

P R I
INSIDER
S O N

Training needs assessment report of civilian prison staff in France

Report produced by Prison Insider in the framework of
"Boosting Competences in Penitentiary Staff in Europe"

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Foreword – about the methodology

Prison Insider is an association under French law which aims to inform about the conditions of detention in the world.

Prison Insider's methodology to collect and make accessible information from different countries has undergone a quality-control process funded by the Council of Europe, with several experts. The collection of data relies on a set of questions developed around the standards of the main international texts on detention: the Nelson Mandela Rules (United Nations) and European Prison Rules (Council of Europe). Other texts are also taken into account: the Bangkok Rules (treatment of women prisoners), Beijing Rules (juvenile justice), Yogyakarta Principles (gender identity), Istanbul Protocol (torture) and the Convention against Torture.

Prison Insider identifies several contacts in each country, based on their specific expertise, to address them sets of questions. Prison Insider then cross-references, verifies and harmonises this information to produce the information: Country profiles, comparative studies, testimonials, interviews, etc. Prison Insider promotes a collaborative approach toward information, inviting participation from anyone with relevant information to share. Everyone can take responsibility for the detention conditions of their fellow citizens.

Prison Insider understands the present report as a circumstantial inventory of the training of prison staff and the situation of foreign prisoners.

For the purposes of this report, Prison Insider has extended the research beyond its already available knowledge through a targeted literature search. The organisation then collected the views of people with proven expertise on the issue (prison officials, officials in an association working with foreigners, staff training officers) in order to contextualise the raw data collected. These four semi-directive interviews were conducted by telephone and lasted between one and three hours each. The present research also made use of articles, reports and books which, while not extremely contemporary, nevertheless provided current and relevant insights.

The subject of the report is a touchy issue in France, and Prison Insider wished for interviewees to be able to express their views as freely as possible. We have chosen therefore to report quotes following the Chatham house rules, i.e. abstaining from attributing these quotes to specific individuals.

This document does not claim to be exhaustive. It is a still photograph and a succinct inventory of the situation with regards to the subject at hand. An in-depth study by researchers in the social sciences and humanities could be relevant to complete this overview with comprehensive, ethnographic approaches, based on quantitative and qualitative data collection and observation sessions.

1. Prison Demographics

1.1. Foreign prisoners

On 1st April 2020, there were 65,300 people incarcerated in French prisons¹. Among them, there were 15,386 foreigners: 7,817 from Africa, 5,246 from Europe, 1,435 from Americas, 807 from Asia and 6 from Oceania. There were also 75 persons of unknown nationality.²

As of April 2020, the proportion of foreign prisoners represents 23.6% of the total prison population³. Between January 1, 2020 and April 1, 2020, the number of foreign prisoners decreased from 16,398 to 15,386, a decrease of 6%. This movement is partly explained by the health measures taken during the Covid-19 epidemic⁴. These measures had consequences for the entire prison population.

Certain political movements and public figures make a connection⁵ between the over-representation of foreigners in detention with their alleged high level of delinquency. Although this connection is contradicted by social science research, such statements tend to maintain a form of confusion between the legal *situation of foreign prisoners and a cultural diversity reading*.

The **legal** dimension refers to the nationality of origin. Anyone who does not possess French nationality on French soil is considered a foreigner. This situation implies obligations for the host country, such as access to diplomatic representation, the issue of a hypothetical deportation, translation services in specific contexts, etc.

The **cultural** dimension implies the study of differentiated management of 'culturally diverse' incarcerated persons, implying a set of references (cultural, linguistic, dietary, religious) that are different from those presented as the majority within the country in question. Whether or not related to a migration context, these references cannot be legally established nor directly linked to a particular nationality.

This document will develop only the first dimension, which is legally founded and implies obligations for France.

1.2. The statistics in question

The French law "Informatique et libertés" of January 1978 prohibits the "collection or processing of personal data that reveal, directly or indirectly, the racial or ethnic origins, political, philosophical or religious opinions or trade union membership of individuals, or that relate to their health or sex life". The principle was reaffirmed by the Constitutional Council, in its 15 November 2007 decision on the law on immigration control, integration

¹ http://www.justice.gouv.fr/art_pix/Trim_2004.pdf , p.2

² http://www.justice.gouv.fr/art_pix/Trim_2004.pdf , p.7

³ ³ http://www.justice.gouv.fr/art_pix/Trim_2004.pdf , p.7

⁴ See : Prison Insider, [La fièvre des prisons](#) (online, as consulted on 28 September 2020)

⁵ https://www.francetvinfo.fr/replay-radio/le-vrai-du-faux/les-etrangers-sont-ils-surrepresentes-en-prison-comme-l-affirment-marion-marechal-et-eric-ciotti_4094393.html

and asylum⁶. The decision stated that the definition of an "ethno-racial reference frame" would be contrary to the Constitution.

The French National Institute for Statistics and Economic Studies (INSEE)⁷ and ministerial statistical services are allowed to measure the diversity of people's origins based on a collection of data that is (1) objective, such as name, geographical origin or nationality prior to French nationality; (2) subjective, relating to the sense of belonging. So-called "ethnic" statistics are therefore subject to strong control. Four levels of control can be distinguished, as the sociologist and demographer François Héran explains in an article⁸ in *Le Monde*:

- the **nominative files** of administrations and companies, in which it is strictly forbidden to collect ethnic statistics;
- the **French population census**, which contains a question on the country of birth and the previous nationality of individuals;
- the **major regular surveys** conducted by INSEE and the National Institute for Demographic Studies (INED), which go back a generation and ask for the country of birth and the nationality of the respondents' parents;
- lastly, the **major research surveys on sensitive subjects**, particularly those by INSEE or INED, whose object of study justifies asking sensitive questions, provided that "strict technical and legal guarantees are provided".

In prison, the number of incarcerated people whose nationality is other than French is available. It is recorded each year in the *Key Figures* and *Quarterly Statistics* published by the prison administration. In accordance with the law in force, it is forbidden to record French persons with foreign background, or persons of a particular religion.

"This is where it gets complicated: evaluating the number of people of this or that nationality is easy; but on the other hand, it is impossible to evaluate the number of prisoners of a foreign culture, for example from this or that immigration background. In France, it is forbidden to document this, it is forbidden to ask for the religion of any given person. There are no ethnic statistics. In France, it is impossible to say the number of Muslim prisoners." *Comment of one of the contributors to the research.*

1.3. A fluid context

The proportion of foreign prisoners in France is lower than in neighbouring Italy (32.5%), Switzerland (71.7%), Spain (28.1%) or Belgium (44%). These figures should however not be compared directly and can be explained in various ways, since the naturalisation rules and procedures vary greatly from one country to another.

⁶ See: <https://www.conseil-constitutionnel.fr/decision/2007/2007557DC.htm>

⁷ See: <https://www.insee.fr/fr/information/2108548>

⁸ https://www.lemonde.fr/les-decodeurs/article/2019/03/19/la-difficile-utilisation-des-statistiques-ethniques-en-france_5438453_4355770.html

Marcelo Aebi, from the University of Lausanne and responsible for the annual penal statistics of the Council of Europe (SPACE) explains the situation in Switzerland⁹: "Nearly three out of ten inhabitants are foreigners who reside legally in the country and who, in the eyes of the law, have the same rights and duties as the indigenous population. This clarification is necessary in order to explain the statistics of the prison population and to avoid falling into the trap of populist discourse and speculation".



In France

Reports from prison officials suggest that there might be a considerable proportion of prisoners living according to cultural norms other than Western European. The definition of "western cultural norms" is however not a matter of consensus, and it is anyhow impossible, as explained above, to have any data on the issue.

In France, once placed in detention, foreign prisoners are not evenly distributed throughout the country. It appears that most of them are taken to prisons in large urban centers, close to the place where they are arrested. These cities are known to be close to the transit points of migration routes. Prisoners are mostly held in remand prisons, establishments dedicated to people awaiting trial and short sentences. For example, the Fleury-Mérogis prison in France houses 3,000 inmates, many of whom are foreigners. All prisoners arrested in Paris, yet who cannot justify accommodation in Paris, are incarcerated there. The others are assigned to the Prison de la Santé. The court of Bobigny is one of the country's most important in terms of cases handled. It is located in a suburban Paris town associated to Roissy Charles de Gaulle Airport. An annex of the High Court situation is actually situated within the airport itself, a controversial issue denounced¹⁰ by lawyers and the Defender of Rights.

In the French overseas territories, the situation is described as "alarming"¹¹, with a very high number of undocumented migrant prisoners. The proportion of foreign prisoners in penitentiary facilities in French Guyana and Mayotte is significant (for French Guyana, many pre-trial or remand prisoners are from Brazil, Surinam, Guyana; for Mayotte, the foreigners are essentially Comorians).

⁹ https://www.swissinfo.ch/fre/-vivreensuisse_pourquoi-en-suisse-7-prisonniers-sur-10-sont-ils-%C3%A9trangers-/44900836

¹⁰ <https://www.defenseurdesdroits.fr/fr/communiqu%C3%A9-de-presse/2017/10/ouverture-dune-annexe-du-tribunal-de-grande-instance-de-bobigny-a>

¹¹ See: <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000034921230/>

1.4. Daily life and preparation for release of foreign prisoners

Day after day.

In prison, foreign prisoners are not the only ones concerned by very precarious social situations. They however are particularly subject to additional difficulties such as indigence, illiteracy, poor health and emotional isolation. These come in addition to other forms of discrimination observed in detention. A 2004 report¹² by the National Human Rights Consultation Commission (CNCDH) provides a detailed description of the difficulties faced by foreign prisoners. In many respects, their situation has not changed much.

Prisoners of foreign nationality can make phone calls in their country to a list of authorised persons, and at their own expense. They are often discriminated against in access to work, sentence accommodation and maintaining family ties.

The law stipulates that the courts and the penitentiary administration must provide all the necessary information to inmates in a language they can understand. In practice, the use of translation or interpreters is quite rare. It is a fact that many inmates register for French foreign language (FLE) lessons in detention. It is usually one of the most sought-after classes in prison.

The vulnerability of foreign prisoners is increased by difficulties mastering the French language. The French language, spoken and written, is essential to assert their rights in France and in prison. Foreign prisoners are very often in the situation of dealing with a language that they have poor or insufficient command of (oral and written). This puts them in a situation of extreme vulnerability.

Any request for health care must be accompanied by a letter addressed to the doctor, in which case foreign prisoners find themselves in difficulty. The use of an interpreter by an approved and neutral person is only very rarely provided. It is extremely costly and prison officials do not make much use of it.

The result is a situation of vulnerability and isolation that applies to many aspects of life in detention that follow the same procedure, which is sometimes impossible to achieve: access to activities, work and prison integration and probation services in particular. This isolation is reinforced by geographical location: Since access to the telephone is allowed within the usual working hours of mainland France, maintaining family ties can be hindered by a possible time difference.

The day after.

The monitoring of foreign prisoners by Prison Rehabilitation and Probation Services is complex, with inauspicious contexts and few opportunities for the construction of a personal project. Foreign prisoners may be additionally faced with the challenge of irregular resident status, effectively hindering their access to social rights. The

¹² https://www.cncdh.fr/sites/default/files/04.11.18_etude_sur_les_etrangers_detenus.pdf

Rehabilitation and Probation Services have to deal with uncertain conditions and a specific right for release of foreigners, which is constantly evolving.

The challenge of residence status is added to the difficult daily life of the prison. Imprisonment is an obstacle to undertake any procedure, and the process can become impossible: in order to apply for a residence permit, compulsory appointments at the prefecture are to be organised. Prisoners must apply for leave in advance, which is often not granted. Interviews for asylum seekers can now be organized from within the prisons, through audio-visual means of communication. This entails numerous difficulties: confidentiality, establishing trust, interpretation, etc. People who are subject to an obligation to leave French territory benefit from an appeal period of only 48 hours, even though the procedures, from detention onwards, are complex and can take much longer.

Prison probation and rehabilitation services are called to deal with all prisoners, both those serving sentence behind bars and those executing a sentence or part of their sentence in the community. Since these services are severely understaffed, they focus in priority on those serving in the community and those executing long sentence. This allows them to set up the necessary administrative processes that are time-consuming, and to accompany them in the execution of their sentence. Foreign prisoners are subject to important administrative obstacles and are less prone to benefiting from sentence adjustments. Their release is quite frequently followed by an order of deportation.

In 2004, the National Consultative Commission on Human Rights (CNCDH) expressed the need for a specific training of the probation and rehabilitation services (SPIP) on this matter. It called for the creation of a "specific module on foreigners, with the aim of teaching them [the SPIP] the main legislative provisions concerning them and their rights in prison". It also encouraged the continuing education of prison staff. The CNCDH specified¹³: "Medical personnel working in detention also have a particularly important role to play with foreign national incarcerated persons, which also leads to the need for specific training of the staff in foreign national law and awareness of the inter-cultural approach".

¹³ https://www.cncdh.fr/sites/default/files/04.11.18_etude_sur_les_etrangers_detenus.pdf

2. Organisation of the penitentiary system

The Ministry of Justice is in charge of the prison service (*Administration pénitentiaire, AP*).

The prison service is composed of a central administration (*Direction de l'administration pénitentiaire, DAP*), provincial directions (*Directions interrégionales des services pénitentiaires, DISP*) in metropolitan and overseas regions (Outre-Mer), a public company employing inmates (*Service de l'emploi pénitentiaire, SEP*) and a national school for penitentiary administration (*Ecole nationale de l'administration pénitentiaire, ENAP*). Each local administration has furthermore its own probation and rehabilitation services (*Services pénitentiaires d'insertion et de probation, SPIP*).

There are three main types of detention centres:

- **remand prisons** (*maisons d'arrêt, (MA)*) for people waiting for their trial court date, or for those convicted with short sentences (up to two years);
- **detention centres** (*centres de détention, (CD)*) for people serving medium and long sentences, with a prison regime focused on preparation for release;
- **maximum security prisons** (*maisons centrales, (MC)*), for long-term sentences with a stricter prison regime.

The detention regime in prisons can either be:

- open, the prisoners being free to circulate between cells and workshops
- semi-open, the cells being unlocked for several hours a day,
- or closed, the prisoners being constantly locked in their cells.

Parole centers also host people sentenced to semi-liberty or finishing their sentence. These are free to move during the day. Inmates are often engaged in education, professional activities or training.

France has 185 penitentiary facilities and 61,080 places.¹⁴ Capacity varies considerably from one establishment to another (Montluçon prison, 16 places; Fleury-Mérogis prison: almost 3,000 places). This disparity in fact leads to a variety of situations and problems, with territorial differences that would need to be further explored. From one facility to another, certain problems will be more or less acute, in proportions, recurrences and emergencies that will vary greatly.

¹⁴ See: <https://www.prison-insider.com/en/countryprofile/france-2020-5e9db31082af2?s=vue-d-ensemble>

3. Penitentiary staff

3.1. Staff in status

Prison Guards / *Surveillants*

Role and perspectives. The role of the supervisors is to "take care of the persons entrusted by the judicial authorities, ensure their custody and supervision and participate in the reintegration mission". Several levels of responsibility may be entrusted to them and their functions may evolve towards supervisory missions (first supervisor, brigadier supervisor, major, lieutenant, etc.). They may be called upon to perform the duties of facility directors in prisons with less than 200 places. These changes may result from validation of skills, internal competitions or professional examinations.

Access. The conditions of access are:

- To hold a college certificate or an equivalent and recognised title/diploma,
- To be at least 18 years of age and no more than 45 years of age on 1 January of the year of the competition,
- To have French nationality,
- To enjoy his/her civil rights,
- To not have been convicted of any offence incompatible with the performance of the duties of a prison guard,
- To meet certain physical conditions.

After admission, the statutory training period for prison guards is set at 18 months. It includes two probationary periods:

- a six-month initial training¹⁵ period in the form of courses (prison law, knowledge of the populations under care, stress management, intervention techniques) as a student guard and practical training in a prison facility.
- an internship period of 12 months as a trainee guard

In 2018, the length of training for supervisors has decreased from eight months to six months¹⁶.

Chief custody officers / *Lieutenants pénitentiaires*

Roles and perspectives. Chief custody officers command the members of the guards and enforcement corps. They perform the functions of head of detention or head of a service. They coordinate the implementation of the policy defined by the head of establishment, "*within the framework of the enforcement of criminal decisions and sentences and the maintenance of the general security of the establishment*".

¹⁵ <http://www.enap.justice.fr/la-formation-des-surveillants-penitentiaires>

¹⁶ After the 196th class of ENAP: <https://www.enap.justice.fr/entrees-en-formation/> / <https://www.enap.justice.fr/entree-en-formation-de-la-197eme-promotion-de-surveillants>

Assignment to any other department of the prison administration is possible. They may subsequently become head of establishment or deputy head of establishment, either in remand prisons or in detention centres with a capacity of up to 200 places.

Access. The conditions of access are:

- being a French national;
- enjoying one's civil rights;
- not having been convicted of a crime incompatible with the exercise of the duties of a chief custody officer;
- meeting certain medical conditions

Two competitive examinations are possible:

- External: open to holders of a BAC +2 or equivalent diploma, aged 40 or less on 1st January of the year of the competition.
- Internal: Open to civil servants with 4 years of service.

Training. Training¹⁷ at ENAP is divided into theoretical courses, including knowledge of the populations being treated, stress management and intervention techniques. The second stage consists of internships in penal institutions. The entire training course lasts two years.

Probation & rehabilitation counsellors / *Conseiller pénitentiaire d'insertion et de probation (CPIP)*

Roles and perspectives. The CPIP works within the prison probation and rehabilitation services (SPIP) (SPIP), both with persons serving their sentence behind bars or within the community. They are mandated "from the judicial authorities for alternative measures to prosecution, pre-sentence or post-sentence".

In a closed environment (within detention), the CPIP accompanies the incarcerated person in the execution of his/her sentence. In the community, it intervenes within the framework of a judicial warrant. Its task is to help the convicted person understand his sentence and ensure that the obligations imposed on him are respected. CPIPs can be appointed as directors of the Prison probation and rehabilitation services (SPIP).

Access. Four competitive examinations can grant access to this function:

- External competitive examination based on a test: open to holders of a BAC +2 or a diploma recognised as equivalent by a commission;
- Competitive external examination on the basis of qualifications: open to holders of a BAC +2 in the social or educational fields or a qualification recognised as equivalent by a commission;
- Internal competition based on a test: open to civil servants and employees of the State and its public institutions, local authorities and its public institutions, the hospital civil service, the military and employees working in an international intergovernmental organisation who have completed four years of public service;

¹⁷ <http://www.enap.justice.fr/la-formation-des-lieutenants-penitentiaires>

- Competitive entrance examination: open to persons who have been employed for at least five years during the last 10 years in one or more of the activities laid down by the law of 11 January 1984.

Training. Training is carried out at ENAP over a period of two years. It is divided between theoretical training (law, psychiatry, criminology) and internships in different structures such as prisons, courts or associations.¹⁸

Prison Directorate of Probation and Rehabilitation / *Direction des services pénitentiaires d'insertion et de probation*

Roles and perspectives. The Prison Director of probation and rehabilitation supervises the organisation and functioning of the prison probation and rehabilitation services. He implements and "*evaluates the policy for the prevention of recidivism and the reintegration of persons entrusted by the judicial authority.*" He coordinates the teams under its authority: CPIP, administrative staff, supervisory staff, psychologists, social workers, cultural coordinators. He is required to carry out his duties in various facilities.

Access. Access is possible by competition, professional examination, or by selection.

Competitive examinations:

- External: open to holders of a BAC +3 or a diploma recognised as equivalent;
- Internal: open to permanent employees of the State, local authorities or public institutions that depend on them and who have at least 4 years of public service.

Examination: open to CPIPs having completed at least four years of actual service By selection:

- Among the first-grade prison probation and rehabilitation counsellors who have completed at least six years of effective service in this corps and who have at least one year of seniority in the 3rd step;
- Among the probation and rehabilitation counsellors of exceptional class who have completed at least six years of effective service in the corps and who have at least one year's seniority in the third grade;
- Among the directors of the probation and rehabilitation services of the Ministry of Justice who, on 1 January of the year in which the appointments are made, have reached at least the 4th step of their grade and have completed at least ten years of effective service in the corps of Prison probation and rehabilitation counsellors or director of probation and rehabilitation services.

Training. After admission, the training takes place at ENAP over a period of one year. The training is divided into theoretical courses (law, management, human resources, etc.) and internships in various structures such as prisons, inter-regional directorates, criminal courts or local authorities.¹⁹

Directorate of penitentiary services / *Direction des services pénitentiaires*

¹⁸ See: <https://www.enap.justice.fr/conseiller-penitentiaire-dinsertion-et-probation>

¹⁹ See: <https://www.enap.justice.fr/directeur-penitentiaire-dinsertion-et-probation>

Roles and perspectives. The Director of penitentiary services implements the policy defined for the care of persons in the hands of the justice system. To this end, he or she performs several functions of direction, supervision, design, expertise and control of the institutions, districts and services of the prison administration. He or she may also be required to perform these functions at the central administration level. They may accede to the functions of inter-regional director and functional director of prison services.

Access. There are two competitive examinations for access to this function:

- External: open to holders of one of the diplomas required for the first competitive entrance examination to ENA, i.e. BAC+3, aged 45 or less on 1 January of the year of the examination.
- Internal: open to civil servants and employees of the State, local authorities and public institutions that depend on them, military personnel and employees of international organisations with four years of public service.

Training. Training takes place at ENAP over a period of two years, alternating theoretical courses and practical training. The first year of training focuses on the development of several skills such as management, human, economic, budgetary and financial resource management, and the piloting and implementation of policies for dealing with persons placed under the jurisdiction of the courts.²⁰

Registry staff / Greffe

Roles and perspectives. The registrar is the guardian of the procedure and the authenticity of the documents. He ensures the "*legality of the detention of prisoners and monitors their penal situation until their actual release*". The registrar also implements and monitors the decisions taken by the sentence enforcement judge or the sentence enforcement commission, prepares the sentence enforcement commissions, draws up files, organises and implements formalities and procedures. The registrar's duties may evolve towards management as head of the registry, deputy head of registry, head of department, "*expert within departments specialised in the handling of technical disputes or certain legal proceedings*".

Access. There are two competitions for this position:

1. External: open to holders of a minimum of two years of higher education;
2. Internal: open to civil servants or public officials with 4 years of public service.

Training. Training takes place at the National school of prison registry located in Dijon²¹. It lasts 18 months and consists of theoretical courses, role-playing and internships in the courts.²²

²⁰ See: <https://www.enap.justice.fr/directeur-des-services-penitentiaires>

²¹ See: <https://www.fonction-publique.gouv.fr/greffiergreffier-penitentiaire>

²² See: <http://www.metiers.justice.gouv.fr/greffier-12565/>

3.2. Staff training: overview

On 1st of January 2019, the prison service employed 41,162 staff including 29,289 custodial staff.²³ The total number of probation officers is 4,209.²⁴ The detail of repartition by service is available as of January 2018²⁵.

The prison guards are represented by several unions. On the 2018 professional elections, the largest ones were the penitentiary federal autonomous union (*Union fédérale autonome pénitentiaire, UFAP-UNSa*), the penitentiary labour force (*Force ouvrière pénitentiaire, FO*), followed by the penitentiary general confederation of labour (*Confédération générale du travail pénitentiaire, CGT*).²⁶

All penitentiary staff are trained at the National School of Penitentiary Administration located in Agen. The training is divided into four units, each of which is intended for a specific trade (training for directors, training for first guards and lieutenants, training for probation and rehabilitation counsellors, training for guards). They share a common core of teaching, with variable volumes of teaching hours depending on the responsibilities they are called upon to assume. The training provided focuses on professionalization, practical knowledge and role-playing. It differs from purely theoretical or university education.

In the framework of this document, we have chosen to focus on prison guards and CPIPs.

Training at ENAP is structured into five thematic departments:

1. Safety (DS).
The department aims to train agents in intervention and security. The training focuses on different techniques such as handcuffing, searches, the use of new weapons such as the electric pistol and first aid for surveillance personnel (SIPS).
2. Prison Registry and computer applications (DGPAI)
The department is divided into two poles. The IT applications centre is responsible for training and supporting agents in the use of software such as GENESIS and management tools. With the registry centre, the agents follow a sandwich course on "registry profile" posts. Registry training courses are also

²³ See: http://wp.unil.ch/space/files/2020/04/200405_FinalReport_SPACE_I_2019.pdf, p. 81.

²⁴ See: http://wp.unil.ch/space/files/2020/06/SPACE-II_Final_report_2019_200610.pdf, p. 85

²⁵ "40,738 staff as of 1 January 2018, including:

- 542 directorate staff (including functional directorate of penitentiary services, not including students and interns, not including provincial region directorate – *direction interrégionale*)
- 28,561 prison guards (guards, senior officers, officers, including interns, not including students)
- 4,112 SPIP staff (not including students and interns)
- 5,309 administrative staff
- 701 technical staff
- 1,513 others (contract workers, chaplains, etc.)
- 240 ENAP staff

The SPACE report lists qualified (75.6%) and unqualified (24.4%) officers. It is unclear what this encompasses in the French penitentiary system. The prison administration stated, in its *2018 Key Figures*, that the total number of probation workers was 4,112.

²⁶ See: <https://www.prison-insider.com/fichepays/france-2020-5e9db31082af2?s=vue-d-ensemble#vue-d-ensemble>

carried out either off-site or in collaboration with the other schools of the Ministry of Justice.

3. Management and administration (DGM)

The department is in charge of designing the pedagogical programmes, for each profession, in the field of management. It sets up training sessions so that everyone can build their professional positioning. For example, management training related to EPR is provided to prison lieutenants.

4. Probation and Criminology (CPD)

The department aims to train officers in the fields of probation, criminological assessment and individual and collective safety. Four themes, including the characteristics of the users of the public prison service, are addressed in a didactic or situational approach.

5. Law and public service (DDSP)

The department makes available, via the Moodénap platform, various modules containing the legal content required for training. It ensures that these modules are up to date and professional. Teaching on deontology and the prevention of risks of corruption, as well as on professional ethics, has recently been rolled out.

3.3. Focus on foreign prisoners in training courses

This aspect does not seem to be specifically addressed, neither in the training of probation and rehabilitation counsellors nor of guards, other than a two-hour awareness raising session.

Approaches based on social science were developed when the National Prison Intelligence Service (SNRP) was created. The latter, which reports to the director of the prison administration, does not however majorly employ staff trained at the ENAP. The skills and knowledge are, as some critics have pointed out, mobilised solely towards the fight against radicalisation. Others, among the staff, question the impact of the intelligence and anti-radicalisation angle on the interactions between guards and prisoners: "*What about the daily interactions between staff and prisoners? I think the repercussions have not been anticipated*"²⁷. A few years ago, the training curriculum at ENAP approached the issue of religious through the prism of secularism (*laïcité*). This approach has been totally abandoned and has given way to a logic of identifying "*religious phenomena*" and the "*mechanisms of influence*" of some prisoners over others. An approach of holistic understanding has been replaced by a perceived risk-assessment approach.

²⁷ See: <https://oip.org/analyse/4608/>

4. Staff training

4.1. Guards

The ENAP custodial officers' class of February 2020 included 433 candidates, on average 29 years old.²⁸ Men are narrowly more numerous, although more young women engaged than young men. A quarter of them originated from ultramarine regions and 16 % from Paris region. Six tenths of them were single.

Most of the candidates graduated from high school (*baccalauréat*) but only 6 % obtained a bachelor (3 years) academic degree. A third of them has already been employed in public or private security sectors. The main reason invoked for joining the prison service as guards was the job security and the opportunity of promotion to officer ranks.

The prison administration is seeking to recruit a large number of prison guards. Training has been shortened from eight to six months in 2018. This decision, formulated by the Ministry of Justice, was intended to halt the decline in numbers and meet the demand. In response, ENAP was called to absorb more and more promotions and enhance the value of the trade. The difficult working conditions are hardly compensated by an attractive salary. Defective recruitment methods are pointed out: young graduates are sent to the four corners of France and frequently transferred).

In this tense context, massive recruitments have to be in line with reduced training times and must focus on the one issue that is considered to be of prime importance: safety. Prison guards assigned to remand prisons must work in an environment of prison overcrowding, idleness and permanent tension. Under these conditions, it is difficult for them to be involved in rehabilitation as planned. It appears that this role can only be fulfilled in other contexts (small structures, other detention regimes).

The training therefore puts the guards in front of a paradoxical injunction: ensure security and prevent recidivism. While prevention would entail more dialog with the prisoner, which is in contradiction with the lack of time and amount of tasks that is required to be done.

In practice, the prison guard training focuses mainly on practical management aspects, which are taught quite summarily. A simulation building on the ENAP compound is used to rehearse professional gestures such as: how to safely open a cell, how to manage the transit of prisoners within the facility, how to carry out a search, etc. The guards will be expected to put these gestures in practice very early in their career. Some people affirm that interns are often required to execute these tasks in real prison context, very early on in their internship, with little or no supervision. The internship period is said to already be largely used as working time.

²⁸ See: https://www.enap.justice.fr/sites/default/files/sociodemo_svt204.pdf

4.2. Probation and rehabilitation counsellors (CPIP)

The ENAP probation officers' (CPIP) class of September 2019 included 261 candidates, on average 30,4 years ²⁹3/4. Three quarters of the candidates are women. One fifth are from Paris region. Six tenths of them were single.

Two thirds of the candidates had been selected on open competition and a third through internal selection and were already members of the administration. The vast majority had at least a bachelor's degree (usually in law). Many invoked their interest in human relationships to explain why they joined. Many professionally aspired to become director at some point in their career or to pass other public service competitions.

Over the last ten years, the training of the CPIPs has been refocused on criminology and methods of risk-assessment. The teaching now emphasises evaluation by evidence, the act of committing an offence and the prevention of recidivism.

This "change of profession" presented by some people has contributed to reorienting the curriculum: decrease or suppression of training courses by the Gisti (*Groupe d'information et de soutien des immigrés*), of social work and social rights approaches. An important part of the training now consists of professional role-playing, through apprenticeship. This means that territorial disparities will have very different impact of the trainees' work reflexes: depending on their place of employment, they will have been in contact with very different realities: Trainees in a small prison with few foreign prisoners will not have acquired the professional reflexes necessary to be assigned to Fleury-Mérogis prison, for instance.

There does not seem to be any evidence of a solid targeted approach towards foreign national prisoners. The brief time previously allocated to the issue, albeit in a very generalist approach, has been abandoned. In detention, issues relating to rights are handled by the Rights Access Point (PAD), whenever one exists in the facility. The PAD work is handled by external actors (legal and administrative staff) in partnership with the prison administration.³⁰

Most efforts focus on sentence adjustments, which are hampered by the many difficulties encountered by foreign prisoners. Probation and rehabilitation counsellors seem to have little knowledge of the situation of foreigners in France. They indicate that they have no leverage to act on matters related to the person's host country. The vast majority of sentence adjustments consist of conditional releases and deportation.

²⁹ See: https://www.enap.justice.fr/sites/default/files/sociodemo_cpip24.pdf

³⁰ See: <http://www.justice.gouv.fr/actualite-du-ministere-10030/les-points-d-acces-au-droit-en-etablisements-penitentiaires-16252.html>

4.3. About cultural diversity

The ENAP offers training on cultural diversity and interculturality which may concern some foreign national prisoners in the daily life of detention.

Prison guards follow a short course on cultural diversity. This two-hour course aims at raising awareness about stereotypes and discrimination. The aim is to raise awareness on the diversity of cultural norms that they may encounter.

The training on interculturality for **probation and rehabilitation counsellors** (CPIPs) is said to be more in-depth, mobilising anthropological approaches.

4.4. External support

In conclusion, sources interviewed as well as bibliographical sources converge to indicate that staff training on the issue of foreign national prisoners is meager. It is to be noted, however, that the prison administration receives assistance from outside associations or structures. In 2007, the association La Cimade has signed a partnership agreement³¹ with the prison administration. With funding from the prison administration, the association is called upon to provide assistance and advice to foreign prisoners. In 2019, La Cimade has intervened in 71 facilities with 145 volunteers, supporting 3,008 prisoners³².

La Cimade is also involved in training, at the request of prison officials, at the level of a prison or a provincial region. These training courses, designed as half-days, can be made up of one, two or three modules. They aim to help staff develop appropriate reflexes (e.g. knowing to which person refer for specific issues) and good practices rather than to train staff into experts in foreigners' law. In 2019, despite several discussions on the matter in several provincial directions (SPIP et *directions interrégionales*), no training was held for probation and rehabilitation services. La Cimade had several meetings with the ENAP in 2019, with plans for scheduled a training in 2020.



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³¹ See: http://www.justice.gouv.fr/art_pix/CPO_2019_2021_DAP_La_CIMADE.pdf

³² https://www.lacimade.org/wp-content/uploads/2015/04/RA-2019_prison.pdf