continue to work.

March 21st

Thirteen inmates in Tenerife II prison present symptoms of Covid-19 and are isolated in part of unit 1. The other half of that unit is reserved for quarantining of new entries and inmates returning from leave. The health personnel who access unit 1 do so with PPE and take the temperature of each inmate and ask them about how they have been feeling during the last hours. In case of high temperatures, headaches or breathing difficulty, the inmates are transferred to La Candelaria Hospital.

March 23rd

Zuera prison (Zaragoza) designates its induction wing to the quarantine of inmates returning from leave from before the state of alarm and for those returning from hospital visits, and unit 11 is set up to house those

infected with the virus, the rest remain isolated in their cells.

The network promoted by CAMPA makes a new delivery of about 500 masks to Zuera prison. The group complains that the prisoners are currently isolated in their cells, that mail does not arrive and that a high-security regimen is being applied de facto.

The National Association of Penitentiary Nursing (ANEP) calls for rapid tests for all inmates, the urgent development of a specific health action protocol, and that their members, as specialized personnel, should be in charge of health material.

March 24th

The network promoted by CAMPA makes a new delivery of 1200 masks. To date, approximately 1800 masks have been delivered to Zuera prison from this network. Prison staff tell CAMPA that they now have enough masks.

March 25th

A 78-year-old prisoner with previous pathologies who was serving a life sentence, dies in the health clinic of Estremera prison, Madrid.

The SGIP distributes 40,000 masks among state prisons, depending on the number of workers in each prison, and on incidences of COVID-19. Indications are given that these should be used by workers in spaces where it is not possible to maintain a safety distance of 2 metres.





The Military Emergencies Unit (UME) has so far disinfected 13 prisons, including Estremera prison in Madrid, which has the highest number of infections.

The SGIP approves the incorporation of 40 doctors during the month of May. However, at the end of the state of alarm, the doctors have still not started work.

March 27th

The SGIP publishes the document "Recommendations in prisons in relation to COVID-19", which officially regulates the relevant activities that were already being carried out.

March 30th

The SGIP distributes a new shipment of surgical and FFP2 masks to all prisons in the country, in a quantity that will depend on the number of workers and inmates in each centre, previous stock, and severity of COVID-19 infection rates.

The UME disinfects Alicante prison following the death of a prison officer.

The CAMPA collective complains that prisoners have not received the masks that were manufactured and delivered to Zuera prison since March 18th by a community network promoted by the collective. CAMPA reports that the prison has intercepted and requisitioned the masks "until they are needed", stating that the situation in the prison was calm and in accordance with all security measures. The group also raises several concerns, namely: that preventive

measures are being taken reactively in response to infections and not in their prevention; the SGIP's contempt of their community coordination effort; and the fact that isolation and a lack of information is fuelling fear, anxiety, and the feeling of being at risk among prisoners.

April 1st

Iberdrola (a major Spanish energy supplier) makes five doctors available to the SGIP who will be joining prisons around the country in the coming days. One of them has started working in Picassent prison in Valencia and in the next few days, two doctors will join the Mansilla de las Mulas prison in León.

At present, Penitentiary Health has a staff of 280 doctors, 540 nurses and 420 nursing assistants. The SGIP announces that the forty interim doctors from the public offer approved on March 25th will be incorporated during the month of May.

April 2nd

A lockdown is imposed in Unit 12 of the Soto del Real prison in Madrid due to an inmate presenting with Covid-19 symptoms. Previously, unit 9 had been enabled for quarantining new inmates and those returning from leave, and unit 9 inmates were transferred to unit 5 where the inmates are in high security and isolation. For inmates located in confined units, food is deposited directly at the door of the cells and in other units it is left in a cart at the entrance of each pavilion.

The unions report that PPE is of neither adequate quality nor sufficient quantity, and that the isolation measures are lax enough to be unsafe.



April 3rd

One male inmate and one female inmate are isolated in unit 21 of Picassent prison in Valencia in a preventive manner due to a fever and a visit to the hospital for chronic pulmonary disease respectively. Unit 18 for women and unit 25 for men, to which both people belong, are under medical surveillance, but with less restrictive isolation measures.

April 7th

Dozens of civil society and human rights organizations remind the SGIP of the need to strengthen the medical staff in prisons to guarantee prisoners' right to health.

April 8th

Three units in Estremera prison in Madrid, unit 15 of Aranjuez prison, and one unit in La Ranilla prison in Seville are in lockdown.

Relatives of prisoners from the three prisons in Seville complain to the SGIP that the 4,000 masks that SGIP said it was going to send to Andalusia have not arrived. They also complain about the high risk of contagion in the prisons and the patchy information that relatives receive. For this reason, they create a platform called "Covid-19 Penitentiary Centres" with which they intend to offer to supply masks, gloves and disinfectant gel to the Seville prisons.

Family associations complain that the SGIP is not counting all the deaths, that inmates have not been provided with PPE and that in many centres the officials do not use them.

In Picassent prison in Valencia, prisoners' families complain that the tests for the

people in quarantine should have arrived the day before, but had not yet been received.

April 14th

The CSIF Union complains that Picassent prison now has thirteen cases of infected workers, 120 inmates under medical observation and four units in isolation, but they still don't have enough generalized tests to detect new infections, nor are there enough FFP2 masks.

Given the medical sub-directorate of Picassent's fear of a Covid-19 outbreak in the prison and the small number (six) of custody rooms that the prison (the country's largest) has in the General Hospital of Valencia, the armed forces are considering the installation of a field hospital in the prison that will allow them to expand the number of beds available for the care of patients infected with the virus.

April 15th

The UME disinfects Cuenca prison following the death of a prison officer.

April 17th

Inmates and lawyers report that in some prisons, such as Estremera in Madrid, inmates have not been able to leave their cells since March 23rd.

The CCOO and ACAIP-UGT trade unions continue to speak out against the lack of tests and the delay in the arrival of medical supplies, which did not begin to arrive until last week. For its part, the SGIP affirms that a total of 180,000 masks and 9,000 gowns have been delivered to date.

April 21st

The UME disinfects Soria prison following the death of a prison officer.

April 22nd

The SGIP announces that they have launched, together with the General Mutual Fund for Civil Servants (MUFACE), a specific procedure to carry out COVID-19 detection tests that will begin imminently for health personnel, as well as for prison security personnel and other staff who have close contact with the prison population.

Dozens of human rights organizations report to the Interior Commission that access to tests has not been provided to the entire prison population, nor to all prison officers, in order to detect real cases and to be able to isolate symptomatic people in health facilities, nor have they provided PPE to prisoners or to workers to prevent contagion. They also condemn the fact that a specific prevention and care action plan for prisons has not been designed or applied, nor has the prison health staff been reinforced despite that being one of the problems detected before the start of the current crisis.

April 27th

The General Sub-Directorate for the Coordination of Prison Health carries out an epidemiological analysis of 50,000 inmates in state prisons.

April 28th

Six temporary doctors are incorporated to the prisons of Daroca (Zaragoza), La Moraleja (Madrid), Murcia II, Ocaña I (Toledo), Puerto II (Cádiz) and Picassent (Valencia).

Family members complain that people who have entered prison during the state of alarm have spent up to 49 hours in a row in their cell and have not been able to enjoy even 10 minutes a day in the yard during the two weeks that the quarantine has lasted.

The ACAIP-UGT trade union condemns the shortage of masks and the delay in the arrival of new masks.

April 29th

The preliminary results of the epidemiological study carried out on April 27th indicate that the total number of inmates with a positive infection is 52, which represents an infection rate of approximately 1.08 per thousand inmates. To date, ten of the 71 state prisons have been affected. The infections are concentrated in Greater Madrid, where almost 80% of the cases are located. Most are grouped into three prisons: Estremera with 26 cases, Soto del Real with thirteen cases and Herrera de la Mancha in Ciudad Real with 5 cases.

Three of the nineteen units in Estremera prison are in lockdown, and all but six have been in quarantine at some point. The inmates of the confined units do not go out to the courtyard and eat in shifts in order to maintain physical distancing.

According to the Ministry of the Interior, 325,500 surgical masks, 68,100 FFP2 masks, 2,000 FFP3 masks, 10,000 gowns, 104,000 gloves and 12,800 bottles of hydro-alcoholic gel have been distributed to date.

May 5th

Inmates in Leon prison and their relatives complain that the high security unit is very dirty and full of rats, which increases their anxiety in the face of the health alert situation.

May 7th

To date, the Military Emergency Unit (UME) and other Army bodies have disinfecting almost all the prisons in the country.

May 12th

There is still no public information regarding the incorporation of the forty interim doctors from the public offer approved on March 25th to their jobs in prisons.

COMMUNICATIONS MEASURES

RELATIVES

February 4th

The SGIP begins to adopt measures to deal with the spread of the coronavirus. Visits, communications or activities that involve contact between inmates and staff with people from community transmission areas are cancelled.

March 11th

The SGIP suspends face-to-face communication with visitors in all prisons in Madrid, Alava and La Rioja, allowing only communications that take place in visiting units separated by a glass partition.

March 12th

The SGIP extends current restrictions to all prisons.

March 15th

After the state of alarm was decreed throughout the Spanish State, all ordinary visits in prisons are suspended, given the limitation of freedom of movement applied to both inmates and families and friends who visit them.

The SGIP states that inmates' telephone

communications are expanded, although it does not establish to what degree.

March 16th

Following the Ministry of the Interior's announcement of the cancellation of visits, dozens of civil society organizations request that the SGIP grant free extra telephone calls and an increase in ordinary verbal communications through intercom booths, urging that as matter of urgency, a video-calling system is installed in all prisons to allow communication between inmates and their visitors.

March 30th

The SGIP increases the number of telephone calls that inmates can make from ten to fifteen per week and the duration of the calls from five to eight minutes. Inmates without financial resources are allowed to make calls free of charge.

March 31st

The SGIP announces the distribution of 205 smartphones so that inmates can make video calls with their families. The video calls will last ten minutes and will always be made under the visual control of an official to avoid the "misuse" of the phones. The decision on which inmates may make use of the smartphones will depend on the directors of the various prisons, although





they anticipate that their use will be restricted to those who have the right to extraordinary leave due to the death or serious illness of a parent, spouse, child, sibling or close friend, a wife or partner giving birth, or other important reasons of a similar nature as assessed by the prison's management team.

April 2nd

Family groups report communication and money problems. They affirm that despite the lack of material, PPE such as masks or gloves have not been allowed to enter to their relatives in prison and that it takes days to find out how their relatives in prison are doing. Regarding phone calls, they explain that the change in protocols for making calls have led to delays in the call establishment with a consequent over-spending (€2.50 for an eight-minute call) and queues, with inmates often having to wait three or four days to be able to call out.

April 4th

The Ombudsman reminds the Ministry of the Interior that the presentation of inmates' complaints to the Ombudsman had previously been processed by ordinary mail and that this service is currently limited, so it is necessary to enable other means of communication.

Prisoners, family members and support groups have also complained about problems with

the postal service.

April 6th

Video calls begin to be implemented in Teixeirio prison (Galicia).

April 7th

Several civil society organizations complain to the SGIP regarding the scarcity of alternative channels of communication facilitated to prisoners and their families during the health emergency. They consider that distributing a total of 205 mobiles among the 50,300 people who are in penitentiary centres dependent on the State Administration is pathetic.

April 8th

Families complain that since the deprivation of visits, the only method they have to pass on money is by bank transfer, which presents a series of problems, since many relatives of prisoners are going through financial difficulties, and it is simply impossible for them to deposit money in a bank due to defaults or liens.

Prisoners and families also complain that the situation of economic precarity is generating an increase in tension between inmates who are generating debts for basic things like having a coffee, buying a pack of cigarettes or making a call.



These groups also complain that not all inmates have access to video calls, since they are limited to those who already had extraordinary permits and the ambiguous evaluation criteria of the management team of each prison.

April 13th

At Picassent prison in Valencia the telephone company suffered a breakdown that lasted until April 15th, and all the inmates were held incommunicado. On top of this, there was a failure to provide video calls for high-security inmates, even in cases where they have close relatives with serious health issues.

April 23rd

Dozens of human rights organizations write to the Commission of the Interior to report that telephone and videocall access has not been guaranteed to all prisoners, causing anguish and misinformation for families of people detained before the suspension of visits.

April 24th

In some prisons such as Pamplona, prisoners

and families are still waiting for the arrival of mobile phones that will allow them to make video calls. SGIP expects that they will begin to arrive from next week.

April 28th

Uneven implementation of the video-call service is found throughout the country's prisons; in Zuera prison (Zaragoza) it has not yet begun to be implemented.

April 29th

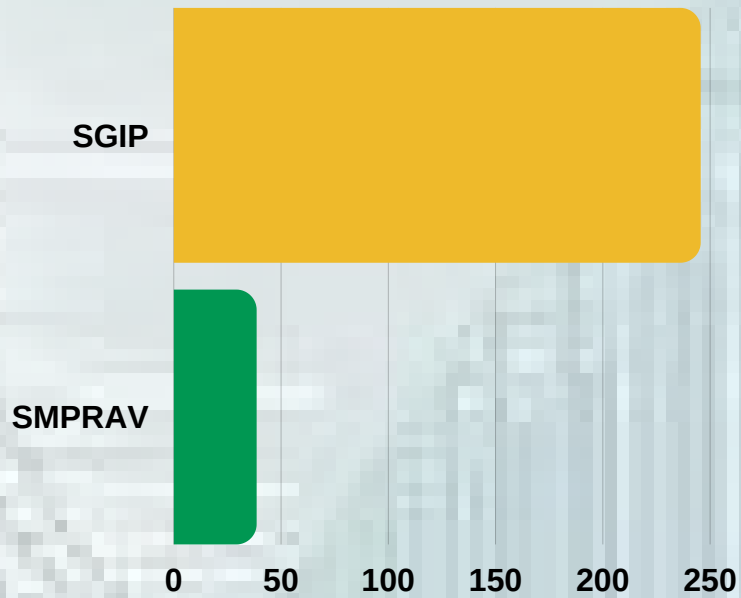
The SGIP adds 30 more smartphones for making video calls. The resource is extended to therapists from certain external entities who collaborate with the SGIP in carrying out specific intervention programs.

May 5th

Relatives of inmates of Puerto de Santa María prison in Cádiz report that not all have been able to make videocalls, despite having requested them months previously, and that sometimes they are not allowed to complete the 8 minutes of phone calls.

Relatives of inmates of Leon prison complain

GRAPH 3: COMPARISON % SMARTPHONE PER INMATE SPAIN / CATALONIA



Source: Prepared by the authors based on data from the Department of Justice, Generalitat de Catalunya and SGIP

that, although telephone calls are working with a certain normality, their requests for videocalls are denied without any reason given.

May 13th

Two of the mobile phones acquired by the SGIP arrived at Pamplona prison. Between fifteen and twenty inmates per day (between 400 and 500 calls in total) have made use of these ten-minute video-calls, which are held in the visiting booths, with a prison officer dialling the number.

Regarding the establishment of a calendar for making these calls, situations of need were prioritized, such as births of children, or those who had leave that they could not take when the state of alarm was decreed.

LAWYERS AND THE PENITENTIARY LEGAL GUIDANCE SERVICE (SOJP)

March 10th

In the Madrid, Alava and La Rioja prisons, lawyers will communicate exclusively through intercom booths separated by a glass screen

March 12th

SGIP extends the restrictions already taken to all state prisons.

March 13th

The Penitentiary Legal Guidance Service (SOJP) is suspended in Ourense prison.

Lawyers report that in Picassent prison they are only allowed access in the case of urgent issues related to impending trials.

The Cordoba Bar Association publishes a letter template for requesting the release of remand prisoners due to the state of alarm.

March 15th

Following the state of alarm in the Spanish State, the SGIP also limits face-to-face communications between inmates and their lawyers, indicating the possibility of expanding telephone communications

with them so that, at all times, the right of defence is guaranteed. In compliance with this right and whenever a lawyer considers face-to-face communication via intercom booths with a client to be necessary, the management of the penitentiary centres will authorize these visits, when the lawyer expressly requests it.

The SGIP decrees that the Penitentiary Legal Guidance Service (SOJP) will be suspended for the duration of the state of alarm.

March 18th

In some prisons such as those of Pamplona or Seville, the SOJP begins to be implemented via telephone.

March 25th

Prisoners, families and civil society organizations complain that despite the fact that the SOJP is a public and free service, in Pamplona prison prisoners are being charged for phone calls to the SOJP during the state of alarm.

March 31st

SOJP (Legal Guidance) Services are being reactivated through the implementation of technological mechanisms in prisons that



allow inmates to communicate through video calls and ISDN videoconferences with the respective bar associations.

While its implementation is being completed, Legal Guidance lawyers have been enabled to contact inmates through the telephones provided by the prisons and, exceptionally, through a communication booth separated by a glass screen, provided that the inmate's health conditions allow them to move around the prison.

SGIP affirms that communication with defence lawyers is fully guaranteed.

Various lawyers claim that by verbal order of the deputy director of security of Fontcalent prison in Alicante they were denied access to the interior of the prison. Some lawyers report that they finally managed to access the prison by insisting on speaking to the head of security; other lawyers, however, were not able to gain access.

April 1st

SOJP is resumed in Ourense prison, from now on it will be offered via telephone.

April 8th

Family members complain that Aranjuez (Madrid) and Fontcalent (Alicante) prisons are not processing all the requests for access to the SOJP.

Some lawyers complain that they have been prohibited from entering Aranjuez prison.

April 14th

The SOJP in Pamplona report that their service has gone from having an average of

twenty-five requests per shift to five; in their opinion there are three reasons for this decrease in requests: 1) Contrary to the agreement signed with the local government the service is not free and calls made to the bar association are now charged. They are not counted within the prisoners' weekly call allowance, but they have a cost and calling hours have not been extended. 2) In the three suitable units in Pamplona prison housing a total of 320 inmates, there are only two cabins per unit plus one other in the infirmary. 3) The privacy of conversations is minimal, since several inmates queue to be able to use the booth as well. For this reason, civil society organizations such as Salhaketa have called for other spaces to be enabled inside the prison so that these calls can be made.

April 16th

The General Council of the Judiciary (CGPJ) proposes a series of measures to mitigate the effects of the paralysis of justice during the State of Alarm, among which it proposes the "suppression of appeals against certain orders of the Penitentiary Surveillance Judges against the denial of parole and other complaints, except for the violation of fundamental rights."

April 17th

SOJP is resumed in Valladolid; the service begins to be implemented electronically through Google Duo.

April 20th

After problems with the authorizations of lawyers' telephone numbers, the SOJP in Topas prison (Salamanca) was restarted through telephone calls after a protocol was set up by the Salamanca Bar Association. According to the lawyers, video calls are not



being made and inmates are being charged for the calls.

Galician lawyers decry the lack of privacy in videoconferences in Teixeira prison (A Coruña) and the A Lama prison (Pontevedra).

April 27th

Lawyers' groups complain that the measures proposed by the CGPJ regarding prisoners' leave amount to a reduction of prisoners' rights and specifically their right to effective judicial protection (art. 24.1 CE) and access to appeals and the right to a fair trial (art. 24.2 CE). The lawyers' groups warn that this measure would prevent inmates from accessing free justice, so only prisoners who have financial means will be able to hire lawyers to formulate their appeals.

April 29th

The Penitentiary Assistance Shift is resumed at Zaballa prison (Alava) by videoconference from the Lawyers' Association with a mobile phone with internet access that the lawyers have bought to provide the service.

May 4th

After a visit with no problems at the Alcalá Meco prison (Madrid), a lawyer is prohibited from entering the Soto del Real prison; prison officers allege that the lawyer should have had an authorization from the prison director attesting to the "urgent nature" of the visit.

May 11th

Various lawyers complain that by verbal order of the head of security at the Villena prison (Alicante) they were prohibited from entering the prison to interview inmates who had reported ill-treatment by certain prison officers.

REINTEGRATION MEASURES

ASSESSMENT BOARDS AND EDUCATIONAL ACTIVITIES

March 10th

All prisons in the Madrid, Alava and La Rioja areas, will only allow access to civil servants and extra-prison personnel whose work is essential. The entry of volunteers from NGOs, collaborating entities, accredited professionals, etc. is therefore excluded. Only treatment programs that are carried out by professionals who are part of the technical teams and not those carried out by external professionals can continue to take place.

March 12th

The SGIP announces that teaching in prisons will be run in accordance with the provisions set out by the different educational administrations. Just as a non-face-to-face modality is established for educational services in the community, it is also established for prisons.

The SGIP recognizes that students in prisons do not have access to any digital platform, so to give continuity to the teaching activity, extra reinforcement and extension material will be delivered to the prisons for all courses that were being taught.

March 15th

Following the declaration of a state of alarm throughout the state, the SGIP suspends all prison leave, programmed exits and any other exit, except for reasons of force majeure or situation of necessity in all prisons around the country.

Regarding third degree (low-security) inmates or those involved with the flexibility regime who are assigned to social insertion centres, open sections or ordinary centres, it is established that they may leave to carry out the activities expressly stated in article 7 of the state of alarm, adopting the established protocols when they return to prison.

March 21st

The ACAIP-UGT trade union affirms that in Tenerife II prison, as far as possible, access to the centre is now denied to personnel who are not strictly necessary, such as volunteers from the Spanish Red Cross and other NGOs, teachers, the chaplain or the assessment team, among other professionals. Wide time flexibility is also given, and some choose to take homework home. However, teleworking is not possible in Tenerife II.

March 25th

First-degree (high security) inmates in several prisons such as Picassent (Valencia) or Puerto de Santa María (Cadiz) complain that the Assessment Boards in which their degree progressions should be evaluated have been suspended until the end of May.

SGIP insist that both ordinary and extraordinary Assessment Boards continue to be held in all prisons around the country.

March 29th

SGIP enables the extension of video calls to therapists of certain external collaborating entities in specific intervention programs so that they can continue their activities that make evaluations by the Assessment Boards regarding granting prison benefits possible. These video calls will be made under the same conditions as those of inmates' relatives, so they will have a maximum duration of 10 minutes and cannot be made with the guarantee of confidentiality.

PRISON WORK AND TRAINING

March 15th

Following the declaration of a state of alarm throughout the Spanish State, all prison leave is suspended, except for reasons of force majeure or situation of necessity. Inmates in third grade (low security) and / or under article 100.2 may only leave for activities related to essential services, adopting the established protocols when they return to the centre.

March 18th

The CSIF trade union demands that the SGIP automatically suspend the activity of the productive and auxiliary service workshops (kitchen, dining room and cleaning) in prisons, given the impossibility of complying with the health authorities' recommendations in these spaces.

March 20th

The Interior Ministry and the State Prison Labour Department temporarily suspend work in SGIP workshops, but they establish that prison directors may authorize, exceptionally, to continue the production process for the minimum time necessary to conclude necessary and essential operations.

The ACAIP trade union denounces the "recklessness" of the relevant authorities, since

in many of the workshops the security measures required by the Ministry of the Interior were not being complied with.

March 25th

Some 50 inmates from the prisons of Madrid I, Seville I, Cordoba, Huelva and Topas (Salamanca), with textile production workshops, begin to make non-approved masks to supply inside the prisons.

March 30th

Inmates of Madrid VII prison voluntarily manufacture the first 100 non-approved masks for the prison population.

April 1st

SGIP announces the start of manufacturing sanitary gowns for field hospitals by 11 volunteer inmates in the occupational workshop in Seville I (the number of participants was limited to 11 due to the need to respect minimum safety distance inside the workshop).

April 8th

SGIP announces that the inmates of the Alcalá de Guadaíra (Seville) prison have volunteered to manufacture non-approved masks to supply to their colleagues, with production rate of about 600 masks per day.

April 15th

The SGIP announces the reopening of the Alava and Madrid VII (Estremera) prison



workshops, which manufacture parts for the maintenance of elevators, in order to supply emergency orders, and with the incorporation of a minimum staff (no more than 10 inmates per workshop) to be able to respect physical distancing. SGIP also affirms that access to non-prison external workers will be allowed only under strict conditions such as having a negative PCR test or a responsible statement, and being equipped with PPE, and that access will be granted in such a way as to limit contact with the prison population.

Following this reopening, the majority trade union ACAIP-UGT filed a complaint with local prosecutor's offices in Toledo, Madrid and Alava against the state's Prison Work and Employment Training Department.

In Madrid VII prison, one of the kitchen groups is quarantined because several prisoners presented Covid-19-type symptoms. The other group doubles their shift, covering the morning and afternoon services.

April 16th

The CSIF Union demands that SGIP not reopen the production workshops as it is considered reckless because it allows access by non-prison external workers to the centres, ignoring the state of alarm and the health emergency.

April 17th

ACAIP reports SGIP to the Provincial Prosecutor's Office of Toledo, Madrid and Alava for reopening the workshops in the Estremera and Alava prisons, and for the upcoming reopening of the workshops at Ocaña prison (Toledo).

April 22nd

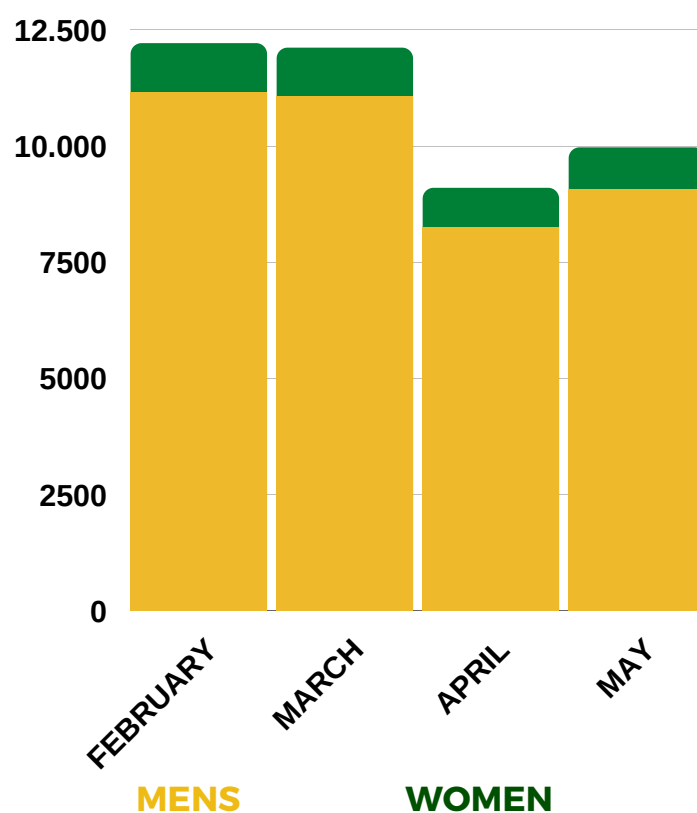
SGIP orders thirteen workshops in eleven prisons where inmates work for private companies to partially resume their activity. Also open are five textile manufacturing workshops not related to external companies that went from manufacturing clothing to sanitary masks. The return to work will be

staggered and hygiene measures will be extreme; in principle, 160 of the 480 prisoners will be reinstated, who will be provided with PPE and masks. Prisons also order "reinforced sanitation tasks" to be carried out to disinfect workstations and that the facilities be periodically ventilated "on a daily basis and for no less than five minutes"


May 8th

The SGIP announces that a group of 15 inmates at the Teixeiro CP (A Coruña) have volunteered for a solidarity initiative to make protective face shields.

GRAPH 4: EVOLUTION OF THE NUMBER OF INMATES WORKING IN PRISON PRODUCTION WORKSHOPS



Source: Prison Labour and Employment Training



PRISON POPULATION REDUCTION MEASURES

Although during the state of alarm the SGIP has not strictly speaking reduced the prison population, it has taken measures so that some inmates can serve their sentences in their homes, with controls of various kinds. The people who have benefited from these measures were from the following groups:

1. Third grade (i.e. low security) inmates
2. Second grade (i.e. medium security) inmates who satisfy article 100.2 of the prison rules
3. Female inmates serving a sentence with their children in an External Mothers' Unit.

March 16th

Dozens of civil society organizations, concerned about the effects that the coronavirus may have on the health and rights of prisoners, petition the Ministry of the Interior to adopt humanitarian measures such as the release or home detention of seriously ill inmates over 70 years old because they constitute a double-risk group, establishing other types of controls for remand prisoners, and house arrest for low-security prisoners and those with short sentences.

March 18th

The SGIP addresses an official letter to Social Reintegration Centres (CIS) and to the open sections of prisons with measures to allow third-degree (low security) inmates and those who satisfy article 100.2 of the prison rules, to spend the confinement at home. SGIP reports that many CIS and many open sections have increasingly chosen to grant article 86.4 of the prison rules.

Article 86.4 of the prison rules allows third degree inmates to sleep at home while wearing an electronic tag, while inmates classified in



article 100.2 do not have the possibility of spending the night at their homes or of enjoying the limited freedom allowed by the tags, unless previously authorized by the judge.

SGIP report that the electronic tag measures are already being carried out in the Martutene prison (Guipuzcoa) and that they have begun to be applied in the Zaballa prison (Alava). Although they warn that the number of available devices is limited (2,300), they open the possibility that, in the absence of a tag, the control is made with telephone calls to the home.

The SGIP considers other complementary measures such as semi-released prisoners being allowed to accumulate ordinary leave and weekend outings, or authorizing extraordinary leave so that they remain at home for up to two weeks. In the event that both an electronic tag is installed and that leave credits are accumulated, the prisoner must sign a document in which he agrees to remain at home, going outside only to carry out the activities set out in the state of alarm declaration. Measures are established in turn so that those inmates who show Covid-19 symptoms can spend the 14 days of quarantine at home.

March 21st

Prisoners and lawyers complain that judges and prosecutors oppose the releases, claiming that the risk of contagion outside is greater than within prisons.

March 25th

The SGIP has authorized 2,151 more semi-free prisoners to sleep under telematic control (i.e. with an electronic tag) in application of article 86.4 of the prison rules during confinement. All have committed in writing to remain in their homes and to leave only to carry out the activities authorized in the state of alarm declaration.

There are now 4,381 inmates in the open regime subject to telematic control compared to the 2,230 that there were before the coronavirus crisis. For the rest of the prisoners in the open regime, leave to work is maintained, although with precautions: they spend the night in isolated cells and have dinner in different shifts than the rest of the inmates to avoid the spread of the virus.

March 31st

The CIS of Pamplona is now empty. All third-degree inmates and those satisfying article 100.2 of the prison rules are in their homes either with electronic tags or telephone controls or by accumulating leave permits.

April 2nd

SGIP has individually reviewed the situation of inmates with a pre-existing health condition that makes them particularly vulnerable to COVID-19, and those over 70 years of age, so that where there is a stable home to spend the lockdown, and no risk of reoffending or relapse into drug misuse, they can be progressed to third degree status in application of article 86.4 of the prison rules. Those whose circumstances do not allow their progression to third degree status have been placed in a prison department or unit specially protected to avoid contagion.

April 3rd

The Provincial Court of Alicante holds three hearings requesting for the release of remand prisoners, alleging the risks they may incur in prison due to the coronavirus. According to court sources, the judges believe that prevention measures are being adopted in the prison and that the requests for release are not justified.

Lawyers believe that the courts are not taking into account WHO recommendations such as the need to adopt alternative measures to prison for low-risk prisoners.

April 7th

Several civil society organizations complain that the SGIP is not implementing the guidelines of the WHO and the Council of Europe regarding the need to reduce the prison population.

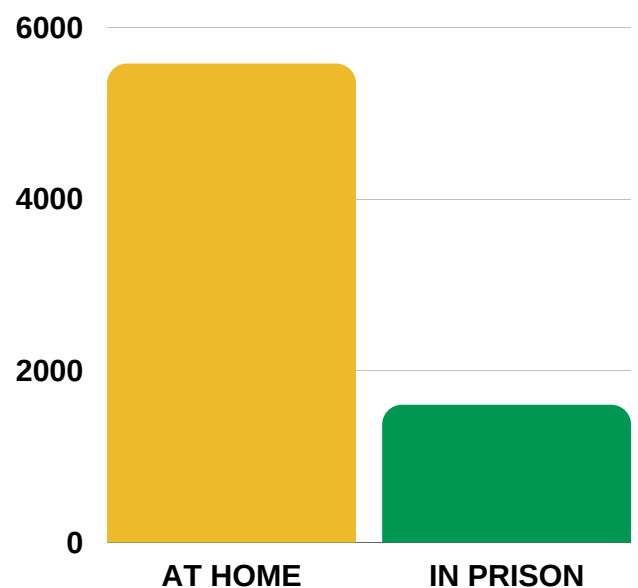
April 13th

SGIP reports that it continues to empty establishments intended for inmates in third degree or semi-release, to reduce the spread of the coronavirus. They say that of the 7,182 prisoners who are serving an open sentence

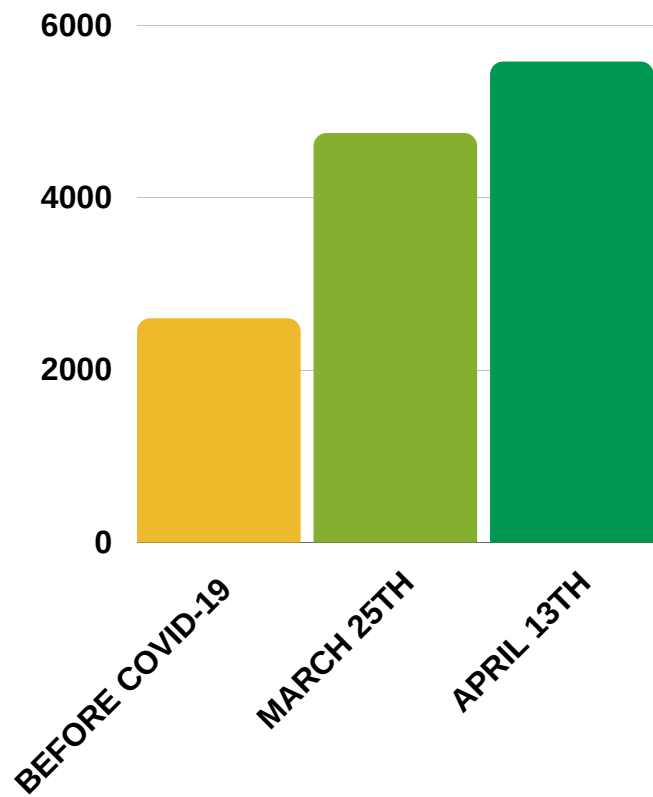
in Spanish prisons, 5,579 (77.6%) are already serving their sentence at home. Of them, the majority (5,082) will remain at home under surveillance using electronic tag devices.

Given that the number of inmates receiving this beneficiary measure is much higher than the number of electronic wristband tags that SGIP had at the beginning of the crisis, the Ministry of the Interior acquired more tags; as of today, 2,916 prisoners have it in place, while another 2,166 are in the installation or activation phase.

GRAPH 5: THIRD DEGREE INMATES WITH AND WITHOUT ARTICLE 86.4 TO 13 APRIL 13th



GRAPH 6: EVOLUTION OF PRISONERS WHO SLEEP AT HOME 86.4



April 16th

DSGIP reports that since the state of alarm came into effect on March 14th:

39 people of those who have entered prison have been initially classified as third degree and under article 86.4 of the prison rules with telematic control.

250 second degree inmates have been progressed to third degree and article 86.4 of the prison rules with telematic control.

165 people have had article 100.2 of the prison rules with telematic control applied.

April 22nd

Dozens of human rights organizations report to the Interior Commission that the proposed release of prisoners on remand, those with short sentences or third-degree category, the seriously ill, and those over 70 years of age, in order to avoid overcrowding and guarantee social distance in the prisons, has not happened.

April 25th

116 CIS inmates in Vigo are serving their sentence at home with electronic tags or telephone controls; to date only seven inmates are still in prison because they do not have an address to spend the quarantine.

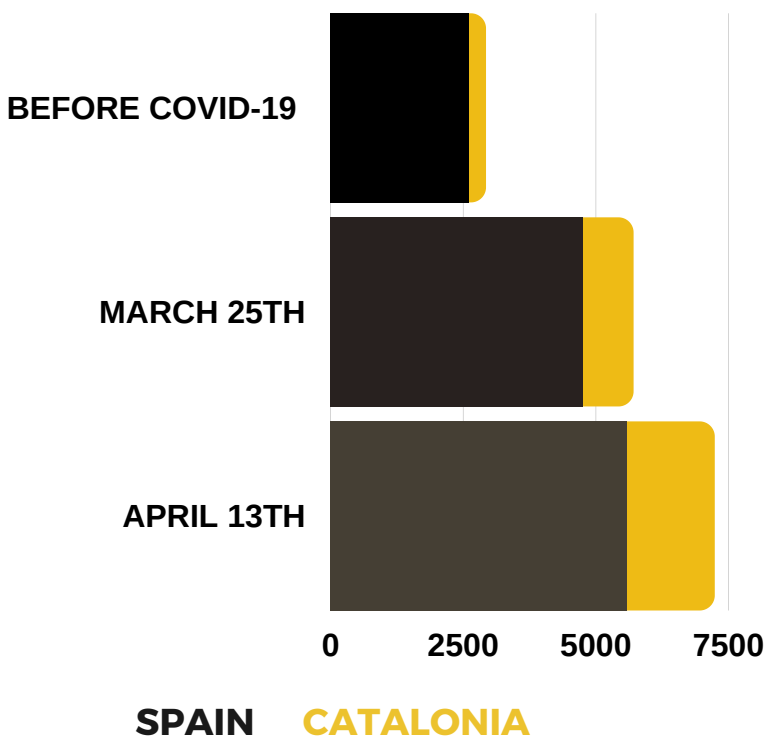
May 4th

The CIS Alfredo Jorge Suar Muro in Jerez has been completely emptied. The centre's 170 inmates are currently serving their sentences confined to their homes, 68 of them have electronic tag bracelets installed that allow them to be located, the remaining 150 are controlled by random telephone calls to their homes.

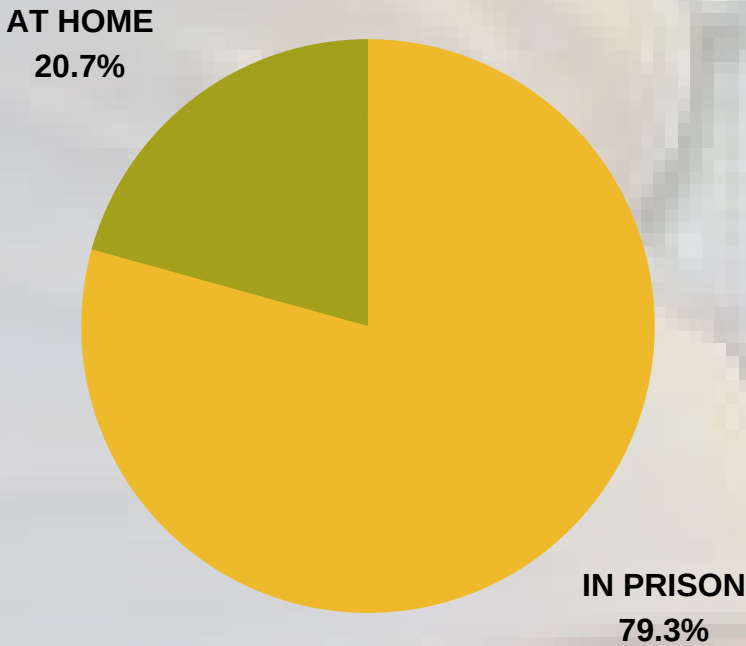
May 7th

SGIP reports that there were 87 female inmates - either on remand or classified as first or second degree - who lived with their

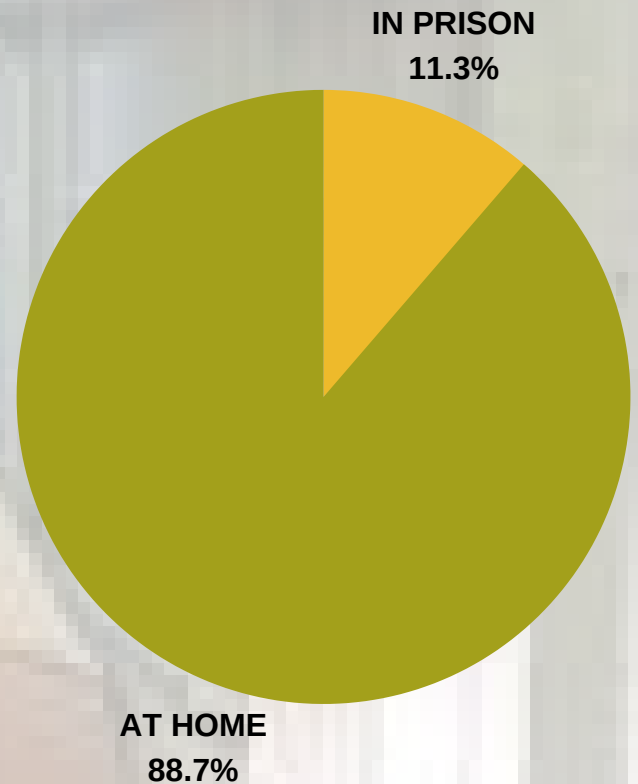
GRAPH 7: PRISONERS WHO SLEEP AT HOME IN SPAIN AND CATALONIA



GRAPH 8: PERCENTAGE OF WOMEN IN REMAND, 1ST OR 2ND REGIMEN WITH CHILDREN (AT HOME / IN PRISON) AT MAY 17TH



GRAPH 9: PERCENTAGE OF WOMEN IN OPEN REGIME OR UNDER ART. 100.2 WITH CHILDREN (AT HOME / IN PRISON) AT MAY 17



children in the different prison units and external mothers' units at the end of 2019, and that this number has fallen to 69 after installing electronic tag bracelets on some of them and transferring others to reception flats managed by NGOs that collaborate in the reintegration of these women.

Regarding women - classified in third degree or who, although they are in second degree, satisfy article 100.2 of the prison rules - who were serving their sentence in one of the three external mothers' units located in precincts next to each CIS, there are only eight still deprived of liberty: four in the external mothers' unit in Madrid; two in Palma de Mallorca; and two others in Seville.

According to the SGIP, these six women have not been released due to lack of roots or due to the absence of a home where they can serve their sentence, the remaining 47 have been

transferred to reception flats (10), or are in their homes subjected to control by means of an electronic tag bracelet or random telephone calls (37).

INCIDENTS

The beginning of the state of alarm coincided with the end of a rotating hunger strike started in September 2019 by almost twenty prisoners from different prisons around Spain - most classified as first degree - from a group informally called "Prisoners in Struggle".

March 14th

A rumour about the admission of a prisoner with coronavirus provokes an outbreak of rioting in the primary unit of Fontcalent prison (Alicante) without any aggression or specific acts of violence. Between six and eight prisoners who took longer to comply with the orders of the prison officers were transferred to other state prisons that same afternoon.

March 15th

After an argument between two inmates from unit 3 of Lanzarote prison, several inmates surrounded prison officers in protest at the ban on visits. Five inmates were taken to isolation.

March 19th

At Puerto II prison (Cadiz) around 7:30 pm, two inmates climb on the roof with a sheet and a garbage can in protest at not being able to communicate with their families or receive

money on their cards. The director and the head of prison services talked with them until they convinced them to come down; both were taken to isolation cells.

In units 1, 2, 3, 6 and 13 of the Puerto III prison there are incidents and some moments of tension between officials and inmates throughout the day, mainly due to the situation generated by suspending communications and visits, in the face of the uncertainty of the Coronavirus situation. A total of 18 inmates are taken to isolation.

April 9th

In Ocaña I prison (Toledo) 350 of the 450 prisoners demonstrate in protest at the neglect and deficit in health after the death of an inmate on a public holiday when there was no doctor in the prison. During the event, some containers were burned in the courtyard of the centre, but there was no physical attack. The incident ended when the prison doctor on call turned up almost three hours later.

April 17th

Given the news that the army is preparing the installation of a field hospital next to the Picassent prison (Valencia), at around 12:45 am, several inmates of unit 10 carry out a protest refusing to return to their cells because of the tension and fear caused by the pandemic. Five of them are subsequently transferred to isolation cells.



At 1:00 pm in unit 2 of the Soto del Real prison (Madrid) several inmates carry out a protest refusing to go to the dining room, condemning the entry of new prisoners for fear of contagion with Covid-19 and the lack of masks and gloves. The conflict was finally resolved peacefully, and the inmates voluntarily agreed to return to their cells.

April 18th

Two inmates from unit 4 try to escape from Foncalent prison (Alicante) by jumping over the wall of the enclosure and climbing onto the roof. Prison officers and the Civil Guard intercept them at the security perimeter and they are taken to isolation.

April 27th

At the Alicante II prison (Villena) some first degree inmates swallow objects such as razorblades, batteries and lighters protesting against the regime of life in isolation and to try to get transferred to the hospital and leave the prison, albeit temporarily.

According to union sources (ACAUP) these events have been repeated on numerous occasions since the start of the state of alarm.

Support groups for prisoners warn that during practically the entire state of alarm the prisoners locked up in the first degree wing of Villena prison have been self-injuring, cutting themselves with razor blades, swallowing blades and other objects, such as batteries, lighters and metal parts; setting fire to mattresses, and smashing cells and glass. According to many, they have received severe beatings and have been subjected to mechanical restraint measures and at least two of them are transported to other prisons.

The support groups explain that two of the inmates (one of them with serious mental disorders) have been isolated alone in a cell and deprived of all their personal belongings.

May 1st

Around eight inmates from different prisons that are part of the Prisoners in Struggle collective resume their rotating hunger strikes.

May 5th to May 9th

In unit 8 of Murcia II prison, silent protests of 15 minutes are held in which between 50 and 80 inmates participate, calling for basic measures such as the release of seriously ill inmates, and the distribution of PPE and tests for inmates and prison officers. Despite the large participation, prison management accuse one of the inmates of being the ringleader, an inmate who had previously filed a complaint against a senior prison officer. The inmate then goes on a hunger and thirst strike.

FINAL CONSIDERATIONS

The Covid-19 pandemic situation has turned out to be a major challenge in terms of public management in general. In the prison environment, it is evident that it has also been a very complex situation to manage, but we believe that there are certain actions or patterns that can be greatly improved regarding this crisis and that, directly, have implied an infringement of the fundamental rights of prisoners and their families.

In general, it's positive that the Spanish government began to act well in advance of the peak of the health crisis. Unlike what happened in Catalan prisons, in February the SGIP was already beginning to take measures in anticipation of what would come in the following months.

Despite this foresight in the implementation of measures, we detected that in general these have ended up being managed late, and almost always as a consequence of what was happening, rather than preventively.

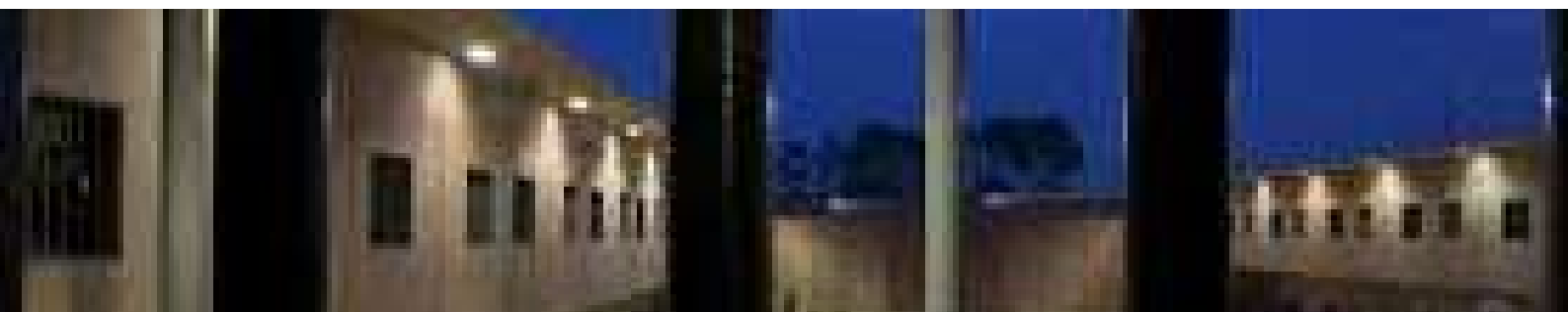
Regarding health-related measures, it is evident that the insufficient provision of health professionals and facilities within prisons prior to the current coronavirus crisis meant that the system was totally unprepared to provide satisfactory healthcare for inmates. The lack of doctors in many prisons has made inmates feel vulnerable and abandoned, and there is an

overriding feeling that the health crisis has not been managed well, reflected in the need to call an emergency public tender to cover this shortage of staff. It is noteworthy that at the end of May it was still not known whether the 40 doctors who were supposed to be recruited through this public tender of March 25th had finally started work, and if so in which penitentiary centres.

The shortage of effective PPE for prison officers and inmates has also been evident. It should be noted that approved material was allocated to prison officers first, obliging the prisoners to wear unapproved masks that, in most cases, were manufactured by the inmates themselves. Mask-manufacture was not regulated by the labour force and, therefore, inmates took part without receiving income or having their working rights guaranteed. On other occasions, civil society organizations (as in the case of CAMPA) have provided protection material for prisoners. Despite these efforts, the administration has not always acted diligently in the delivery and distribution of this material.

With regard to communications, it is necessary to emphasize once again the socioeconomic bias in the measures implemented in prisons. Although it was announced that extra calls would be free for prisoners without income, this measure was not applicable to those with very low incomes who could not afford this expense. This lack of reading of the social reality of the prisoners amounts to a violation of their rights and exacerbates inequality among various inmates and their families.

The mobile devices distributed by SGIP to



carry out videoconferences have been insufficient and disproportionately inferior with respect to the number of inmates available. This, together with the lack of privacy and short duration of visits, has been very unsatisfactory for prisoners and their families.

Regarding the guarantee of the prisoners' right of defence, the conclusions are also not positive. Lawyers have encountered many problems in being able to access prisons to speak with their clients. The SOJP has not been able to function with a minimum normality in the majority of centres, reaching situations as serious as charging the prisoners for the telephone call they make to the SOJP lawyers, a service which should be free and public.

It has not been better in the field of prison assessment. Understanding that, constitutionally, the purpose of the custodial sentence is reintegration and rehabilitation, with a clear focus on assessment, we believe that: prisoners should be compensated in some way for all these months in which they have been denied continuity in their assessment programs, or have not been able to carry out necessary activities, and as a result have not been able to be positively evaluated by the Board of Directors for the granting of third degree status, for example. This fact implies a very serious damage for the prisoners and their criminal procedural itineraries.

Measures such as those that enabled therapeutic telephone consultations lasting 10 minutes (making them analogous to those conversations held with family members), demonstrate the government's lack of interest in guaranteeing inmates' wellbeing and continuity of treatment during the pandemic.

Although productive workshops stopped immediately in SGIP prisons (unlike what happened in the Catalan prisons dependent on SMPRAV), the fact that some of them resumed in the middle of the pandemic,

ignoring international recommendations and the complaints of prison staff who warned that it would be impossible to guarantee health and security measures, demonstrates once again the centrality of production in our society, even in prisons. Despite this centrality, however, it is evident that the working conditions of the inmates do not accompany it, one of the areas in which prisoners' rights are most vulnerable.

Lastly, with regard to releases, we must reflect on the real possibility of SGIP to grant more third-degree statuses and extra-penitentiary measures to many inmates. During the pandemic, we have seen many inmates, who under other conditions would not have been released under surveillance, transferred to their homes, with the use of security and control measures such as electronic tag bracelets, instead of living partially or totally in the penitentiary centres. We hope that these release measures will serve to verify how these can be implemented without having to go through such an exceptional circumstance as the pandemic, and that the decongestion of the prison population in the different prisons of the State generates better conditions for prisoners and officials, and increases the capacity of administrations to react in times of crisis.

