

Prisons and Prisoners in Europe in Pandemic Times: An evaluation of the short-term impact of the COVID-19 on prison populations

Marcelo F. Aebi and Mélanie M. Tiago*

Key Findings

- This special SPACE I report analyses trends in European prison populations from 1st January to 15th April.
- This period includes roughly the first month in which the COVID-19 pandemic started spreading in Europe and led most countries to impose lockdowns to their populations.
- Even if it is a short period of time (from mid-March to mid-April), the spread of the pandemic had a direct effect on imprisonment: The vast majority of prison administrations showed decreasing or stable prison population rates:
 - Decrease (more than -4%): San Marino, Monaco, Liechtenstein, Iceland, Slovenia, Cyprus, Luxembourg, Norway, Andorra, Scotland (UK), Italy, Netherlands, Albania Portugal, France, and Northern Ireland (UK);
 - Stable (between -4 and 4%): Croatia, Poland, Georgia, Latvia, Estonia, Finland, Ireland, Montenegro, Moldova, Lithuania, Austria, Catalonia (Spain), England and Wales (UK), Spain State Administration, Russian Federation, Serbia, North Macedonia, Armenia, Slovak Republic, Czech Republic, Romania, Malta, Azerbaijan, Turkey, Denmark, Hungary, Bulgaria, Republika Srpska (BIH), and Greece.
 - Increases (more than 4%): Sweden.
- The lockdown of European populations seems to have contributed to that downward/stable trend because the exception to that trend is Sweden, who did not introduce a lockdown.
- More than 128,000 inmates were released in 20 member states as a preventive measure to reduce the spread of COVID-19:
 - The vast majority of these inmates (102,944) were released after 15th April in Turkey, a country that had until then the second biggest prison population in Europe.
 - The total numbers of releases, however, includes 10,188 inmates released in France, a country that reported all its releases and not only those related to the COVID-19 pandemic.
- Only a few prison administrations were not affected by COVID-19 infections; 15 administrations reported infections both among staff and inmates, and 14 among members of staff only:
 - No infections: Republika Srpska (BIH), Bulgaria, Georgia, Iceland, Latvia, Liechtenstein, Lithuania, Malta, Montenegro, North Macedonia and San Marino.
 - Infections both among inmates and staff: Albania, Austria, Denmark, France, Italy, Netherlands, Norway, Poland, Russian Federation, Serbia, Spain (Catalonia and State Administration), Sweden, Turkey and Scotland (UK).
 - Infections among staff only: Andorra, Armenia, Croatia, Czech Republic, Estonia, Finland, Greece, Hungary, Ireland, Moldova, Monaco, Portugal, Romania and Northern Ireland (UK).

* The authors are, respectively, professor and researcher at the Research Unit in Criminology of the School of Criminal Sciences at the University of Lausanne, Switzerland. The opinions expressed in this publication are the responsibility of the authors and do not necessarily reflect the official policy of the Council of Europe. The authors wish to thank all the SPACE national correspondents and prison administrations of the Council of Europe that answered the questionnaire and made the publication of this report possible.

- Infections among inmates only: Azerbaijan, Cyprus, Luxembourg, Slovak Republic and Slovenia.
- Countries that adopted preventive measures during the first month of the lockdown correspond mainly to two profiles:
 - Countries that are characterized by low levels of punitiveness (the Nordic countries and the Netherlands);
 - Countries where the pandemic had a high impact on the general population and are characterized also by relatively high prison populations (Spain, Italy and France).
- How can the decreasing/stable trend be explained? There are three reasonable explanations that can be combined:
 - A crime drop: A plausible explanation, based on situational-based criminological theories, is that the lockdown reduced opportunities for traditional crimes, which led to less offences and consequently to less arrests and less persons entering in pretrial detention. The rise of cybercrimes did not compensate that decrease.
 - This explanation is indirectly supported by the fact that Sweden, the only country that did not impose a lockdown, is at the same time the only one that registered an increase of its prison population of more than 4%.
 - A decrease in the activities of the criminal justice system: Magistrates were confined as the rest of the population, which led to less sentences imposed by the courts.
 - The release of inmates as a preventive measure to reduce the spread of COVID-19

1. Introduction

During the month of March 2020, most European countries introduced lockdowns of their populations to reduce the spread of the COVID-19 pandemic. Such measures can have an impact on the extent of crime and, indirectly, on the size of prison populations. The reason is that, according to situational-based criminological theories, crime is the result of the confluence on time and space of an offender and a suitable target in the absence of capable guardians¹. If people are spending less time in the streets and more time at home and in the cyberspace, then the following predictions can be made: Personal victimisations in the public sphere (such as the ones resulting from fights, robberies and thefts in the streets) should decrease, while those in the private sphere (resulting from domestic violence offences) and on the Internet (cybercrimes) should increase. Domestic burglaries should also decrease because research has shown that burglars prefer empty houses and also because the closing of the borders reduced the mobility of organized gangs specialized in that offence. Less offences mean less suspects arrested by the police and entering in pre-trial detention, and that should entail a decrease of the total prison population. The latter will further decrease if the courts are not imposing prison sentences because the magistrates are confined and, especially, if the country releases inmates to prevent the spread of the COVID-19 in closed settings like prisons, where social distances can seldom be kept, especially when they are overcrowded.

In order to measure these side-effects of the pandemic on the prison populations in the Council of Europe member states, the Council of Europe and the University of Lausanne launched the *SPACE I – COVID-19 project*. In that perspective, a few extra questions were added to the simplified questionnaire that is sent every spring to the SPACE national correspondents, and whose main goal is to keep the key prison indicators on the SPACE website (www.unil.ch/space) updated. The aim is to measure the trend followed by prison populations from 1st January 2020 to 15th April 2020 (a period which includes roughly the first month of the European lockdowns) and to identify the percentage of that change that can be explained by releases related to the COVID-19 pandemic². The questionnaire also collects information on whether the prison administrations registered infections related to COVID-19 among inmates and prison staff. This project is part of the initiatives launched by the Council of Europe to follow closely the effects of the pandemic on prisons, inmates and probationers across Europe. In that context, the Council for Penological Co-operation Working Group (PC-CP WG) issued a *COVID-19 Related Statement*, which draws attention to some key texts issued by the Council of Europe as well as to standards and practices that can assist the prison services and probation agencies of the member States in dealing with the COVID-19 pandemic, respecting the principles of the rule of law and of human rights (<https://rm.coe.int/pc-cp-wg-covid-19-statement-17-04-2020/16809e2e55>).

This report summarises the findings of the first phase of the *SPACE I – COVID-19 project*. The rates and percentages presented here correspond to the *European median values* and are presented in the text in round numbers unless they are lower than 10; in particular, the rates are calculated on the basis of data weighted by the population of each country (see *Methodology* for further details). The detailed state-level data are presented in Table 1 at the end of the document. All deviations in the dates of reference of the data provided by the countries are indicated in Section 6 (Notes). When the difference is greater than 5 days (for example, 1st April instead of 15th April), they are also indicated in the notes to the relevant Figures.

Forty-eight (48) of the 52 prison administrations in the 47 Council of Europe member states answered the *SPACE I – COVID-19* questionnaire, which corresponds to a participation rate of 92%. Belgium, Ukraine and two of the three administrations of Bosnia and Herzegovina (State level and Federal level) did not answer. Germany and Switzerland answered the questionnaire, but could not provide data on 15th April 2020. Similarly, some prison administrations were unable to provide data on the spread of COVID-19. This means that the number of prison administrations which provided data varies according to the indicator studied and, consequently, that number is indicated in the title of each Figure, Table or Map included in this report.

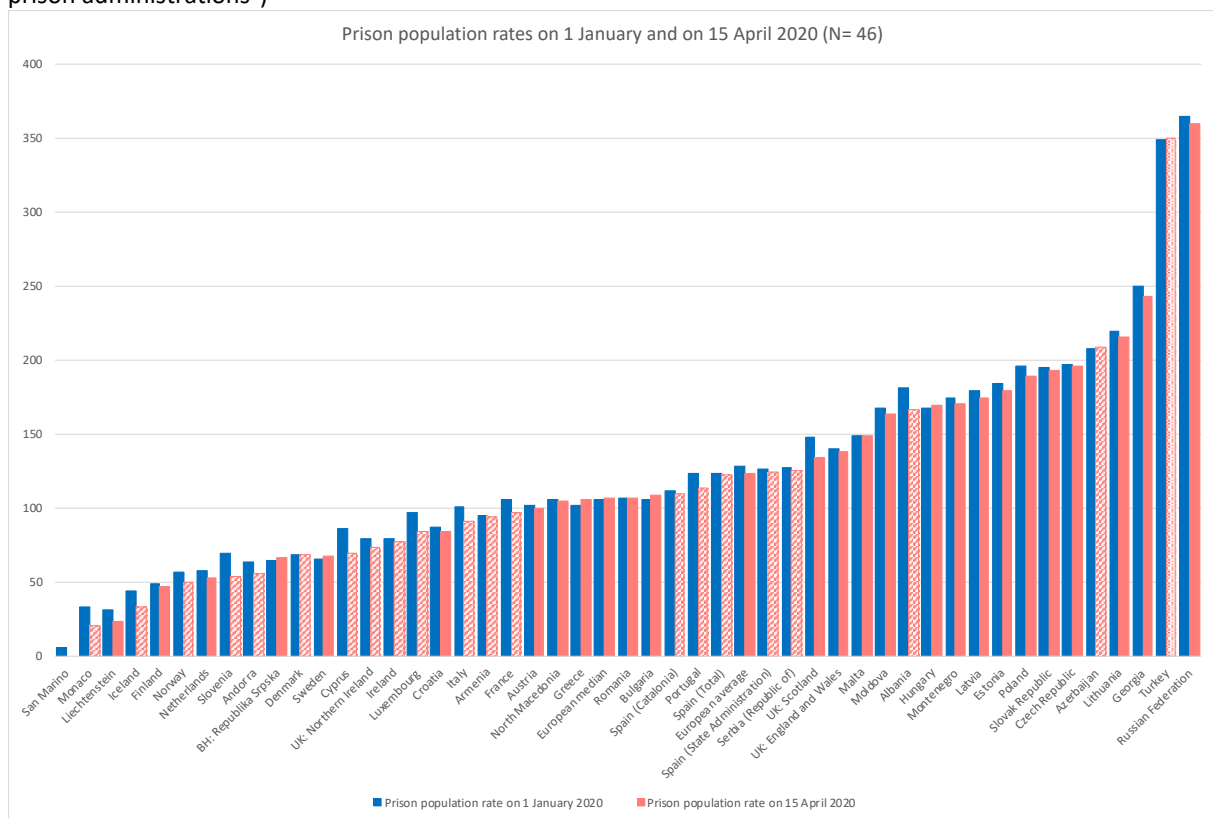
¹ These are, in a nutshell, the main concepts of the original routine activities approach (Cohen & Felson, 1979) and its subsequent developments (Felson, 1995).

² The impact of the potential decrease in the number of admissions into penal institutions cannot be measured because it requires a comparison with the number of admissions during the same months of previous years, and that information is currently not available.

2. Prisons and Prisoners on 1st January and 15th April 2020

On 1st January 2020, there were 1,390,683 inmates in the 46 penal institutions of the Council of Europe member states for which data are available both on 1st January and on 15th April 2020. Weighting the figures of each prison administration according to the population of the country or region concerned (see *Methodology* for further details), this corresponds to a European prison population rate of 106 inmates per 100,000 inhabitants. On 15th April 2020, there were 1,364,643 inmates, which also corresponds to a median European rate of 106 inmates per 100,000 inhabitants and implies that the rate remained stable.

Figure 1. Prison population rates (inmates per 100,000 inhabitants) on 1st January and 15th April 2020 (N=46 prison administrations³)



Notes to Figure 1:

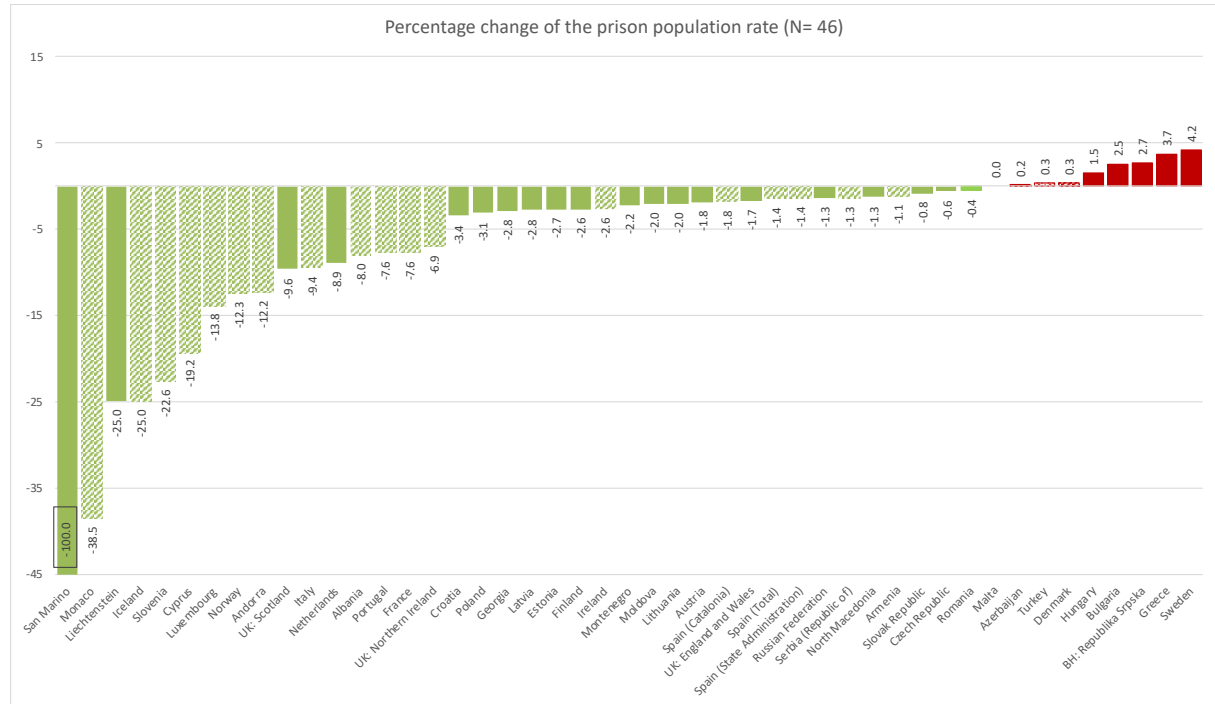
Prison population rate on 15th April 2020: The rate relates to 1st April in France and Lithuania, to 3rd April in Latvia, and to 1st May in Sweden.
Prison population rate on 1st January 2020: The rate relates to 1st October 2019 in Sweden.

Figure 1 shows prison population rates on 1st January and 15th April 2020. Countries that released inmates as a preventive measure related to COVID-19 are shown with a striped pattern. Turkey is shown with a dotted pattern because it released approximately one third of its prison population for that reason, but the releases took place after 15th April and therefore their effect cannot be appreciated on the rates presented in Figure 1. It can be seen that the changes that took place during those three months and a half have seldomly affected the relative position of the prison administrations. The highest prison population rates (*i.e.* more than 250 inmates per 100,000 inhabitants) are found in the Russian Federation and Turkey, followed (with rates of more than 200 inmates per 100,000 inhabitants) by Georgia, Lithuania and Azerbaijan; while the lowest prison populations (*i.e.* less than 80 inmates per 100,000 inhabitants) are distributed across the Nordic countries (the Scandinavian

³ Prison administrations are sorted according to their prison population rate on 15th April 2020.

countries and Iceland), the Republika Srpska (Bosnia and Herzegovina), the Netherlands, Ireland and Northern Ireland (UK)⁴.

Figure 2: Percentage change in prison population rates (15th April compared to 1st January 2020) in 46 prison administrations



Note to Figure 2: See notes to Figure 1.

Figure 2 analyses the data from a different angle by showing the variation of the prison population rate in the 46 prison administrations that provided data on 1st January and on 15th April 2020. As before, Turkey is shown with a dotted pattern, while countries that released inmates as a preventive measure related to COVID-19 are shown with a striped pattern. Logically, the latter show decreasing or at least stable prison populations, but the same is true for most of the prison administrations, which could be due to the side effects of the pandemic mentioned in the introduction. The Netherlands and Scotland are the two administrations that registered significant decreases —of 8.9% and 9.6% respectively— and the latter expressly mentioned that “the rapid reduction in the prison population can be attributed to a drop-off in court business due to COVID-19” (see the Notes on Section 6). At the other extreme, Sweden is the only country whose prison population increased by more than 4%. Taking into account that Sweden is also the only country that did not impose a lockdown on its citizens, this finding corresponds to the predictions of the situational approaches mentioned in the introduction. This interpretation is reinforced by the fact that Greece, who introduced a lockdown relatively late —on 23rd March— compared to the rest of Europe, also registered an increase of 3.7% of its prison population rate. This does not necessarily mean that crime increased in Sweden and Greece during that period, because prison statistics are not a valid indicator of crime rates, which are also subject to seasonal variations that cannot be appreciated with the available data. It simply suggests that the lockdown seems to have played the role of an environmental crime prevention measure in the rest of Europe.

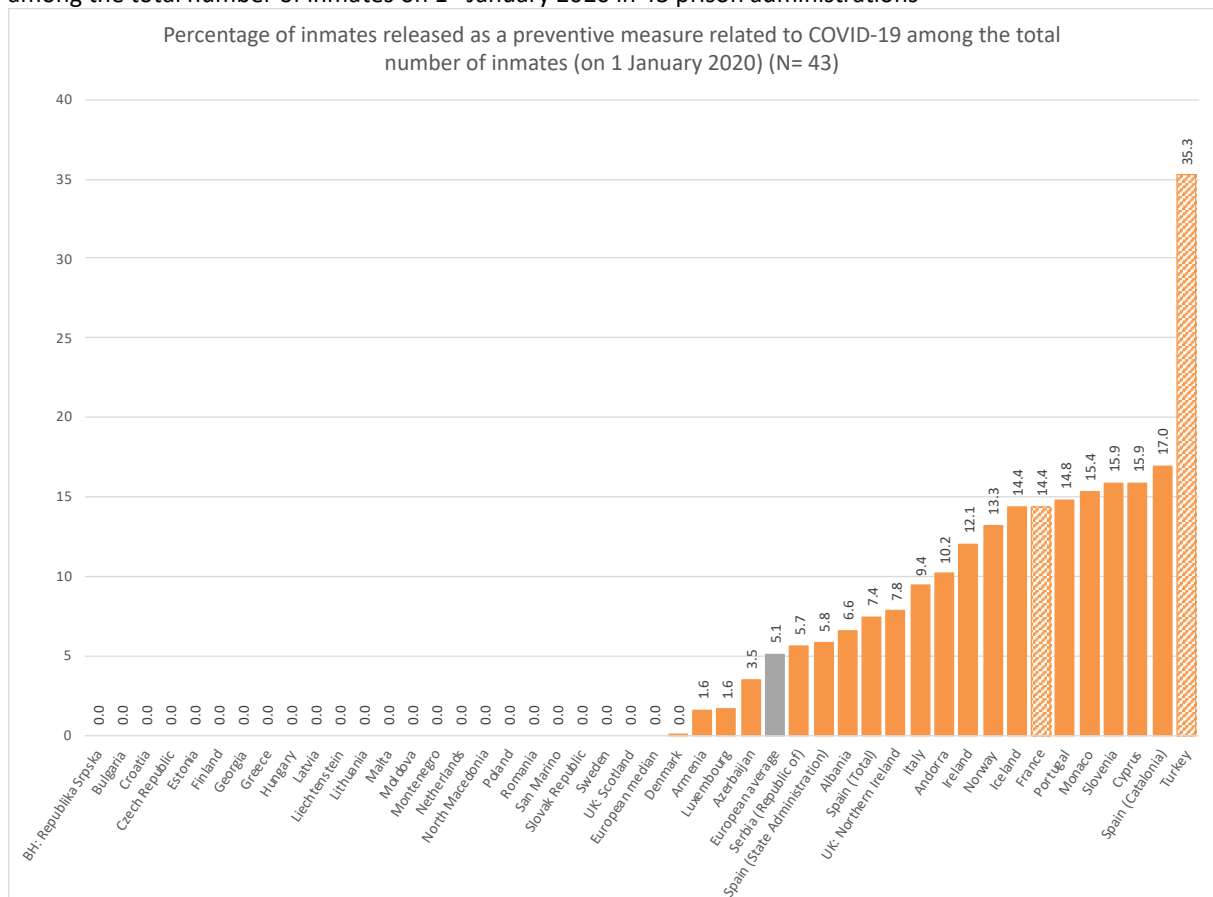
⁴ The rates of countries with less than 100,000 inhabitants are unstable and therefore are not commented here (see *Methodology* for further details).

3. The impact of COVID-19 on prison populations

Figure 3 allows a better interpretation of the trends observed in Figures 1 and 2 as it presents the percentage of inmates released as a preventive measure related to COVID-19. It can be seen that 19 prison administrations reported having adopted such measures, with huge differences in the percentage of inmates affected by them. As mentioned before, In Turkey (shown with a striped pattern) they represent roughly one third of the country's inmates, but this had no effect on the overall prison population presented in Figure 1 because they were released after 15th April. France is also shown with a striped pattern in Figure 3 because its number of releases includes all kinds of releases and not only those related to the pandemic (see the Notes on Section 6 for further details). All in all (including the 10,188 inmates released in France) more than 128,000 inmates were released in 20 member states across Europe. This total is heavily influenced by the 102,944 inmates released in Turkey after 15th April, a country that had until that day the second biggest prison population in Europe.

Although these percentages must be interpreted cautiously, one can say that the countries that adopted this kind of preventive measure during the first month of the lockdown correspond mainly to two profiles: Countries that are characterized by low levels of punitiveness (the Nordic countries and the Netherlands) and countries where the pandemic had a high impact on the general population and are characterized also by relatively high prison populations (Spain, Italy and France).

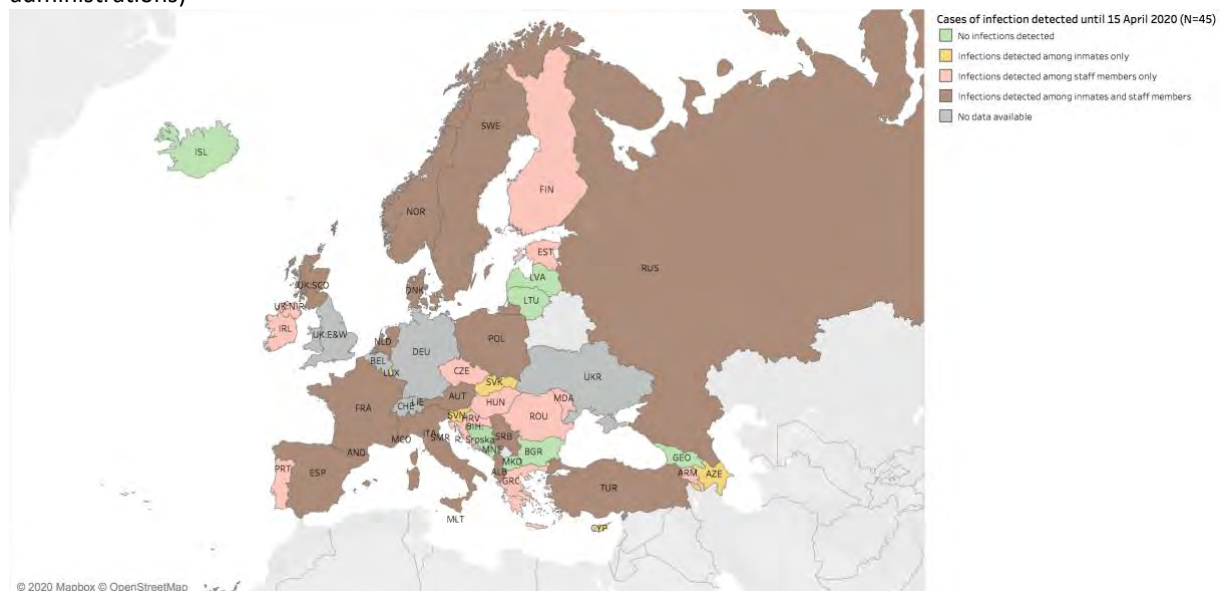
Figure 3: Percentage of inmates released until 15th April 2020 as a preventive measure related to COVID-19 among the total number of inmates on 1st January 2020 in 43 prison administrations



Note to Figure 3: In Turkey, the number of inmates released as a preventive measure related to COVID-19 covers the period between 15th April and 4th May 2020.

Map 1 illustrates the distribution of the COVID-19 infections among inmates and staff members until 15th April 2020, as reported by each prison administration. For each country, the Map specifies whether the cases concerned inmates, staff, or both of them. The distribution of cases is not directly related to the size of the prison population of the country and it does not follow a clear geographical distribution. One could only say that the few administrations with no infections were distributed mainly across the Balkan and the Baltic regions, or outside continental Europe (The Republika Srpska in Bosnia and Herzegovina, Bulgaria, Georgia, Iceland, Latvia, Lithuania, Malta, Montenegro, and North Macedonia). Four countries (Azerbaijan, Cyprus, the Slovak Republic and Slovenia) registered infections among inmates only (in Cyprus it concerned a newly admitted pre-trial detainee), while 14 had infections exclusively among staff members, which is logic as the virus can only come from the outside. The 15 other administrations reported infections both among staff and inmates. Finally, a comparison of Figure 3 and Map 1 suggests that the decision of releasing inmates as a preventive measure is not directly related to the presence or absence of COVID-19 cases among inmates and staff.

Map 1. Cases of COVID-19 infections among inmates and staff members until 15th April 2020 (N= 45 prison administrations)

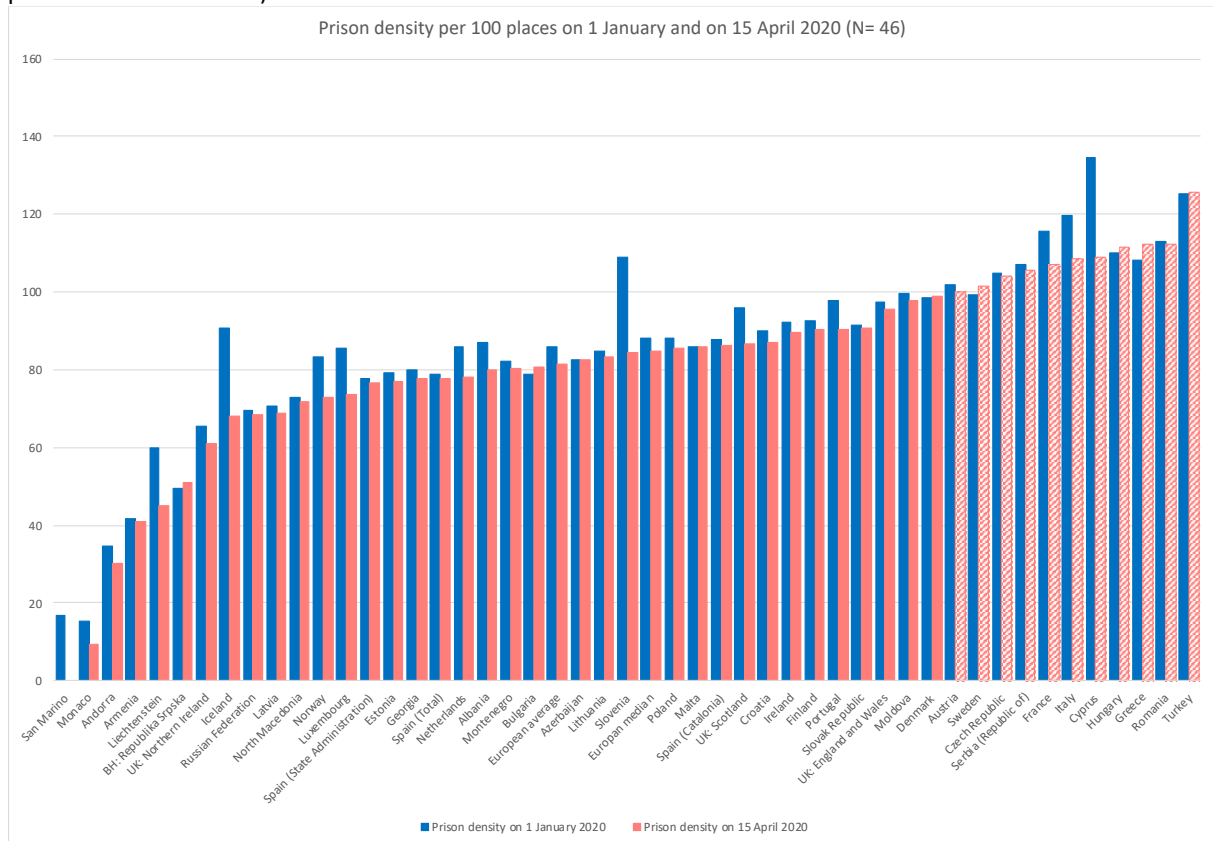


4. Prison density and overcrowding on 1st January and 15th April 2020

Disclaimer: Data on prison capacity is provided by the countries and therefore corresponds to their own estimation of it. By definition, there is overcrowding when there are more inmates than the number of places available in penal institutions. In order to define the number of places available (i.e. the capacity of the penal institutions), countries are asked to use the concept of *design capacity*, which refers to the number of inmates that a penal institution was intended to house when it was constructed or renewed. However, many countries use the concept of *operational capacity*, which refers to the number of inmates that a penal institution can actually house while remaining functional. As a consequence, the rates concerning prison capacity and overcrowding do not allow reliable cross-national comparisons.

Figure 4 shows the prison density –expressed as the number of inmates per 100 detention places– on 1st January and 15th April 2020 in the 46 prison administrations that provided the relevant data for both dates. By 15th April, 11 administrations had more than 100 inmates per 100 places. Among these 11 prison administrations (shown with a striped pattern), 2 had a density that was higher than 100 but inferior to 105; while the other 9 were facing serious overcrowding, with rates of more than 105 inmates per 100 places.

Figure 4. Prison density (number of inmates per 100 detention places) on 1st January and 15th April 2020 (N=46 prison administrations⁵)



It can be seen in Figure 4 that Slovenia was experiencing overcrowding on 1st January, but that was no longer the case by 15th April, after the country released 16% of its inmates as a preventive measure related to COVID-19 (see Figure 3). On the contrary, Sweden passed from 99 to 102 inmates per 100 places joining thus the group of countries with overcrowded prisons⁶. As mentioned above, Sweden is the only country that did not introduce a lockdown of its population.

6. Notes

6.1. General notes

- Unless stated otherwise, the general population of each country corresponds to the projections made by Eurostat for the 1st January 2020.
- Unless stated otherwise, the following notes reflect the situation as of 15th April 2020.

⁵ Prison administrations are sorted according to their prison density on 15th April 2020.

⁶ The actual Swedish prison density is slightly higher than in Figure 4 because the prison capacity includes the places reserved for persons deprived of freedom for other reasons than suspicion of crime (for example, inmates taken in custody awaiting deportation) but these persons are not included in the total number of inmates (see the Notes on Section 6 for further details).

6.2. Notes by Country

ALBANIA

- The total population of the country is a mid-year estimation projection made by the United Nations (<https://population.un.org/wup/DataQuery/>).

ANDORRA

- The total population of the country is a mid-year estimation projection made by the United Nations (<https://population.un.org/wup/DataQuery/>).

ARMENIA

- The total population of the country is a mid-year estimation projection made by the United Nations (<https://population.un.org/wup/DataQuery/>).

AUSTRIA

- Among the total number of inmates on 1st January 2020 (9,060), 8 464 are held in prison institutions;
- Among the total number of inmates on 15th April 2020 (8,897), 8,348 are held in prison institutions;
- On 15th April 2020 there were no infections related to COVID-19 among inmates and seven infections related to COVID-19 among staff members. On 24th April there were no infections related to COVID-19 among inmates, and only one infection related to COVID-19 among staff members. Overall, and until the 24th April 2020, Austria had only one infection among inmates and seven infections among staff members.

AZERBAIJAN

- The total population of the country includes the population of Nagorno-Karabakh and is a mid-year estimation projection made by the United Nations (<https://population.un.org/wup/DataQuery/>).

BOSNIA AND HERZEGOVINA – REPUBLIKA SRPSKA

- The total population of the Republika Srpska (BiH) is a mid-year estimate for 2018 (based on the natural changes of population and migration) retrieved from <http://www2.rzs.rs.ba>
- On 11th March 2020, in order to prevent and prevent the emergence and spread of COVID-19 in the penal institutions of the Republika Srpska (BiH), the Minister of Justice of the Republika Srpska issued the following Order:
 1. With a view to preventing the occurrence and the spread of the virus in prisons in the Republika Srpska, in the period from 11th to 31st March 2020, suspend the use of facilities outside the penitentiary for prisoners serving a prison sentence, the employment of prisoners outside the penitentiary, visits by family members and other persons, and visits by prisoners to cultural and sporting events organized outside the penitentiary.
 2. The directors of correctional facilities and their assistants shall immediately hold meetings with prison councils at which all the dangers of the occurrence and consequences of virus coronas should be pointed out, to explain the necessity of passing this Order within the framework of all measures taken by the Government of Republika Srpska in preventive action and prevention of the occurrence and spread of virus coronas in Republika Srpska.
 3. Explain to prisoners who will be deprived of their facilities outside the correctional facility within the specified period of time that they will be able to use those benefits upon revocation of this Order.
 4. Raise the security level of the penitentiary institution to a level that will enable regular execution of all tasks and tasks and undisturbed execution of imprisonment and educational measures of sending to a correctional facility.
 5. Organize lectures for all prisoners on the occurrence of the virus corona and measures for preventing its spread in cooperation with local health institutions.
 6. Disinfect all premises and premises of correctional facilities.
 7. Establish a room for possible accommodation of infected prisoners within the inpatient health service.
 8. Provide all necessary disinfectants and means for maintaining the personal and collective hygiene of prisoners.
 9. Hold meetings with all employees of correctional facilities on the occurrence and spread of virus coronas and alert employees to their actions in cases of viral symptoms.
- On 30th March 2020, the Minister of Justice extended to a further time the duration of the previously issued Order.

BULGARIA

- The Medical Institute of the Ministry of Interior treated a pre-trial detainee diagnosed with COVID-19. He/she was detained in the Regional Police Station - Central Directorate of the Ministry of Interior and was placed in the Medical Institute before entering into custody. On 28th April 2020 his/her *pre-trial detention* status was transformed in a *home arrest* measure.

CROATIA

- 34 inmates and 30 staff members were tested for COVID-19. All inmates were tested negative and one staff member was tested positive.

CYPRUS

- One COVID-19 diagnosed inmate was a newly admitted inmate on 7th April 2020 who was brought to prison from the police detention centre. He was immediately placed in a quarantine place until the next day when he tested positive to the COVID-19 test. He was immediately transferred to the hospital for further action. This inmate had no contacts with other inmates. Since March 2020, all newly admitted inmates are tested for COVID-19 before their admission in detention. Since 10th April 2020, admissions of inmates from police detention centres are not accepted unless she/he is tested negative for COVID-19.

CZECH REPUBLIC

- On 15th April 2020, there were 11 infected staff members since the start of pandemic. Seven recovered as of 28th April 2020.

DENMARK

- The number of releases as a preventive measure related to COVID-19 covers the period until 20th April (instead of 15th April).

ESTONIA

- In addition to the total number of inmates on January 1st, there were 27 pre-trial detainees in police custody;
- In addition to the total number of inmates on April 15th, there were 4 sentenced prisoners and 69 pre-trial detainees in police custody;
- In addition to the total capacity of prison institutions, there are 237 places in open prisons.

FRANCE

- The reference date for the variable "Total number of inmates on 15th April 2020" is 1st April 2020 (instead of 15th April).
- The variable "Total number of releases as a preventive measure of COVID-19" relates to all releases and not only to the COVID-19 related ones.

GEORGIA

- The total population of the country includes the population of Abkhazia and South Ossetia and is a mid-year estimation projection made by the United Nations (<https://population.un.org/wup/DataQuery/>).

GERMANY

- The variables' "Total number of inmates on 1st January 2020" and "Total capacity of penal institutions on 1st January 2020" presented in Table 1 refer to 31st March 2020 (instead of 1st January 2020).

GREECE

- One staff member was tested positive for COVID-19.

HUNGARY

- One staff member was tested positive for COVID-19, but the second test was negative.

ITALY

- The variables' "Total number of inmates on 1st January 2020" and "Total capacity of penal institutions 1st January 2020" refer to 31st December 2019 (instead of 1st January 2020).
- Among the total number of inmates released as a preventive measure related to COVID-19, 1 904 inmates were released from prison to serve the remaining part of their sentence under Home Detention in terms of a specific Law by Decree passed upon the emergency of COVID-19, and 420 persons under semi-liberty were granted an extension of their leaves until 30 June 2020 in term of a specific Law by Decree passed upon the emergency of COVID-19. The remaining inmates released benefited from provisions issued by the Supervisory Judiciary bodies who widened as much as possible the granting of measures alternative to detention, also for health reasons.

LATVIA

- The reference date of the variable "Total number of inmates on 15th April 2020" is 3rd April 2020 (instead of 15th April 2020).

LITHUANIA

- The reference date of the variable "Total number of inmates on 15th April 2020" is 1st April 2020 (instead of 15th April 2020).

LUXEMBOURG

- On 18th April 2020, one inmate was diagnosed positive for COVID-19.

MOLDOVA

- The total population of the country includes the population of Transnistria and is a mid-year estimation projection made by the United Nations (<https://population.un.org/wup/DataQuery/>).
- On 7th May 2020, 18 employees of the prison system were infected with COVID-19. Furthermore, an inmate was extradited from Ukraine, and was positively tested for COVID-19. He was immediately placed in a hospital for treatment.

MONACO

- The total population of the country is a mid-year estimation projection made by the United Nations (<https://population.un.org/wup/DataQuery/>).

MONTENEGRO

- The total population of the country is a mid-year estimation projection made by the United Nations (<https://population.un.org/wup/DataQuery/>).
- As a preventive measure related to COVID-19, on 26th March 2020 the Government of Montenegro made the Decision to grant use of the facilities of Hotel Marienplatz in Podgorica for the implementation of a quarantine measure for the execution of detention orders for persons who do not respect self-isolation decisions and orders for the prevention of coronavirus. The accommodation capacity of this facility is 15 beds.
- On 7th April 2020, the Government of Montenegro made the Decision to grant use of the facilities of the "Internat Police Academy" for the implementation of a quarantine measure for the execution of detention orders for persons who do not respect self-isolation decisions and orders for the prevention of coronavirus. The accommodation capacity of this facility is 145 beds.

NETHERLANDS

- Data relates to the adult prison system only.
- The reference date for the variable "Total number of inmates on 1st January 2020" is 31st December 2019 (instead of 1st January 2020).
- The total number of inmates on 15th April 2020 includes 157 people who at that moment were at home under electronic monitoring (electronic bracelet). These people normally reside in a regime with the lowest level of security. In this regime they are on leave during the weekend and are outside working during the week. Only the nights (from Sunday until Thursday night) they stay in prison. But now they stay at home continuously under electronic monitoring. It is an alternative way of executing their sentence. In this way, less people are moving inwards and outwards of the prisons. Consequently, the chance that the COVID-19 spreads is reduced.

NORTH MACEDONIA

- The total population of the country is a mid-year estimation projection made by the United Nations (<https://population.un.org/wup/DataQuery/>).

NORWAY

- The releases as a preventive measure related to COVID-19 include early releases and interruption of sentences. In addition, there are detainees who were transferred to back-door electronic monitoring (not include in the total number of releases as a preventive measure related to COVID-19).

POLAND

- The reference date for the variables “Total number of inmates on 1st January 2020” and “Total capacity of penal institutions” is 31st December 2019 instead of 1st January 2020.
- Inmates tested positive for COVID-19 were already infected when they were admitted into the penal institution (they were not infected inside prisons).
- In Poland, a person failing to comply with the quarantine introduced as a consequence of the epidemiological threat faces a fine of up to PLN 5,000 and up to one year in prison. However, the penalty may be more severe if the prosecutor assesses that the person has put the health or life of others at risk by his/her behaviour. In that case, the prosecutor can require a sentence of up to 8 years in prison. Consequently, the persons who are infected in prison are those who did not respect the rules of the quarantine and are therefore kept in pre-trial detention.

PORTUGAL

- Between 11th and 29th April 2020, 1,186 inmates were released following an amnesty (article 2 of the 10th April 9/2020 law), 14 were granted pardon (article 3 of the 10th April 9/2020 law), and 647 were granted a 45 days prison leave (article 3 of the 10th April 9/2020 law).

ROMANIA

- The reference date for the variable “Total number of inmates on 15th April 2020” is 14th April 2020.

RUSSIAN FEDERATION

- The total population of the country is a mid-year estimation projection made by the United Nations (<https://population.un.org/wup/DataQuery/>);
- There were no inmates released as a preventive measure related to COVID-19 because the related measures were not yet implemented at the date of reference (15th April).

SAN MARINO

- The total population of the country is a mid-year estimation projection made by the United Nations (<https://population.un.org/wup/DataQuery/>).

SERBIA (REPUBLIC OF)

- The total population of the country includes the population of Kosovo and is a mid-year estimation projection made by the United Nations (<https://population.un.org/wup/DataQuery/>).
- Prison capacity: Three pavilions are under construction in two prisons and will host a total of 648 persons. The completion of the works and the moving in of persons deprived of freedom is planned for the end of 2020.
- The number of persons deprived of freedom was reduced by 626 persons from 15th March to 15th April 2020 as a preventive measure related to COVID-19 by applying the institute of conditional release, early release, abolition of custody, as well as a restrictive referral of new persons to imprisonment;
- Until May 4th 2020, 13 employees and 84 convicted persons were tested positive for COVID-19.

SLOVAK REPUBLIC

- On May 2020, the only inmate infected with COVID-19 was already recovered.

SLOVENIA

- Apart from the infections among inmates, one case of infection was confirmed in a worker for an external company that carries out some activities in a Slovenian prison.

SPAIN

Note: In order to avoid duplication of data, the total calculated for the whole territory of Spain is not included in the computation of the average and median European values.

SATE ADMINISTRATION

- The total corresponds to the difference between the total population of the country and the population of the Autonomous region of Catalonia-
- The number of releases as a preventive measure related to COVID-19 refers to inmates who usually spent the night in penitentiary establishments and have been authorized to stay in their homes under electronic control. There were 2,384 inmates in such situation on 13th March 2020 and 5,315 on 17th April 2020.

CATALONIA

- The total population was retrieved from <https://worldpopulationreview.com/regions/catalonia-population/>.

- Due to the COVID-19 pandemic, the Department of Justice of Catalonia granted 1,380 inmates the possibility of staying at home or in the house of a relative during the confinement. A minimum follow-up is done twice a week. In many cases, this monitoring increases and may even take place daily, depending on the risk of the inmate. Tracking is conducted by phone, video conferencing or even geolocation. 45 conditional releases have also been granted.

SWEDEN

- The reference date for the variables “Total number of inmates on 1st January 2020” and “Total capacity of penal institutions on 1st January 2020” is 1st October 2019. On that date, the total capacity of penal institutions was 6 769 places.
- The reference date for the variable “Total number of inmates on 15th April 2020” is 1st March 2020. On that date, the total capacity of penal institutions was 6,888 places.
- Variations in the total capacity of penal institutions are explained by the fact that in Sweden this concept relates to the *operational capacity*. In that perspective, the capacity can be increased in the short term by placing two inmates in a room usually used for one, while planning for a long-term increase of the capacity by initiating new prison buildings.
- Inmates in remand prisons who are detained for other reasons than suspicion of crime (for example, inmates taken in custody awaiting deportation) are excluded. It is, however, not possible to exclude the places foreseen for these inmates from the item “Total capacity of penal institutions”. Therefore, the places foreseen for these inmates are included in the total capacity.
- The Swedish Prison and Probation Service has 127 confirmed COVID-19 cases among inmates, and 115 of them have recovered fully.

SWITZERLAND

- The reference date for the variable “Total number of inmates on 1st January 2020” and “Total capacity of penal institutions on 1st January 2020” presented in Table 1 is 31st January 2020.

TURKEY

- The total population of the country is a mid-year estimation projection made by the United Nations (<https://population.un.org/wup/DataQuery/>).
- The reference date for the variables “Total number of inmates on 1st January 2020” and “Total capacity of penal institutions on 1st January 2020” is 2nd January 2020.
- The number of inmates released as a preventive measure related to COVID-19 refer to the period between 15th April and 4th May 2020.

UK: ENGLAND & WALES

- The total population is a mid-year estimation projection retrieved from <https://www.ukpopulation.org/>;
- The reference date for the variable “Total number of inmates on 1st January 2020” is 31st December 2019, available at Offender Management Statistics Quarterly July to September 2019: <https://www.gov.uk/government/statistics/offender-management-statistics-quarterly-july-to-september-2019>;
- The total capacity relates to the Useable Operational Capacity as at 3rd January 2020 (instead of 1st January), available at <https://www.gov.uk/government/statistics/prison-population-figures-2020>.
- The reference date for the variables “Total number of inmates on 15th April 2020” and “Total capacity of penal institutions on 15th April 2020” refers to Friday 17th April 2020, available at <https://www.gov.uk/government/statistics/prison-population-figures-2020>.

UK: NORTHERN IRELAND

- The total population is a mid-year estimation projection retrieved from <https://www.ukpopulation.org/>;
- Individual temporary releases are not considered in the total number of inmates.

UK: SCOTLAND

- The total population is a mid-year estimation projection retrieved from <https://www.ukpopulation.org/>;
- The rapid reduction in the prison population can be attributed to a drop-off in court business due to COVID-19.

7. References

Cohen, L., & Felson, M. (1979). Social Change and Crime Rate Trends: A Routine Activity Approach. *American Sociological Review*, 44(4), 588-608.

Felson, M. (1995). Those who discourage crime. In Eck, J. E. & Weisburd, D. (Eds). *Crime and place* (pp. 53-66). [Crime Prevention Studies 4]. Monsey, NY: Criminal Justice Press.

8. Methodology

Unless stated otherwise, this document presents, for each indicator, the *European median value*. The median is the value that divides the data in two equal groups so that 50% of the countries are above the median and 50% are below it. The median is preferred to the *arithmetic mean* (commonly referred to as the *average*) because the latter is extremely sensitive to very high or very low values (technically known as *outliers*), which entail unreliable indicators and instable time series. Outliers are quite common in the sample of countries included in the SPACE report because some member States, like Andorra, Liechtenstein, Monaco or San Marino, have a very low population and, as a consequence, a change in only one person can have a big impact on its percentages, rates, and trends. Moreover, sentenced prisoners from Liechtenstein and San Marino usually serve their sentences in Austria and Italy respectively, which means that the real prison population of the country is underestimated in the figures presented here. As a consequence, we do not take into account countries with less than 100,000 inhabitants in the comments to the Figures.

The European median values are weighted according to the population and the number of inmates in each country. This means that they are estimated on the basis of the percentages and rates per 100,000 inhabitants of each country and not on the absolute numbers for the whole continent. Using the latter would produce different values, which could hide the diversity observed across countries.

While the Tables and Figures include decimals, in the comments all values equal or superior to 10 are in principle presented in round numbers (i.e. without decimals), while those inferior to 10 are presented with one decimal.

In order to avoid duplication of data, the total for the whole territory of Spain (which corresponds to the addition of the data for the National Administration and the Catalan Administration) is not included in the computation of the average and median European values.

Whenever Bosnia and Herzegovina is represented in maps, data refer only to the Republika Srpska, which is the only prison administration of the country for which data concerning the prison population rate are available.

Suggested citation [APA norms]:

Aebi, M. F. & Tiago, M. M. (2020). *Prisons and Prisoners in Europe in Pandemic Times: An evaluation of the short-term impact of the COVID-19 on prison populations*. Strasbourg: Council of Europe.

© Council of Europe & University of Lausanne, 2020

Reproduction is authorised, except for commercial purposes, provided that the source is acknowledged.

Table 1. Key indicators on 1st January and 15th April 2020, and preventive measures adopted until 15th April 2020

Country	Total population	Total number of inmates (including pre-trial detainees) on 1 st January 2020	Total number of inmates (including pre-trial detainees) on 15 th April 2020	Prison population rate per 100,000 inhabitants on 1 st January 2020	Prison population rate per 100,000 inhabitants on 15 th April 2020	Capacity of penal institutions	Prison density per 100 places on 1 st January 2020	Prison density per 100 places on 15 th April 2020	Number of inmates released as a preventive measure related to COVID-19	% of inmates released as a preventive measure related to COVID-19 among the total number of inmates (on 1 st January 2020)	Infections among inmates	Infections among staff members
Albania	2 942 000	5 312	4 885	180.6	166.0	6 106	87.0	80.0	351	6.6	Yes	Yes
Andorra	77 000	49	43	63.6	55.8	142	34.5	30.3	5	10.2	No	Yes
Armenia	2 339 000	2 221	2 197	95.0	93.9	5 346	41.5	41.1	36	1.6	No	Yes
Austria	8 904 262	9 060	8 897	101.7	99.9	8 883	102.0	100.2	N.A.	N.A.	Yes	Yes
Azerbaijan	10 100 000	20 972	21 008	207.6	208.0	25 400	82.6	82.7	740	3.5	Yes	No
Belgium	11 507 338											
Bosnia and Herz. (Total)	3 498 000											
BiH: State level												
BiH: Federation of BiH												
BiH: Republika Srpska	1 147 902	743	763	64.7	66.5	1 498	49.6	50.9	0	0.0	No	No
Bulgaria	6 949 549	7 366	7 553	106.0	108.7	9 341	78.9	80.9	0	0.0	No	No
Croatia	4 056 285	3 533	3 413	87.1	84.1	3 919	90.2	87.1	0	0.0	No	Yes
Cyprus	887 331	762	616	85.9	69.4	566	134.6	108.8	121	15.9	Yes	No
Czech Republic	10 693 861	21 056	20 932	196.9	195.7	20 096	104.8	104.2	0	0.0	No	Yes
Denmark	5 811 561	3 955	3 968	68.1	68.3	4 011	98.6	98.9	1	0.0	Yes	Yes
Estonia	1 329 916	2 450	2 385	184.2	179.3	3 097	79.1	77.0	0	0.0	No	Yes
Finland	5 527 189	2 667	2 597	48.3	47.0	2 878	92.7	90.2	0	0.0	No	Yes
France	67 197 367	70 651	65 300	105.1	97.2	61 080	115.7	106.9	10 188	14.4	Yes	Yes
Georgia	3 899 000	9 745	9 471	249.9	242.9	12 185	80.0	77.7	0	0.0	No	Yes
Germany	83 135 181	50 589	N.A.	60.9	N.A.	73 218	69.1	N.A.	N.A.	N.A.	N.A.	N.A.
Greece	10 696 535	10 891	11 296	101.8	105.6	10 055	108.3	112.3	0	0.0	No	Yes
Hungary	9 771 975	16 308	16 551	166.9	169.4	14 829	110.0	111.6	0	0.0	No	Yes
Iceland	365 042	160	120	43.8	32.9	176	90.9	68.2	23	14.4	No	No
Ireland	4 966 879	3 950	3 847	79.5	77.5	4 285	92.2	89.8	476	12.1	No	Yes
Italy	60 286 529	60 769	55 030	100.8	91.3	50 688	119.9	108.6	5 739	9.4	Yes	Yes
Latvia	1 907 094	3 414	3 319	179.0	174.0	4 822	70.8	68.8	0	0.0	No	No
Liechtenstein	38 640	12	9	31.1	23.3	20	60.0	45.0	0	0.0	No	No
Lithuania	2 793 592	6 138	6 018	219.7	215.4	7 236	84.8	83.2	0	0.0	No	No
Luxembourg	626 031	608	524	97.1	83.7	711	85.5	73.7	10	1.6	Yes	No
Malta	506 951	754	754	148.7	148.7	878	85.9	85.9	0	0.0	No	No
Moldova	4 018 000	6 716	6 583	167.1	163.8	6 735	99.7	97.7	0	0.0	No	Yes
Monaco	39 000	13	8	33.3	20.5	84	15.5	9.5	2	15.4	No	Yes
Montenegro	629 000	1 094	1 070	173.9	170.1	1 333	82.1	80.3	0	0.0	No	No
Netherlands	17 404 793	9 981	9 097	57.3	52.3	11 632	85.8	78.2	0	0.0	Yes	Yes

Country	Total population	Total number of inmates (including pre-trial detainees) on 1st January 2020	Total number of inmates (including pre-trial detainees) on 15th April 2020	Prison population rate per 100,000 inhabitants on 1st January 2020	Prison population rate per 100,000 inhabitants on 15th April 2020	Capacity of penal institutions	Prison density per 100 places on 1st January 2020	Prison density per 100 places on 15th April 2020	Number of inmates released as a preventive measure related to COVID-19	% of inmates released as a preventive measure related to COVID-19 among the total number of inmates (on 1st January 2020)	Infections among inmates	Infections among staff members
North Macedonia	2 088 000	2 203	2 175	105.5	104.2	3 022	72.9	72.0	0	0.0	No	No
Norway	5 367 329	3 026	2 653	56.4	49.4	3 633	83.3	73.0	401	13.3	Yes	Yes
Poland	37 941 122	74 130	71 836	195.4	189.3	84 021	88.2	85.5	0	0.0	Yes	Yes
Portugal	10 291 457	12 634	11 677	122.8	113.5	12 934	97.7	90.3	1 874	14.8	No	Yes
Romania	19 281 118	20 578	20 492	106.7	106.3	18 235	112.8	112.4	0	0.0	No	Yes
Russian Federation	143 787 000	523 928	517 028	364.4	359.6	753 509	69.5	68.6	NAP	NAP	Yes	Yes
San Marino	34 000	2	0	5.9	0.0	12	16.7	0.0	0	0.0	No	No
Serbia	8704000	11 044	10 900	126.9	125.2	10 323	107.0	105.6	626	5.7	Yes	Yes
Slovak Republic	5 457 679	10 625	10 540	194.7	193.1	11 625	91.4	90.7	0	0.0	Yes	No
Slovenia	2 095 314	1 449	1 122	69.2	53.5	1 330	108.9	84.4	230	15.9	Yes	No
Spain (Total)	47 321 434	58 520	57 680	123.7	121.9	74 071	79.0	77.9	4 356	7.4	Yes	Yes
Spain (State Admin.)	39 798 838	50 129	49 436	126.0	124.2	64 514	77.7	76.6	2 931	5.8	Yes	Yes
Spain (Catalonia)	7 522 596	8 391	8 244	111.5	109.6	9 557	87.8	86.3	1 425	17.0	Yes	Yes
Sweden	10 322 613	6 719	7 000	65.1	69.5	6769 / 6888*	99.3	106.0	0	0.0	Yes	Yes
Switzerland	8 580 270	6 906	N.A.	80.5	N.A.	7 390	93.5	N.A.	N.A.	N.A.	N.A.	N.A.
Turkey	83 836 000	291 959	292 893	348.3	349.4	233 194	125.2	125.6	102 944	35.3	Yes	Yes
Ukraine	4 357 900			0.0								
UK: England & Wales	59 160 490	82 868	81 454	140.1	137.7	85 188	97.3	95.6	N.A.	N.A.	N.A.	N.A.
UK: Northern Ireland	1 908 250	1 506	1 402	78.9	73.5	2 294	65.6	61.1	118	7.8	No	Yes
UK: Scotland	5 500 000	8 142	7 359	148.0	133.8	8 499	95.8	86.6	0	0.0	Yes	Yes
Average				126.3	121.8		85.9	81.5		5.1		
Median				105.8	105.9		88.0	84.9		0.0		
Minimum				5.9	0.0		15.5	0.0		0.0		
Maximum				364.4	359.6		134.6	125.6		35.3		

Notes to Table 1

- The average and median values presented in this Table may differ from those presented in the text and Figures due to the number of member states included in the analyses. In this Table are considered every member state for which data are available, while in the text and figures are sometimes considered member states for which data are available simultaneously for more than one indicator.
- The prison population rate on 1st January 2020 relates to 1st October 2019 in Sweden.
- The prison population rate on 15th April 2020 relates to 1st April in France and Lithuania, to 3rd April in Latvia, and to 1st May in Sweden.
- (*) The capacity of penal institutions in Sweden was 6 769 places on 1st October 2019 and 6 888 on 1st May 2020, which are the dates of reference for the Swedish prison population in this Table.