

HEAD OF COURT'S YOUTH PROTECTION SERVICES

THE JUVENILE
JUSTICE SYSTEM
IN FRANCE

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MINISTÈRE DE LA JUSTICE

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The Youth Justice system is based on a principle, which has been gradually acknowledged since the end of the 18th century: the young person (the juvenile) has, unlike the adult, not attained his or her majority. The State's action is therefore not intended to shut up what is unfinished, and the development of the person remains at the heart of society's action with young people. Thus, its framework, from the point of view of rights (civil, criminal, social, and social services) as well as the procedural aspects, is always marked by a duality between what is progressive and what is definitive in the order: between what is intended to educate and what is intended to punish, between what is subject to local authority powers and what is subject to the State. This duality is well illustrated by the specific practice applied to juvenile delinquents, by the Youth Court Judge upon opening a double file. The judge orders a civil measure of educational supervision for a young person, whilst suspending the criminal aspect of the Court's action. In general, the basic legislation has made all the professionals in the sector specialists¹, creating specific facilities, widening the judge's area of competence for protecting young people, and guaranteeing a right to education, and extending judicial protection to young adults, which has led to another duality which overlaps the first : the administration and the judiciary.

Reference legislation: articles 375 and following of the Civil Code.

¹ Order of February 2, 1945 on juvenile delinquents for juvenile criminal law; Order of December 23, 1958 on endangered children and adolescents for educational supervision of articles 375 and following of the Civil Code; decree N° 75-96 of February 18, 1975 establishing the terms and conditions for implementing judicial protection for young adults.

From the administrative point of view, the legislation has, since the decentralizing Acts of the 1980's, entrusted the actions intended to prevent difficult or critical situations and the assistance which should be given to young people and their families after their lawyer has given their agreement, to local authorities, basically at the county level².

From the judicial point of view, the Juvenile Court Judge will make a child protection order, providing it is established that the child is in danger, which is binding on the family, even if the judge has to seek its approval. The effect of this educational supervision order is to manage and control the exercise of parental authority by keeping the young person in his or her "natural environment" as far as possible. On the same level, the State is exclusively responsible for the judicial treatment of delinquents, which is the responsibility of the Ministry of Justice. Its originality lies in the fact that an assessment is made of the young person's personality and his or her social and family circumstances before any decision is taken. It also involves the specialization of the personnel³ concerned in what is always an educational measure, whatever order is made.

These intertwined dualities should be borne in mind when reading the description of the different measures and resources of the Youth Justice system in this booklet: dualities between the young person's current situation and future prospects, between parental authority and society's intervention; between the latter's actions inside the administrative framework and inside the judicial framework.

² *On a decision by the Chairman of the County Council*

³ *Cf infra: The Courts' youth protection services*

THE JUVENILE COURT JUDGE (LE JUGE DES ENFANTS)

The Juvenile Court Judge is the central person in the youth justice system inside the district court and has a protection and punishment role.

The protective function, the Juvenile Court Judge (JCJ) has an education supervision function if a young person is in physical or moral danger i.e. deprived of the care and/or the education necessary for guaranteeing a young person's health, safety or morality. The matter is referred to the Juvenile Court Judge by the Prosecutor's Department⁵ and the judge carries out any necessary investigations. The JCJ can also provide protection for young adults aged from 18 to 21 who faced with problems of social integration, request an educational supervision order to be continued after their majority⁶. The educational supervision can involve a young person and his or her family being monitored in an open environment⁷, or the young person's placement⁸.

Reference legislation: articles 375 and following of the Civil Code

⁴ They were created by the Act of July 22, 1912, which established the main principles of the French youth justice system although the final organisation was laid down by the Order of February 2, 1945 and the Order of December 23, 1958.

⁵ Within the scope of reports made by a private person or by the county council's children's social services department. In this last case article L.226-3 of the Social Services and Families Code stipulates that the Chairman of the County Council will immediately inform the juvenile court if a young person is mistreated or is presumed to be and it is impossible to assess the situation, or the family refuses to agree to the children's social services department intervening.

⁶ Decree n° 75-96 of February 18, 1975 which sets out the conditions for a court acting to protect young adults.

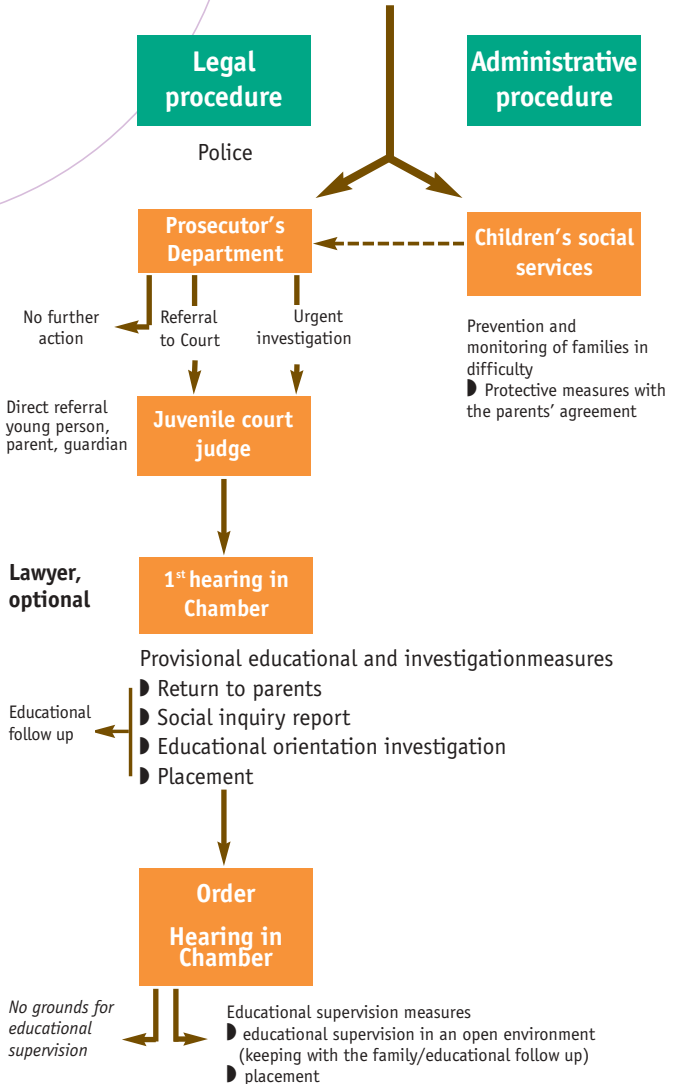
⁷ Monitoring by an educator from the Court's youth protection department or the children's social services department within the scope of the family's normal life. In return, the judge can demand specific obligations from the young person's family: medical follow-up, attendance at a health or education establishment... Cf *infra*: measures and assignments entrusted to the CYP department.

⁸ Placement in a Court's youth protection department structure or a children's social services department structure depending on the young person's age and past history, placement with a trusted person. Cf *infra*: measures and assignments entrusted to the CYP services.

Diagram of the Education supervision procedure
(Protection for endangered juveniles)

Reporting

Any person (E.g. : young person, teachers, etc)



The repressive role, the judge intervenes if a young person is suspected of having committed an offence⁹ in order to investigate and to judge after the matter has been referred by the State prosecutor. The judge carries out any investigation which is necessary into the facts and the young person's personality. The judge is supported by the Courts' youth protection services¹⁰. The Juvenile Court Judge can make various orders during this phase¹¹ depending on the age of the young person, the nature of the offence and the sentence incurred. The juvenile court judge has been competent to apply sentences against juveniles since January 1, 2005¹².

Reference legislation: Order of February 2, 1945 on juvenile delinquents.

⁹ Minor offences, indictable offences, very serious indictable offences.

¹⁰ Permanent educative service at the court to inform young people and their families, up stream investigation services; open environment services and accommodation after the judgment.

¹¹ Compensation, probation, Court supervision, placement in CYP accommodation and remands in custody.

¹² Article 20-9 of the order of February 2, 1945 as amended by the Act n°2004-204 of March 9, 2004 adapting the criminal justice system to changes in criminality.



THE JUVENILE COURT (LE TRIBUNAL POUR ENFANTS)

The Juvenile Court is presided by the Juvenile Court Judge assisted by 2 assessors¹³ and a Court clerk. The Public Prosecutions Department is represented by a prosecutor from the Prosecutions Department who specialises in juvenile cases. The Court is seized at the end of a judicial investigation¹⁴ or an emergency court appearance¹⁵ and is competent to judge category 5 minor offences¹⁶, some indictable offences¹⁷ and very serious offences¹⁸ by young people under the age of 16 at the time of the events.

THE YOUTH ASSIZE COURT (LA COUR D'ASSISES DES MINEURS)

Very serious offences committed by young people aged between 16 and 18 at the time of the events are judged by the **Youth Assize Court**. It is composed of 3 professional judges¹⁹ and a jury. A judge responsible for juvenile matters brings the prosecution. The hearing is held in private.

¹³ Lay judges, they sit and judge with the YCJ. The assessors in principle exercise a very wide range of trades (bank employees, industrial employees, civil servants, doctors, tradesmen, workers, teachers, ...) although they have no specific legal training, but they are all interested in youth problems. They are recruited from all social classes after applying to the juvenile court for their domicile. This social and professional diversity is particularly important. Before they take up their functions, the principal assessors and their deputies take an oath before the District Court, and are then appointed for a four-year term of office, which is renewable. They are paid if their duties prevent them from working. Each juvenile judge, in principle, is assisted by six assessors (2 principal assessors, 4 deputies). There are around 1600 assessors for all the juvenile courts on the French territory (including overseas departments & territories).

¹⁴ After an order for transfer to the juvenile court judge ought to an especially empowered investigations judge in a complex case.

¹⁵ Article 8-2 of the Order of February 2 1945.

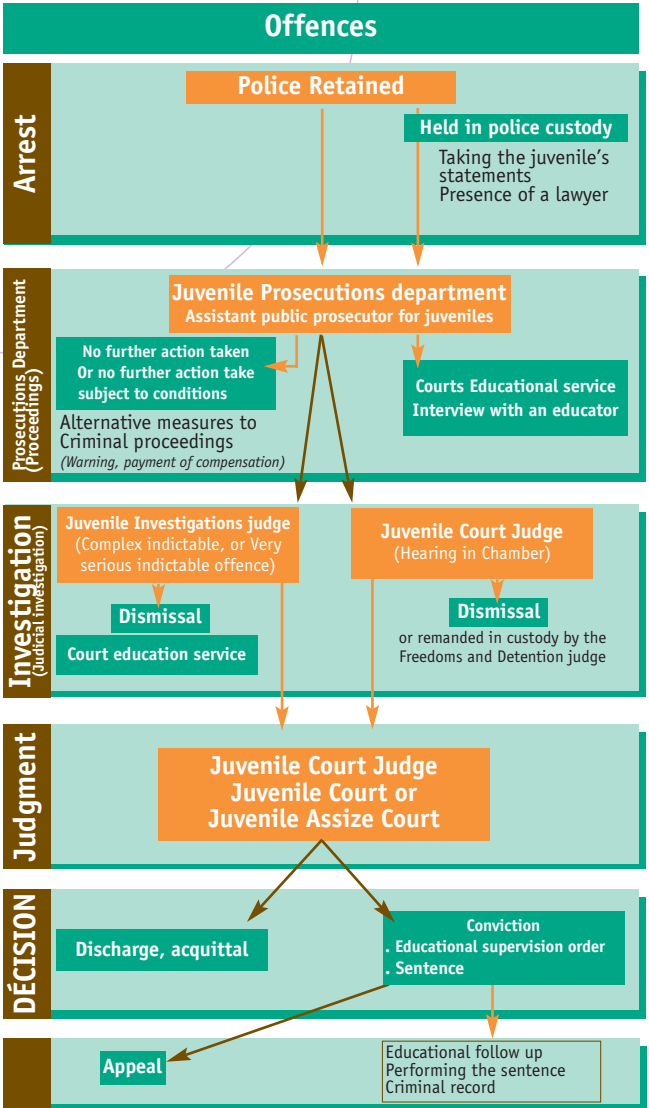
¹⁶ Light bodily harm which incapacitates the victim for less than 8 days, driving a moped without a helmet, driving without a license...

¹⁷ Aggravated bodily harm, theft, attempting or aiding and abetting theft, receiving stolen goods, criminal damage, threats, extortion, sexual assaults other than rape...

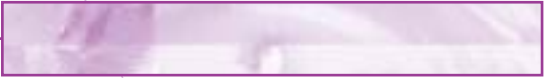
¹⁸ Rape, murder, attempting or aiding and abetting murder, trafficking, producing and manufacturing drugs, armed robbery...

¹⁹ A presiding Judge of the court or an Appeal Court judge and 2 assessors who are normally appointed from amongst the Juvenile Court judges

Criminal procedure for juveniles



A lawyer is present at all stages of the proceedings



The Juvenile Courts work with:

The State Prosecutor or the deputy state prosecutor responsible for youth cases: they are involved in youth protection, but also with punishing offences committed by a juvenile. They plead at the Juvenile Court or Juvenile Assize Court hearing to protect society's interests, and at the end of the trial, to enforce the sentence given. They also represent the Prosecutions Department vis-à-vis regional authorities (county, municipalities, local security contracts...).

The Courts' Youth Protection Services (CYP)²⁰ recommend educational measures to the Juvenile Court judges for young people who are subject to criminal or civil orders.

The lawyers, who are automatically present in criminal matters, i.e. if the young person is presumed to have committed an offence. Some lawyers specialize in defending juveniles.

²⁰ Cf *infra*: *The Courts' Youth Protection Services*.

THE INVESTIGATORY MEASURES are 3 in number:

collecting socio-educational information²¹; the social inquiry report²² and the educational orientation investigation²³. They are stipulated in civil and criminal matters. Their gradually increased detail enables the Juvenile Court Judge to have a better understanding of the personality, the past history and the environment of a young person whose case is being examined by the Court. The Juvenile Court Judge may order a judicial placement if the length of the investigation necessitates this.

THE EDUCATIONAL ORDERS are 6 in number:

► **Educational action in an open environment (ESOE)** is a supervisory order²⁴. The judge will keep the young person in his or her usual living environment where the order will be carried out, each time this is possible. Conversely from administrative protection which is contractual and requires the agreement of the parties, the ESOE is a constraining order. It is the most common supervisory order (60 % of first orders) and cannot exceed 2 years. In practice, after assessment, the CYP's department's open environment services, begin an educational programme which is intended to build a personal relationship with the young person through various actions: culture, sport, health, support, and academic assistance.

²¹ Articles 8-1, 8-2 and 12 of the Order of February 2, 1945 on juvenile delinquents.

²² Articles 8, 9,10 and 14-2 of the Order of February 2, 1945 on juvenile delinquents; article 150 of the New Criminal Procedure Code (NCPC) ; articles 1183 to 1185 of the NCPC.

²³ Articles 8 and 9 of the Order of February 2, 1945 on juvenile delinquents; article 150 of the NCPC; article 1183 of the NCPC.

²⁴ Cf *infra*: The protective role of the Juvenile Court Judge.

► **Court protection for young adults**²⁵ guarantees that an ongoing educational action will continue, and avoids the risk of jeopardizing the young person's development and integration by being interrupted after he or she becomes an adult. This order requires that the young adult makes a personal application to the Juvenile Court Judge who considers the response in the light of the size and nature of the young person's problems. If the judge grants the application, one or several orders from amongst the following can be made: monitoring by an open environment department; educational action in an open environment; remaining in or admission to an accommodation establishment. The young person's agreement is required in all cases. The Court's protection can be suspended at any time either by the Juvenile Court Judge or automatically if the beneficiary requests this. It stops at the age of 21.

► **Monitored freedom orders** are criminal educational orders²⁶, which are either pronounced provisionally during the investigation phase, or by the court which passes sentence against a juvenile who has committed an indictable offence. They comprise two parts: surveillance and educational action. If provisional, the monitored freedom order starts the educational action from the event which the young person is being investigated for, and the judge will take its effect on the young person's personality into account when sentencing.

If it is pronounced as a definite order, the monitored freedom order enables work to be done, from the action which the young person was sentenced for, on what led up to the action at the origin of the order and educational action with the young person in his or her social and family environment.

²⁵ Decree n° 75-96 of February 18, 1975 stipulating the terms and conditions for implementing Court protection for young adults.

²⁶ Articles 8, 8-1, 10, 11, 19, 20-7, 20-10, 21, and 25 to 28 of the Order of February 2, 1945.

► **Court protection orders**²⁷ are pronounced by judgment as a principal measure²⁸. They cannot last more than five years and therefore they can continue after the young person has become 18. 2 measures can be taken: placement²⁹ or protection in an open environment. They can be combined with a monitored freedom order³⁰ which cannot continue after the young person's majority.

► **Criminal compensation**³¹ is an educational order³² against a young person who has committed a criminal offence, where it is proposed that the young person will help or compensate the victim or carry out an action in the community's interests. In the latter case, the compensation can be a contribution by the criminal justice system to municipal policy³³. The victim's agreement is required in the event of direct compensation. It can be received by the judge, the person or the designated department. It is a short-term order (3 to 4 months).

²⁷ Law n° 75-624 of July 11, 1975 creating judicial protection; articles 8, 16 a, 28 and 31 of the Order of February 2, 1945 on juvenile delinquency; decree n° 76-1073 of November 22, 1976 on juvenile delinquency.

²⁸ By the Juvenile Court Judge, by the Juvenile Court, by the Juvenile Assize Court depending on the case and is open to appeal. The appeal is suspensive unless immediate enforcement has been ordered. Cf *infra*: the Courts for young people.

²⁹ Cf *infra*: Judicial placement. The placement measure can be entrusted to a department of the public sector of the courts youth protection department or of the authorized voluntary sector; protection in an open environment is explicitly entrusted to the CYP's public sector.

³⁰ Cf *infra*: monitored freedom.

³¹ Articles 8 and 8-1 of the Order of February 2, 1945; articles 12-1 and 15-1 of the Criminal Procedure Code (CPC).

³² The compensation measure can be ordered at all stages of the proceedings: before proceedings by the Prosecution Department, before judgment by the Juvenile Court Judge or the Investigating Judge, on judgment by the Juvenile Court Judge in Chamber, the Juvenile Court or the Juvenile Assize Court. It can be pronounced as an educational sanction (Cf *infra*: the educational sanctions).

³³ Inclusion in local security contracts and delinquency prevention contracts.

► **Placements**³⁴: the common objectives of all civil or criminal placement orders are to provide young people or young adults with a secure framework in which to live, which protects and structures, in order to help them to build their identity, to learn the rules which govern social relationships, to take part in a process of social, academic, and professional integration; to restore family ties. One or several specific objectives are added to these common objectives in each type of accommodation described below.

- Educational action homes (EAH) receive juvenile delinquents, endangered young people and young adults, on a medium or long-term basis. The placement has specific objectives: to place the young people in a group environment on a daily basis; to organise activities³⁵ especially during evenings, weekends and holidays. The young people can continue their school attendance or training at the same time.
- Immediate placement centres (IPC) receive juvenile delinquents urgently for a period of 3 months³⁶. The placement can be combined with a Court supervision order in criminal cases³⁷. Its specific purpose is to assess the young person's circumstances within a strictly monitored framework, in order to make an orientation recommendation to the judge. This assessment report systematically includes a health section, psychological section³⁸, an academic or professional section, an assessment of the family circumstances, and observations of the young person's behaviour.

³⁴ Articles 8, 8-1, 10, 15, 16, 20-10, 27, 28, 33, 34, 40 of the Order of February 2, 1945.

³⁵ Sporting, cultural...

³⁶ Exceptionally renewed once.

³⁷ Cf *infra*: probation or supervision orders and punishments.

³⁸ And if necessary the implementation of care

The activities³⁹ encourage the young person to act positively and to structure his or her time. The strict supervision means that an educator accompanies the young person on all their journeys whether these are necessary for the assessments or connected to the investigation or the activities. The educational report given to the judge at the end of the placement includes a recommendation⁴⁰.

- Intensive education centres (IEC) receive small groups of juvenile delinquents (6 to 8). The purpose is to temporarily remove the young person from his or her environment and normal way of life. The programme is based on an educational management of all aspects of daily life as well as on activities; setting up stays around humanitarian actions and risk activities to encourage positive action and rule learning. The sessions cannot exceed six months.

- Secure educational centres (SEC⁴¹) only take recurrent offenders aged between⁴² 13 and 18 years. The SEC are legally enclosed: the young person's failure to respect the terms of the placement and the obligations fixed by the judge's order can lead to his or her imprisonment. The programme is based on permanently supervising the young person inside and outside the centre. Daily life is structured with an intensive pace including a health and psychological follow-up; teaching and

³⁹ Academic support, professional integration, sport...

⁴⁰ which the depending on the case, can involve the withdrawal of the educational action, and additional investigation measure, an open environment order or an order for placement in another establishment.

⁴¹ Article 33 of the order of February 2, 1945.

⁴² Placed within the scope of judicial supervision, a suspended sentence subject to conditions (Cf *infra*: probation or supervisory measures) or conditional liberation (Cf *infra*: modifications to sentences).

professional training to enable the acquisition of basic skills (reading, writing, professional actions), and sport. The centre's director and the judge regularly assess the young person's progress during the six month placement⁴³.

THE PROBATION (OR SUPERVISION) ORDERS AND PUNISHMENTS

applicable to young people lay down obligations and/or prohibitions. Failure to respect them can result in imprisonment. There are five in number:

► **Court supervision (CS)** is a criminal measure ordered during the investigation before judgment⁴⁴. It can be ordered against a person who has been charged and who risks imprisonment. Halfway between freedom and a remand in custody, the CS constrains and limits freedoms. Whilst maintaining the principle of keeping the person being investigated, who is presumed to be innocent, at liberty, the CS subjects him or her to one or more obligations from a list of 16⁴⁵. Here are a few examples:

- ❑ ban on leaving certain defined territorial limits;
- ❑ ban on going to certain places;
- ❑ attendance at the services, or authorized associations or authorities designated by the judge;
- ❑ refrain from meeting certain people or for coming into contact with them;
- ❑ comply with examination, treatment and healthcare measures, even hospitalization, especially for de-intoxication...

⁴³ Exceptionally renewed once.

⁴⁴ Articles 8, 10-2, 11 and 33 of the Order of February 2, 1945.

⁴⁵ Article 128 of the Criminal Procedure Code.

► **Suspended sentence with conditions⁴⁶ (SSC)** is ordered by the sentencing Court⁴⁷ against a juvenile who is aged over 13 at the time of the events. It sentences him or her to a maximum period of imprisonment of 5 years, which is suspended, subject to the offender performing certain conditions⁴⁸. The offender must comply with supervisory measures during the period of the suspended sentence. A few examples⁴⁹:

- ❑ work or attend an educational course / professional training;
- ❑ live in a stipulated place;
- ❑ undergo medical treatment or follow up including hospitalization;
- ❑ do not meet certain offenders in particular principals or aiders and abettors;
- ❑ do not contact the victim ...

In the event of non-compliance, the Juvenile Court Judge can order the suspended sentence to be prolonged for up to 3 years, or partially or totally revoke the suspended sentence.

⁴⁶ Articles 20-9, 20-10 and 33 of the Order of February 2 1945.

⁴⁷ For a serious indictable offence (Juvenile Assize Court) or for an ordinary indictable offence (Juvenile Court).

⁴⁸ The SSC cannot be less than 18 month up until December 30, 2006 and 12 months from December 31, 2006. It cannot be more than 3 years; can cover the whole of the sentence of imprisonment or only part of it; is suspended during the time that the offender is imprisoned.

⁴⁹ Article 132- 45 of the Criminal code.

▶ **Community work order (CWO)** is a sentence⁵⁰, which involves unpaid work performed for an institution or association by young people aged between 16 and 18, who have committed indictable offences punished by a term of imprisonment. The CWO must have a training nature or encourage social integration. It cannot be ordered against the defendant who refuses or who does not attend the hearing. This order can be used within the framework of a SSC⁵¹.

▶ **Social judicial monitoring (SJM)**⁵² is a sentence which constrains an offender who has committed several sexual offences to comply with surveillance and assistance measures under the control of the Juvenile Court Judge acting in the capacity as a judge for the application of sentences. This order is aimed at preventing re-offending, and includes several obligations:

- ❑ a ban on going to certain places;
- ❑ a ban on meeting certain people;
- ❑ a ban on having a job or social activity which involves regular contact with young people;
- ❑ a treatment order (not systematic).

If the young person does not comply with these obligations the judge can enforce the term of imprisonment fixed when the SJM was made.

▶ **The citizenship course**⁵³ is an alternative punishment to proceedings by the Prosecutions Department; or an alternative punishment to imprisonment or to the

⁵⁰ Article 20-5 of the order n°45-174 of February 2, 1945 on to juvenile delinquents.

⁵¹ Cf supra.

⁵² Law n°98-468 of June 17, 1998 on the prevention and the repression of sexual offences as well as the protection of young people.

⁵³ Article 20-4-1 of the Order of February 2, 1945; decree of September 27, 2004 modifying the Criminal Code and the Criminal Procedure Code and in particular on the citizenship course.

conditions for a suspended sentence by the Juvenile Court or the Juvenile Assize Court. It has several objectives: reminding the offender of the republican values of tolerance and respect for human dignity on which society is based⁵⁴; making the offender aware of his or her criminal and civil liability as well as the duties which are implicit in living in society; encouraging his or her social integration. The length of the daily training programme must be adapted to the young person's age and personality and can never exceed 6 hours. The course never lasts more than one month. Implemented by the CYP's departments public sector, the contents of the course can be drawn up with the assistance of local authorities, public establishments, legal person under private law or physical person's involved in community work assignments in particular access to the law.

EDUCATIONAL SANCTION⁵⁵

apply to young people aged between 10 and 18 on the date of the events. They enable a more adapted judicial response to be made if the educational orders appear to be inappropriate or ineffective, or a sentence of imprisonment would be too harsh a punishment. They are a response to actions committed by juveniles aged between 10 and 13 years against whom no punishment can be pronounced. 6 educational sanctions can be ordered either alone or combined:

- ❑ confiscation of an object which was used to commit the offence or which is the product of it ;
- ❑ ban on appearing at the place or places where the

⁵⁴ *The course reminds people convicted for a racist offence, of the existence of crimes against humanity, in particular those, which were committed during the Second World War.*

⁵⁵ *Article 15-1 of the Order of February 2, 1945 on the educational sanction of the civic training course.*

offence was committed, which cannot exceed one year, apart from the places where the young person usually resides;

- ❑ ban on meeting the victim or the victims designated by the Court or from contacting them for a period which cannot exceed one year;
- ❑ ban on meeting the accomplice or the co-accomplices designated by the Court or contacting them for a period which cannot exceed one year;
- ❑ an assistance or compensation order stipulated in article 12-1 of the Order of February 2, 1945;
- ❑ obligation to follow a civic training course for a period, which cannot exceed one month.

MODIFICATIONS IN SENTENCE

are within the exclusive competence of the Juvenile Court Judge since January 1, 2005⁵⁶. The public sector of the CYP⁵⁷ is responsible for implementing them.

There are 7 possible modifications:

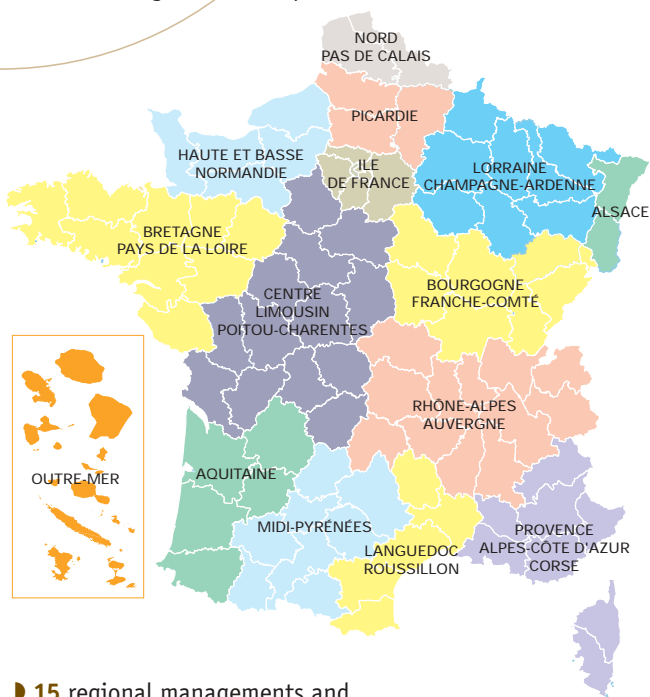
- ❑ release on probation;
- ❑ external placement (with or without surveillance);
- ❑ semi-liberty;
- ❑ placement under electronic surveillance;
- ❑ the suspension and the dividing up of the sentence (including suspension for medical reasons);
- ❑ permission to go out;
- ❑ permission to go out under escort.

⁵⁶ Article 20-9 of the Order of February 2, 1945.

⁵⁷ Cf *infra*: The Courts' Youth Protection Services.

ORGANISATION AND FUNCTIONING

So that it can perform the orders which are entrusted to it and also perform its traditional tasks (social and professional integration, educational monitoring of imprisoned juveniles, educational standby duty at the Court), the Court Youth Protection services has a central administration department at the Justice Ministry and services in the regions and departments.



- 15 regional managements and 99 departmental managements coordinate the actions of the CYP public and sectors.
- Public Sector:**
620 establishments and services
8 000 agents.
- Authorised voluntary sector:**
1 300 managed by 500 associations et 28 000 agents.



THE PUBLICS ASSISTED IN 2004

► *Delinquent juveniles*

(Order of February 2, 1945)

Key figures: **59 254** orders involving **31 420** young people to December 31, 2004

Population assisted to December 31, 2004:

Population prise en charge au 31 décembre 2004 :

90 % boys / 10 % girls (75 % of juvenile delinquents are aged 15 years and +)

82 % of the juvenile delinquents are assisted by the public sector, 18% by the voluntary sector

► *Endangered young people*

(articles 375 and following of the Civil Code)

Key figures: **130 392** orders concerning **138 090** young people to December 31, 2004.

Population assisted to December 31, 2004:

55 % boys / 45 % girls (60 % of the endangered young people are under 13 years)

91 % of the endangered young people are assisted by the voluntary sector and 9% by the public sector.

► *Young adults*

(Decree of February 18, 1975)

Key figures: **5 644** orders concerning **5 212** young adults to December 31, 2004.

Population assisted to December 31, 2004:

young adults to December 31, 2004

Population assisted to December 31, 2004:

All publics combined, the State takes responsibility for 40 % of the young people who come before the Courts (mainly delinquents); the authorised voluntary sector, 60 % (mainly in danger).

DISTRIBUTION OF THE YOUNG PEOPLE PER TYPE OF ORDERS MADE IN 2004

PUBLIC SECTOR + AAS ⁵⁸	JUVENILE DELINQUENTS	ENDANGERED YOUNG PEOPLE	YOUNG ADULTS	TOTAL
Investigation	2 117	17 554	29	19 691
Social inquiry report	474	4 970	0	5 444
IOE	830	11 356	20	12 202
RRSE	817	1 234	9	2 057
Judicial placement	1 815	20 932	3 142	25 887
Collective accommodation ⁵⁹	1 320	15 146	1 334	17 798
<i>Of which EAH</i>	854	15 051	1 326	17 230
<i>Of which IPC</i>	229	85	6	319
<i>Of which IEC</i>	172	10	2	184
<i>Of which SEC</i>	68	0	0	68
Individual accommodation	160	944	1331	2 435
Host family ^l	131	4 744	419	5 294
Living places	205	101	58	364
Open environment	28 292	99 833	2 107	129 601
<i>Orders focused on education</i>				
Court protection order	1 529			1 529
ESOE + young adult monitoring		99 833	2 107	101 936
Monitored freedom	3772			3772
Monitored freedom with follow up by the Juvenile Court's services	6 638			6 638
Compensation	7 493			7 493
<i>Measures focused on punishment</i>				
Court supervision order	3 948			3 948
Conditional liberty	6			6
Suspended sentence subject to conditions	6 657			6 657
Socio-judicial follow up	65			65
CWO	2 440			2 440
Educational sanctions	37			37
Total	31 420	138 090	5 212	173 814

Young people can be subject to several orders, but are only counted once in the Total line and column, which is therefore not the exact number of young people monitored for each type of measure.

⁵⁸ *Authorised voluntary sector.*

⁵⁹ *Cf supra: The orders entrusted to the CYP services – Placements.*



CAREERS

DIRECTOR OF THE CYP SERVICES

At the heart of public policy

The directors of the CYP services are responsible, within the scope of the policy drawn up by the French Ministry of Justice, for:

- implementing the decisions by Courts dealing with young people;
- conducting prevention and integration actions with young people.

They are mainly responsible for the pedagogical and administrative management of the establishments and departments. The directors of the CYP services work in multi-disciplinary teams and are consulted concerning the orders by Juvenile Judges⁶⁰. They represent the Ministry of Justice on the different decision-making bodies in their regional or departmental management functions. They are responsible for human resources and operational budgets, and they assess the public policies implemented. They may also hold managerial, teaching or pedagogical advice functions in the CYP's training centres.

Conditions of access and training

The DCYPS are ranked in grade A of the civil service. They are recruited by means three competitions:

- **The external competition with no age limit**, is open to candidates who hold a degree or certificate or diploma, which is classed in level II (High School Diploma +3 years), or any other qualifications⁶¹.

⁶⁰ Cf supra: the courts for juveniles.

⁶¹ Qualification which is at least equal to the diplomas required which appear on the list which is fixed by the joint order of the Justice Minister, and the Minister for the Civil Service.

- **The internal competition** is open to candidates who can prove four years of effective service as a civil servant or an official of the State, local authorities or the public hospital service.

- **The '3rd way' competition** is open to candidates who can prove that they have held managerial responsible positions in the educational action, social or socio-medical fields for at least 5 years⁶², providing that this has not been as a civil servant, judge, member of the Armed Forces, or public official.

The candidates who pass the exams are appointed as trainee directors and perform a period of paid training alternating between practical internships and theoretical training of two years at the Courts Youth Protection National Study and Training Centre (CYPNSTC – Centre national de formation et d'études de la protection judiciaire de la jeunesse), which includes passing exams at the end of the first year to go onto the second year. At the end of their period of training, the trainee directors who have successfully completed their training are appointed as directors.

Career path

The profession of director of the Courts youth protection services comprises:

- A promotional grade of director outside the class, with 10 pay scales: 1st pay scale: gross monthly salary of € 1923 (+ indemnities) – 10th pay scale, gross monthly salary of € 3472 (+ indemnities).
- A basic director grade comprising 12 pay scales: 1st pay scale: gross monthly salary of € 1545 (+ indemnities) – 12th pay scale: gross monthly salary of € 2917 (+ indemnities).

⁶² During the 10 years prior to the date of the close of entries to the competition.



EDUCATOR

Reintegrate young people in a life plan

The CYP's educators are responsible for preparing and implementing Civil or Criminal Court orders. They explain and interpret the reference points and the objectives fixed by the Juvenile Court Judge to the young person and their family. Being an educator means living with the young people and reintegrating them into a life plan.

- In the open environment, they monitor the young people inside their family⁶³, provide the standby educational service at the Court and work with imprisoned juveniles⁶⁴ to prepare them for leaving and their reintegration.
- For accommodation orders⁶⁵, they provide a daily structure which is adapted to the personality and to past history of the placed juveniles.

The educators are in the majority inside the multi disciplinary teams which also include a psychologist, education agents, teachers, professional workers, and are advised by social services assistants and nurses.

Conditions of access and training

The educators belong to grade B in the civil service are recruited in separate competitions:

- **The external competition** is open to candidates who hold a level III certified diploma (High School Diploma +2 years), or who have had their professional experience recognised as being equivalent to a diploma.

⁶³ Cf supra: the orders which the courts youth protection services are responsible for.

⁶⁴ Where the young people are separated from adults in specially converted quarters.

⁶⁵ Educational action homes (EAH), immediate placement centre (IPC), intensive education centres (IEC), secure education centres (SEC).

- **The internal competition** is open to civil servants and public officers who can prove three years effective service on January 1 of the year of the competition.
- **The external competition on certificates** is open to candidates who hold the state diploma of specialised educator, or an equivalent European diploma.
- **The '3rd way'** competition is open to candidates who can prove that they have worked for five years in the educational, sports, social or cultural fields.

The Courts Youth Protection National Study and Training Centre (CYPNSTC) provides two years' paid training for the competitions and one year from the others.

Career path


- Promotion to grade A Head of Educational Department (HED) in the internal competition after 10 years service (eight years as an educator) or by choice.
- Promotion to grade A DCYPS⁶⁶ after four years of service, or by choice for HEDs on scale 4 who prove 10 years effective service.
- Gross monthly salary of € 1363 (+ indemnities) for a newly recruited 2nd class educator to € 2677 gross monthly (+ indemnities) for a final scale HED.

EDUCATION AGENT

Guarantor of continuity

The task of the education agents is to provide security for the people and property in the Courts youth protection accommodation structures mainly at night, and then to continue the educational action at times during the day when the young people's thoughts, reactions and fears are at their strongest, by their presence and capacity to communicate with them. They are a full part of the multi disciplinary

⁶⁶ Cf *supra*, director of the courts youth protection services.



team capable of channelling energies and interpreting the events, which they are confronted with at night.

They must ensure that:

- Everyone's sleeping time is respected;
- The internal regulations are respected.

Conditions of access and training

Education agents belong to grade C of the civil service, and are recruited in two competitions:

- **The external competition** is open to people with 'O' levels, a secondary school technical certificate or an equivalent diploma.
- **The internal competition** is open to civil servants and public officers of the state, local authorities, and public establishments, who have at least one year's effective service on January 1 of the year of the competition.

Paid training, which alternates between courses in the field and eight-week theoretical training, is provided at the Courts Youth Protection National Study and Training Centre (CYPNSTC).

Career path

- Internal promotion inside this grade C profession is organised by choice.
- Internal promotion to the a higher grade (Educator – grade B) is organised by internal competition after three years of effective service as an EA or by choice after 10 years of effective service as an EA.
- A gross monthly salary of € 1168 (+ indemnities) for a newly recruited second class education agent to € 1745 gross monthly (+ indemnities) for a principal 1st class EA at the end of career.

TECHNICAL TEACHER

Prepares the reintegration

The technical teachers are responsible for teaching and pedagogical instruction. They help achieve the professional training and integration objectives for the juveniles and young adults who are assisted by the Courts youth protection establishments and services. As such they:

- Assess the juveniles' capacity to start and to follow training courses
- Teach the techniques and basic knowledge of their trade (carpentry, mechanics, cooking, painting...).

Conditions of access and training

The technical teachers are ranked in grade A in the civil service and are recruited through two separate competitions organised by trade:

- The external competition is open to holders of a level II certificate or diploma (high school diploma + 3 years) or a level III diploma (high school diploma+2 years) with five-year professional activity as a manager⁶⁷.
- The internal competition is open to agents who prove that they have three years effective service and who hold a level III diploma.

The candidates who pass the competitions are appointed as trainee technical teachers and receive one year's paid training from the Courts Youth Protection National Study and Training Centre (CYPNSTC).

Career path

- Ordinary grade technical teachers can be promoted to the grade of technical teacher outside the class when they reach the 7th scale in their grade.

⁶⁷ Within the meaning of the collective bargaining agreement which they are subject to.

- Gross monthly salary of € 1545 (+ indemnities) for a newly recruited ordinary class technical teacher to € 3472 gross monthly (+ indemnities) for a technical teacher outside the class at the end of career.

PSYCHOLOGIST

Recording the psychic reality

Psychologists encourage and guarantee that the psychic reality of the young people entrusted to the CYP's services by the Courts is taken into account. Their involvement is crucial for a better understanding of the personality and the actions of young people. A good knowledge of adolescent psychopathology, questions connected with parenting and the problems of juvenile delinquents constitute real assets. They are involved in:

- Drawing up and following up educational plans by providing their analysis of the psychological problems of the young people are subject to Court orders;
- Their development over time.

The psychologists who work in the open environment or accommodation cooperate closely with the child-juvenile sector services and the different specialised accommodation units.

Conditions of access and training

Psychologists are ranked in grade A of the civil service and are recruited in two competitions:

- **The external competition** is open to people who either hold the degree and the masters degree in psychology and who also prove that they have obtained a one-year postgraduate vocational diploma or a postgraduate diploma in psychology⁶⁸, or an equivalent

⁶⁸ Training course included.

foreign diploma, or a diploma in psychology from the School of psychology practitioners from the Institut Catholique de Paris.

- **The internal competition** is open to agents who prove five years public service in the Court's youth protection defocused departments and who hold the diplomas required for the external competition.

The psychologists are appointed as trainees and receive paid training at the CYPNSTC, alternating eight weeks of theoretical training with internships in the structures.

Career path

- The CYP's psychologists can become psychologists outside the class after they have reached the 7th scale.
- A gross monthly salary of € 1545 (+ indemnities) for a newly recruited ordinary class psychologist to € 3472 gross (+ indemnities) for a psychologist outside the class at the end of career.

PROFESSIONAL WORKER

Encourages an establishment to run smoothly


Professional workers are responsible for technical missions inside the structures:

- Maintenance of installations
- Cleaning,
- Cooking,
- Gardens...

The smooth running of an accommodation unit depends on their work. They are in regular contact with the young people at key moments during the day such as meals and they participate in the educational team's global action.

Conditions of access and training

The professional workers are in grade C of the civil service and are recruited in two ways:



- **The external competition** which is open to people who prove that they hold a secondary school vocational training qualification or an equivalent diploma or three years professional experience.

- **The professional examination (internal)** is open to people aged at least 40 on January 1 of the year in question and who prove that they have at least nine years public service in a grade C or D capacity.

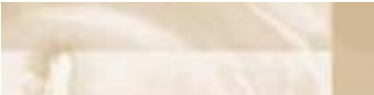
They receive eight weeks training at the Courts Youth Protection National Study and Training Center (CYPNSTC) during their one-year training course.

Career path

- Professional workers can choose when they reach the 6th the scale of the basic grade to be promoted to the grade of principal professional worker by an internal competition or by choice after nine years of effective service and after they have reached the 40 years of age, to the master worker grade.

- Professional workers can choose to have access to the educators' grade, ranked in category B if they can prove 10 years effective service.

- Gross monthly salary of € 1168 (+ indemnities) for a newly recruited professional worker to € 1558 gross monthly (+ indemnities) for a principal professional worker at the end of career and € 1843 gross monthly (+ indemnities) for a principal master worker at the end of career.



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