



18 May 2006

Penal policy

Penal policy in France has moved on a great deal since the creation of the French Code of Criminal Law in 1791: then, prison was a place of punishment and correction for the prisoner. Beginning in 1945, a genuine **policy for the rehabilitation and social reintegration** of those convicted has developed.

The many reforms undertaken since the early 1980s have focused on two main points :

- improvements in the conditions of detention and prisoners' rights (notably with regard to healthcare provision),
- the development of **alternatives** to custodial sentences.

The most recent laws (the so-called "Perben Laws") go down this road:

- **law 2002-1138 of 9 September 2002 laying down an ongoing programme and policy focuses on the criminal justice system:** refurbishment of existing prison accommodation, improvements in prisoners' living conditions, help for social and employment reintegration, the creation of closed educational centres for minors placed subject to supervision orders or given suspended sentences conditional on a period of probation.
- **law 2004-204 of 9 March 2004 making changes to the criminal justice system to reflect changes in the nature of crime:** a broadening of measures providing alternatives to custodial sentences.

This policy is implemented by the Prison Administration Directorate (DAP) at the Ministry of Justice, which has two core tasks: **enforcement of the decisions of the courts and prevention of repeated offences by facilitating social reintegration.**

It covers those serving sentences in closed establishments (custodial sentences involving loss of liberty) **and non-custodial sentences** (involving measures other than imprisonment: supervision orders, suspended sentences or community work).



It “favours the social reintegration of individuals entrusted to its care by the judicial authorities” (under the law of 22 June 1987) in collaboration with partners in the public sector or not-for-profit associations. Since the decree of 13 April 1999, this task forms part of the remit of the Penal Reintegration and Probation Departments (SPIP - Services Pénitentiaires d’Insertion et de Probation). The latter monitor those serving both custodial and non-custodial sentences.

To find out more

WEBSITES

- ➔ Documentation française : **dossier on penal policy**
<http://www.vie-publique.fr/politiques-publiques/politiquepenitentiaire/index/>
- ➔ **List of weblinks** provided by Documentation française
<http://www.vie-publique.fr/politiques-publiques/politiquepenitentiaire/selection-sites/>
- ➔ **Description of prison administration and the Ministry of Justice**
<http://www.justice.gouv.fr/minister/DAP/accueil.htm>

REPORTS AND ARTICLES

- ➔ Documentation française **bibliography**
<http://www.vie-publique.fr/politiques-publiques/politiquepenitentiaire/bibliography/>
- ➔ **Garde et réinsertion - La gestion des prisons** [*Custody and reintegration – The Management of Prisons*] / Cour des Comptes [French national audit office], 2006
<http://lesrapports.ladocumentationfrancaise.fr/BRP/054000449/0000.pdf>
- ➔ **Santé, justice et dangersités : pour une meilleure prévention de la récidive** [*Health, criminal justice and risk: towards more effective prevention of repeat offences*] / Report by the Health & Justice Commission chaired by Jean-François Burgelin, public prosecutor attached to the Cour de Cassation; 2005
<http://lesrapports.ladocumentationfrancaise.fr/BRP/054000449/0000.pdf>
- ➔ **Le placement sous surveillance électronique mobile** [*Sentences involving mobile electronic monitoring*] / Georges Fenech, Ministry of Justice, 2005
<http://lesrapports.ladocumentationfrancaise.fr/BRP/054000267/0000.pdf>
- ➔ **Étude sur les droits de l’homme dans les prisons** [*Study of human rights in prisons*] / Commission nationale consultative des droits de l’homme [National Consultative Commission of Human Rights], 2004
<http://lesrapports.ladocumentationfrancaise.fr/BRP/054000449/0000.pdf>
- ➔ **Les mesures alternatives à l’emprisonnement** [*Alternatives to imprisonment*] / Michaël Janas, Regards sur l’actualité, April 2004, no. 300. (This article can be obtained on request from clementine.lacaille@diplomatie.gouv.fr)

