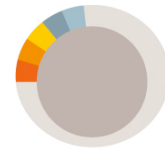


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Prisons during a pandemic

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It is not usual to recognize that the fate of disadvantaged groups should not remain in preparedness plans voids. And what does preparedness mean in prisons?

First we have to depict the population we are talking about. Our National Agency of Correctional Institutions manages the prison service, juvenile institutions, forensic psychiatric hospitals and detention centres.

During a flu pandemic we can roughly plan that 5 700 of our 19 000 personnel would be ill. Conversely, 5 400 of 18 000 prisoners would be suffer from flu due to a mutant strain. But the fact that the healthcare level in prison is not similar to those in the general population must be highlighted. Overcrowding, lack of hygiene and poor helthcare facilities are responsible for a spectacular intensity of communicable disease spreading. Thus maintaining a good health in prison is positive for the overall health level of a population.

The Netherlands has put pandemic preparedness as a key priority of its public health political agenda. We expect that in September 2009 80 % of organisations will be prepared to tackle a flu pandemic. Part of the followed method consisted in resorting to many scenarios. They have been elaborated by our ministries of interior affairs and health.

Many working groups have been held with representatives of administration departments and agencies. The ministry of justice has been deeply involved in discussions related to the specific population of prisoners. It is indeed a very vulnerable population. About 40 % of prisoners are in bad health condition, which is often due to alcohol, drugs or psychological problems. The general public is generally afraid of such people and is not prone to see them as vulnerable. Most of them are not murderers off course.

The fate of prisoners could reveal the state of preparedness of a society

Locking prisoners and taking care of them is the core job of prisons administration. It is entirely responsible for their safety, livelihood and healthcare. When the pandemic risk is mentioned, it raises many questions. Three problems are particularly essential:

- the equivalence of care;
- the balance of prisoners and society interests;
- the possibility of a “crisis after the pandemic crisis”.

Following the equivalence rule, prisoners should not have a reduced access to healthcare, as compared to the general population. It is said that a pandemic flu would cause a shortage in some essential resources. What priorities should then be set regarding access to such resources? If society gives up prisoners, some major consequences of such a choice must be made clear. As a great proportion of prisoners are in bad physical condition, an infection would easily spread among them. Moreover, what would be the attitude of hospitals towards ill prisoners, especially in ICUs? What sort of access would they get to respiratory aid facilities?

This last question brings forward the “prisoners vs. society” interests balance issue. Penitentiary institutions would suffer from a lack of personnel in a pandemic situation. What security level would be insured with about 30-50 % of staff members missing? Would the continuity of care be maintained? Prisoners rely entirely on the care which is given to them. They will be directly harmed by any institutional failure, not to mention a wide social disruption.

On the basis of what will have been done, or not, a crisis can appear after a pandemic event. Decision makers may face a wide inquiry. Has every necessary measure been taken to protect honest citizens against “the evil”? Has public administration complied with its duty to take care of prisoners? Such questions may indeed arise. They are deeply linked to the effectiveness of all preparedness measures states have devised to tackle the pandemic risk. It is very difficult to give a sharp shape to the “post crisis dilemma” as we obviously cannot predict everything. Of course we can be certain that we would be blamed for a dereliction of prisons during a pandemic event.

Betting on trust rather than suspicion

What are the key assets that can make preparedness successful? The vicious circle of trust disruption can be broken by an undisputed leadership, a relevant and careful communication and by accountability.

Undisputed leadership follows from the will to try to make the right decision, whatever happens. Communication should be honest, but necessarily careful in order to prevent social unrest. Last but not least, accountability is fundamental to insure that our democratic rules of justice are not dissolved by a state of deep public health crisis. Considering prisoners, a loss of freedom does not mean a greater risk to life.