



Panel I: Legal frame for the work with juveniles in the context of secure detention and in coercive/restrained settings

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Development of our sociological research Education, Childhood and Youth

- Juvenile practices : sports, entertainment, culture, festive practices
- Access to the labour market
- Public spaces, open environment
- Animation, community education (*education populaire*)
- Social work, prevention
- **European projects :**
- Daphné : non residential support for adolescents having a violent behaviour
- Euro mediterranean network for youth and social work

A new justice frame since 2002

- A new model of justice for minors far from the laws of 1945 (where adolescent was « irresponsable », the priority was given to the education)
- Law of 2002 = responsabilité pénale des mineurs, Abaissement de la majorité pénale à 10 ans, durcissement des sanctions
- The trend is : we protect the society
- Before we were protecting the minors

3 different types of institutions

- 1996 : Reinforced education centres (REC)
- 2002 : Closed education centres (CEC)
- 2007 : Correctional facilities for minors (EPM = établissements pénitentiaires pour mineurs)

Reinforced Education centres

- They followed the Units of reinforced educational supervision (UEER) created in 1996. They are set up by the Judicial Youth Care (PJJ), who can draft help from licensed associations (90 % are runned by NGOs).
- The first were **founded in 1996. In 2007 there were 69**, of which 7 were managed by the PJJ, the others by associative structures (sauvegarde de l'enfance = also social work, non residential support).
- **Admission criteria**
- Decided by a children's judge, an investigating judge for minor's affairs or the children's tribunal.

Reinforced Education centres

- **Missions**
- Take care, for 3 to 6 months, of juvenile multi-reoffenders in great difficulty or on a path to social dropout, recieved in small groups (8 minors maximum ; 8 adults)
- Create conditions of a break with their usual background and their prior situation = "séjours de rupture"
- Set up a permanent support of minors in daily life, enabeling them to acquire new rythm of life and get social references.
- Offering intensive activity programs, organised in sessions of three to six months depending on the projects, and an individualised educational support.
- Sports + Work + travelling + Daily life
- Evaluate the minor's situation for a better orientation.

Closed education centres (CEC)

- **Created in 2002** ; They are public or licensed private institutions, placed under the departmental direction of the PJJ.
- Intense public debate because the « totale institute » were closed in 1978 because they didn't work
- 8 à 10 minors 13 to 18 years old, 25 professionnels
- Facilities of the PJJ (with the educational placement structures)
- Decision ordered by a judge.

- **Missions**
- Receive for six months (renewable once) minors placed under judicial control or on probation and submitted to a reinforced educational and pedagogic support . (group of around 10 youths)
- Evaluate the sanitary, physical, mental, educational and professional situation of the minor and prepare a personalised educational project.
- Firmly, and daily control the minors, who can have absences of leave.
- Offer an intensive program of pedagogic and educational activities and a schooling adapted to their needs, given by teachers of the National Education Department.
- In case the minor absconds or doesn't respect his obligations, the youth can be incarcerated in a correctional facility for minors.

Closed education centres (CEC)

- Reinforced care, spread over three phases :
- - welcome and evaluation,
- - intensive pedagogic and educational activities (based on scolarisation, sanitary and psychological aspects, and sports)
- -and lastly the definite preparation of a project for social and professional insertion.
- At the end of the placement in a closed education centre, or in case of a revocation of the judicial control or the probation, at the end of the detention, the children's judge prescribes any necessary means ensuring the continuation of the educational care of the minor with a view to his lasting reintegration into society.

Correctional facility for minors (EPM) “établissements pénitentiaires pour mineurs”

- Correctional facilities reserved for juveniles aged 13 to 18.
- Created by the Orientation and programming law for justice of September 9th 2002 (Law Perben I) , the first facilities were opened in 2007-2008 in Lyon, Valenceiennes, Meaux, Toulouse, Mantes-la-Jolie, **Nantes**, and Marseille.
- Capacity limited to 60 minors in 10 place units. It's object is to concile sanction and educative action, therefor to place school, sports and cultural activities at the heart of the detention. Each minor is supported by an educator of the PJJ and a warden.
- Managed by the penitentiary administration, these facilities should offer a better place for educating and detaining delinquent minors. They function with educators from the PJJ, and are designed to house a maximum of 60 minors per centre, aged 13 to 18.

7 centers = 80 millions d'euros
(12 millions for each)



Etablissements pénitentiaires pour mineurs (EPM)

- EPM 7 centres créés en 2008
- 60 mineurs, par unités de 10
- En réalité 29 détenus
-
- Pas compensé par la fermeture de « quartiers mineurs » dans les centres de détention
- Baisse de moyens dans les foyers, le suivi éducatif en milieu ouvert
- Fermetures de foyers

Justice for minors : protection AND sanction

- Since 1945, special judge for minors, called « children judge »
- They see each year 200 000 minors
- 120 000 for « educative protection » : children in « danger » ; links with social work from the départements
- 80 000 for delinquency
- **Most of the time the delinquents were also protected before**
- « sometimes, we created this situation »

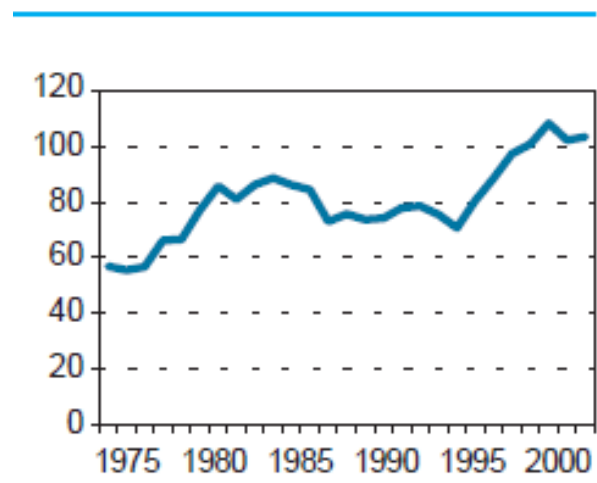
Target group : 13-18 ans

- 218 000 mineurs mis en cause par la police ; 20 % du total des personnes mises en cause
- 78 000 font l'objet de mesures alternatives, dont 9000 d'actions de réparation
- 83 000 sont présentés devant le juge
- 2000 en centre éducatif fermé ou en centre éducatif renforcé
- 3 500 (5 % des délinquants) passent en détention en une année (moins de 3 mois en moyenne) , dont **250 en établissement pénitentiaire pour mineurs**, les autres en quartier mineurs dans des maisons d'arrêt

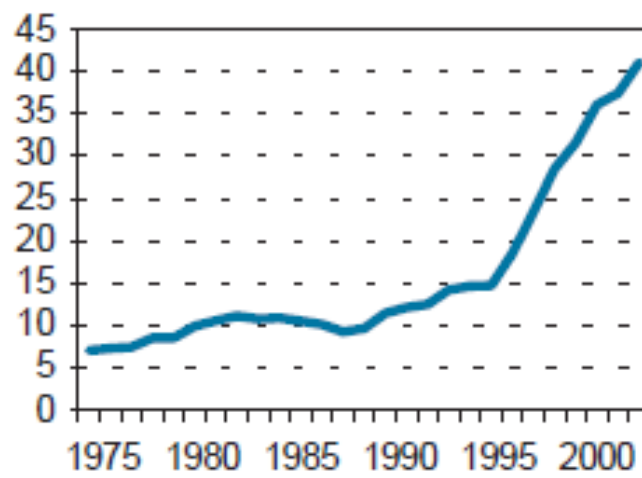
most common categories of problems or problematic cases

- Minors delinquency
- Atteintes aux biens : 59 %
- Atteintes aux personnes : 23 %
- Atteintes aux biens publics : %
- Drugs : 11 %

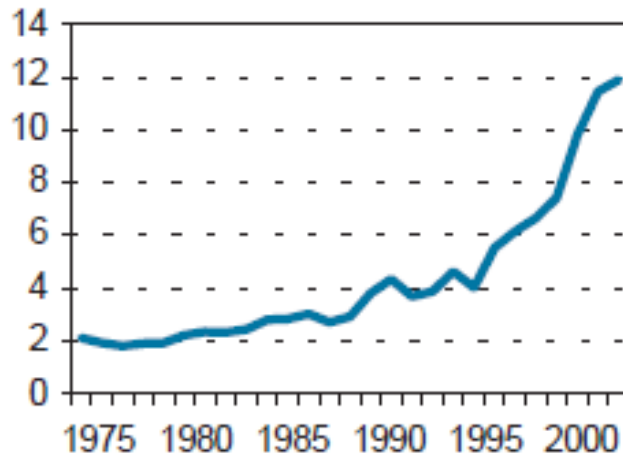
Mineurs mis en cause



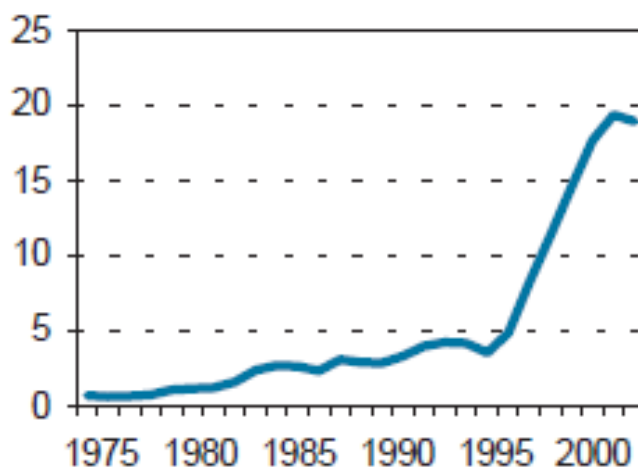
Victims with violence – (minors)



Infractions (without victim – minors)



Drugs affairs (minors)



Most common categories of problems or problematic cases

- Carences affectives, sociales
- Précarité économique
- Déscolarisation à 100 %
- Difficulté à identifier sa filiation
- Trouble du lien et de l'identité
- Rapport à la loi défaillant
- Plus de désir de vivre
- Prénance des jeunes de banlieue

Social objectives

- Concilier sanction et action éducative
- Activités scolaires, sportives et culturelles
- Encadrement de chaque mineur par un surveillant et un éducateur
- Renforcer la présence éducative

Quality standards

- Il existe des standards de qualité dans les établissements sociaux, mais les EPM sont des établissements de l'administration pénitentiaire

Procedure

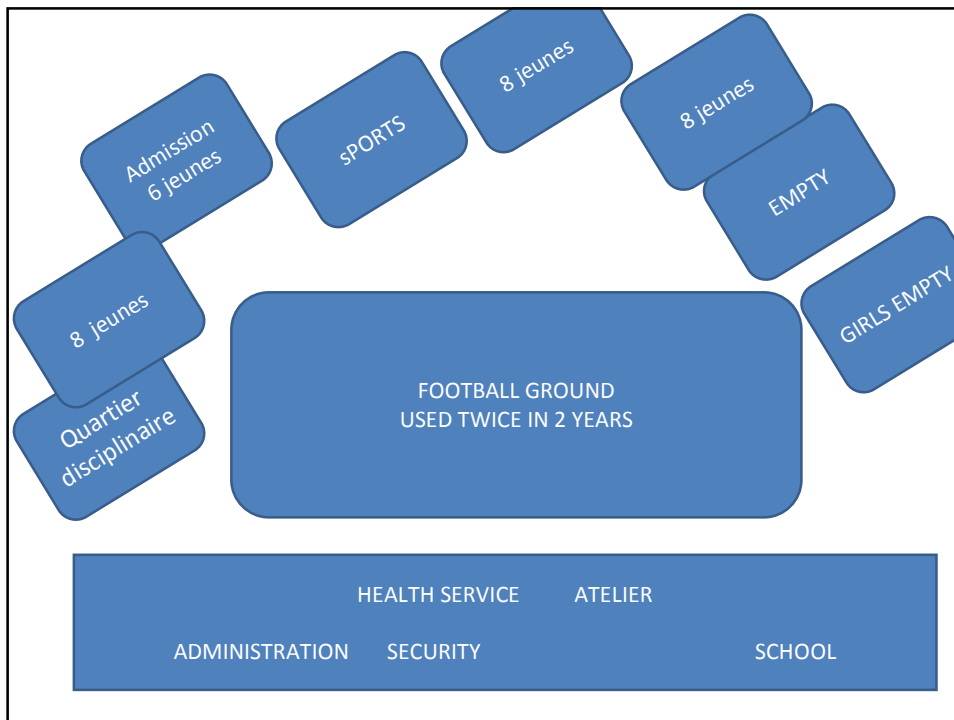
- Magistrate decide, on is own
- He hear the minor, the family, the educator (from justice or from social protection)

Duration of stay

- En moyenne 2 à 3 mois ; ensuite passent en CEF
- average of 2-3 months ; then go to CEC
- But MORE AND MORE CRIMINAL AFFAIRS
- « MORE AND MORE LONG » DURATION
- ONE YEAR ; AND A SECOND YEAR POSSIBLE ; then normal prison.

gap between the legal framework and field practice

- Sensé accueillir 60 détenus, dont des femmes
- Dans les faits maximum de 30, seulement des garçons
- Un terrain de football, inutilisé
- Architecture inadaptée (panoptisme)
- ABOUT THE MINOR, IS « ROOM », the outside
- In my mind : pacify outside, secure inside
- In the facts : no interiority, agressivity outside



RIGHT OF APPEAL

- Aménagements de peines possibles, audiences avec le juge sur place

Right of visit

- yes
- But true only for 30 % of the minors
- Despite an NGO can « house » the family for a longer stay for 8 euros / night

termination of secure detention or coercive/restrained setting prior to their expiration

- Possible
- Meeting with the « children judge » , the educator, the minor
- The measure may move according to the willing and the behaviour of the minor - sometimes

juvenile's rights with regards to leaving his room/cell

- School every morning
- Then they ask to the guardians, can move to the library (alone), sports (maximum 3 - 4 persons), « backyard » of 25 M2
- Always a guardian or an educator

Other relevant questions

- CEC REC : 75 % d'associatifs
- French specificity: place of the NGO
- Price / day
 - EPM : 600 to 1000 euros
 - minor area in prison : 400 to 500 euros
 - CEC : 500 to 600 euros

About price of public policies

- La France a multiplié par 3 le nombre de places en établissement de contention
- Et diminué de 27 % le nombre de mesures éducatives
- 6 foyers d'action éducative ont fermé dans ma région (- 311 000 euros)
- **La construction d'un EPM (12 millions d'euros) équivaut au fonctionnement de 6 foyers éducatifs de 10 places (60 places)+ 8 services d'insertion professionnelle (250 mineurs) + 10 services de milieu ouvert (soit 1500 mineurs) (from a syndicate)**

- Less and less possibilities in « foyers socio éducatifs »
- Youth doesn't participate to the measure
- La fugue faisait partie du droit des mineurs, et constitue une étape dans le parcours éducatif ; désormais elle peut être sanctionnée par l'emprisonnement



Panel II: Research

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Which kind of research

- Psychology, psychopathology
- Criminology
- Sociology
- Pedagogy, Philosophy

- Gap between research and social work
- Gap between researchers and practionners
(but new platforms from « socail affairs ministry »)

Topics in human and social sciences

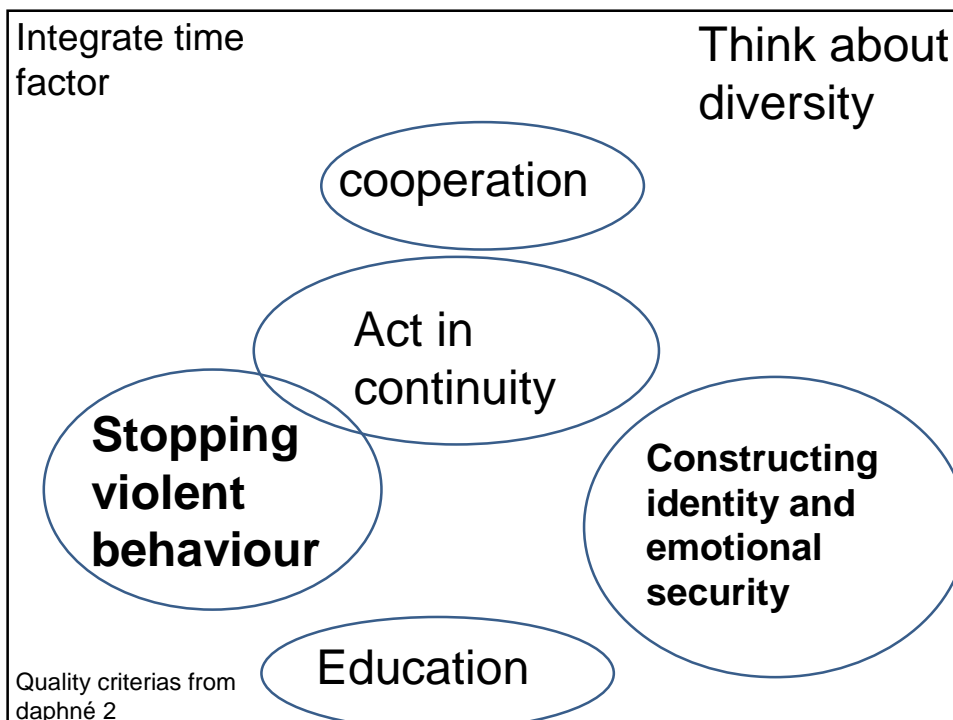
- Psychanalyse, systemic approach : less and less
- Subjectivation, Individuation séparation, différenciation
- Violence, empathie
- Education et contrainte
- addictologie
- Le lien, la relation éducative, l'autorité
- Dynamiques des groupes
Saupoudrage de modèles dans les formations initiales
- Inégalités sociales, banlieues, violences de groupes, intégration, discriminations ethniques
- Parentalité
- Déscolarisation
- Inversion des âges
- Image de la jeunesse
- Sentiment d'insécurité

Broad conclusions

- We mostly focus on responsibility
- The main problem is about identity (séparation – individuation, subjectivation, clarté de la filiation, construction de soi, reconnaissance)
- Another main problem is about affective security, psychic continuity
- L'enjeu est celui de l'intériorisation progressive de la contrainte, qui ne peut advenir sans le processus de séparation ni sans la sécurité affective
- Il est sans doute vain, pour nombre de mineurs, de construire durablement des « contraintes externes » si l'on ne travaille pas profondément à leur intériorisation
- Pas d'autorité sans lien, pas de liberté sans autorité
- We focus on the problem (violence, delinquent act) but not on the history of the person ; 70 – 80 % of recidive

Is there a **dialogue** in your country **between research and practice**

- We should increase cooperation between :
 - Social work
 - Justice
 - Health system
 - School system
- We should increase cooperation between researchers – practionners - minors and families
- We should increase dissemination of the research to the political representatives from different institutions, with local authorities (political leaders)



Stopping violent behaviour

- Construct a human wall
- Stopping the escalation
- Maintain stability in the long term (for young people AND for professionals)

Constructing identity and emotional security

- Prevent and build
- Don't only focus on problems
- Develop family ties and consolidate life experiences as part of identity
-
- Identify who is who and who does what
- Develop links with other systems
- Collectively analyse practice

Integrate time factor

- Early detection
- Anticipation
- Help plan with regular review
- Dynamic approach
- Fast reaction time
- Anticipate unexpected reactions

Think about diversity

- Of situations
- Of cycles of violent behaviour
- Of genders
- Of families
- Of help plans
- Of positive experiences
- Of family mentors
- Of mentors connected to the family : leisure professionals (animateurs, professional world (labour market)
- Of professional help systems (justice, social, health, education)

Education

- Of professionals
- Of parents
- Informing the young person and parents
- Participation the young person and parents in decision making
- Continuous assessment

Act in continuity

- for location and time
- for psychological and emotional continuity
- For relationships
- Family, (construct social networks before problems arise)
- Leisure professionals (animateur)
- Peer groups
- employers
- for personal projects
- to anticipate unexpected reactions

Who finances research

- Europe
- Research ministry
- Social affairs ministry
- Justice ministry