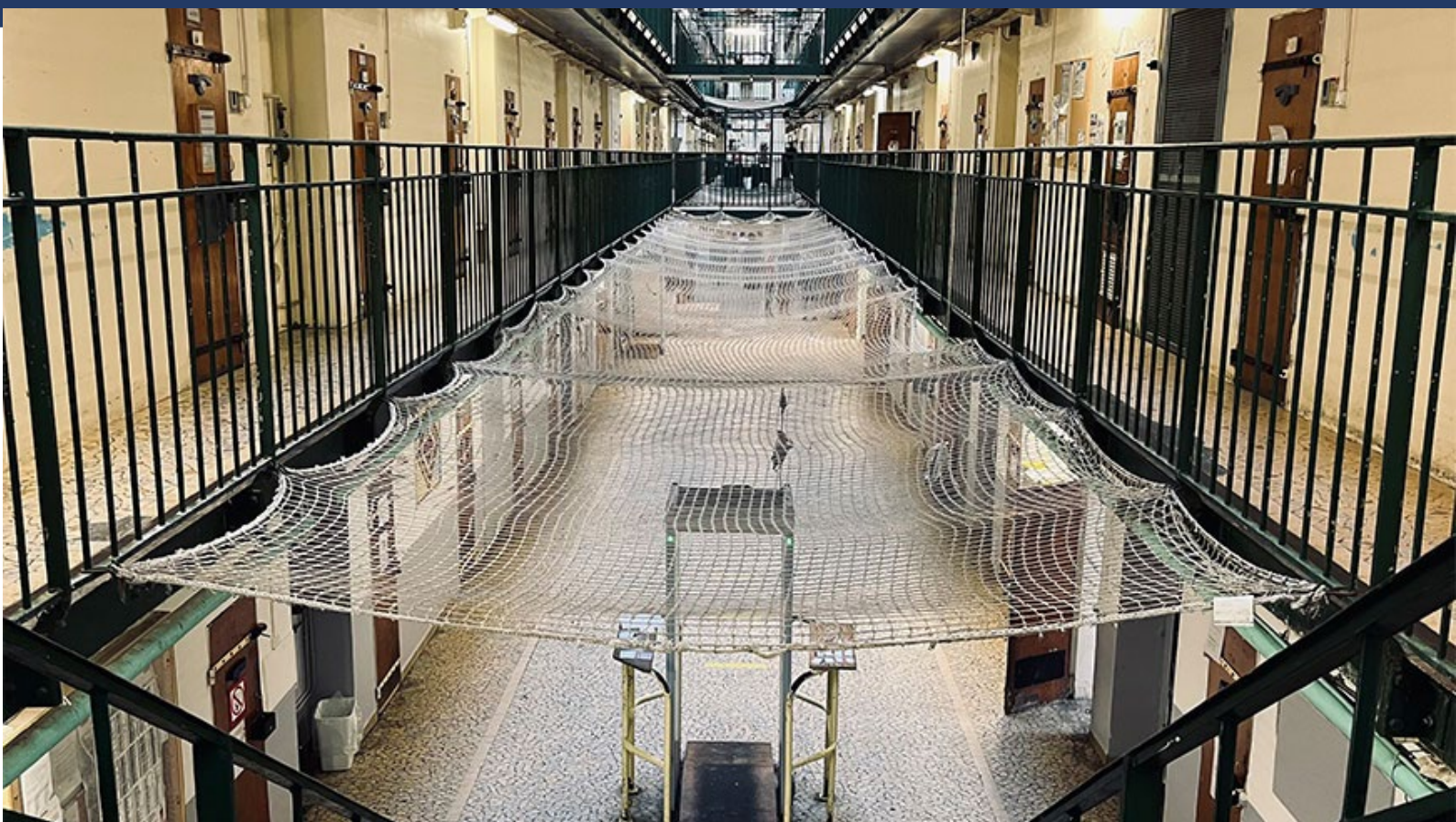


# **VISIT REPORT**

## **FRANCE**

### **September – October 2024**



# **CPT**

**EUROPEAN COMMITTEE  
FOR THE PREVENTION OF  
TORTURE AND INHUMAN OR  
DEGRADING TREATMENT  
OR PUNISHMENT**

**PERIODIC VISIT**  
**23 September - 4 October 2024**

**CPT/Inf (2026) 02**

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# KEY OBSERVATIONS

## PRIORITY TOPICS

### ■ Prison

#### CONDITION OF DETENTION

- Take urgent measures to remedy the chronic overcrowding of remand centres and the poor material conditions of detention, including exercise yards.
- Guarantee in all circumstances a living space of 4 m<sup>2</sup> for each person detained in a collective cell.
- Review the conditions of detention at Fresnes prison and envisage its closure as neither the architecture nor the configuration meet modern detention requirements.

#### HEALTHCARE

- Improve access to and quality of mental healthcare, and review the arrangements for nighttime supervision in prison
- Improve the presence of medical staff, and the coordination, quality and configuration of the premises dedicated to healthcare in the prisons of Fresnes and Villefranche-sur-Saône

#### DETENTION CONDITION FOR MINORS

- Improve the location of the boys quarter at Fleury-Mérogis prison
- Enhance the activities and education offered to children deprived of their liberty

### ■ Law enforcement facilities

**MATERIAL CONDITIONS** – Improve material conditions of detention in police facilities by ensuring that cells are sanitary and that mattresses and blankets are clean

**DETENTION CONDITION** – Set up call systems or a permanent presence in gendarmerie buildings where people are deprived of their liberty overnight

## THE CPT AND FRANCE

France ratified the ECPT in 1989, and the Committee's first visit took place in 1991.

Since ratification, the CPT has carried out 18 country visits to France– 8 periodic and 10 ad hoc – including 141 visits to police and gendarmerie establishments, 50 to prisons, 22 to healthcare institutions, 2 social welfare and educational-correctional establishments and 39 to border and immigration detention facilities.

All the visit reports have been published. France did not accept the automatic publication of the visit reports.

# EXECUTIVE SUMMARY

In September-October 2024, the CPT visited 14 police and gendarmerie establishments, four penitentiary establishments – Fleury-Mérogis, Fresnes, Marseille-Baumettes and Villefranche-sur-Saône – and one detention centre for children (*établissement pour mineurs – EPM*). It was the Committee's 17th visit to France.

## ***Police and gendarmerie***

Most of the people interviewed, who had recently been arrested by the police, made no allegations of ill-treatment. Nevertheless, some people, including minors, reported having received deliberate blows, notably kicks to the face or torso, after having been immobilised on the ground. In addition, several men described being pinned to the ground and then held down by several police officers, some of whom exerted pressure with their knees on the chest and neck, sometimes with a foot crushing the face. This technique of immobilisation on the ground should be reviewed as it presents a significant risk of postural asphyxia. More generally, measures to prevent violence must be intensified, as must the regular delivery of a message of 'zero tolerance' of ill-treatment.

The system of police custody continued to offer, in law, all of the necessary safeguards against ill-treatment. The CPT welcomes in particular the extension of the list of third parties who can be notified of custody. Nevertheless, the authorities should continue their efforts to strengthen the preventive role of doctors in police custody and to facilitate access to a lawyer in all circumstances.

The physical conditions of deprivation of liberty in police stations are a source of serious concern. The detention facilities visited were very dirty and dilapidated, with toilets that were sometimes blocked, causing foul odours, unsanitary marks on the walls and floors, and infested with cockroaches. Police cells were occupied according to the space available without any capacity limit. They were regularly overcrowded, forcing people, including minors, to spend the day and night in police custody, sometimes without a mattress and rarely with a clean blanket. In addition, people continue to be locked up at night in security rooms in police stations without a call system or a physical presence in the building.

## ***Prisons***

The increase in prison overcrowding is particularly alarming, with the symbolic threshold of 80,000 prisoners having been exceeded at the time of the visit, with 3 810 people sleeping on mattresses on the floor of their cells. Overcrowding exacerbated the poor conditions of detention and impacted all aspects of prison life: encroachment, tension, lack of activities and work opportunities, and difficulties in accessing healthcare. The CPT considers that prison overcrowding can transform a prison into a human warehouse and undermines any effort to give practical meaning to the prohibition of torture and other forms of ill-treatment.

Moreover, the establishments visited were operating in 'degraded mode', being under-resourced both in terms of staff and finances to carry out the policy of incarceration and reintegration.

The vast majority of prisoners interviewed did not allege physical abuse by prison staff. Nevertheless, the delegation gathered credible allegations of physical violence, including face-slapping, kicking and punching. The situation was particularly worrying at the Fresnes and Villefranche-sur-Saône prisons.

Physical and verbal violence between prisoners was also a problem in all the establishments visited. Fighting and extortion took place regularly in cells, corridors, communal showers and exercise yards, where prison staff generally did not intervene. Many people reported situations of harassment and pressure, and some refused to leave their cells for fear of violence.

Material conditions varied widely from one establishment to another. The buildings of the Marseille-Baumettes prison had been recently built and the Fleury-Mérogis men's prison had been completely renovated. These conditions contrasted with the Villefranche-sur-Saône prison and the Fleury-Mérogis women's prison, where cells were dilapidated and decrepit, with furniture and windows broken. The conditions of incarceration at Fresnes prison were disgraceful, with damp, dilapidated and unsanitary premises and cells, as well as the alarming presence of rats, cockroaches and bedbugs.

The regime of activities observed in the establishments was generally quite poor. Most of the prisoners spent nearly 20 hours a day in their cells and even more at weekends, in the absence of work, training and other regular psychosocial and recreational activities. The CPT takes note of the efforts of the authorities to develop prison work and combat poverty in detention. Between 15 and 20% of the population had indigent status in the establishments visited.

The authorities should continue their efforts to offer additional activities and thus enable prisoners, including women, to spend at least eight hours a day outside their cells. The range of activities on offer should also be substantially increased in the 'mother-and-child units', in particular to promote the development of children and to support mothers in their parenting role.

The adoption in March 2024 of a framework for the care of LGBT+ people by the prison administration is a positive development. Nevertheless, efforts should be continued to reduce the *de facto* isolation of these people and increase the time devoted to activities and work. While welcoming the creation of a wing dedicated to transgender people at Fleury-Mérogis, the Committee recommends that the authorities consider its transfer it to a more suitable location.

Healthcare was generally of a good standard in the Fleury-Mérogis and Marseille-Baumettes establishments, where access to healthcare was, on the whole, acceptable. On the other hand, in the Fresnes and Villefranche-sur-Saône prisons, significant problems were identified, such as a lack of healthcare personnel, a lack of coordination between the various services, and inadequate premises. The situation was clearly aggravated by prison overcrowding and the escalating security measures which obstructed access to care. An increasing number of prisoners with, sometimes severe, mental health problems was observed, while psychiatric care was often limited by the lack of psychiatrists.

The lack of progress regarding conditions of incarceration of persons in remand centres could force the CPT to consider opening a public statement procedure under Article 10, paragraph 2, of the Convention.

### **Children in prison**

The children detained in the four facilities visited (the 'boys' and 'girls' quarters of Fleury-Mérogis, the 'girls' quarters of Marseille-Baumettes and the Valentine EPM) indicated that they were treated properly by prison staff. The CPT notes, however, that allegations of ill-treatment had occurred, particularly at the Valentine EPM, and that some boys detained at Fleury-Mérogis mentioned inappropriate comments and insults from some prison officers.

While the physical conditions of the cells in the boys' wing at Fleury-Mérogis were satisfactory, its location was completely inappropriate. The CPT calls on the authorities to move this wing for minors to an environment adapted to the care of children, without contact with adult prisoners.

In the four facilities, the children spent a large part of the day in cells in the absence of regular activities. In addition, education was often limited to one or two hours a day and was most often interrupted during school holidays. The lack of structured and motivating activities was particularly worrying in the boys' unit of Fleury-Mérogis.

The CPT regrets that, contrary to its standards, French legislation still allows for the disciplinary isolation of children. Furthermore, it is unacceptable for children to be placed in isolation in adult disciplinary quarters.

# I. INTRODUCTION

## A. The visit, the report and follow-up

1. In pursuance of Article 7 of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (hereinafter referred to as "the Convention"), a delegation of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) carried out a periodic visit to France from 23 September to 4 October 2024. It was the Committee's 17th visit to France and its eighth periodic visit.<sup>1</sup>

2. The visit was carried out by the following six members of the CPT: Hans Wolff, 1st Vice-President of the CPT (Head of delegation), Vanessa Durich Moulet, Nico Hirsch, Helena Papa, Kristina Pardalos, and Elisabetta Zamparutti.

They were supported by Julien Attuil-Kayser and Kelly Sipp of the Committee's Secretariat, and assisted by two experts, Teresa Salamone, Head of the Prison Medicine Service in Ticino (Switzerland) and Nguyen-Toan Tran, former Head of Prison Medicine, Geneva University Hospitals (Switzerland), and Assistant Professor at the University of Technology Sydney (Australia).

3. The report on the visit was adopted at the CPT's 116th meeting, held from 10 to 14 March 2025, and transmitted to the French authorities on 8 April 2025. The various recommendations, comments and information requests by the Committee are set out in bold type in this report. The Committee requests that the French authorities provide, within six months, a response including a full account of action taken to implement the recommendations made by the Committee, along with replies to the comments and requests for information made in the report.

## B. Consultations carried out by the delegation and cooperation received

4. During its visit, the delegation met with senior officials of the Ministries of the Interior, Justice and Health. It also met Dominique Simonnot, General Controller of Places of Deprivation of Liberty, Claire Hédon, Rights Defender, and Jean-Marie Burguburu, President of the French National Consultative Commission on Human Rights (*Commission nationale consultative des droits de l'homme – CNCDH*), as well as representatives of non-governmental organisations. The national authorities, bodies and organisations consulted during the visit are listed in appendix II to this report.

5. The delegation enjoyed excellent cooperation from the French authorities both at the central administrative level and in the establishments visited, including when no advance warning had been given. It was granted access to the premises, and to the individuals with whom it wanted to speak, and to the documents required to carry out its task. In this context, it is appropriate to recognise the commendable support provided before, during and after the visit by Karen Rochet, legal adviser of the Human Rights sub-directorate of the Ministry of Europe and Foreign Affairs, and by Thierry Donard, CPT liaison officer.

6. The delegation did not encounter any practical difficulties in obtaining relevant information during visits to police and gendarmerie establishments. However, there still seems to be some legal uncertainty as to whether the Committee may access reports of interviews carried out by the law enforcement agencies, if necessary. In correspondence, the French authorities stated that "French legislation does not authorise the members of the delegation to consult reports of custody interviews, as these are covered by the secrecy of investigation and instruction". Access to procedural documents is strictly limited by the Code of Criminal Procedure (CCP). In principle, the information required by the CPT to fulfil its mission is located in registers and reports that are not covered by investigative secrecy. The authorities have pointed out that, if necessary, missing information "could be provided verbally to the CPT by the departments responsible for the measure".

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1. See the full list of visits and their dates on the CPT website: <https://www.coe.int/en/web/cpt/states>.

The CPT takes note of the authorities' readiness to arrange for access to the necessary information in practice. Nevertheless, a verbal report of information is not sufficient. It is important for the delegation to have access to documentation, including the minutes of police interviews, if necessary, so that it can accurately assess the effective implementation of rights, such as access to a doctor or notification of a family member, in the absence of the relevant information in physical or electronic registers. The Committee reiterates that Article 11 of the Convention stipulates that all information gathered during a visit shall be strictly confidential.

**For the preventive machinery established by the Convention to be effective, it is imperative to remove any normative doubt and to ensure, in law, access to any document necessary for the Committee to carry out its mandate.**

**The CPT recommends once again that the French authorities take immediate steps to ensure that its delegations are granted access to the criminal procedural documents necessary to the fulfilment of its mandate.**

7. The Committee notes that a lack of staff, combined with the application of strict security measures in prison establishments, sometimes slowed down or restricted delegation members' movements, especially in Fleury-Mérogis, Fresnes and Villefranche-sur-Saône prisons (see paragraph 200 relating to staff shortages).

8. Above all, the CPT must point out, once again, that the principle of cooperation between Parties to the Convention and the Committee is not limited to the steps taken to facilitate the task of visiting delegations. It also requires that decisive action be taken to improve the situation in light of the recommendations of the CPT.

In this regard, the Committee notes that its, in some cases longstanding, recommendations made on overcrowding in prisons and its consequences for living conditions as well as the conditions of deprivation of liberty in police establishments have still not been implemented.<sup>2</sup>

Thus, overcrowding in remand prisons and its effects have been a focal point for the CPT ever since its first visit to France in 1991. At that time, the Committee had already visited an establishment – Nice remand prison – where the occupancy rate had exceeded 200%. An *ad hoc* visit to follow up on the issue had taken place in 2003. Since then, the Committee has been particularly attentive to this topic, up to and including during its last visit to the French overseas territories in 2023.<sup>3</sup> The situation has worsened, despite repeated recommendations on the need to remedy this structural problem and the suggestions for improvement.

**The CPT calls on the French authorities to take determined action to reduce prison overcrowding and improve conditions of detention in remand prisons in light of the recommendations made in this report. If no progress is made, the Committee could be compelled to consider initiating a procedure resulting in a public statement pursuant to Article 10, paragraph 2, of the Convention.**

Furthermore, the material conditions and levels of hygiene in the cells of numerous police establishments continue to be substandard, respecting neither the minimum space that should be allotted to every detained person nor their essential needs for overnight stays, such as a mattress and a clean sheet or blanket.

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2. See, for example, paragraph 70 on the effects of overcrowding, paragraph 94 on the material conditions of prisoners, paragraph 106 on access to activities while in detention or paragraph 54 on conditions of detention by law enforcement agencies.

3. See the report of the CPT *ad hoc* visit to French Guiana and Guadeloupe (from 28 November to 14 December 2023), CPT/Inf (2025) 07.

9. Since the Convention's entry into force, France has systematically authorised the publication of visit reports together with its responses. The CPT commends this approach.

Nevertheless, in the interests of transparency, the Committee of Ministers and the Parliamentary Assembly of the Council of Europe have encouraged member states in recent years to agree to the automatic publication of the CPT's future visit reports and the related government responses. The Committee notes with satisfaction that the French authorities expressed an interest in this procedure during the end-of-visit talks.



**The CPT invites the French authorities to agree to the automatic report publication procedure.**

## **C. Immediate observations**

10. At the end of the visit, the delegation made two immediate observations under Article 8, paragraph 5, of the Convention and asked the French authorities to take the necessary steps to:

1. Renovate the communal showers of the nursery in the *women's remand block in the Fleury-Mérogis penitentiary centre* (*Fleury-Mérogis maison d'arrêt des femmes – MAF*) and provide dignified conditions of hygiene and cleanliness for the women and children accommodated there;
2. Provide conditions of imprisonment adapted to an individual, with reduced mobility and presenting multiple pathologies, detained in *Baumettes penitentiary centre in Marseille*.

These observations were confirmed by letter of 18 October 2024 when transmitting the delegation's preliminary observations to the French authorities.

In a letter dated 14 November 2024, the French authorities informed the CPT of the steps taken following its visit with a view to resolving the issues highlighted by the delegation. Reference is made in this regard to paragraphs 128 and 156 of this report.

## **D. National prevention and control mechanism**

11. The General Controller of Places of Deprivation of Liberty (*Contrôleur Général des Lieux de Privation de Liberté – CGLPL*) is the national preventive mechanism (NPM) established pursuant to the Optional Protocol to the United Nations Convention against torture and other cruel, inhuman or degrading treatment or punishment (OPCAT). Since its creation in 2008, the CGLPL visits and reports on all places of deprivation of liberty on the French territory. The French NPM also carries out investigations on the basis of individual applications and regularly publishes reports or opinions on general topics relating to the deprivation of liberty. In 2023, the CGLPL visited 110 establishments, processed over 2 800 individual applications and published, notably, an opinion on overcrowding and the regulation of prisons in September 2023.

The CGLPL actively contributes to the identification of specific and structural problems in places of deprivation of liberty and proposes concrete solutions for improvement. A report on the effectiveness of the system of complaints against undignified conditions of detention was published in October 2024.

12. The Rights Defender (*Défenseur des droits – DDD*) also has an active role in preventing ill-treatment, notably through their powers regarding ethics in the areas of security and child protection. In response to an application, the DDD can issue recommendations officially requesting the administration to adopt a measure within a given deadline. The DDD has issued decisions directly connected to the CPT's activities.<sup>4</sup>

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4. See, *inter alia* [decision 2024-044](#) of 19 April 2024 on the subjecting of a prisoner with metal pins in his legs to full body searches in prison, or [decision 2023-132](#) of 27 June 2023 on the difficulties in maintaining family links between an imprisoned mother and her disabled four year old son.

Furthermore, the DDD has an extensive network of representatives working throughout the national territory to support citizens in their administrative proceedings and any disputes they may have with the administration, including with persons held in prisons. The DDD published a guide on exercising rights in prison in 2024.

13. Since 2000, French law has provided for the possibility of French parliamentarians to make unannounced visits to law enforcement agency (police, gendarmerie and customs) premises, prison establishments and administrative holding centres and areas.

Under Law no. 2021-1729 of 22 December 2021 on “promoting trust in the judicial institution”, “presidents of bar associations or their representative specially appointed within the bar association” may also make such visits. The national bar association and local bar associations have availed themselves of this possibility. Law enforcement premises and French prisons in France are thereby visited regularly, and the visit reports, in some cases illustrated with photos, are published on [a dedicated website](#).

The delegation was informed that bar presidents had recently experienced difficulties regarding the composition of their delegation or the possibility of taking photos, owing to a lack of clarity of the rules applicable to the implementation of such visits. In addition, national courts have been asked to rule on whether this right to visit extends to the holding cells of courts.

The CPT welcomes this positive development in legislation, which enhances the prevention of ill-treatment, as well as the willingness of bar association presidents to actively make use of this visiting right.



**The Committee wishes to receive information on any changes made in the implementation of bar presidents' right to visit places of deprivation of liberty.**

## II. FACTS FOUND DURING THE VISIT AND ACTION PROPOSED

### A. Police and gendarmerie establishments

#### 1. Preliminary remarks

14. The delegation visited the Belleville-en-Beaujolais autonomous territorial gendarmerie brigade (*Brigade Territoriale Autonome – BTA*), the Thoissey brigades community, the departmental gendarmerie grouping of Marseille, the Marseille police headquarters, the police stations serving Drancy, the Lilas district, the 1st, 8th, 10th, 12th and 15th districts of Marseille, the 5th and 6th and the 17th districts of Paris, as well as the Neighbourhood reception and investigation service (*Service de l'accueil et de l'investigation de proximité – SIAP*) of the 16th district of Paris.

15. During its visit, the delegation focused on conditions of detention in police and gendarmerie establishments and the implementation of police custody, which represents the vast majority of cases of deprivation of liberty by law enforcement agencies in France.<sup>5</sup>

#### 2. Ill-treatment

16. The majority of persons who were interviewed by the delegation, who had recently been apprehended by the law enforcement agencies made no allegations of ill-treatment.

17. Nevertheless, a few persons, including minors, said that they had been deliberately punched, notably in the face or ribs, after having been immobilised on the ground. The delegation received several allegations of kicks to the torso of people restrained on the ground. These allegations related solely to actions on the part of police officers, nearly always during apprehension of a suspect and sometimes causing injuries to detained persons.<sup>6</sup>

In addition, some people said that they had been subjected to violence – scratches, punches to the ribs – by police officers while being transferred from the place they were apprehended to the police station and while handcuffed, usually with their hands behind their backs, in the back of a police vehicle.

18. As regards excessive use of force, several men indicated that they had been held in an armlock and then immobilised face-down on the ground when being apprehended in the street. They described being pinned to the ground by several police officers who had knelt on their chest and neck, sometimes with a foot crushing their face. In some cases, it appeared that they had been immobilised for longer than the time necessary to handcuff them. At least one of the individuals spoken to still had bruising, notably on the knees, as a result of being immobilised in this way. In this context, the CPT wishes to point out that techniques of this kind for immobilising people on the ground present a major risk of postural asphyxia.

19. There were also more numerous allegations of overly tight handcuffing. The individuals concerned said that their requests to make the handcuffs less tight had been ignored. The delegation observed that some detained persons still bore marks on their wrists consistent with these allegations.

20. Allegations of threats and insults of a sexist, racist, homophobic or transphobic nature by police officers were also received.

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5. Law enforcement agencies can also deprive a person of their liberty on grounds of identity checking, public intoxication or administrative detention or by judicial decision (execution of an arrest warrant).

6. A certificate attesting to one individual's injuries seen by the delegation mentioned, for example, "left temporomandibular joint pain, several erythema lines measuring 3 to 5 cm on the right shoulder and arm, pain and edema affecting both wrists, pain on the posterior and anterior sides of the elbows, superficial bruising on the knees", which the individual claimed were the result of being violently apprehended. According to medical opinion, these injuries resulted in total incapacity to work for two days.

21. The CPT is aware of the measures taken to prevent the risk of excessive use of force or violence by members of the security forces. The code of ethics explicitly stipulates that the use of force must be strictly necessary and proportionate. The national authorities stated that the training on offer to police and gendarmerie officers teaches and reiterates the need to respect this proportionality and to use appropriate techniques.

However, the allegations described above once again highlight the need for regular reminders to strictly observe the procedures taught. In fact, several members of the law enforcement agencies spoken to could no longer remember the last training course they had attended or the last reminder from their superiors on this subject. For the CPT, it is important to issue regular reminders that any form of physical or verbal ill-treatment, including insults and threats, is strictly prohibited and that anyone perpetrating, encouraging or tolerating such acts will be subject to disciplinary sanctions and criminal proceedings.

**22. The CPT reiterates its recommendation that the French authorities continue their efforts to prevent violence. The management and command bodies of the police and gendarmerie must regularly issue a message of "zero tolerance" of ill-treatment to all officers under their responsibility.**

**They must remind their staff in the strongest terms that no more force than is strictly necessary should be used, and that no excess can be justified, including during arrest. The use of force and/or means of restraint entailing a risk of postural asphyxia should only be a last resort, in exceptional circumstances and for the shortest possible duration, and the practice of placing a foot on a person's face must be prohibited. Furthermore, it should be recalled that excessively tight handcuffing may sometimes have irreversible medical consequences (ischaemic lesions, for example). Every use of force by law enforcement officials must be properly documented (including a description of the facts, injuries sustained, the conditions of transfer of the person to hospital if applicable, etc.).**

**The Committee also wishes to receive detailed information on the number of training courses given and the hierarchical instructions circulated in this regard.**

23. The delegation once again observed that certain items were regularly confiscated when individuals were placed in custody cells. While glasses were still taken away virtually systematically, the confiscation of other items, notably bras, appeared to be less frequent than during previous visits. However, it continued to be systematic in certain police establishments, where it was indicated that this confiscation was "compulsory", without being able to provide any legal basis for it. Moreover, these items were not systematically returned during police interviews or presentations before a judge. It was up to the person in custody to demand they be returned, sometimes insistently, in order to have them before their interviews.

Law enforcement staff justified confiscating these items by the need to prevent suicides. However, these staff indicated that they had not received any training in suicide prevention or individual risk detection and assessment, and said that they were not aware of the existence of any relevant protocol to be followed.

24. The indiscriminate confiscation of such objects is ineffectual if intended to prevent suicides or malicious acts, as detained persons still disposed of other items, notably their clothes, which could potentially be used for those purposes. Indeed, the French authorities have never demonstrated the merits of such confiscations or the "danger" presented by certain confiscated items of clothing.

The CPT also points out that people who have had their glasses taken away may be unable to see their surrounding environment properly or to read the documents on their rights that are on display or distributed. Not having their glasses can also leave people feeling anxious or uncomfortable and even pose a risk to their safety. Moreover, the confiscation of the personal effects in question is perceived by the people concerned as a form of humiliation and places them in a position of inferiority, especially in an interview situation. Finally, the use of video surveillance or making regular patrols limit the risk of self-harm or suicide.

**The Committee once again recommends that the French authorities ensure that any confiscation of bras or glasses during custody is only carried out in very specific circumstances, limited both in terms of frequency and duration. Such confiscations should never be systematic, and should be carried out only where strictly necessary and based on an individualised analysis of the situation.**

**The CPT also recommends that members of the police force responsible for managing places of deprivation of liberty receive regular training in suicide prevention.**

### **3. Safeguards against ill-treatment**

25. Fundamental safeguards against ill-treatment are recognised in French law; indeed, the rights to notify a third party and to access a lawyer have recently been strengthened. The Law no. 2024-364 of 22 April 2024 amended the legal regime governing custody to increase the role of lawyers during custody and extend the categories of persons who may be notified of the measure. The CPT welcomes these legislative changes, which strengthen the guarantees offered to persons in custody and allow for the harmonisation of standards at the level of the European Union.

#### **a. notification of a third party**

26. The law of 22 April 2024 widens the circle of persons who may be notified in the context of informing a third party of a placement in police custody. In addition to partners and spouses, direct relatives, siblings, and employers, "any other person" designated by the prisoner may now be contacted. This includes friends, colleagues or any other trusted person.

According to the information gathered by the delegation, the call to a third party was sometimes made in the presence of the person placed in custody. Nevertheless, the most common practice was to notify the third party in the absence of the person concerned, and without confirming that the call had been made. Moreover, it was still impossible for law enforcement officials to call a foreign telephone number, despite the existence of a risk of this nullifying the procedure.

French law still allows the judicial police officer (*officier de police judiciaire – OPJ*) to authorise a person in custody to speak directly to a third party of their choosing if this does not interfere with the investigation. In practice, however, this option remained largely unused and was mainly limited to those cases in which the person concerned insisted on making use of it. Furthermore, not all of the OPJs interviewed by the delegation were aware of this provision.

**The CPT once again recommends reinforcing the procedures relating to the right to inform a third party of one's deprivation of liberty by making it compulsory to indicate to the person in custody whether or not the information has been transmitted, by allowing a call to a person abroad (via a foreign telephone number or video call), and by improving the information on the possibility of making a call directly.**

27. French law still provides for the possibility of deferring notification of a third party beyond 48 hours, by decision of a judge at the request of an OPJ.<sup>7</sup> The CPT recognises the exceptional nature of such a deferral and the control exercised by a judge in the case of such a decision. However, the Committee reiterates its view that this period should be limited to a maximum of 48 hours, whatever the offence. This period strikes a fair balance between the requirements of the investigation and the rights of the person in custody.

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7. According to Article 63-2 of the Code of Criminal Procedure: "at the request of the senior judicial police officer, the public prosecutor may decide that the notification [...] shall be made later or not at all if, in the circumstances, this is deemed necessary to allow the collection or preservation of evidence or to prevent serious threat to a person's freedom or physical safety. If police custody is extended beyond 48 hours, the decision to delay notification may be upheld by the judge of liberties and detention or the investigating judge, except when it is a matter of informing the consular authorities."

**The Committee recommends, once again, that the Code of Criminal Procedure be amended in order to guarantee the right of anyone placed in custody to have a third party informed of that placement, and in all events after 48 hours, whatever the grounds of investigation.**

**b. access to a lawyer**

28. The law of 22 April 2024 strengthened the right to assistance by a lawyer by abolishing the two-hour waiting period. No interview may begin without the presence of a lawyer – except in the case of the derogation system described below. If the chosen lawyer cannot come within two hours, or cannot be contacted, the OPJ must immediately refer the matter to the president of the bar for the appointment of an *ex officio* lawyer.

Persons held in custody may hold a confidential preliminary meeting with a lawyer, for a maximum of 30 minutes. The law of 22 April 2024 widens the range of procedural documents available to lawyers (interview reports and medical certificates in particular).

In practice, those who had had access to a lawyer reported that they had been able to speak with their counsel and that the lawyer was able to participate in the proceedings, including when the interview was held at night or on weekends. Nevertheless, as was the case during the last periodic visit, persons in custody were sometimes encouraged by law enforcement officials not to exercise their right to be assisted by a lawyer so as not to delay proceedings. A few persons in preventive detention indicated that they had requested the assistance of a lawyer but were unable to obtain it.

**The CPT recommends that the French authorities regularly remind law enforcement officers that they must not discourage or hinder an individual's decision regarding recourse to a lawyer.**

29. Despite the CPT's repeated recommendations, French law still provides for the possibility of postponing the lawyer's intervention. The attendance of a lawyer during interviews and hearings may be postponed for 12 or even 24 hours, by decision of the public prosecutor under the ordinary law governing custody. However, this measure does not affect the possibility of having a confidential interview at the beginning of police custody.

The system of derogation from ordinary custody allows a judge to defer for up to 72 hours any contact with a lawyer, including the initial interview, for compelling reasons relating to the particular circumstances of the case.<sup>8</sup>

Such derogation measures are taken by a judge in a reasoned decision which is open to appeal. However, the CPT reiterates that access to a lawyer during deprivation of liberty is a fundamental safeguard not only for the fairness of the proceedings as enshrined in Article 6 of the European Convention on Human Rights, but above all against ill-treatment, which is a non-derogable right under Article 3 of the same Convention.

Accordingly, if exceptional circumstances require delaying a detainee's access to a lawyer of their choice, French law should allow for the appointment of another lawyer who will not jeopardise the legitimate interests of the investigation.

**The CPT calls on the French authorities, once again, to amend the Code of Criminal Procedure in order to guarantee, under all circumstances and for all persons in police custody, the right to assistance by a lawyer from the outset of the measure. The power of the public prosecutor or judge to defer the exercise of the right to be assisted by a lawyer, including during interviews and confrontations, should only concern lawyers chosen by the person in police custody; there must be provision for the appointment of an independent lawyer, for example by the president of the bar.**

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8. Article 706-88 CCP: "in view of the particular circumstances of the investigation or inquiry, either to enable evidence to be gathered or preserved or to prevent serious danger to a person's life, freedom or physical integrity".

### c. access to a doctor

30. The normative provisions relating to the right to be examined by a doctor have remained unchanged since the previous visit. Anyone remanded in custody, or whose custody has been extended may, on request, be examined by a doctor. A medical examination is compulsory for minors under 16 years of age, but not for children between 16 and 18 years of age, or in cases of derogation from ordinary custody rules. The doctor gives an opinion on whether the person in question is fit to be held in custody. The examination must take place in dedicated premises. Law enforcement agencies prefer to have examinations carried out on their premises by a forensic or general practitioner in order to avoid a transfer to hospital.

As was the case during the previous visit, the delegation noted that on the whole, this safeguard was complied with and detained persons were given a medical examination if necessary. Nevertheless, the examination was extremely cursory and usually consisted of nothing more than taking the person's vital signs and asking them a few questions. The detained persons met said that they had not been questioned about their medical history or current treatments, nor had they been examined for any traumatic injuries. Moreover, medical consultations were conducted without interpretation, at times rendering discussion impossible. At the 15th district police station in Marseille, a foreign national had not received their insulin treatment for over 12 hours due to problems of access to interpretation (see paragraph 40, in particular). Several of the doctors spoken to said they did not have the time to deal with the issue of ill-treatment, or the authority to do so.

Not all the premises visited had a defibrillator or adequate first-aid kits, particularly in the gendarmerie establishments (see also paragraph 58).

31. Medical confidentiality was not systematically guaranteed during these consultations. Medical examinations and discussions between patient and doctor regularly took place in the presence of or in close proximity with a law enforcement agent, who could see and hear the examination, for example with the examination room door open, even though the doctor had not explicitly requested this.

Certificates or other documents relating to the medical examination were not given to the person examined, but only to the law enforcement agency. Despite the CPT's previous recommendations, the medical form given to the doctors did not provide for recording of the allegations made by the person examined, checking that the injuries observed were consistent with the description of the violence, or attaching photographs. In practice, it was up to the person to lodge a complaint after being detained, as medical certificates were never forwarded to the competent prosecution authorities.

32. The Committee considers that intervention by a doctor during detention by law enforcement agencies is a key element in preventing and combating ill-treatment. The doctor's function is both curative and preventive. They must ensure that those deprived of their liberty by law enforcement authorities are not injured and that they receive the medical care necessary to their condition.

The CPT must point out that there can be no justification for law enforcement officers being systematically present during the medical consultations of persons in custody. Their presence is detrimental to the establishment of a proper doctor-patient relationship and is usually unnecessary from a security point of view. Furthermore, the presence of non-medical personnel during medical consultations may discourage the person concerned from revealing sensitive information to the healthcare professional, such as the fact that they have been mistreated, have consumed psychoactive substances or are carriers of contagious diseases.

Accordingly, the CPT considers that, as a matter of principle, all medical examinations of persons in police custody should be conducted out of the sight and earshot of law enforcement officials, under conditions which fully guarantee medical confidentiality. However, in exceptional circumstances, and at the request of the healthcare professional, the presence of non-medical staff may be justified.

Such exceptions should be specified in the relevant regulations and limited to those cases where, on the basis of an individual risk assessment, the presence of law enforcement officials of the same gender as the person being examined is considered to be absolutely necessary, notably to ensure the safety of the healthcare professional. Furthermore, an exception should only be allowed where other, less intrusive security measures would not fully contain the risks. Possible alternatives would be to create a secure room or to ensure the backup presence of additional healthcare staff. A call system could also be installed enabling medical staff to alert officers rapidly in the exceptional cases when a prisoner should become agitated or threatening during a medical examination. The healthcare professionals concerned should be duly informed of any relevant past behaviour specific to the detained person, the applicable rules and any recommendations on how to respond in such situations of high-risk to their safety.

**33. The Committee recommends strengthening the role of doctors by specifying in the normative texts their preventive role. In this context, it is important to implement the measures recommended in paragraph 169 concerning the drawing up of traumatic injury reports for all allegations of ill-treatment during deprivation of liberty by law enforcement agencies.**

**In particular, the CPT recommends that the French authorities take measures, including amending the relevant regulations, to ensure that the abovementioned precepts are fully implemented in practice. In general, all medical examinations of persons in police custody should be conducted out of the sight and earshot of law enforcement officials, under conditions which fully guarantee medical confidentiality**

**34. The CPT invites the French authorities to make legislative changes to ensure that consenting children of all ages, including those between 16 and 18 years old, are systematically examined by a doctor when deprived of their liberty.**

35. As was the case with previous visits, some people in custody reported that they had been taken to hospital for an examination. In the absence of a dedicated access route, they had had to wait in the waiting room in handcuffs before being escorted by law enforcement officials in front of other hospital patients.

The CPT wishes to recall that the practice of moving around and waiting in public places under such conditions may be considered humiliating and degrading. A discrete route must allow for the hospitalisation of persons deprived of their liberty out of sight, and limit the risk of incidents.

**The CPT once again calls on the authorities to take measures to ensure that the access, movement and waiting of persons deprived of their liberty, particularly when hand or ankle-cuffed, are not visible to members of the public in hospitals or other medical facilities.**

36. Persons who were not in a fit state to understand and consciously exercise their rights, notably due to intoxication by alcohol or psychoactive substances, were left in cells until their physical and cognitive condition improved. The delegation noted differences in practice regarding blood alcohol levels in the establishments visited. While some law enforcement officials waited until the person had come to their senses, the majority only initiated the custody procedure when the person had a blood alcohol level of zero. The procedure related to public and obvious intoxication, including the right to a systematic examination by a doctor, was not consistently implemented.

**The CPT recommends that all persons deprived of their liberty when in a state of intoxication be seen immediately by a doctor. The French authorities are also invited to establish a harmonised procedure for placing intoxicated persons in custody.**

#### d. protection of minors

37. According to interviews conducted with minors and law enforcement officers, minors in police custody were systematically interviewed with a lawyer, but most often without the presence of a trusted adult (either a responsible adult or a relative). Several of the minors interviewed also said that they had not understood the role of the lawyer or received from them any explanation of the proceedings.

**III The Committee recommends that, in principle, the attendance of a responsible adult should be ensured at all custody interviews involving minors.**

38. In the absence of facilities specifically designated for interviewing minors, OPJs were forced to conduct interviews in their offices, the layout of which (with several officers in the same office) was unsuitable for such purposes. In addition, a number of law enforcement officers reported that they had had no training in interview techniques for minors.

The CPT notes positively that the CPT's past recommendations regarding the quality of interview techniques are among the Government's priorities.<sup>9</sup>

**III The Committee reiterates its recommendation that the French authorities take the necessary measures to ensure that law enforcement officials who are likely to interview minors have received specific training and are able to conduct such interviews in designated facilities.**

#### e. information on rights and interpretation

39. People are informed of their rights verbally at the time of being apprehended and then in writing when placed in custody. They sign an information sheet summarising their rights, which is included in the case file.

Article 803-6 of the CCP provides that a document setting out the person's rights must be given to them upon notification that they are being placed in custody, and that this document may be kept throughout the period of detention.

During the visit, the delegation found that the verbal information was given correctly. As was the case during the 2019 visit, people who had recently been placed in custody by the police said that they had signed the information sheet without being able to read or understand it. Although the document is in principle available in many languages, the police and gendarmerie officers interviewed were not always aware of the existence of these translations. Above all, the document was never left at the disposal of detained person. In some establishments, the French version of the document was displayed on the glass panel of the custody cell. However, it was difficult, if not impossible, to read it properly due to dirt on the glass, the small size of the print, its poor placement, or the fact that the detainee's glasses had been taken away. It was also not systematically displayed in all cells in the establishments visited. Finally, the detained persons had not been told that the information was on display, and none of the persons met by the CPT in their cells had paid any attention to it.

**III The CPT reiterates its recommendation that persons placed in police custody should be able to keep a document in their cell summarising their rights, in simple and accessible language, taking into account any particular needs of vulnerable persons.**

40. Law enforcement officers used professional interpretation when interviewing persons in custody who did not speak French. Interpretation was mostly provided in-person, but could also be provided remotely via telephone. On the whole, this system appeared to work, although some foreigners reported difficulties understanding or delays in accessing professional interpretation. Moreover, such linguistic assistance was not available for the other stages of custody, including when speaking to a doctor or lawyer.

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9. See in particular [the response](#) (paragraph 80) of the French authorities to the CPT's recommendations in its report on the visit to French Guiana and Guadeloupe in 2023, [CPT/Inf \(2025\) 07](#), paragraphs 33 and 34.

The law enforcement officers in charge of the detention area said that they had to “make do” in order to interact with non-native speakers. In fact, several foreign nationals said that they had been unable to express basic needs (such as asking for water, or to go to the toilet) due to the lack of an interpretation system.

**The CPT reiterates its recommendation that the French authorities ensure that persons in custody receive, where necessary, the assistance of a qualified interpreter at all stages of their detention, including when they are examined by a doctor or receive advice from their lawyer.**

#### **f. custody records**

41. Police and gendarmerie establishments have computerised or paper registers to record the procedural steps and the actual course of the various forms of deprivation of liberty. In particular, such registers make it possible to verify the respect of fundamental rights. Since 2016, the National Police has deployed *iGAV* (*informatisation de la gestion de la garde à vue*) custody management software to monitor all stages of the custody process, both in terms of procedure and the actual progression of the deprivation of liberty.

The police stations visited had no software for logging and tracking other types of deprivation of liberty, and officers had to keep paper registers for public intoxication, identity checks and detention of foreign nationals. Above all, *iGAV* software was neither accessible to the national gendarmerie nor deployed in all police establishments. Thus none of the police establishments in Marseille, one of France's largest police districts, benefitted from it, even though the police officers met by the delegation had been trained in its use. In these establishments, as in the police stations in the 8th, 12th and 15th districts of Marseille, the collection of information relating to police custody was done in a paper register, often incompletely or partially. Furthermore, the recording was often done simultaneously in several computer and manual registers. The information collected did not allow for the consistent traceability of the exercise of fundamental guarantees.

**42. The CPT recommends that the French authorities take the necessary steps to ensure that information on safeguards against ill-treatment (access to a doctor or a lawyer, notification of a third party and information on rights) and on deprivation of liberty (start of the measure, entry and exit of cells, search, interview(s), food, transfers, etc.) is correctly logged in a single, paper or computerised, register. The signature of such a register or of a statement by the person deprived of liberty attesting to having been informed of their rights, to having exercised them, or to having waived them, should be required. Any absence of signature should be duly justified.**

**In this context, the deployment of *iGAV* software should be accelerated and made accessible to all police and gendarmerie establishments and, ideally, for all types of deprivation of liberty. The CPT would like to receive information on the deployment of *iGAV* software throughout the French territory and notably in Marseille.**

#### **g. combating impunity**

43. The ability to identify members of law enforcement agencies while they are carrying out their duties is a crucial factor which strengthens transparency in the exercise of official functions and in helps to combat impunity. Since 2014, police officers and gendarmes have been under obligation to wear an organisation ID reference (*référentiel des identités et de l'organisation - RIO*), composed of a seven-digit number allowing their identification, either on their uniform or plain clothes. The number is usually worn on the chest of uniformed officers or on the armband of plainclothes officers.

44. The Supreme administrative jurisdiction (*Conseil d'Etat*) decision of 11 October 2023 recognised the need to ensure that RIOs are worn in practice, and confirmed the need to ensure their visibility and legibility, particularly in the context of rallies or gatherings. As a result of this ruling, and given the one-year deadline for compliance, the French authorities strengthened their instructions to ensure that identification numbers are actually worn.

The delegation noted that almost all police and gendarmerie officers met during the visit had visible identification numbers, which is a significant improvement on its previous findings. However, some people who had recently been apprehended by the police said that officers had not worn visible identification numbers; this was particularly the case for officers in plainclothes. People who had been apprehended also said that they had not been able to see or memorise the numbers of the officers who had brought them in. According to the French authorities, consideration was being given to ways in which the number could be made more visible.

**The CPT encourages the French authorities to pursue their efforts to ensure that identification numbers are actually worn in all circumstances, and would like to be informed of any intended measures to make them more visible.**

45. Internal supervision of law enforcement agencies is mainly carried out by the Inspectorate General of the National Police (IGPN) and the Inspectorate General of the National Gendarmerie (IGGN). Both inspectorates receive and deal with reports of professional misconduct. They each have an online reporting platform. Both handle complaints received and carry out administrative investigations into allegations of misconduct by their respective law enforcement agencies.

In 2023, 1 015 judicial investigations were referred to the IGPN, of which 53% concerned allegations of excessive use of force, mostly during arrests. These figures are stable in comparison with the previous years. 26 investigations were opened into allegations of racist or discriminatory insults – a sharp decrease compared with 2022 (52). In 47 investigations, the IGPN found disproportionate use of force and a failure to protect the detainee. For its part, the IGGN received 362 reports leading to findings of proven professional misconduct.

There is still no unified system between the police and gendarmerie for compiling statistics on complaints, or on disciplinary and criminal proceedings and sanctions against members of the security forces. A unified approach would allow for a better understanding of the issues at stake and for general measures to be taken at national level. In addition, the inspectorates are still unable to investigate allegations at their own initiative and must sometimes wait for criminal proceedings to be opened before they can initiate an administrative investigation. Finally, it appears once again that individuals prosecuted for insulting or assaulting members of law enforcement are usually brought before a court very speedily, more often than not immediately, whereas decisions on complaints of brutality by law enforcement officers are only made after proceedings lasting for several months.

**The CPT once again encourages the French authorities to step up their efforts to combat impunity by ensuring that the police and gendarmerie are able to investigate allegations on their own initiative and by compiling and publishing unified statistics on this subject. The Committee would like to receive the comments of the authorities on the discrepancy in the time taken to process complaints of insulting and/or violent behaviour towards, as opposed to by law enforcement officers.**

46. According to media reports, on the night of 24 July 2024, a detainee was subjected to intentional violence by police officers at the police station of the 5th and 6th district in Paris. The person is said to have suffered violently blows, resulting in a fractured arm. During the visit, the delegation was informed of the measures taken by the French authorities in response to this case. According to the information provided, the prosecution authorities had been informed immediately upon the person's medical examination. After a criminal investigation was opened, the two police officers identified were placed under judicial supervision, barred from holding any position in the public service, prohibited from possessing or carrying a weapon and had their salaries withheld. On 15 January 2025, the two police officers were given, by a

court of first instance, suspended prison sentences of 18 and 24 months respectively, and a permanent ban from working in the public service, to be enforced immediately notwithstanding appeal. An administrative inquiry was opened in parallel, which was still under investigation by the IGPN at the time of the visit.

**The CPT wishes to be kept informed of the outcome of the criminal and administrative proceedings relevant to this case. More generally, the Committee would like to receive up to date statistics on the number of complaints made against law enforcement officials for ill-treatment of persons deprived of their liberty, in 2022, 2023 and 2024, as well as the numbers and outcomes of administrative and judicial procedures opened following these complaints.**

#### **4. Conditions of detention**

47. As was the case with previous visits, the delegation found great disparity in terms of material conditions between the detention premises run by law enforcement agencies. The CPT is aware of the investments made on a regular basis by the French authorities to renovate or modernise certain premises. The cells in the three gendarmerie establishments visited (Belleville-en-Beaujolais Local Gendarmerie Brigade, Marseille departmental gendarmerie grouping, Thoissey brigade grouping), which were unoccupied at the time of the visit, some of which were old, were all clean and well maintained. The recently renovated cells in the commissariat serving Paris 5th and 6th districts and the 16th district SIAP in Paris were in a satisfactory state on the whole.

On the other hand, the material conditions of detention in the other police premises give great cause for concern. In the 1st and 15th district police stations in Marseille and the Lilas district, detention facilities were very dirty and dilapidated despite so-called regular cleaning. Unsanitary marks were visible on the walls and floors of cells of Marseille 1st district station, and the blocked toilets gave off a sickening smell. The presence of cockroaches was also observed in some cells. In most of the premises visited, the ventilation system was inadequate or faulty, allowing odours and damp to develop and making the air in the cells stifling in hot weather. Furthermore, most of the detention areas did not have any heating for the winter period. All these elements made life in the cells and work in these areas particularly difficult.

In most of the police stations visited, the cells had no natural light or sanitary facilities or a functioning water supply. Where they did exist, call buttons tended not to work and when they did, police staff did not always pay heed to them, obliging detained persons to bang on the door or shout to make their needs heard. A few "individual" cells were equipped with functioning toilets, but most of the cells had none. In the absence of in-cell sanitary facilities, those being held in custody had to ask staff for access to the communal toilets. Moreover, they were generally unable to wash their hands with soap as no sink was accessible.

The most alarming illustration of this problem was seen in the 15th district police station in Marseille, which had only one functional sanitary facility, with a broken light and just a tap with no sink (the water was collected underneath in a bucket), although 7 000 people are held in custody there each year.

**The CPT recommends that effective measures be taken as soon as possible to ensure better conditions of hygiene and cleanliness in custody premises. Furthermore, all cells should have adequate access to natural light, an operational ventilation system and a call system which works when needed.**

48. The police stations had cells referred to as "individual" and larger "multi-occupancy" cells. The individual cells measured generally between 5 m<sup>2</sup> (5.4 m<sup>2</sup> at the Marseille police headquarters, for example) and 7 m<sup>2</sup> (7.4 m<sup>2</sup> at the police station in Marseille's 8th district). However, the two individual cells in Lilas police station measured only 4 m<sup>2</sup>. The size of the multi-occupancy cells varied from 6/7 m<sup>2</sup> to over 15 m<sup>2</sup>.

As was the case during previous visits, custody cells were occupied depending on the space available and without any limit on capacity. They were frequently overcrowded, obliging detained persons, including minors, to spend day and night in custody in unacceptable conditions. The delegation thus observed that two people had spent the night in an individual cell measuring 4 m<sup>2</sup> at Lilas police station. This was apparently a recurring situation there owing to the small number of cells available. There was a similar situation in the multi-occupancy cells, in which the delegation noted several instances of persons having 2 m<sup>2</sup> of space, or less, each. Three minors had been placed in a cell of less than 6 m<sup>2</sup> at the 15th district police station in Marseille, and there were five people locked up in a cell of 11 m<sup>2</sup> operated by the 16th district SIAP in Paris. According to the officers spoken to and the registers consulted, these situations were by no means exceptional.

The CPT reiterates that cells measuring approximately 5 m<sup>2</sup> are hardly appropriate for detaining an individual for more than a few hours.

**The Committee recommends once again that cells measuring around 6 m<sup>2</sup> should only hold one person for a prolonged period of detention. All cells in which detained persons spend the night should provide a reasonable amount of space for the number of people they are supposed to accommodate. The official capacities of establishments should be respected.**

49. The CPT also questions the use of cells where multiple individuals are held in custody. The delegation observed that five people were locked in one cell measuring 11 m<sup>2</sup> at the 16<sup>th</sup> district SIAP in Paris while other cells were operational but unoccupied. Similarly, the eight cells at the 10th district police station in Marseille had not been used for some months while other police stations in Marseille were suffering from structural overcrowding. This lack of use is all the more perplexing given that the material conditions observed appeared satisfactory. For example, the cells at Lilas police station were overused while the cells at Drancy police station, just a few kilometres away, were virtually empty at the time of the visit.

**The CPT invites the French authorities to make use of all the police premises available in order to provide suitable detention conditions in line with the principles set out above. The Committee wishes to receive explanations for the specific situations mentioned.**

50. The CPT notes that these degraded material conditions, overcrowding and a lack of resources made the working conditions of police staff difficult, generating stress and friction with the detained persons.

51. The delegation observed that the mattresses in the cells were not cleaned between each use owing to a lack of time or resources. In the police stations of the 1st and 8th districts of Marseille, several of the mattresses given to people in custody no longer had their plastic covers. At Lilas police station, some people even had to sleep on the floor due to a lack of mattresses. The same applied to the blankets, although they were supposed to be for single-use. The detained persons interviewed said that the blankets given to them were not new or laundered. Police staff in several police stations admitted that they did not have an adequate stock of blankets to be able to provide a clean one to every individual in custody.

52. As regards personal hygiene, there was a good stock of toiletry items (hygiene kits), with different items for men and women, in the establishments visited. Nevertheless, law enforcement staff said that these were only distributed upon request by detained persons, who were never informed of their existence. Consequently, there were no hygiene kit items seen in the cells visited, and the detained persons questioned said that they were unaware that these existed. A few establishments had a shower, such as the 16th district SIAP in Paris and the police stations serving the 1st and 12th districts of Marseille, and in principle these showers could be used by people held in custody. Once again, detained persons were not informed of this, and the police departments had no towels or soap to provide them. Consequently, the showers were never used.

53. None of the law enforcement establishments visited had access to a dedicated outside area for detained persons. Only individuals held in custody for prolonged periods and who asked to smoke were occasionally allowed to do so in the yard or the car park, in most cases for a period of less than 20 minutes and during which they were handcuffed to a fixed object.

**54. Given the failings mentioned above in connection with the material conditions in custody units, the CPT recommends once again that additional measures be taken, and the necessary resources allocated, in order to ensure that cells are kept in a state of cleanliness which respects the dignity of people in custody. Those who must spend the night in detention must have disinfected mattresses with washable covers and a clean or new blanket. Cells which do not have a bed for each of the persons detained there should never be used for deprivation of liberty of more than a few hours, and in no circumstances overnight.**

**The Committee recommends once again that detained persons should be able to maintain a decent level of personal hygiene by being systematically provided with a personal hygiene kit appropriate to their needs and having access to a shower, sanitary facilities and a functioning and clean water supply**

**The CPT once again recommends that people held in custody for periods of longer than 24 hours should have access to fresh air, for at least one hour a day, in a suitable area of adequate size, and with at least a seat and a shelter affording protection from inclement weather or the sun.**

55. In principle, meals were distributed three times a day, of which two were hot meals. Breakfast consisted of two small biscuits and a glass of water.

Detained persons were given cups of water, only on request. They were not allowed to keep a bottle of water in the cell, including during the night, in either police or gendarmerie establishments. Virtually all those interviewed said that they had experienced difficulties in obtaining a drink and had to make repeated requests. The police staff replied that they did not always have time to respond to such requests, while acknowledging that this might have an effect on the health of detained persons, especially during particularly hot weather.

**The CPT recommends that steps be taken to ensure that everyone placed in custody has access to drinking water at all times. If there is no functioning tap in the cell, the possibility of leaving a sufficiently large recipient containing water should be authorised.**

56. The CPT is particularly concerned by the conditions observed in the Lilas and Marseille 1st and 15th district police stations due both to chronic overcrowding and to a lack of resources, notably of mattresses, and of hygiene. These conditions were particularly unsanitary and potentially degrading for the detained persons.

**The CPT recommends that urgent steps be taken in the Lilas, and Marseille 1st and 15th district police stations in order to provide conditions which respect dignity by improving hygiene levels and drastically reducing the number of people held in custody on those premises. The individual cells in Lilas police station should never be used to hold more than one person. The CPT wishes to receive detailed information from the French authorities on the remedial measures taken, including for pest control (rats and insects).**

57. During the visit, the delegation observed once again that none of the gendarmerie establishments visited was equipped with a permanent staff presence or a functioning call bell system. Despite the CPT's repeated recommendations since 2007,<sup>10</sup> people are still being held in custody in places where staff are not always present in the evening and at night, and where there is no call bell or alert system.

Night-time rounds were carried out to make up for this lack of permanent presence in the gendarmerie premises. Once again, the delegation observed that these rounds were not being carried out at regular intervals, every three or four hours at best. Their execution was heavily dependent on gendarmes being available in the area concerned. Continuous supervision could be put in place in exceptional cases, on the basis of an individual analysis of the risks related to the person placed in custody.

In this context, the CPT notes that the IGGN's 2022 report described the life monitoring sensors used in cells in Norway as a model that could potentially be transposed to France, stating that "the legal and technical studies, required prior to experimentation with this promising technology in the custody suites of the national gendarmerie, are in progress".<sup>11</sup>

58. Decree no. 2023-1330 of 28 December 2023 proscribes, in principle, the use of continuous video monitoring of custody cells and customs service holding cells. After this decree entered into force on 1 October 2024, the national police issued instructions that rounds be carried out every 15 minutes in custody areas. The CPT is not aware of a similar measure for the gendarmerie, notably at night.

The CPT wonders why there is a difference in approach between police establishments, where visual checks must be carried out very frequently on persons held in custody, and gendarmerie establishments, where detained persons can be left for several hours without a member of staff being physically present in the vicinity. A high number of undesirable calls, vandalism and difficulties in centralising custody duties for the national gendarmerie cannot be used as excuses to justify the failure to introduce satisfactory measures.

**The Committee recommends once again that the French authorities take the necessary steps to install call bell systems in all gendarmerie holding cells. The Committee wishes to receive information on any measures deployed as an alternative to call buttons, such as life monitoring sensors, and the schedule for their introduction. Staff should always be present in detention areas so that they can intervene rapidly if necessary.**

**The CPT further recommends that the French authorities take steps to ensure that someone capable of providing first aid (that is, someone who possesses a certificate of qualification in cardiopulmonary resuscitation and the use of an automated external defibrillator) is always present – both day and night – in all custody suites; all custody suites should be equipped with a defibrillator.**

59. The CPT considers that people should not be handcuffed to fixation points in law enforcement premises. However, the delegation once again observed fixation points in the different police buildings. At the police headquarters in Marseille, the video interview room had wall-mounted chains, and the bench used for interviews with lawyers had anchor rings at either end. Fixation points were also found in or near the criminal police investigation offices, such as chains anchored to the floor in front of chairs which were also fixed to the floor at the 1st and 15th district police stations in Marseille, used for shackling people prior to or during their interview.

Moreover, the benches in the custody areas of all the police premises visited, with one exception, had a bar or chains fixed to the floor (12th and 15th district police stations in Marseille) for attaching handcuffs, and some handcuffs were ready-fitted, at Lilas police station for example. At the 5th and 6th district police stations in Paris, people waiting prior to being admitted to custody were placed in a secure glass booth, an example which demonstrated that fixation points can be replaced by alternatives.

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10. See [CPT/Inf \(2007\) 44](#), paragraph 33; [CPT/Inf \(2009\) 32](#), paragraph 85; [CPT/Inf \(2012\) 13](#), paragraphs 29 and 31; [CPT/Inf \(2017\) 7](#), paragraph 28, [CPT/Inf \(2021\) 14](#), paragraph 34 and [CPT/Inf \(2025\) 07](#), paragraphs 39 and 43.

11. See the [IGGN's 2022 report](#), page 79.

The use of fixation points varied greatly in terms of both frequency and purpose. More often than not, they were used because of a lack of immediately available premises, for example upon arrival in the custody area. Fixation points were also used if cells were temporarily overcrowded, to keep detained persons separated, or due to a lack of available staff. The delegation's interlocutors during the visit admitted that they used fixation points of this kind due to the lack of a secure alternative solution.

60. In the police and gendarmerie premises visited, motorbike helmets were stored in full view in the detention zone. The helmets, which were not officially issued stock, were used if detained persons were highly agitated. According to various police officers, the helmet was forced onto the head of an agitated person, whose two hands were generally cuffed to the bench. According to the information gathered, this procedure was intended to prevent injuries and verbal or physical attacks. This *de facto* restraint measure, which was both non-regulation and unregistered, was applied for as long as the individual remained agitated or until a medical solution was found.

**61. The Committee recommends once again that fixtures for attaching individuals be done away with in all law enforcement establishments. More generally, the French authorities should take effective measures, including of a normative nature, to stamp out the practice of attaching detained persons to fixed objects, or the use of non-regulation items, such as motorbike helmets. Procedures, in conformity with the respect of dignity, should be introduced for dealing with people who are in a state of agitation or at risk of harming themselves.**

62. The delegation noted the variety of police and gendarmerie transport vehicles fitted with secure compartments. While some were recent, most were old and run-down. They were not systematically fitted with seatbelts or padded seats. This made journeys particularly unpleasant and dangerous, particularly when individuals had their hands cuffed behind their back. Most of the vehicles had sideways-facing seats without a view of the outside, which made journeys even more difficult, causing travel sickness for many of those transported. Accordingly, the CPT is pleased to note that the new national police vans make it possible to transport detained persons in a safe and dignified manner.

**The CPT recommends that all national police and gendarmerie transport vehicles be fitted with basic safety equipment, notably seatbelts, padded seats and headrests, adequate artificial lighting and with access to natural light. Vehicles must also be fitted with some means to allow detained persons to communicate with the staff escorting them.**

**The Committee wishes to receive a pluriannual programme indicating when police and gendarmerie transport vehicles are scheduled to be replaced.**

## **5. Holding cells at the Judicial Court of Marseille**

63. The holding cells were on the ground floor of the Monthyon block, which is part of the Marseille Judicial Court complex. The detention area comprised 12 cells measuring between five and 20 m<sup>2</sup>. A dedicated national police unit was responsible for the monitoring and care of persons deprived of their liberty on the court's premises.

64. At the time of the visit, 32 people were in the holding cells, including one woman and three minors. On average, 30 people were held there in custody each day, divided across the different cells according to the detention facility from which they had come, their gender and their age (minor or adult). Nevertheless, the delegation was told that the cells had held a total of up to 96 people at the same time, during the 2023 riots, which forced the service to put several dozen people in the same cell.

65. While the premises had been recently renovated, notably refreshing the paintwork, they were already showing signs of wear and were quite shabby. In particular, the delegation observed dilapidated walls and broken call buttons. Cockroaches were still present despite the works carried out. The cleaning carried out six days a week was not enough to maintain the premises in an acceptable state of cleanliness for either the detained persons or for law enforcement staff.

The concrete bench in the waiting room was fitted with two rings for handcuffing detained persons prior to being placed in a cell. The delegation also noted that anchor rings were present in various cells.

**||| The CPT recommends that the fixation points on the bench in the waiting room and in cells be removed immediately. It also invites the French authorities to carry out regular maintenance and renovation in the holding cells of the Judicial Court of Marseille. The recommendation set out in paragraph 48 concerning minimum space is equally applicable to this establishment.**

## B. Situation in the prisons visited

### 1. Preliminary remarks

56. During the 2024 periodic visit, the delegation visited Fleury-Mérogis prison (second visit),<sup>12</sup> Fresnes prison (fourth visit),<sup>13</sup> Marseille-Baumettes prison (third visit)<sup>14</sup> and Villefranche-sur-Saône prison (first visit). The delegation was particularly interested in the conditions of detention in the remand prisons of these establishments and the effects of prison overcrowding (see paragraphs 67 and foll.). The delegation also visited for the first time the detention facility for children in Marseille (*Etablissement pénitentiaire pour mineurs*, “EPM”, see paragraphs 262 and foll.).

Fleury-Mérogis prison, inaugurated in 1968, is the largest prison in the European Union, covering an area of around 140 hectares. It comprises three separate sites: the men's prison (*Maison d'arrêt pour hommes*, “MAH”), which includes a unit for children, the women's prison (*Maison d'arrêt pour femmes*, “MAF”), which also includes a unit for children, and the central detention section (*Quartier centre de détention* – “QCD”) - this section was not visited by the delegation. In September 2024, Fleury-Mérogis prison had 3 377 theoretical places (including 2 945 operational places)<sup>15</sup> for a total of 4 299 prisoners. Nearly 60% of the population was sentenced and around 30% of the prisoners were of foreign origin.

The men's prison, made up of five identical accommodation buildings, had 2 278 theoretical places for 3 514 prisoners, that is, an occupancy rate of 154%. The women's prison had 197 theoretical places in ordinary detention for 239 adult women, that is, an occupancy rate of 121%. The male children section was 75.5% occupied (71 boys for 94 places) and the female children section held 9 girls for 18 places.

Fresnes prison is one of the oldest prisons in France, dating back to 1898. The prison was housing a total of 2 346 prisoners for 1 885 operational places.<sup>16</sup> The majority of prisoners were convicted prisoners (65%).<sup>17</sup> In September 2024, the men's prison had 1 916 prisoners for 1 298 places, that is, an occupancy rate of around 148%, separated into three divisions.<sup>18</sup> Around 25% of the prisoners were of foreign origin.

Marseille prison (Les Baumettes) has been undergoing gradual renovation since 2012, with the construction of new buildings (Baumettes 2) and the replacement of the historic building with new structures (Baumettes 3). At the time of the visit, two units for men, the women and female children unit, and the isolation ward were located in Baumettes 2, which opened in 2017. The Reintegration support unit (*Structure d'accompagnement à la sortie*, SAS) and the semi-liberty section (not visited) were located on the historic Baumettes site.<sup>19</sup> Baumettes 3 was scheduled to open in 2025, with increased capacity.<sup>20</sup> At the

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12. See the report on the visit to the Fleury-Mérogis Young Offenders' Centre in 1996 (CPT/Inf (98) 7).

13. See the reports on the 2015 visit (CPT/Inf (2017) 7), concerning the men's remand prison), the 2006 visit (CPT/Inf (2007) 44), concerning in particular the men's remand prison, the disciplinary and isolation wards and the psychiatric unit), and the 2000 visit (CPT/Inf (2001) 10), concerning in particular the disciplinary and isolation wards of the men's remand prison).

14. See the reports on the visits carried out in 1991 (CPT/Inf (93) 2) and 1996 (CPT/Inf (98) 7).

15. Renovated in 2023, the QCD (“detention centre” section), which has around 450 places, was experiencing major structural problems. Only 86 people were being held there at the time of the visit.

16. The women's prison had 104 theoretical places (including 93 operational places) for 142 prisoners, that is, an occupancy rate of 147%. The establishment also had a national assessment centre (56 operational places) and a semi-liberty section located in Villejuif (174 theoretical places, including 116 operational places). These facilities were not visited by the delegation.

17. This includes 1 449 convicted men, 653 remand prisoners and 92 convicted prisoners, as well as 85 convicted women, 64 remand prisoners and 3 convicted prisoners.

18. According to information provided by the management of the Fresnes prison, division 1 had 448 prisoners for 383 operational places (that is, an occupancy rate of 117%), while division 2 had 704 prisoners for 431 places (that is, a prison density of 163%) and division 3 had 716 prisoners for 428 places (that is, an occupancy rate of 168%).

19. A secure inter-regional hospital unit (*Unité hospitalière sécurisée interrégionale*, UHSI) and a specially adapted hospital unit (*Unité hospitalière spécialement aménagée*, UHSA) are also attached to the establishment. These units were not visited by the delegation.

20. The final project for Baumettes 3 provides for five separate buildings with a total capacity of 740 people, including 444 places for men in closed detention spread over three traditional prisons and 296 places for men in open detention in two secure prisons. In addition, activity areas, including a theatre, and rehabilitation areas shared with Baumettes 2 are planned.

time of the visit, 1 085 people were detained for a theoretical capacity of 710 places, including a 399-place MAH section with 736 male prisoners (that is, 184.5%) and a 114-place MAF section with 131 female prisoners and two minors. Almost half of the male prisoners and almost 60% of the female prisoners were convicted prisoners. Approximately 24% of prisoners were of foreign origin.

*Villefranche-sur-Saône prison*, opened in 1990 as part of the "13 000 plan" to relieve pressure on other establishments in the region, had 648 theoretical places for 797 adult males (133%) housed in the three buildings of the prison. Around a third of the population was sentenced and almost 15% of the prisoners were of foreign origin.<sup>21</sup>

## 2. Penal policy and prison overcrowding

67. On 1 October 2024, there were 79 631 prisoners nationwide. At the same time, the prison service had 62 279 operational places. According to official figures, the prison population increased by more than 7% in one year.<sup>22</sup> For the past 30 years, the French prison population has been growing steadily, except during the Covid-19 pandemic, at a rate that is out of sync with the growth in prison capacity.<sup>23</sup> The increase in prison overcrowding is particularly alarming.

68. Overcrowding is concentrated in prisons where remand prisoners and those serving short sentences are incarcerated. France has chosen not to overcrowd its establishments for convicted prisoners, except in specific situations such as in the French overseas territories.<sup>24</sup> In remand prisons, occupation had reached 155% at the time of the visit, with 120 establishments at over 120% and 14 at over 200%. As a result, 64.7% of the prison population (51 533 people) were being held in establishments with an occupancy rate greater than 120%. Overcrowding affected all French regions and territories and all types of establishments (small and large, old and recently built). Since the visit, prison overcrowding has continued to worsen, exceeding the symbolic national threshold of 80 000 prisoners.

69. At the time of the visit, 3 810 people were forced to sleep on a mattress on the floor in French prisons, a number that had risen by 53.6% in one year. With the exception of *Marseille-Baumettes prison*, the establishments visited had avoided this situation by installing bunk beds in the cells. However, prison management expressed their concern about the need to use mattresses on the floor in the near future. At *Marseille-Baumettes prison*, 60 prisoners (men and women) were sleeping on mattresses on the floor at the time of the visit.

70. In addition, the establishments frequently operated in "degraded mode", being generally underequipped in both staff and means to carry out their incarceration and rehabilitation policy (see paragraph 194 concerning staff).

In the remand prisons visited, overcrowding exacerbated the poor conditions of detention and had an impact on all aspects of prison life: proximity, conflict, lack of activities and work opportunities, and difficulties in accessing healthcare.

The CPT considers that prison overcrowding can turn a prison into a human warehouse and undermines any efforts to give practical meaning to the prohibition of torture and other forms of ill-treatment. The resulting lack of personal space and privacy puts all prisoners at risk, especially the most vulnerable. It dooms to failure any efforts to prepare prisoners for reintegration into society on release, and to prevent recidivism.

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21. The establishment also had a semi-liberty section with 39 places (33% occupied at the time of the visit). The delegation did not visit the QSL.

22. According to the [SPACE statistics](#) (*Council of Europe Annual Penal Statistics - SPACE*), France had an incarceration rate of 106 detained persons per 100 000 inhabitants on 31 January 2023.

23. In 1996, there were nearly 55 000 prisoners in France for around 45 000 places; in 2000, there were 52 122 prisoners for 48 841 places; in 2009, there were 63 189 prisoners for 53 182 places.

24. Examples include the Majicavo detention centre (Mayotte), where the prison density was 282%, and Nouméa prison (New Caledonia), where the occupation rate was 185%, according to [official data](#) in October 2024.



**The CPT considers that the cumulative effect of these conditions of detention could amount to inhuman and degrading treatment.<sup>25</sup>**

71. The CPT wishes to stress that a prison can only function effectively if it is operating below its theoretical capacity.<sup>26</sup> It is important to always preserve a margin of manoeuvre for transferring detained persons from one ward to another, receiving additional detained persons or reintegrating persons who have been granted provisional release. In the situations observed during the 2024 visit, the delegation found that overcrowding deprived management of any room for manoeuvre when dealing with difficult situations, forcing them to resort to often inappropriate solutions such as solitary confinement (see paragraph 212). The CPT notes that remand prisoners and convicted prisoners could not be separated. Furthermore, overcrowding placed the professionals working in detention in difficult working conditions, often generating suffering, demotivation and a lack of meaning in the work carried out.

72. Resolving this long-standing structural problem<sup>27</sup> requires the involvement of all those involved in the criminal justice system, including judges and lawyers. The CPT notes the efforts made by the French authorities to improve consultation as part of a "flexible" approach to prison regulation.<sup>28</sup>

The latest legal reforms<sup>29</sup> have aimed to provide the actors in the criminal justice system with tools for regulating prisons. They have broadened the scope for early release of prisoners and encourage the use of alternatives to imprisonment or managed sentences as soon as they are handed down.

73. Local experiments in prison regulation have been set up in several regions. The delegation took note, for example, of the dialogue that can be conducted between the management of an establishment, its inter-regional directorate and the magistrates of the judiciary in order to find both emergency and long-term solutions when the number of people housed reaches a critical threshold.

Discussions with people working in the field have shown that some experiments have had a positive effect in reducing or limiting overcrowding in prisons. However, these experiments depended largely on the goodwill and motivation of all those involved (public prosecutors, sentence enforcement judges and local and regional prison authorities). The absence of a binding national procedure led to gradual disengagement or the need to raise the awareness of each new protagonist in the field. These initiatives seemed to have had limited effects on the problem of prison overcrowding, for example by shifting overcrowding to other establishments. In all cases, these initiatives have not made it possible to guarantee respect for detention in dignified conditions in the long term.

74. Despite this proactive approach, no national measures likely to resolve prison overcrowding were presented to the CPT. On the contrary, recent developments and reforms sometimes even seem to have had a counter-productive effect.<sup>30</sup> The CPT notes, for example, the increase in the quantum of sentences and the overcrowding of remand prisons which accommodate people sentenced to short terms or with little time left on their sentences. It should be noted that, contrary to any logic of economics or

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25. See the extract from the 31st General Report of the CPT, *Combating prison overcrowding*, CPT/Inf (2022) 05 - part.

26. As stated in the Council of Europe's White Paper on prison overcrowding (PC-CP (2015) 6 rev 7), a prison filled to more than 90% of its capacity is at imminent risk of prison overcrowding.

27. See J.M.B. and others v. France (Application no.9671/15 and 31 others), 30 May 2020.

28. A ministerial general policy circular dated 20 September 2022 (CRIM 2022-16/E1) reiterated the need to ensure "the continuation of actions aimed at regulating the prison population within the framework of genuine jurisdictional policies". It added that "a close dialogue should be institutionalised, at least every six months, between the judicial authority, judges and prosecutors together, court officers, the decentralised departments of the prison administration and associated partners, in particular within regional conferences on sentence adjustments and alternatives to incarceration, or within commissions for the execution and enforcement of sentences". See also the [report](#) of the *Cour des Comptes*, "Persistent prison overcrowding, a sentencing policy in question", October 2023.

29. In particular, Law No. 2019-222 of 23 March 2019 on the 2018-2022 programming and reform of the justice system, followed by Law No. 2021-1729 of 22 December 2021 on confidence in the judiciary.

30. See also the [report](#) of the *Cour des Comptes*, "Persistent prison overcrowding, a sentencing policy in question", October 2023.

rehabilitation,<sup>31</sup> increasing the prison stock by building new prisons necessarily encourages more incarceration and longer sentences. The CPT is firmly convinced that building new prisons or increasing prison capacity is not a sustainable solution to the problem of overcrowding.

The Committee notes that many actors on the ground, including unions of judges, lawyers and prison staff<sup>32</sup> and independent authorities<sup>33</sup> have called for the introduction of a binding system of prison regulation.

75. In the absence of other solutions, the Committee reiterates that it considers that, for every prison, there should be an absolute upper limit for the number of prisoners ("*numerus clausus*"), in order to guarantee the minimum standard in terms of living space, namely 6 m<sup>2</sup> per person in single cells and 4 m<sup>2</sup> per person in multiple-occupancy cells (excluding the sanitary annexe).

**The CPT again urges the French authorities to guarantee all prisoners living space and treatment in detention which respects their dignity. In practical terms, urgent measures must be taken, locally and nationally, to relieve overcrowding in the worst-affected establishments and to respect their theoretical capacity. In addition, each prisoner must be guaranteed a single bed and a seat at a table.**

**The CPT encourages the authorities to take measures which will make it possible to drastically and sustainably reduce the occupancy rate of prisons to a level which guarantees the prison administration sufficient room for manoeuvre to manage the establishments. In this context, better use should be made of available material resources. The CPT calls upon the French authorities to take a systematic approach which prioritises non-custodial measures whenever possible and ensures that pre-trial detention is strictly necessary. It is also necessary to strengthen the establishment of dialogue and steering committees to facilitate the granting of sentence adjustments and conditional releases of sentenced persons.**

**The Committee would also like to receive the French authorities' comments on the lessons learned from local experiments in prison regulation and their plans to implement them at national level.**

### 3. III treatment

76. The vast majority of prisoners interviewed did not allege physical ill-treatment by prison staff. Nevertheless, the delegation received credible allegations of physical violence, including slaps in the face, kicks and punches, as well as cases of excessive use of force. These allegations included violent restraint during searches, the use of aggressive techniques during movements (see also paragraph 82), excessively tight handcuffing sometimes leaving visible marks on the wrists, and verbal abuse (insults, threats, provocation) in all the establishments visited.

77. At the *Fresnes prison*, several prisoners alleged that officers, particularly those belonging to the intervention teams, could be violent and hit prisoners with their fists or shields. They also reported being "thrown to the ground" or "crushed with a shoe on their head". One prisoner alleged that he had been subjected to violence by a senior officer, during which he thought he would "die" because he had been tackled and crushed against the wall and then on the ground while being hit.

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31. Building a prison place costs between €200 000 and €500 000 and the average cost of detention is €125 per day and per prisoner, whereas external placement costs €52 and electronic surveillance €12. See, *Commission nationale consultative des droits de l'homme* (CNCDH), [Avis pour un mécanisme contraignant de régulation carcérale](#), 23 May 2024.

32. See, in particular, the appeal by 34 associations and trade unions, Prison overcrowding: alone against all, the government opposes an emergency solution, 12 October 2023.

33. See in particular [the opinion on a binding prison regulation mechanism](#), CNCDH, 23 May 2024, and [the opinion on prison overcrowding and regulation](#), CGLPL, 14 September 2023.

The delegation also found injuries on a prisoner, including scratches on the face and neck, multiple bruises on the chest, and marks on the wrists. The prisoner allegedly received several blows to the body and face from at least four local response team officers during two searches of his cell shortly before the visit. In the first incident, the person was allegedly tackled to the ground and violently handcuffed during a cell search two weeks before the visit. He was allegedly punched in the face and under the ribs as a means of pressure to indicate a place where objects may have been hidden, before being taken to the disciplinary ward. According to him, he then attempted suicide and was removed from the disciplinary ward. In the second incident, two days before the CPT visit, the person was allegedly kneed several times in the body and, among other things, was violently pulled by the shirt. He was also allegedly put in an arm lock and his wrist and ankle were twisted. The allegation relating to the punches is repeated in the medical certificate consulted by the delegation. According to the service reports, the person "deliberately hit his head against the wall of the toilet on several occasions", resulting in an open wound and haematomas on his face.

78. At *Villefranche-sur-Saône prison*, the delegation received several allegations of slapping, kicks to the torso and excessive use of force, including arm locks and twisting of the wrists, brutal tackling to the ground and holding down by crushing the head with the shoe.

In one case, a prisoner alleged that he had been punched in the face by a guard while he was being held by two prisoners - floor assistants - before other guards arrived to assist. The warders allegedly punched him again in the face, in an area not covered by CCTV. The events described are similar to those described by the prisoner at a disciplinary hearing. According to the statement of facts, the prisoner grabbed an officer by the throat and the officer "pushed him away [...] as best he could with the help of the floor assistants". The prisoner allegedly "punched the guard in the face several times".

The delegation identified another particularly worrying situation of a prisoner with multiple facial fractures who also complained of having lost sight in his left eye. A medical certificate consulted by the delegation during the visit attests to the traumatic injuries to his face and 21 days of Temporary Interruption of Work (ITT).<sup>34</sup> The information provided by the authorities in their response of 14 November 2024 to the preliminary observations states that the prisoner "assaulted a prison officer before being physically assaulted by other prisoners who came to the officer's aid".<sup>35</sup> However, the violence was "not intentional". The professional report (*Compte rendu professionnel – CRP*) dated 24 June 2024 states that, in response to a dispute, the prisoner "put himself in a boxing position". Following a "forward movement" on his part, the officer allegedly "grabbed him to bring him to the ground" and set off the alarm. The floor assistants who were preparing the meal arrived to help the officer. "When [he] tackled the prisoner to the ground, [he] heard the sound of impact and noticed that the prisoner [...] was bleeding profusely from the nose. Reinforcements arrived and, in view of the prisoner's bleeding, the medical team was alerted". The CRP also indicates that, during the restraint operation, the head of the detained person allegedly "hit the knee of a floor attendant".

79. As far as verbal abuse is concerned, the prisoners did not mention any inappropriate language used by officers on the whole, although some verbal abuse was mentioned in the *Fleury-Mérogis* and *Marseille-Baumettes* establishments. However, the situation was more worrying at *Fresnes* and *Villefranche-sur-Saône*.

At *Fresnes prison*, the delegation received numerous allegations of verbal abuse, including insults (sometimes of a racist nature), provocation and mockery, as well as the use of unprofessional language ("shut your face!") by staff towards prisoners.

At *Villefranche-sur-Saône prison*, the delegation observed a particularly tense atmosphere between prisoners and staff. The comments made referred to inappropriate language and possible provocation on the part of staff ("there's one who lays down the law by searching cells three or four times a week", "they throw food at us"), inappropriate behaviour (for example, pushing prisoners to make them move during group movements) and tensions that could easily escalate. Several prisoners expressed fears of reprisals.

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34. The hospital certificate stated that, following an altercation at the prison, the patient suffered a closed fracture of the malar and maxillary bones, including a head injury, and six facial fractures, including a fracture of the lateral wall of the left orbit. His medical records also indicated probable post-traumatic optic neuropathy of the left eye.

35. The authorities also state that this prisoner "has a prison record of numerous disciplinary incidents" of increasing seriousness (25 incident reports in seven months at *Villefranche-sur-Saône*).

80. The CPT also notes that the delegation witnessed an incident where a trainee officer at the *Fresnes* establishment had to be restrained by his colleagues and floor assistants to prevent him from physically attacking detained persons. According to the information gathered, the officer had been threatened by prisoners with whom he was involved in a dispute known to the department. The CPT commends the calm and swift response of the ward managers, which made it possible to protect the physical integrity of the persons concerned. This situation reveals shortcomings in the monitoring of pre-existing tensions and risks of violence, and is a reminder of the importance of training and supervision of trainees and newly recruited staff.

81. The CPT is aware of the difficulties that prison staff may encounter in managing prisoners, who can present particularly complex problems requiring significant human investment. However, the challenges posed by the management of prisoners can in no way justify violence or an abandonment of the principles of non-violent communication.

The Committee wishes to emphasise that it does not endorse the practice of using prisoners, including those employed as floor attendants, to support officers in the event of an incident, or even encouraging them to intervene to defend and protect staff, as in the cases described in paragraph 78 concerning the *Villefranche-sur-Saône* prison. This inappropriate practice increases the risk of these prisoners experiencing difficulties (including risks of violence and intimidation) with other prisoners during their detention. Maintaining order and effective security within an institution is a function that must fall exclusively under the purview of prison staff.

82. During the visit, the delegation noted the use of inappropriate techniques to restrain prisoners. These techniques could be used even in cases of inertia and during calm movements. For example, the prisoner could be made to walk by being forced to bend over, head down towards the ground, arms raised and handcuffed behind the back. Officers in the establishments visited also explained to the delegation that being brought to the ground using an arm lock, being positioned on the stomach, with the upper and lower limbs controlled by use of a leg lock and hyperflexion of the wrists, by several officers, was part of the protocol for restraining a person who refused to comply during search operations or in a crisis situation, even when the prisoner showed "physical inertia during restraint". In the case of an involuntary strip search, the prisoner was handcuffed before the search could be carried out under duress (the evaluation of the CRPs indicated that this practice was commonplace).<sup>36</sup>

Several people, particularly at the *Fresnes* and *Villefranche-sur-Saône* prisons, complained of painful wrist or arm twists while handcuffed during these interventions. Furthermore, the delegation received several allegations of deliberate blows inflicted by some guards during restraint operations.

**83. The Committee reiterates its recommendation that the French authorities take determined measures to prevent ill-treatment in the prisons visited and, where appropriate, in all French establishments. Any form of ill-treatment is totally unacceptable and must be subject to appropriate sanctions.**

**The staff of these establishments should be reminded at regular intervals that they must treat prisoners with respect at all times and that they will be held responsible for all cases of ill-treatment, including insults, as well as for any excessive use of force. All senior and middle managers should also devote particular attention to the conduct of personnel, notably prison officers, under their supervision and promptly address any indication of mistreatment of prisoners. Failure on the part of supervisory personnel to fulfil this responsibility constitutes a significant breach of duty.**

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36. A Fleury-Mérogis service instruction on full body searches by inertia, dated 28 March 2018, recalls that the rule is to exclude the systematic use of force when a prisoner refuses to undress and that an individual analysis must be taken into account when deciding whether to use force. Where force is used, prison officers must use professional gestures (appropriate arm and/or leg locks) to restrain the prisoner and undress them, while respecting the rules of professional ethics and the imperatives of dignity. These gestures must be sufficient to allow the visual control necessary for the discovery of prohibited objects. It is strictly forbidden to recover objects by force or coercion.

**The Committee recommends that the establishments visited be more vigilant about the ability of supervisors to manage day-to-day conflicts and complex movements. Regular reminders and training in manual control techniques and methods of non-violent communication and de-escalation of tensions should be stepped up, particularly with people who may be agitated or aggressive, and staff assignments to the various areas should be reassessed as often as necessary.**

**The CPT recommends that the French authorities take the necessary measures to reinforce dynamic security in establishments and ensure that security protocols do not authorise any prisoner to exercise authority over other detainees, still less to use force.**

**It would also seem essential for each staff member to receive support as needed from a doctor and/or an occupational psychologist.**

84. The management of the establishments visited indicated that they systematically report violence to the Public Prosecutor (under article 40 of the Code of Criminal Procedure), during which the prisoners and staff involved were separated pending the outcome of the administrative and/or criminal investigation.

The *Fleury-Mérogis prison*, for example, made several reports each week under article 40 of the CCP. Such reports were also made regularly at *Marseille-Baumettes prison*. For example, a report was made during the delegation's visit following an allegation that a prison officer had slapped a prisoner; the management also took immediate precautionary measures to prevent the officer from gaining access to the prison.

The frequency of reports appeared to be more limited in the *Fresnes* and *Villefranche-sur-Saône establishments*, despite the numerous allegations mentioned above. The *Fresnes prison* made two reports in 2022, one in 2023 and three in 2024 to the relevant judicial authorities concerning suspected violence (including allegations of slapping or disproportionate use of force).<sup>37</sup> Only one incident was reported in 2024 at *Villefranche-sur-Saône prison*.<sup>38</sup> The CPT questions the low number of investigations opened at this establishment, in particular concerning the cases mentioned in paragraph 78.

**The CPT would like to receive statistical information for the years 2023 and 2024 concerning reports of ill-treatment of detained persons by staff to the competent judicial authorities under Article 40 of the Code of Criminal Procedure for the four establishments visited, as well as information on the follow-up given to administrative and criminal investigations in order to increase accountability.**

85. The CPT notes that incidents involving the use of force were to be recorded in CRPs or incident reports (*comptes rendus d'incident - CRIs*) drawn up by staff present and witnesses, as well as on a specific form. However, these administrative reports on the use of force were not systematically produced, particularly at *Marseille-Baumettes*. In addition, the information contained in the CRPs, CRIs and dedicated forms was often sketchy and insufficiently substantiated to analyse the proportionality of the actions used during incidents.<sup>39</sup>

**The CPT invites the French authorities to improve the quality and traceability of all use of force reports, so that they provide a detailed account of the course of the incident and an analysis of the proportionality of the force used by prison staff.**

37. Other Article 40 alerts could also concern drug trafficking and corruption.

38. The incident that received media coverage concerned the mistreatment of a prisoner by a female officer in January, which was filmed by a fellow prisoner (see also paragraph 92). She was given an eight-month suspended prison sentence and a two-year ban from the profession.

39. Restraint techniques were most often described under the generic qualification of a "use of force strictly necessary to restrain the person" justified by the circumstances.

86. The CPT took note of positive practices to prevent ill-treatment in the establishments visited, including the implementation of "feedback" sessions - also known as "retex" - (at *Fleury-Mérogis*), the referral of staff involved in an incident to a psychology service (at *Fresnes*), the setting up of a local ethics and professional conduct committee in September 2023 (at *Fresnes*)<sup>40</sup> and the diligent keeping of a monthly incident register listing violence in various categories. However, in view of the serious observations described above, these initiatives and their effectiveness are still clearly inadequate. The "retex" did not seem to be an exercise that was systematically applied after a violent incident and, according to staff, the people involved in the incidents did not always take part in the exercise.

87. Physical and verbal violence between prisoners is a major problem in French prisons. In 2022, a total of 11 000 acts of physical violence were recorded, a figure which, according to the authorities, is probably an underestimate of a reality that is difficult to pin down.<sup>41</sup> Violence was present in all the establishments visited. Fights and racketeering regularly took place in cells, corridors, exercise yards and communal showers, where prison staff generally did not intervene. Night-time was particularly prone to violence in cells, and sharp objects could also be used. For example, there were between 20 and 40 incidents per month at *Fresnes* (in total, around 245 incidents of physical violence between January and August 2024), an average of 40 incidents per month (between April and September 2024) at the MAH at *Fleury-Mérogis*, between 25 and 35 incidents of violence per month at *Villefranche-sur-Saône* and between 5 and 10 at *Marseille-Baumettes*. Among these incidents, sexual assaults were noted by the authorities in 2024 at *Fresnes* and *Fleury-Mérogis*.

88. The delegation met people who refused to leave their cells for fear of violence, linked to past animosities or internal prison dealings.<sup>42</sup> Many people reported situations of harassment and pressure during their detention. Sexual offenders (*auteurs d'infraction à caractère sexuel* - AICS) were particularly vulnerable to violence in detention.<sup>43</sup> The fact that prison staff did not intervene in the exercise yards, a state of affairs known to the prisoners, increased the risk of violence during outdoor exercise. The throwing of objects from outside onto the exercise yard also had the effect of victimising the most vulnerable, who were forced to retrieve the objects/packages, at the risk of being punished by the administration (see also paragraph 105 concerning projections).

89. The Committee welcomes the adoption of a national plan to combat violence in prisons, which aims to implement concrete actions to improve understanding of the phenomenon of violence and adopt a global strategy to combat violence.<sup>44</sup> The delegation noted that all prisons were making efforts to collect statistical data on incidents, which would enable them to gain a better understanding of the phenomenon and assess the responses required.

Various concrete actions were observed during the visit. At the *Villefranche-sur-Saône* prison, a "Respect" type area (similar to the Spanish "Respeto" system) could accommodate around fifty prisoners. The open regime combined with the strict rules of life imposed on the area resulted in a lower rate of incidents of violence than in the rest of the establishment.

At *Fleury-Mérogis* and *Villefranche-sur-Saône*, a "fellow prisoner support" programme was being trialled. The aim was to train certain prisoners to support new arrivals, particularly the most vulnerable, and to mediate in cases of tension and conflict. The project encountered difficulties in setting up at *Villefranche-sur-Saône* and was interrupted at *Fresnes*.

In addition, facility management teams were vigilant about the risk of victimisation of vulnerable people. As far as possible, vulnerable people were isolated or assigned to accommodation areas with other vulnerable people.

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40. This local initiative stems from the reform (decree of 29 October 2019) aimed at installing an ethics colleague within the Ministry of Justice.

41. Cour des comptes [report](#), "Persistent prison overcrowding, a sentencing policy in question", October 2023.

42. In *Villefranche-sur-Saône*, for example, one person reported that he had been forced to block his cell so that he could be transferred to another cell where he felt safe.

43. Staff at *Fleury-Mérogis*, for example, confirmed allegations that an AICS prisoner had been beaten up after information about him was leaked on social networks.

44. See [National plan to combat violence in prisons](#), implementation of which began in the first half of 2023.

**The Committee would like to receive from the French authorities an assessment of the implementation of "fellow prisoner support" programmes, both in the establishments visited and, where appropriate, in other establishments in France.**

90. The CPT stresses that overcrowding remains a source of violence and frustration, exacerbated by difficulties in accessing activities and healthcare (see sections 4 and 5 of this chapter) and the totally inadequate material conditions of detention (see paragraphs 94 and foll.).

The current situation in the establishments visited offers no leeway for proposing reassignments that would prevent conflict between prisoners. The prison administration was working on a daily basis and, in conjunction with the competent sentence enforcement judges and the prison integration and probation services (SPIP), was demonstrating its willingness to find solutions to high-risk situations, but its efforts were not being heard, supported or followed up.<sup>45</sup> The murder that occurred shortly after the visit to the arrivals section of the *Marseille-Baumettes* prison, probably linked to an incompatibility between two people detained together, is a sad illustration of this.

**91. The CPT encourages the French authorities to continue implementing the national plan to combat violence in order to prevent violence and intimidation between prisoners, in particular at the *Villefranche-sur-Saône* and *Fresnes* establishments. The CPT recommends that the protocols for prison staff intervention in the exercise areas be reviewed to enable them to prevent violence.**

92. While video surveillance was operational in the exercise yards and corridors of the *Marseille-Baumettes* prison, the situation was quite different in the other establishments visited.

The delegation was particularly struck by the obsolescence of the video surveillance system; many cameras were either broken or technically outdated, making it impossible to capture quality images, particularly at the *Villefranche-sur-Saône* prison<sup>46</sup> and at the MAF in *Fleury-Mérogis*.

In addition, the delegation noted that many areas (such as corridors, cell doorways, exercise yards), including in the special wards, in all the establishments visited were not covered by video surveillance, thus creating "blind spots".

93. As indicated in the past, the CPT considers that video recording is a suitable tool for preventing and providing the necessary evidence in the context of administrative or criminal investigations into suspected ill-treatment or in the context of disciplinary proceedings (see in particular paragraph 221 on the evidence provided in disciplinary proceedings). Moreover, during discussions with the prison teams, there seemed to be unanimous agreement on the desirability of investing in individual cameras, which could be used both to prevent ill-treatment and to protect officers against unfounded allegations.

The systems installed should provide video coverage of all areas outside the cells, including corridors, exercise yards and doorways to rooms in which prisoners may be held. The main objective should be to ensure video recording of all interactions between prison staff and prisoners outside their cells.

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<sup>45</sup> At the *Villefranche-sur-Saône* isolation unit, for example, the delegation witnessed intense verbal abuse between isolated prisoners. According to information shared with the delegation, these people could, for example, throw bottles filled with urine at each other from one exercise yard to another. Requests for transfer had been made for certain people who had reached the "end of their management", but it could take several months for these requests to be implemented.

<sup>46</sup> In this establishment, the video surveillance system was too old to keep visual recordings for more than 15 days (a period that is often too short for video surveillance equipment to be useful for investigating incidents).

**The Committee recommends that priority be given to the installation of quality video surveillance equipment to ensure complete coverage of all high-risk areas, and that repairs be carried out quickly in the event of faults, particularly at MAF *Fleury-Mérogis* and *Villefranche-sur-Saône* prison.**

**In addition, the CPT recommends that video recordings be systematically kept for a minimum of 15 days, whatever the circumstances, and indefinitely in the event of an incident requiring a report, so that they can be used as evidence.**

**In order to strengthen the prevention of ill-treatment and ensure better protection of prison staff against unfounded allegations, the CPT encourages the authorities to make available and ensure the wearing and activation of individual mobile cameras for all prison officers liable to use force.**

## **4. Conditions of detention**

### **a. material conditions**

94. Physical conditions varied greatly from one establishment to another. Most of the cells observed measured between 9 and 10 m<sup>2</sup> including the sanitary area. They were occupied by one or two people.

95. At both the *Fleury-Mérogis MAH* and the *Marseille-Baumettes* prison, material conditions were satisfactory for holding one person per cell. The work carried out at the *Marseille-Baumettes* and *Fleury-Mérogis* prisons (men's remand prison) is to be commended, where the recently renovated cells were equipped with a sanitary area and a shower. Prisoners had access to a telephone in their cell, a refrigerator and a separate sanitary area (sink, shower, toilet). The cells had sufficient natural light, despite the bars and/or gratings on the windows, as well as artificial light. The delegation noted, however, that some sanitary areas were not partitioned off and that storage areas could not be locked. However, cells designed for individual occupancy offered very little space for movement when occupied by two prisoners, and were totally unsuitable for holding three people.

96. These conditions contrasted with the *Villefranche-sur-Saône* prison, the *Fresnes* prison (see also paragraph 98) and the *Fleury-Mérogis women's prison (MAF)*.<sup>47</sup> The cells were dilapidated and decrepit, with floor coverings partly torn off, and faded, peeling and sometimes mouldy paintwork. Most of the windows were no longer watertight, letting in the cold (or heat) and damp, and several were broken or could not be closed. Sanitary facilities were frequently damaged, with cracked sinks, leaking water and faulty toilets. In addition, the cells often lacked a complete partition, compromising the privacy of the occupants. Many items of equipment, such as telephones, lights, chairs, mattresses and refrigerators, were also broken. In *Villefranche-sur-Saône*, prisoners were also short of bed linen.

97. None of the cells at *MAF Fleury-Mérogis* and *MAH Fresnes* were equipped with showers, nor were most of the cells at *Villefranche-sur-Saône* prison.<sup>48</sup> The conditions of the showers in the nursery at *MAF Fleury-Mérogis* were of particular concern, and a request was made to renovate them as soon as possible (see paragraph 128).

98. The conditions of detention at *Fresnes Prison* continue to be a source of serious concern for the CPT.<sup>49</sup> The cells, which were generally the same size (approximately 9 m<sup>2</sup>, including sanitary facilities) and designed for individual confinement, were overcrowded and too small to provide sufficient storage space and furniture (chairs and a table) for the number of people accommodated. Ready-to-use bunk beds for three people had been installed in some cells leaving only 3 m<sup>2</sup> per person.

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47. Unlike the men's buildings, the MAF building had not undergone any recent renovation.

48. It should be noted that the material conditions in the arrivals section of *Villefranche-sur-Saône* prison were satisfactory. The individual 9 m<sup>2</sup> cells were bright and had the necessary furniture and a sanitary area, including a shower.

49. See also the CPT's observations following the visit to *Fresnes* prison in 2015 in its report, CPT/Inf (2017) 7, paragraphs 42 to 44.

In addition, the delegation observed that several prisoners had installed sheets to replace broken toilet doors in shared cells. The electrical network did not allow for the installation of refrigerators in the cells or common areas in order to store fresh food.

The architecture of the facility, clearly designed for incarceration rather than rehabilitation, limited the space available for activities with prisoners. Consideration was being given to the possibility of increasing the space available for activities. These structural elements were compounded by the dilapidated state of the premises and the unhealthy conditions created by dampness, mould and the alarming presence of rats in all areas, as well as other pests such as cockroaches and bedbugs, making conditions of detention undignified.

In response to the preliminary observations concerning the measures envisaged to remedy this situation, the French authorities indicated that a study was carried out between 2018 and 2020 to demonstrate that a project to refurbish *the Fresnes prison* was possible, but that the work would only be envisaged once the other establishments in the ongoing 15 000 programme<sup>50</sup> had been brought into service. Since 2018, more than €32 million has been invested in keeping the prison operational.

In view of the resources required to achieve a standard that respects the dignity of prisoners and prison staff, the Committee invites the authorities to reassess the appropriateness of the work envisaged and to explore possible alternatives. It also encourages the authorities to consider closing the establishment because neither the architecture nor the configuration meet modern detention requirements.

99. In addition, the CPT deplores the fact that call systems are almost universally ineffective due to malfunctions or excessively long response times. At *Fresnes*, in the absence of an intercom system, prisoners used a flap system installed in the old doors or slipped a "flag" into the slot of the cell door to call the officers, hoping that they would be able to see them in a sufficiently short time in the event of an emergency. This was also the case at *MAF Fleury-Mérogis*. This system in no way meets the security requirements needed to prevent violence in cells (see paragraph 87 concerning inter-prisoner violence) and is particularly problematic for managing night-time emergencies. At *Marseille-Baumettes* and *Villefranche-sur-Saône*, the intercom system seemed to be working properly. However, staff appeared to be overwhelmed by their obligations to ensure various movements and unable to respond to individual requests in a timely manner.

**100. The CPT calls upon the French authorities to take urgent measures to ensure decent conditions of detention in all French prisons, particularly as regards health, hygiene and equipment. Work should be undertaken to remedy the leaking of windows and the problems of partitioning (from floor to ceiling) of toilets in collective cells in the establishments visited. The installation of showers in cells should also be considered a priority.**

**The CPT reiterates its recommendation that the French authorities equip all cells in the establishments visited with a call system and ensure that it operates properly both day and night.**

**The Committee invites the authorities to provide it with updated information on the renovations and other investments carried out or planned in the establishments visited since the CPT's visit in autumn 2024 in order to respond to the observations mentioned above. In particular, it would like to receive an update on the progress of the work to renovate the showers in the nursery at the *MAF Fleury-Mérogis*.**

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50. The duration of the works on an open site was estimated at five years, at an estimated cost of €448 million. On an occupied site, the works were estimated to take 15 years, at a cost of €746 million.

101. As far as the climate is concerned, from the establishments visited, many prisoners complained about the cold in winter and the stifling air in the premises during hot spells. It was difficult to obtain extra blankets or hotplates, which forced some prisoners to make dangerous homemade kettles, including to heat the cell. The lack of water points in the exercise yards and the absence of showers or refrigerators in the cells are factors that exacerbate the impact of the heat on prisoners.

Furthermore, the CPT notes that prisons are public facilities that can be particularly vulnerable to climatic conditions, including natural events such as the tropical cyclone that severely affected the islands of Mayotte in December 2024 and la Réunion in March 2025.

**The CPT recommends that thermal regulation and insulation measures be taken in all French prisons. Adequate heating of premises in cold periods should be ensured, as well as effective measures and devices to combat heat during periods of high temperatures.**

**In addition, the CPT would like to receive comments from the authorities on the measures taken to prevent and protect prisoners from the effects of the climate and to repair damage to buildings during natural disasters.**

102. At *Marseille-Baumettes prison*, the exercise yards were spacious, new and well-maintained, but with little vegetation. The exercise yards for persons in ordinary detention at *Villefranche-sur-Saône* were notable for their large size and offered a satisfactory view of the outside. The *MAH* and *MAF* in *Fleury-Mérogis* had grassy sports fields used for walking.

In the establishments visited, the exercise yards did not systematically have benches and covered areas large enough to accommodate all the people on exercise. Water points and toilets were not systematically installed or operational either. None of the courtyards at *Fleury-Mérogis* and *Fresnes prisons* had sports facilities. At *Villefranche-sur-Saône* and *Marseille-Baumettes*, there was only one pull-up bar in one of the prison's exercise yards which could be occupied by 40 people or more, making it virtually impossible for anyone who wanted to use it to do so.

The exercise yards in the disciplinary and isolation quarters of the prisons visited were particularly worrying, dirty and poorly maintained, except at *Marseille-Baumettes* and *MAF Fleury-Mérogis*, where the yards were new and relatively clean. None of them had benches or chairs, water points or toilets. While some were equipped with small shelters (at *Fleury-Mérogis* and *Marseille*, for example), they were more often than not covered with grating, bars and/or barbed wire, preventing a view of the sky.

At *Fresnes prison*, the delegation was able to observe that work had been initiated to enlarge some of the exercise yards. However, according to the information provided to the delegation, there were still more than 90 small exercise yards of around 40-45 m<sup>2</sup>, which could be used by fifteen or even twenty people at a time. They were cramped, surrounded by brick walls, and in an advanced state of filth, with rubbish clinging to the concertina wire covering the courtyards, walls invaded by mould, and an infestation of rats. These conditions could be described as an affront to the dignity of the prisoners.

**103. The CPT recommends that the French authorities take the necessary measures to improve the conditions of the exercise yards in the establishments visited, with priority being given to Fresnes. It is necessary to improve the quality and hygiene of these outdoor areas by ensuring that they are equipped with an adequate number of benches and shelters from the sun and bad weather, water points and toilets, as well as facilities for sporting activities.**

**The CPT invites the French authorities to plant greenery in walkways and to take effective action against pests in these areas.**

104. The surroundings of the buildings were often in a worryingly dirty state, with piles of waste posing a health risk to people living nearby, particularly due to the danger of fire and the proliferation of pests. According to staff at *Villefranche-sur-Saône prison*, it had not been possible to supervise the cleaning of the

area around the buildings for at least a month due to the "degraded" mode of operation (see paragraph 198 concerning understaffing). The same was true at *Marseille-Baumettes prison*, where the security areas between the buildings had not been cleaned for several weeks due to a lack of staff.

**III The CPT recommends that the French authorities take effective measures to ensure that the areas around buildings are kept clean.**

105. The establishments visited had put in place protective measures to prevent or limit the projection of objects onto the exercise yards or outside areas accessible to prisoners. Most often, these objects consisted of packages sent by outside accomplices, sometimes with the aid of drones, and containing various products such as foodstuffs or illicit products (drugs and mobile phones). Drones flew overhead regularly, sometimes several times a day, particularly at weekends. To counter these projections, the establishments had raised the perimeter walls or installed protective nets. They were also considering installing anti-drone jammers. Security patrols were regularly organised by prison staff and a private company provided dog handlers outside the *Marseille* prison. Projections appeared to be particularly problematic at *Marseille-Baumettes* and *Villefranche-sur-Saône* prisons.

**III The CPT encourages the French authorities to continue their efforts to combat projections at *Marseille-Baumettes* and *Villefranche-sur-Saône* prisons, in particular by giving priority to perimeter rounds.**

#### **b. regime for male detention quarters**

106. The general regime observed in the establishments visited was generally quite poor. Most prisoners spent almost 20 hours a day in their cells, and even more at weekends, in the absence of work, training and other regular psychosocial and recreational activities. Access to activities was all the more difficult for prisoners in remand prisons, where stays were often short, averaging four months.

107. With regard to access to an outdoor space, the (minimum) daily hour proposed for taking a walk generally seemed to be respected in the establishments visited.<sup>51</sup> However, the delegation received complaints that some prisoners were refused access to the promenade if they were not ready when the door opened. Others reported that they were only allowed a 45-minute walk in total, particularly at weekends or in disciplinary or segregation quarters.

**III The CPT recommends that all persons deprived of their liberty be guaranteed at least one hour's daily access to an outdoor space.**

108. The CPT welcomes the prison employment reform, implemented in prisons from 1 May 2022. Among other things, it has made it possible to provide a framework for the employment of prisoners through prison employment contracts since 1 August 2022. However, the number of jobs offered to prisoners fell short of requirements, and it was sometimes difficult for prison management to make hiring prisoners attractive to private-sector partners.

109. In 2023, the MAH at *Fleury-Mérogis* had 782 posts in general service and 350 in the concession workshops (that is, approximately 32% of the MAH's population). At the *Fresnes MAH*, 177 persons were working in the general department and 66 in the workshops at the time of the visit (that is, approximately 13% of the MAH population). *Marseille-Baumettes prison* had 107 general service posts and approximately 45 prisoners worked in the workshops and the prison industrial estate in August 2024 (that is, approximately 14% of the establishment's population). The CPT notes with satisfaction the presence of a training restaurant, open to the public, within the prison, *Les Beaux Mets*. Fourteen prisoners were trained and worked there. At *Villefranche-sur-Saône*, about one hundred prisoners worked in the general service, about fifty in the workshops and about ten in a bakery (a total of about 20% of the establishment).

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<sup>51</sup>. At *Villefranche-sur-Saône* and *Fleury-Mérogis*, the time allocated to the exercise yard could be as much as three hours a day.

110. Paid vocational training was also offered in various fields, some of which led to the award of a vocational qualification. By 2023, 321 prisoners had entered vocational training at *Marseille* prison. Nine training courses (at the rate of two sessions per year for a dozen prisoners) were offered at the *MAH in Fleury-Mérogis*. At the *MAH in Fresnes*, 14 prisoners (that is, less than 1% of the population) were undergoing paid training at the time of the visit. According to the information gathered at the visit, 10 prisoners (slightly more than 1% of the population) were undergoing vocational training at *Villefranche-sur-Saône*.

111. In terms of education, each prison had a team of permanent teachers from the French national education administration, as well as temporary teachers and outside contributors, who provided teaching ranging from basic skills (literacy, learning French) to post-baccalaureate higher education. Prisoners could also take national education diplomas. However, overcrowding, a shortage of classrooms and the length of stay in the establishments made it difficult for more students to attend.

112. The range of socio-cultural activities and other educational and integration initiatives offered on a regular and ad hoc basis by the Penitentiary Integration and Probation Services (SPIP) was generally varied, although limited due to the lack of resources and premises available to the services. At *Fleury-Mérogis*, for example, the facilities offered a variety of workshops (theatre, dance and other artistic practices), each consisting of ten or more sessions lasting up to three hours. At *Fresnes*, for example, the SPIP offered workshops two or three times a week (yoga, literature, cinema, theatre, plastic arts, etc.) for an average of six to 15 prisoners per workshop. This was in addition to therapeutic activities such as workshops focusing on self-esteem building, domestic violence and vocational integration for an average of seven to 10 people. In *Villefranche-sur-Saône*, the September 2024 programme showed many activities cancelled due to the absence of a speaker, or postponed.

113. In addition, prisoners also had weekly access for one to two hours to a media library (*Fresnes*) or a library, and benefited from the presence of chaplains and several associations providing support for prisoners.

114. Prisoners generally benefited from a weekly one-hour weight training or multi-sports session supervised by sports instructors. However, the teams of sports instructors also lacked the resources to cover the needs of the establishments.

115. Waiting times for access to activities could be as long as four months. Overcrowding, an insufficient number of activity rooms - particularly at *Fresnes* - and a lack of staff to manage movements meant that the vast majority of prisoners were unable to access motivating activities.

116. The CPT considers sporting and socio-cultural activities to be essential for easing tensions within prisons and helping prisoners to reintegrate into society. It points out that the aim should be for each person to be able to spend a reasonable part of the day, that is, eight hours or more, outside their cell, engaged in motivating activities of various kinds: work, preferably training; study; sport; leisure activities, adapted to each person's needs. Particular attention should be paid to the level of remuneration for jobs and for training leading to qualifications.

The range of activities on offer should support the reintegration of detained persons into society, preparing them for release. Activities, be they professional, educational, or socio-cultural, help fight against isolation and, when paid, alleviate poverty in detention. Engaging in a variety of activities helps maintain a connection with the outside world and strengthens prisoners' ability to create respectful relationships with others. As far as convicted prisoners are concerned, access to activities should serve to demonstrate their "good conduct" in detention and their "serious efforts to reintegrate"<sup>52</sup> in order to facilitate their release and reduce prison overcrowding (see in particular paragraphs 72 and following on the means implemented to combat the phenomenon).

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52. Under the terms of the Code of Criminal Procedure ([article 721](#)).

**The Committee reiterates its recommendation that the French authorities strengthen existing programmes to promote reintegration and prevent violence and social isolation, and take all other necessary measures to provide a variety of motivating activities for all prisoners, enabling them to spend eight hours or each day more outside their cells.**

117. The CPT notes the efforts made by the authorities to combat poverty both in detention and on release, given the increase in the number of prisoners living in precarious conditions.<sup>53</sup> For example, emergency assistance of €20 may be allocated to new arrivals. In 2022, the amount of monthly financial assistance was increased from €20 to €30. This assistance is in addition to aid in kind such as hygiene kits, clothing, access to a television or a refrigerator offered free of charge to indigent persons.

In all the establishments visited, between 15% and 20% of the population had indigent status and received €30 a month. The visit once again revealed the poverty of a large proportion of the prisoners in the establishments visited, which can lead to situations of vulnerability and violence. The CPT notes that people in precarious situations are particularly vulnerable to pressure from more influential people, who may force them to retrieve prohibited items thrown around inside the establishment (telephones, drugs, edged weapons) or to conceal them on their behalf.

Several people, for example, did not have clean or sufficiently warm clothes. In one case at *Fresnes prison*, the prisoner had bloodstains on his clothes, due to his medical condition, and had apparently not been able to change them for at least two weeks. In all the establishments, prisoners had difficulty obtaining clothing in the absence of family support or contact with the outside world.

**The CPT recommends that the French authorities take steps to ensure that all prisoners are provided with clean and suitable clothing, taking into account the climatic conditions.**

**The CPT encourages the French authorities to continue their efforts to combat poverty in detention. It would like information on the measures taken as part of the reform of prison work to support indigent persons in finding work.**

### **c. regime applied to women prisoners**

118. In France, 56 out of a total of 183 prison establishments had female prisoners. The majority of female prisoners were incarcerated in "women's" wings in prisons housing a majority of men. As of 1 October 2024, there were 2 732 women in detention, a stable number compared to 2019, and 2 423 places (113% occupancy rate).<sup>54</sup> 73% of these women had been sentenced.

Most of the establishments housing women were located in the northern part of France, and there were no penitentiary establishments (that is, for offenders serving sentences of two years or more) in the east or south-west of metropolitan France. As a result, women were often incarcerated far away from their families.

**The CPT would like to receive the authorities' comments on the measures envisaged to mitigate this remoteness.**

119. During the visit, the delegation visited the women's blocks of the remand prisons in *Marseille* (131 women) and *Fleury-Mérogis* (239 women). In both cases, the blocks had a mother-and-child unit (nursery) for pregnant women or mothers with children and a separate section for female minors (see the dedicated section below).

<sup>53</sup>. See the [circular of 7 March 2022](#) on combating poverty among prisoners and people leaving detention, Ministry of Justice.

<sup>54</sup>. See [monthly statistics of the sentenced and detained population](#), October 1, 2024, table 36.

i. ordinary regime for women prisoners

120. The management of the women's block (MAF) in *Fleury-Mérogis remand prison* had developed training and paid activities. A hairdressing salon had just opened at the time of the visit. Approximately 60 women worked in manufacturing workshops and 55 performed maintenance or cooking chores. In addition, 10 female prisoners worked as French Red Cross "health ambassadors" in the women's block. Vocational training leading to qualifications in painting, hairdressing and multiservice sales was available for adult women and some girls, and the management intended to offer other types of training. Some women prisoners also had access to educational activities organised by the French Department of Education, as well as sports and integration activities. Lastly, they were offered a two-hour exercise session twice a day, including on the weekend. The efforts made to provide a wide range of activities which are paid or lead to qualifications and which go against gender stereotypes are commendable.

121. The training activities and paid work on offer in the women's block (MAF) in *Marseille-Baumettes remand prison* were less varied. About 20 women prisoners had the opportunity to work in general services and about the same number again in prison workshops. Training courses were also offered, notably on computer-aided design (for 10 women). In addition to sports activities run by the prison's sports instructors, several associations held recurrent cultural activities, including an in-house video channel, music workshops and film screenings followed by discussions. Special events were also organised, including concerts, film screenings and theatre performances. Most of these activities were mixed, which facilitates harmonious interactions in detention and promotes reintegration.

A trust-based system had been set up on one floor of the block to help the women prisoners gain more autonomy. They could move around freely for most of the day and their cells were fitted with a convenience lock so that they could be secured when not in use.

122. Neither establishment offered any activities at weekends or on public holidays. While female prisoners had more out-of-cell time overall than their male counterparts, the amount and type of activity was still insufficient to enable them to spend a significant part of the day out of their cells engaged in purposeful activities.

**The CPT encourages the authorities to continue their efforts to provide additional activities to enable women prisoners to spend at least eight hours a day outside their cells. The possibility of offering activities in which both female and male prisoners may participate together should also be considered, particularly at *Fleury-Mérogis prison*.**

123. According to the information received, female prisoners were required to wear "decent and proper" clothing (covering their shoulders and knees) when moving around the facility. In principle, they were allowed to remove some clothing during exercise, but some said they had been ordered to cover up, even in summer. This rule did not seem to apply as strictly to male prisoners.

**The CPT invites the authorities to apply dress codes in a consistent and egalitarian manner to both men and women.**

124. The CPT points out that accommodation arrangements for women prisoners should meet their specific hygiene needs, including as regards the provision of free sanitary towels and regular access to hot water and showers for women's personal care. In *Fleury-Mérogis* women's block, some of the women found it extremely difficult to maintain their personal hygiene because there was no hot water in the cells and they only had access to a communal shower three times a week. Women in both facilities also reported difficulties in obtaining supplies of sanitary products and sometimes resorting to other less hygienic solutions.

**The Committee invites the authorities to strengthen measures to ensure that women have specific and satisfactory hygiene conditions.**

ii. mother and child units (nursery)

125. The *nurseries at Fleury-Mérogis and Marseille-Baumettes prisons* provide special spaces for incarcerated mothers and their infants, which are designed to maintain maternal bonds despite imprisonment. In principle, children may stay with their mother in detention until the age of 18 months. In practice, this period often does not exceed 12 months.

In both establishments, the mother-and-child units were housed in facilities separate from the rest of the prison and had their own exercise yard. At the time of the visit, the *nursery at Fleury-Mérogis prison*, which had a capacity of 20, was housing six pregnant women and four mothers with infants in two separate corridors. The *nursery at Marseille-Baumettes prison* had six places, and four mothers with children and one pregnant woman were present at the time of the visit.

126. Although old, the exercise yard of the *nursery at Fleury-Mérogis prison* was clean, planted with greenery and equipped with outdoor play equipment for young children. On the other hand, the one in *Marseille-Baumettes prison* was small and austere. Above all, it was extremely dirty and unsuitable for small children. There was a lot of rubbish lying on the ground, including cigarette butts, and the delegation found a dead bird which had probably been there for several weeks.

**III The CPT recommends that measures be taken to ensure the cleanliness and hygiene of the nursery's exercise yard at Marseille-Baumettes prison.**

127. Efforts were made in both nurseries to create a less prison-like environment, particularly in terms of decoration, adapted to the needs of infants, with specific equipment for their care. Material conditions were generally good, and much better than in the normal accommodation wings. Activity rooms and communal areas were set up to enable pregnant women and mothers to get together, look after their children and even cook, notably at *Marseille-Baumettes prison*.

In both facilities, women were housed in individual cells. At *Marseille-Baumettes prison*, the cells were large and bright, allowing mothers to move around with their infants. On the other hand, the cells in the *nursery at Fleury-Mérogis prison* were small (about 12 m<sup>2</sup>, including sanitary facilities), given the presence of a cot and the storage of clothes and childcare items in addition to the normal furniture provided. Mothers did not have enough space to play or move around with their children in the cell, which made detention difficult, especially when the children themselves started to move around.

Female prisoners at *Fleury-Mérogis prison* were not allowed to have a hot plate in their cells, while other kitchen appliances such as kettles were permitted. Similarly, baby bottle warmers were not available for all mothers at *Marseille-Baumettes prison*.

**III The CPT invites the French authorities to improve the conditions of detention in mother-and-child units, in particular by reviewing the size of the cells, in the case of Fleury-Mérogis nursery, and the equipment which is authorised and available. Ideally, the French authorities should envisage creating small independent structures, similar to the family life units (*unités de vie familiale - UVFs*) which provide a child-friendly setting in which mothers can bond with their children.**

128. In *Fleury-Mérogis' women's block*, the recently renovated communal showers were already deteriorating because of damp, and showing signs of mould. In addition, the showers in the nursery had not been renovated and were in an advanced state of disrepair, with missing tiles and signs of damp and mould. Following the 2024 visit, the CPT made an immediate observation (under Article 8, paragraph 5, of the Convention) urgently requesting the renovation of the showers in the nursery of *Fleury-Mérogis' women's block*.

In response, the French authorities stated that the "women's block remains the last phase of the site rehabilitation project adopted in 2001, which must also address the need to create additional accommodation for female children and may include an extension of the nursery. While the extent of the rehabilitation work and the relevant budget have yet to be decided, some renovation work has already been undertaken. However, when renovation work was carried out on the establishment's showers in 2019, those in the nursery and workshops were not altered. They will be renovated in 2025."

**The CPT would like to receive confirmation that the work on the communal showers has been carried out and invites the authorities to consider installing individual showers in the cells of the mother-and-child unit when Fleury-Mérogis prison is next renovated.**

129. The regime applied to women detained at the nurseries in *Fleury-Mérogis* and *Marseille-Baumettes* prisons was poor, with little focus on rehabilitation or childcare. Women prisoners were allowed to access the outside area and to move around freely in their wing for three to four hours a day. Activities, sometimes related to maternity, were held a few times a week. The Mother and Child Welfare Service (*Protection Maternelle Infantile* - PMI) also had regular input (see also paragraphs 166 and foll. on healthcare for women). Overall, however, these activities did not provide the women prisoners with a constructive way of spending their days.

**The CPT recommends that the range of activities available in nurseries should be substantially increased, including those designed to promote children's development and to support mothers in their parenting role. The authorities are invited to set up an open-door regime, in particular to promote the development of young children, over an extended range of hours, including weekends and public holidays.**

130. Since 2019, the *nursery of Fleury-Mérogis women's block* has had a small daycare which can accommodate up to eight children on working days. Mothers left their children in the care of childcare professionals, enabling them to work, take part in activities, or attend medical appointments or court hearings. They were asked to pay a nominal fee (45 cents per hour). The mini-creche could be used from a very early age (three days after birth). At the time of the visit, four children were being cared for there, to the full satisfaction of the mothers. This is a good practice and should be commended.

In contrast, mothers held in *Marseille-Baumettes prison* were unable to participate in activities or work and had to leave their children with another prisoner in order to attend an appointment. Childcare was offered in a creche outside the prison, but it was not always possible to get a place. Mothers had to rely on a relative or an association being available to make the journeys between the establishment and the creche.

**The CPT invites the French authorities to pursue their efforts to promote childcare arrangements for children housed with their mothers, particularly at *Marseille-Baumettes prison*.**

131. Female prisoners were subjected to pat-down or strip-searches in the same way as other prisoners. Infants accompanying their mothers were also sometimes searched, especially when returning from visits. The searches involved a female prison officer removing all of the child's clothes and its nappy. While the authorities argued that these searches were justified by the risk of unauthorised items being brought into the establishment, mothers often perceived them as excessive and humiliating. In this context, the CPT considers that searches of children, who are in principle not deprived of their liberty, should only be carried out after an individual risk analysis and in the least traumatic context possible. The child should be undressed by the mother under the supervision of the custodial staff.

**The Committee invites the French authorities to review the procedures for searching infants in light of these remarks.**

132. As the female prison guards working in the nurseries visited were part of a dedicated team, they had gained better insight into the particular situation of female prisoners with children. Although training was provided, not all prison staff had been trained in the specific aspects of dealing with this population.



**The CPT invites the authorities to ensure that prison staff receive specific training on detention in mother-and-child units.**

133. In both establishments, women complained of restrictions on the items available and a lack of variety in the food offered. At *Marseille-Baumettes prison*, for example, only upright pushchairs were allowed, even though they were not suitable for infants. In addition, there was no choice in the baby food provided (stewed fruit and formula milk), which created difficulties if the food was not to the infants' liking. Nappies and cotton wool were provided free of charge by the prison administration. However, several mothers reported regular shortages of such basic necessities.



**The CPT invites the French authorities to facilitate access to a wider range of items and foods for infants.**

#### **d. conditions of detention for transgender persons**

134. The CPT welcomes the adoption in March 2024 of national guidelines for the care of LGBT+ persons by the prison administration. This reflects a commitment to respect the dignity of these persons and to improve their conditions of detention. It highlights a desire to identify vulnerable situations and protect the people concerned, while ensuring that the care provided is appropriate and respectful of LGBTI people.

135. According to the guidelines, "the gender recorded in the civil status record of a person in custody is the principle of reference for deciding whether to assign them to a women's or men's section in detention". Thus, at both *Fleury-Mérogis* and *Fresnes prisons*, prisoners were generally assigned to the section on the basis of their identity as recorded in their civil status, without the involvement of the medical team.

In "certain exceptional situations", the guidelines allow a prisoner to be sent to a section other than the gender recorded in their civil status, if this is more appropriate to their situation.

A visit to the transgender section of the *Fleury-Mérogis men's prison* provided an illustration of this exception, as the prisoners could be registered as women.

136. With regard to the placement and treatment of transgender prisoners in general, the Committee wishes to emphasise that, as a matter of principle, they should be accommodated in prisons or prison wards corresponding to the gender with which they identify, unless the competent authorities conclude, following an individualised risk assessment, that there are exceptional security or other reasons for accommodating them elsewhere. Such exceptions should be duly justified in writing and be subject to regular review. The CPT also refers to its more detailed standards published in 2024.<sup>55</sup>



**The CPT would welcome comments from the authorities on the implementation of these standards.**

137. The initiative to bring together transgender people in a specific area at *Fleury-Mérogis prison* with a dedicated brigade of officers is a positive one. At the time of the visit, the unit located in the MAH, with around fifteen cells, was housing 10 transgender prisoners whose civil status was male or who retained a male organ.<sup>56</sup> Some of those who identified as women but had not undergone surgery said that they preferred to be assigned to this unit rather than to the MAF unit, where they would have been isolated from the other women.

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<sup>55</sup> Prison standards for transgender persons in prison, [CPT/Inf \(2024\) 16 - part](#).

<sup>56</sup> The floor included the isolation ward, the adapted care ward and the ward for transgender people.

However, the concept was clearly not fully developed. People were confined to themselves, with no paid employment opportunities<sup>57</sup> and a very restricted programme of activities, limited on average to one or two hours a day.<sup>58</sup> The impact of these activities on their reintegration objectives therefore remained very limited.

Their access to outside space was quite long, up to four hours a day, but limited to the two promenade courtyards (20 and 30 m<sup>2</sup>) located on the top floor of the building, with no lateral view and similar to those dedicated to the disciplinary and isolation quarters<sup>59</sup> (for a description, see paragraph 214).

The prisoners had twice-weekly access to a gym (including three weight machines and a bike in good condition). Transgender people were also not allowed to use the sports fields or the gym, and movement outside their quarter seemed extremely difficult, including access to the video conferencing system.

**Such conditions are inappropriate. The CPT recommends that the French authorities improve the living conditions in this unit, in particular by increasing the amount of time spent on activities and work. It also invites them to consider transferring the ward for transgender persons at Fleury-Mérogis to a more suitable location, particularly in terms of movement.**

138. At *Fresnes prison*, the administration generally placed transgender persons in isolation upon their arrival on the ward, depending on their civil status, while their situation was assessed and they were brought together with other prisoners. At the time of the visit, one prisoner had been transferred from segregation to ordinary detention with the other women held at the remand prison.<sup>60</sup> The only restrictions were that the person had to shower alone and be housed alone in a cell. The person was allowed to go for walks with the other prisoners twice a day, however, could not take part in activities or access work, and suffered from loneliness. The second transgender prisoner had been isolated for five months.<sup>61</sup> The management intended to transfer her to the ordinary detention section in due course.

**The CPT recommends that these situations of isolation be brought to an end as soon as possible.**

139. In terms of healthcare, hormone treatment was available in both prisons. An endocrinologist was available once a month at *Fleury-Mérogis prison*, and access to psychological support also seemed adequate (every 15 days) at this facility. Access to a psychologist was more difficult at *Fresnes*.

**The CPT refers to its recommendation in paragraph 178 on the need to improve access to psychological and psychiatric care in French prisons.**

140. With regard to searches of transgender persons, the guidelines state that it is possible to waive the principle of searches by an officer of the same sex as the person being searched. This procedure may be decided on an exceptional basis, following a multi-disciplinary review by a single multi-disciplinary committee (*commission pluridisciplinaire unique* - CPU). Transgender prisoners must be invited to express their opinion as to the gender of the officers by whom they will be searched, as early as the "arrivals" phase. A written record of this opinion is kept. This approach adopted by the guidelines is to be welcomed. In addition, the guidelines also allow same-gender searches to be carried out in pairs, while emphasising the need for this to be exceptional, and rightly so, by highlighting the risk of this being perceived as a punishment by the person concerned.

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<sup>57</sup> The auxiliary prisoners assigned to their floor were men from the vulnerable persons' section.

<sup>58</sup> The range of activities on offer was limited to weekly yoga and multi-sports sessions in the exercise yard, as well as a few sessions of sophrology and group therapy with a civil society organisation. Three hours of French classes were also offered each week. These activities were reduced or non-existent during the school holidays.

<sup>59</sup> At the time of an interview with a group of transgender people in the exercise yard, the prisoners were sitting on the ground on tea towels, trying to protect themselves from the rain.

<sup>60</sup> Prior to the transfer to *Fresnes*, the person had been held for several months in the men's section of *the Bois d'Arcy prison*, where they were allegedly subjected to daily discrimination and humiliation.

<sup>61</sup> This person received almost weekly visits from a transgender support association. The person's family could not visit because of the distance.

In practice, the situation could be complex and the protocol applied unclear. At *Fleury-Mérogis*, transgender prisoners placed in the dedicated ward were not operated on and were searched by men. Most of the time at *Fresnes*, and sometimes only at *Fleury-Mérogis*, staff could carry out the search in two stages (for example, the top stage with a female officer and the bottom stage with a male officer, in cases where the transgender person had not been operated on).

**III The CPT recommends that the French authorities ensure that searches are carried out by persons of the same gender as that declared by the prisoner and that prison officers pay particular attention to requests from transgender persons. It should also be ensured that searches are carried out by an officer authorised and trained to carry out this security measure.**

141. During the visit, the delegation was able to discuss with the management and staff of the *Fleury-Mérogis* and *Fresnes* establishments their desire to take into account, as far as possible, the interests of transgender people.

However, in practice, staff were not always trained or made aware of how to deal with them, beyond questions relating to identity and hormone treatment. It seemed, for example, that people who identified as female were regularly mocked and humiliated by staff. For example, they were regularly referred to as "Sir" and encountered problems with the way they dressed. The situation observed entailed significant risks of discrimination<sup>62</sup> and isolation of the persons concerned, and remained liable to constitute inhuman or degrading treatment.

**III The CPT recommends that steps be taken to remedy the situation.**

## 5. Healthcare

142. Healthcare was generally of a good standard in the *Fleury-Mérogis* and *Marseille-Baumettes* establishments, and access to care was acceptable on the whole. However, in *Fresnes* and *Villefranche-sur-Saône* prisons, major problems were identified. The situation was clearly made worse by overcrowding and excessively tight security (see paragraph 253) which hindered access to care.

### a. healthcare staff

143. The establishments visited were directly affected by the national shortage of doctors, including certain specialists. The assignment of theoretical posts within the healthcare facilities of the establishments visited had been calculated on the basis of the theoretical capacity of the establishments and not the actual populations of prisoners.<sup>63</sup> This made healthcare provision difficult even when there was a full team in place.<sup>64</sup> With regard to ophthalmology, for instance, the lack of doctors could result in delays of several months, and sometimes more than six months, in obtaining new pairs of glasses. Waiting times for dental care often exceeded several months, even when prisoners were in pain. The same applied to specialisms such as dermatology or urology.

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62. See also ECRI's [General Policy Recommendation No. 17](#) on preventing and combating intolerance and discrimination against LGBTI persons, 2023.

63. *Fleury-Mérogis* prison had a theoretical capacity of 3 377 places and was holding a total of 4 299 persons (127%). *Fresnes* prison was holding a total of 2 346 persons and had an operational capacity of 1 885 places (124,5%). In *Marseille-Baumettes* prison, 1 085 persons were being held and there was a theoretical capacity of 710 places (153%), while *Villefranche-sur-Saône* prison had a theoretical capacity of 648 places but was holding 797 people (123%).

64. In 2022, there were 193 general physicians in the somatic in-prison healthcare unit USMP (*unité sanitaire en milieu pénitentiaire*); 29 FTE posts were listed as vacant, that is, 13% of the budgeted general physician posts. There were 876 members of nursing staff within the somatic USMP; 23 FTE posts were listed as vacant, that is, 2.5% of the budgeted posts. There were 126 psychiatrists present within the psychiatric USMP; 48 FTE posts were listed as vacant, accounting for 27.5% of the budgeted psychiatrist posts. There were 456 members of nursing staff within the psychiatric USMP; 19 FTE posts were listed as vacant, that is, 4.1% of the budgeted nursing posts; there were 263 psychologists in the psychiatric USMP; 27 FTE posts were listed as vacant, accounting for 9.3% of the budgeted psychologist posts.

The delegation met healthcare professionals who were qualified, motivated and committed but often overworked and beset by daily difficulties in overcoming structural and budgetary shortcomings, which were especially problematic in a context of overcrowding.

144. In *Fleury-Mérogis* prison, the medical team in the in-prison healthcare unit (USMP) consisted of 16 full-time equivalent (FTE) posts including 2.4 unfilled posts. The nursing team was made up of 68 FTE posts (34 in the USMP, 21 within the regional medical and psychology service – *Service médico-psychologique régional* - SMPR – and 13 within the Addiction Support and Prevention Centre – *Centre de soins d'accompagnement et de prévention des addictions* - CSAPA). In 2023, specialists in orthopaedics, geriatrics and gastroenterology joined the somatic care team, and the cardiologists increased the amount of time they spent on site.

However, some important posts were unfilled, including more than 60% of the psychiatrist posts (six of the 10.6 FTE posts were vacant).<sup>65</sup> The gynaecologist post had been vacant for five months and there were no dental assistants. The two dentists assisted each other, sometimes with the aid of nursing staff, and this greatly reduced the care capacity.

145. In *Fresnes* prison, the USMP's medical team consisted of 5.1 FTE doctor posts (out of 8.1 budgeted posts). The nursing team had 60 FTE posts (28 in the USMP, 12 of which were unfilled, 24 within the SMPR, 8.5 of which were unfilled, and 8 within the CSAPA, half of which were unfilled). There were also 1.4 FTE dentists (out of three posts) using three dental chairs and 2 filled dental assistant posts. Despite a slight increase over the last few years, 50% of the psychiatrist posts within the SMPR (9.9 theoretical FTE posts) remained unfilled, and there were 3 psychologist posts (out of 7 theoretical FTE posts) dedicated to the SMPR and the CSAPA. The UPHJ (*unité d'hospitalisation de jour* - psychiatric day hospital unit) was also short of a psychologist due to a recent resignation. Since the referral hospital for somatic care was no longer providing a radiographer, transfers were necessary for examinations. Other specialists saw patients on site at varying intervals.<sup>66</sup> The physiotherapist post was unfilled.

146. In *Marseille-Baumettes* prison, the healthcare team had 8 FTE general physician posts (with 3 posts) and 15 members of nursing staff including one manager (with two vacant posts). An addiction specialist, 4 FTE psychologist posts and 9.4 FTE psychiatrist posts (five of which were unfilled) completed the care team. By contrast with the other establishments, 3.4 FTE dentist posts and two dental assistants provided adequate dental care to prisoners. The prison also had a full-time gynaecologist.

147. In *Villefranche-sur-Saône* prison, the USMP team consisted of 2.2 doctor posts and 8.3 FTE nursing posts.<sup>67</sup> There were also 0.8 FTE dentist posts and 1 dental assistant post (with 1 dental chair). As for mental health, there were two FTE psychologist posts and five nursing posts in the psychiatric unit (including 1 vacant post). It is of particular concern that both of the psychiatrist posts remained vacant. Prisoners' mental health was managed by a psychiatrist who was based at the referral hospital. As a result, psychiatric care was provided almost exclusively by the establishment's nursing staff. Furthermore, there was a lack of the staff required for tasks in pharmacy and logistics. Specialist care provision also remained inadequate.<sup>68</sup> The delegation met a team which lacked support and on-site presence by their respective management.

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65. The SMPR had seven FTE psychologists.

66. There was one orthopaedist (one to two half-days a month), 0.2 FTE infectious diseases specialist posts, one dermatologist (once a month, with the possibility of online consultations), one urologist (once a month), one gynaecologist (once a month in the women's remand unit, an unfilled post at the time of the visit) and one optometrist (once a week).

67. The information concerning vacant positions at the USMP in this establishment could not be provided to the delegation.

68. There were, among other posts, 0.2 FTE physiotherapist posts, one dermatologist (once every six months, with the possibility of online consultations) and one optician (once a week).

Table I: Summary of healthcare staffing levels<sup>69</sup>

|                                                                                                          | Staffing in FTE                                                                                                                       | Vacancies in FTE                                                                                                                                                                                                   |
|----------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Marseille-Baumettes</b><br><i>(736 people detained at the MAH and 131 people detained at the MAF)</i> | Doctors: 8<br>Nurses (somatic and psychiatric): 41<br>Psychiatrists: 9.4<br>Dentists: 3.9<br>Dental assistants: 2<br>Gynaecologist: 1 | Doctors: 5 (62%)<br>Nurses (somatic and psychiatric): 2 (2%)<br>Psychiatrists: 5 (53%)<br>Dentists: 0.5<br>Dental assistants: 0<br>Gynaecologist: 0                                                                |
| <b>Fleury-Mérogis</b><br><i>(3 514 prisoners at the MAH and 239 prisoners at the MAF)</i>                | Doctors: 16<br>Nurses (somatic and psychiatric): 68<br>Psychiatrists: 10.6<br>Dentists: 2<br>Dental assistants: 0<br>Gynaecologist: 1 | Doctors: 2.4 (15%)<br>Nurses (somatic and psychiatric): 0<br>Psychiatrists: 6 (60%)<br>Dentists: 0<br>Dental assistants: NA<br>Gynaecologist: 1                                                                    |
| <b>Fresnes</b><br><i>(1 916 prisoners at the MAH and 142 prisoners at the MAF)</i>                       | Doctors: 8.1<br>Nurses (somatic and psychiatric): 60<br>Psychiatrists: 9.9<br>Dentists: 3<br>Dental assistants: 2                     | Doctors: 3 (63%)<br>Nurses (somatic and psychiatric): 24.5 (41%)<br>Psychiatrists: 5 (50%)<br>Dentists: 1.6 (53%)<br>Dental assistants: 0                                                                          |
| <b>Villefranche-sur-Saône</b><br><i>(797 people detained at the MAH)</i>                                 | Doctors: 2.2<br>Nurses (somatic and psychiatric): 13.3<br>Psychiatrists: 2<br>Dentists: 0.8<br>Dental assistants: 1                   | Doctors: <i>missing information</i><br>Nurses (somatic and psychiatric): 1 psychiatric nurse ( <i>missing information about somatic nurses</i> )<br>Psychiatrists: 2 (100%)<br>Dentists: 0<br>Dental assistants: 0 |

148. Following on from the “Health of Persons Handed Over to the Courts 2019-2022” joint roadmap of the ministries of Justice and Health, the strategy for the 2024-2028 period includes a better understanding of needs, improved detection and screening, and increased access to care and co-operation. Care provision to specific population groups and the most vulnerable people is among the priority aims. The roadmap includes measures such as making posts more attractive by raising awareness and offering traineeships and in-service training. The management of the prison administration is involved in analysis of the attractiveness of prison healthcare posts.



**The CPT welcomes this approach, which is, among other things, both cross-cutting and integrated.**

149. CPT notes a desire to prioritise making prison healthcare careers more attractive. During the visit, the delegation was informed that the nursing staff were paid a risk premium for working in prisons. However, this premium was not paid to doctors. The healthcare staff working in the establishments visited also received little or no in-service training specifically in relation to health in prisons, often due to lack of time.

<sup>69</sup>. Non-exhaustive selection for comparison purposes.

**The CPT would like to receive comments from the authorities with regard to these issues.**

**150. The CPT recommends that the French authorities take decisive steps, including by making prison care professions more attractive, so that healthcare teams have sufficient resources to provide high-quality care that meets prisoners' needs.**

**The Committee also recommends that the authorities take the necessary steps to ensure access to the specialised care, including personal aids (such as glasses), necessary for the respect of the dignity of prisoners.**

**The CPT would like to receive information on recruitment of healthcare staff to vacant posts in the establishments visited.**

151. In terms of the presence of care staff, the CPT notes that nearly 80% of medical on-call shifts at the *Fleury-Mérogis* site (nights, Saturdays, Sundays and public holidays) were covered by locum physicians so that the site's practitioners could focus on continuity of care. Removing the obligation to work on call in rotation would have helped to recruit physicians and earn their loyalty.

In *Fresnes* prison, there was one doctor on call in the evenings and at weekends. In general, doctors on call were directly contacted by prison officers who had not been trained to assess the urgency of situations. Ideally, nursing staff should screen requests in order to optimise the amount of time spent by doctors on medical care, including during on-call shifts.

*Marseille-Baumettes* and *Villefranche-sur-Saône* prisons did not have any care staff present in the evenings, at weekends or on public holidays. Urgent requests were dealt with directly by the emergency services (SAMU or SOS Médecins) or referral hospitals. It fell to prison officers to assess the urgency of prisoners' requests for medical attention. This situation caused stress and real difficulties in terms of assessment for officers, as well as frustration and distress for prisoners when their requests were not fulfilled.

**The Committee recommends once again that the French authorities take the necessary steps to ensure that someone who can provide first aid is present at all times in all French prison establishments. Healthcare professionals must be present at night and on weekends and public holidays in the *Marseille-Baumettes* and *Villefranche-sur-Saône* establishments.**

**The Committee also encourages the French authorities to consider having several members of nursing staff present in the establishments visited to ensure continuous access to emergency care (24 hours a day) and to assess prisoners' requests before they are passed on to a doctor.**

#### **b. general healthcare**

152. Although there were no consultation areas or waiting rooms in *Marseille-Baumettes* and *Fleury-Mérogis* prisons, the consultation conditions were good on the whole. However, the premises in *Fresnes* and *Villefranche-sur-Saône* prisons were dilapidated and unsuitable and the inadequate co-ordination of the healthcare teams complicated healthcare provision.

The healthcare facilities all had the necessary resuscitation equipment (oxygen, ECG machine, defibrillator, emergency kit) in the establishments visited.

153. The number and size of the healthcare facilities of the men's remand unit in *Fresnes* prison were inadequate. Some areas were run-down, dilapidated and unhygienic; according to the USMP's 2022 report, they were "incompatible with the hygiene essential for care".<sup>70</sup> The delegation found damp and mould on the walls of several facilities. The healthcare teams worked in a fragmented fashion, and going from one in-patient ward to another was time-consuming and tiring. The difficulty of moving prisoners within the prison because of the design of the building and the security rules affected access to healthcare services.

In *Villefranche-sur-Saône* prison, new ophthalmology and radiology equipment had been installed, which is to be welcomed. However, the facilities lacked sufficient space for consultations. Water leaks from the showers were affecting the pharmacy premises. The somatic and psychiatric care teams worked in isolation from each other, with little or no communication or co-ordination of care provision (see also paragraph 159).

154. Communication between healthcare teams and the management of the establishments visited was generally good, but could deteriorate with prison officers in the context of medical transfers (see paragraph 190) and the security measures imposed. At *Villefranche-sur-Saône* in particular, the delegation noted that the attitude of prison officers tended to increase prisoners' anxiety levels and lead to decompensation. The psychiatric team in particular experienced difficulties in communicating with the prison administration (see also paragraph 177 on the provision of mental health care in the institution).

155. The situations described above in relation to the *Fresnes* and *Villefranche-sur-Saône* establishments could lead to violations of prisoners' dignity due to the lack of healthcare professionals, the inadequate number and nature of the consultation areas and the risks of disruption to care (see also paragraphs 172 and foll. on psychiatric care).

**The CPT recommends that the French authorities review urgently healthcare governance in *Fresnes* and *Villefranche-sur-Saône* prisons so that there is efficient co-ordination of all healthcare teams (somatic, psychiatric and dispensary), better sharing of information and an improvement in medically motivated prisoner movements.**

**The CPT encourages better communication between healthcare and prison officer teams to meet needs for holistic care for prisoners, especially in the *Villefranche-sur-Saône* prison.**

**The CPT recommends urgent repairs to the healthcare facility of *Fresnes* prison to prevent risks to the health of prisoners and healthcare professionals. In particular, it recommends that an area of the *Fresnes* establishment be set aside for the healthcare team and medical care. It suggests that a doctor be put in charge of all co-ordination of the somatic and psychiatric teams.**

**Finally, the CPT recommends that the authorities take the necessary steps to repair the water leakages within the *Villefranche-sur-Saône* healthcare facility.**

156. At *Marseille-Baumettes* prison, a man with a physical disability and multiple pathologies was incarcerated in a cell on the first floor, making it difficult, if not impossible, for him to move to the sanitary unit or the exercise yard. At the end of the visit, the CPT made an immediate observation under Article 8, paragraph 5, of the Convention and asked the French authorities to accommodate this person in conditions that are dignified and appropriate to his situation. The French authorities were also invited to consider care outside a prison establishment. The authorities have not provided any information regarding this person's medical care.

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70. By contrast, cleaning of the healthcare facility at the *Fresnes* women's remand unit (which the delegation visited briefly) had considerably improved quality of life and working conditions.

The CPT refers to Recommendation R (98) 7 of the Committee of Ministers of the Council of Europe to member states concerning the ethical and organisational aspects of healthcare in prison, according to which structural changes must be made to assist prisoners with disabilities and those who use wheelchairs, in accordance with the principles in force in the community.

**The CPT recommends that all essential facilities – including accommodation, toilets and showers, catering facilities, exercise yards and the healthcare unit – should be accessible to persons with disabilities. They should, if necessary, receive assistance in their daily lives. Efforts should also be made to offer them a range of meaningful activities.**

157. The CPT notes that according to French law, the doctor in charge of healthcare facilities or psychiatric units (see also the observations regarding mental health care, paragraph 172) must ensure that collective and personal hygiene rules are obeyed within the prison establishment.<sup>71</sup> However, the delegation found that the healthcare professionals were not always informed of the living conditions of patients with severe psychiatric disorders, and in particular the hygiene levels in their cells, which were sometimes unhygienic.

**The CPT recommends that the French authorities take the necessary steps to ensure that healthcare professionals, including psychiatric care professionals, visit detention facilities and assess the hygiene and living conditions for prisoners. Consultations with the prison administration should take place to ensure that cells are kept clean and that the persons concerned live in a dignified environment, which respects the recommendations of the healthcare team.**

### **c. medical examinations upon admission and patient records**

158. Initial medical and nursing assessments were good overall, with emphasis put on screening for infectious diseases (routine pulmonary examinations and blood tests offered).<sup>72</sup>

In the *Fleury-Mérogis* establishment, on weekdays, initial assessments were carried out in tandem by the USMP and the SMPR, by nursing staff on weekdays and by two doctors on Saturdays, but not on Sundays.<sup>73</sup> In *Marseille-Baumettes* prison, examinations upon admission were also carried out from Monday to Friday by a pair of somatic and psychiatric care professionals.

159. However, in the *Fresnes* and *Villefranche-sur-Saône* establishments, initial assessments were carried out separately by each care team and information was recorded in separate sets of records with no horizontal communication. These shortcomings led to co-ordination difficulties and inefficiency in care provision which ultimately affected its quality.

**The CPT recommends that the French authorities improve the co-ordination of medical and nursing admission assessment activities with emphasis on a cross-cutting and cross-disciplinary approach (as recommended in paragraph 155).**

160. Initial assessments should also enable a care team to play its role in preventing ill-treatment. The delegation found that doctors did not pay enough attention to the causes of injuries noticed upon arrival. Particular vigilance on the part of healthcare professionals as to the situation of certain groups of people (such as women, transgender persons and children), and in particular, procedures for the identification of and care for potential victims of violence, including gender-based violence, in the first few days following admission, appeared to be lacking.

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71. Article D115-24 of the Penitentiary Code.

72. In the absence of a suitable radiology room in *Fresnes* prison, an external service provider had been performing TB screening radiography since 2021 within the USMP. Transfers to hospital were also possible for other examinations.

73. That is, initial assessments could not be carried out between 17:00 on Saturday and 08:00 on Monday.

**The CPT recommends once again that the role of doctors in preventing ill-treatment be strengthened, particularly in the context of procedures for identifying and caring for potential victims of violence, including those based on gender. Specific training should be provided, as appropriate.**

161. The patient records consulted in the establishments visited were generally well kept. With the exception of *Fresnes* prison, somatic and psychiatric care facilities had a single set of records for each patient which was sometimes shared with the addiction centre.

**The Committee suggests that information-sharing between the healthcare services of *Fresnes* prison be made easier by creating shared patient records that can be accessed by all care providers, ideally in electronic format.**

#### **d. harm reduction**

162. In the four establishments visited, cannabis use by prisoners was substantial, especially in the *Marseille-Baumettes* and *Villefranche-sur-Saône* establishments, despite regular seizures. The use of crack or cocaine, however, seemed to be less widespread.<sup>74</sup> The management of the *Fresnes* establishment expressed concern over the trafficking of synthetic drugs in tablet form. In *Fleury-Mérogis* prison, according to the information given to the delegation, medication trafficking was an issue of concern.

163. The CPT welcomes the fact that opioid substitution therapy is provided to patients in detention.<sup>75</sup> In addition, a needle exchange scheme had been running in *Fresnes* prison for more than 10 years without any particular difficulties, other than failings in communication with prison officers and the USMP. This situation illustrates the urgent need for co-ordination between healthcare units and the prison administration so that access to care can be optimised (see paragraph 153).

164. However, the resources allocated to reducing health risks associated with substance abuse in detention and high-risk sexual behaviours remained generally inadequate in the other establishments visited, which had no needle exchange schemes or substance smoking materials (for crack cocaine for example), despite the needs for them. *Fleury-Mérogis* prison had also run out of condoms two years prior.

**165. The CPT recommends that the French authorities step up their efforts to prevent addiction and the spread of infectious diseases by taking steps to reduce health risks associated with substance use in detention and sexual health.**

#### **e. women's health**

166. The medical examination carried out on female prisoners upon admission to the establishments visited was the same as the one for male prisoners (see paragraph 158). However, as stated, no efforts to detect sexual abuse or other gender-based violence (suffered prior to admission) were made upon admission. Subsequent monitoring was also lacking.

The CPT considers that a gender-specific screening on admission for women should be in place in all prisons accommodating women prisoners. Such screening should allow, in addition to identification of the responsibilities of newly-admitted women towards their families/children, for the detection of specific needs, including a history of any sexual abuse and other gender-based violence. This information should be duly considered when drawing-up an individual sentence plan for the woman to ensure appropriate care and avoid re-traumatisation.<sup>76</sup>

<sup>74</sup> These observations reflect the results of the [survey](#) carried out by the French Monitoring Centre for Drugs and Drug Addiction in May 2024. One in four prisoners said they smoked cannabis daily. One in 10 prisoners used an illegal substance other than cannabis (cocaine, crack, MDMA, heroin) while incarcerated.

<sup>75</sup> In 2022, for example, 6 147 patients received methadone treatment (according to official information transmitted to the delegation).

<sup>76</sup> See also Rule 6 of the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (Bangkok Rules).



**The CPT recommends that the authorities take steps to ensure that gender-specific screening on admission for women by specifically trained staff (and, preferably, healthcare staff) is introduced in all prisons which accommodate female prisoners. Subsequent follow-up should also be reviewed according to the needs specific to women's health.**

167. The provision of gynaecological care was good in *Marseille-Baumettes prison* with the regular presence of a gynaecologist. This situation contrasted sharply with that in *Fleury-Mérogis prison*, where the gynaecologist post had been vacant for five months.<sup>77</sup> Certain specific or urgent examinations could be carried out by general physicians, but that could not make up for this failing. This situation was extremely harmful given the number of women detained in this establishment.



**The CPT recommends that the French authorities swiftly take steps to fill the vacant gynaecologist post in Fleury-Mérogis prison.**

168. With regard to ante- and postnatal care, prisoners who were pregnant or had given birth were monitored by a midwife and also received mother-and-child protection visits (see also paragraphs 125 and foll. on detention conditions in nurseries). Their diet was in principle adapted to meet their specific needs. However, the women encountered in the *Fleury-Mérogis nursery* all stated that they were hungry because of the small portions served.



**The CPT invites the French authorities to remedy this problem.**

#### **f. observation of traumatic injuries**

169. The quality of the observation and recording of traumatic injuries by healthcare professionals still falls short of the level necessary for this to serve as a useful tool in combating ill-treatment in detention. During its examination of findings of blunt-force and other injuries, the delegation noted frequent failings such as the lack of a detailed description of the patient's condition, body charts or photographs of injuries for marking and documenting injuries;<sup>78</sup> descriptions of injuries were far too brief. Healthcare teams also lacked cameras. There was no register giving a clear picture of the number of findings of blunt-force and other injuries drawn up and the nature of the injuries observed.

170. Records of injuries were given to the patient concerned. However, they were not routinely sent to the competent authorities, even where the patient agreed to this. From the viewpoint of preventing ill-treatment, this decision, which was up to the doctor, is especially problematic.

The CPT wishes to stress how important it is, if a prisoner refuses to inform the competent authorities of their injuries, for the doctor to explain the need for this reporting. It forms an integral part of the relationship of trust that the doctor has with the prisoner, and it is crucial that the latter understands the implications of refusing or reporting. It seems inconceivable to the CPT that the examples in the *Villefranche-sur-Saône* establishment described in paragraph 78, in particular with regard to the prisoner who had sustained multiple facial fractures had not been reported to the Public Prosecutor's Office after the severity of the injuries had come to light.

171. It is of paramount importance that healthcare teams, with support from their hierarchy, play their role in preventing ill-treatment in detention by improving the observation and recording of traumatic injuries on prisoners' bodies and reporting injuries to the competent prosecuting authorities.

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<sup>77</sup> In *Fresnes* prison (to which the delegation did not make an in-depth visit), the post had not been filled at the time of the visit.

<sup>78</sup> At *Fleury-Mérogis' remand prison*, the delegation looked at body charts associated with the register of searches at the entrance to the disciplinary section. However, it emerged during a discussion with the teams responsible that healthcare professionals did not have access to these documents and were not aware that they existed.

**The CPT recommends that the necessary steps be taken to improve the work of healthcare units in preventing ill-treatment, and especially in recording traumatic injuries.**

**The Committee once again recommends that the French authorities take the necessary steps to ensure that a report is drawn up after every finding of blunt-force and other injuries (upon admission or following a violent incident) in all French penitentiary institutions, and that it includes:**

- i) a full account of the objective medical findings based on a thorough examination,**
- ii) an account of statements made by the person that are relevant to the medical examination (including a description of their state of health and any allegations of ill-treatment), and**
- iii) the healthcare professional's observation in the light of i) and ii), indicating, if possible, the consistency of any allegation made with the objective medical findings.**

**Traumatic injuries observed during medical examinations should be recorded on a special form, including body charts giving a visual representation of the injuries, to be kept in the prisoner's medical records. In addition, photographs of injuries must be taken and added to the medical records. Where necessary, further examinations should be carried out (such as imaging or gynaecological or proctological examinations). In addition, a special register of traumatic injuries should be kept so that observed injuries of all types can be recorded in it.<sup>79</sup>**

**Furthermore, a procedure should be put in place to ensure that every time a doctor records injuries consistent with allegations of ill-treatment, the information recorded is routinely brought to the attention of the competent prosecuting authorities, namely the prosecutor and the governor of the establishment. The results of the examination should be given to the prisoner and their lawyer.**

#### **g. mental health**

172. During interviews with prison staff, healthcare teams and prisoners, and while reading records, the delegation became aware of a growing number of prisoners with mental health problems, which were severe in some cases. The CPT notes that the level of psychiatric morbidity upon departure from prison has worsened.<sup>80</sup> Some of the prisoners encountered suffered from schizophrenia or serious personality disorders with self-harming tendencies, Diogenes syndrome or physical and verbal aggression. Their incarceration made the situation dangerous for themselves, other prisoners and staff.

**III The CPT wishes to receive comments from the authorities in relation to this finding.**

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79. See also the *Manual on the Effective Investigation of Torture and Other Cruel, Inhuman or Degrading Punishment* (Istanbul Protocol), revised version published in June 2022.

80. See the report of the Regional Federation for Research into Mental Health and Psychiatry, [Mental health of the prison population](#), 20 February 2023. According to the report, two thirds of male prisoners in remand units and three quarters of women have a psychiatric or substance-related illness when they leave prison. The study also shows that 98.2% of male participants and 99.2% of female participants had suffered at least one traumatic injury (negligence or abuse) during childhood.

173. The delegation paid particular attention to the living conditions of persons placed in *de jure*<sup>81</sup> or *de facto* isolation because of the greater vigilance that this situation requires. This is because isolation can have significant harmful effects on the mental health of the persons concerned. In all of the establishments visited, and in the *Fresnes* and *Marseille-Baumettes* establishments in particular, the delegation met several prisoners isolated in ordinary detention who showed signs of great psychological distress.

174. In view of these findings, more attention must be paid to psychiatric care in prison. The CPT notes a significant need for places within SMPRs, and psychiatrists assigned to and present in establishments. Space and resources were woefully inadequate within the psychiatric care sections of the establishments visited. The regime for patients (generally two to three activities a week) was, as elsewhere, very poor and not sufficient to achieve reasonable therapeutic aims. In addition, and as stated from paragraph 153 onwards, co-ordination with medical teams was frequently lacking.

175. In *Fleury-Mérogis* prison, the SMPR had 16 hospital beds. However, the facility needed 25 additional places. It also lacked activity rooms for activities such as occupational therapy and psychomotor learning. The team offered one or two activities a week, which were strictly limited to five patients by the prison administration for security reasons.

176. In *Fresnes* and *Marseille-Baumettes* prisons, the SMPRs had had to reduce their capacities due to a lack of care professionals and particularly psychiatrists. This situation had resulted in an increase in requests for placements in the specially equipped hospital units (UHSA) linked to these establishments. In the *Fresnes* establishment, patients generally had one consultation with a psychiatrist a week and daily interviews with nursing staff. However, the delegation met patients who had no activities other than this contact with healthcare professionals and prison officers. The situation was slightly better in *Marseille-Baumettes* prison, where two hours a day were given over to therapeutic and occupational activities (in addition to medical consultations and exercise hours). No care was provided at weekends in either establishment.

177. The situation was extremely worrying in the *Villefranche-sur-Saône* establishment, which had not had a psychiatrist for six months. In the absence of any management,<sup>82</sup> the psychiatric nursing staff “did their best” to provide medical and psychological consultations during the day and, in practice, took on responsibilities which fell outside their remit (see also paragraph 147). The delegation was informed that psychiatric nurses often had to prepare prescriptions for medications, which were then signed by a somatic doctor. The delegation also learned of the death within the UHSA of a prisoner attached to *Villefranche-sur-Saône*. This person had told the nursing staff of their suicidal intentions on numerous occasions but no other measures could be taken in the absence of a specialist doctor.

**178. The CPT once again recommends that the French authorities expand the psychiatric teams and care provision in the penitentiary establishments visited, and at *Fresnes* and *Villefranche-sur-Saône* in particular. Activities within psychiatric care units should be increased to several hours a day, and decisions on patient management and access to care activities should be discussed as a matter of priority between the healthcare team and the custodial team.**

**The Committee once again recommends that persons with severe disorders be cared for in suitable hospital facilities. In this context, the CPT wishes to know the authorities’ intentions with regard to the development of UHSAs.**

81. See also paragraphs 186 et foll.

82. The head of division had been to the prison twice in 2024.

## **h. suicides in prison**

179. According to the SPACE statistics (*Council of Europe Annual Penal Statistics - SPACE*), France had the third-highest prison suicide rate of any Council of Europe country in 2023: 138 cases, that is, 19.1 suicides per 10 000 prisoners (the rate had been 16 in 2019). Despite the many measures taken in an attempt to remedy this problem,<sup>83</sup> the number of suicides in detention has risen steadily over the last few years. In 2024, there was a decrease in the first half of the year in comparison with the previous few years, with 72 inmate suicides as compared with 87 in 2023 and 75 in 2022 over the same reference period.

180. According to the information provided by the establishments, there were 15 suicides in 2023 and five in 2024 at *Fleury-Mérogis*, seven in 2023 and four in 2024 at *Fresnes*, two in 2023 and three in 2024 at *Marseille-Baumettes*, and two in 2023 and one in 2024 at *Villefranche-sur-Saône*. The establishments had also seen numerous suicide attempts, including by hanging and ingestion of medication or objects.

181. After every suicide, a detailed report was produced by the establishment and an in-depth investigation was carried out by the competent authorities. However, the healthcare staff of the establishments were not always informed of the findings of these investigations.

### **III The CPT wishes to receive comments from the authorities on this point.**

182. The CPT takes note of the existence of protocols for identifying and assessing suicidal potential and the special monitoring of certain individuals in the establishments visited. In 2023, 1 812 persons working in prison environments were trained in suicide prevention. Mental health first aid (*premiers secours en santé mentale - PSSM*) training was also given.<sup>84</sup>

The methodological healthcare guide states that a suicide risk situation requires co-ordination between custodial and healthcare partners to find solutions in a context made more difficult by prison overcrowding and poor physical conditions in establishments. The CPT notes that cross-disciplinary suicide prevention meetings were held regularly (once a week at *Marseille-Baumettes*). Somatic doctors or psychiatrists also alerted the prison administration to any risks. This is a positive point.

183. However, some practices are still inappropriate or ineffective. Vigilance measures are affected by problems connected with staffing levels and communication within establishments (see paragraph 172 on mental health). Information did not appear to be fed back and shared in all cases, especially where prisoners were exposed to situations or events that could make them more vulnerable (being placed in isolation, being given bad news, addictions, violence). The CPT also considers that night-time checks are particularly inadequate and are not an effective means of preventing self-harm and suicide. On the contrary, this measure can be counterproductive (see paragraph 250 for more details).

184. The establishments visited had at least one “smooth” cell – or emergency protection cell (*cellule de protection d’urgence - CProU*) – where prisoners presenting an imminent suicide risk can be placed for an initial period of 24 hours with “emergency protection equipment” (a tear-resistant and fire-resistant blanket and single-use items of tearable clothing). The decision to use this cell or these clothes is up to the governor of the establishment, who informs the healthcare section. The maintaining or extending of such measures cannot be medically prescribed.<sup>85</sup> The delegation received several complaints from prisoners, particularly at *Fresnes* and *Villefranche-sur-Saône*, about allegedly unreasonable placements in the CProU due to, for example, excessive and repeated requests for tobacco.

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<sup>83</sup>. These included a guide to professional practices for the prevention of suicide in prisons (issued in 2023) and a 2022-2023 suicide prevention action plan (issued in 2022), the development of “new arrival wings” where new prisoners are observed by trained staff, the fellow inmate support system (which is a means of generating alerts and identifying problematic situations for suicide prevention purposes) and the roll-out of the “VigilanS scheme” in detention (a system whereby persons who have attempted suicide are “recontacted”), in addition to the freephone number #3114.

<sup>84</sup>. Between 2020 and 2022, 575 persons were trained in mental health first aid. Two training sessions for each inter-regional prison administration directorate were due to take place between September 2024 and June 2025.

<sup>85</sup>. See the Methodological [Guide](#) to Medical Care for Persons Handed Over to the Courts, 2019, pp. 291-305.

As noted in the past, the CPT considers it inappropriate to apply a suicide prevention protocol for inappropriate behaviours that pose no suicide risk, or for a period exceeding 24 hours. It considers that the procedures for placement in an observation cell for reasons of order and security need to be clearly distinguished from those relating to the prevention of suicide and self-harm. In the latter cases, a member of the healthcare staff should always be involved in the placement decision. In addition, healthcare professionals should attend prisoners placed under observation on a daily basis.

**||| The CPT recommends that the French authorities take the necessary steps to remedy these shortcomings.**

**||| 185. The CPT recommends that the French authorities pursue their efforts to implement a suicide and self-harm prevention policy, including by developing alternative measures to reduce risks of self-harm and prevent suicide – instead of placement in isolation – such as a wider range of activities, more opportunities for contact with staff and the outside world, and effective cross-disciplinary treatment for addictions.**

**||| Efforts must also be made to develop relationships of trust between prisoners and staff and to strengthen the proper flow of information concerning persons identified as potentially at risk – between departments of an establishment and, if necessary, between establishments. Finally, the authorities could envisage to use suicide preventive technology such as contactless monitoring.**

#### **i. health of prisoners placed in isolation**

186. The law stipulates that the healthcare facility of an establishment shall be notified daily of persons placed in isolation (administrative, judicial and disciplinary) and that the doctor shall examine them on site at least twice a week. Prisoners in isolation or confinement who need to be treated with medicines were seen regularly by nursing teams in the context of the distribution of treatment. In general, it appeared that medical check-ups were recorded in a register or in wing logs.

A doctor can issue an opinion as to whether it is advisable to end isolation and forward it to the head of the establishment.<sup>86</sup> These statutory provisions were obeyed in practice. However, it is regrettable that the law still does not stipulate a requirement for daily visits to persons placed in isolation by a member of the healthcare facility.

187. CPT wishes to underline the vigilance and training necessary for the healthcare sections of penitentiary establishments in relation to the situation of prisoners placed in disciplinary cells or isolation (who are more vulnerable to, among other things, deterioration of their mental health and the risk of suicide, see paragraphs 183 and 172). In this regard, healthcare staff should visit isolated prisoners immediately after they are placed in isolation and regularly after that, at least once a day. All persons subject to an isolation measure should receive appropriate psycho-social support and access to care for mental health problems.

**||| The Committee once again strongly recommends to the French authorities that they ensure that, in all penitentiary establishments, persons placed in isolation cell conditions, whether on disciplinary or administrative grounds, are visited on the day of placement and then daily thereafter by a doctor or a nurse who reports to a doctor.**

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86. See Article R115-21 of the Penitentiary Code on doctors' duties.

## j. confidentiality

188. With regard to the confidentiality of communication with the healthcare facility in detention, practices were not uniform. In *Marseille-Baumettes* and *Villefranche-sur-Saône* prisons, letterboxes for medical requests were available to prisoners, including in the isolation and disciplinary sections. The letterboxes at *Fresnes* were seldom used because they were difficult to access. As a result, at *Fleury-Mérogis* and *Fresnes*, medical request forms were given to prison officers. They were not given in envelopes, and at *Fleury-Mérogis*, communications were recorded in a prison file.



**The CPT recommends that communications between prisoners and the healthcare units in the Fleury-Mérogis and Fresnes establishments be made confidential by using sealed envelopes and dedicated letterboxes.**

189. The CPT takes note of the Methodological Guide to Medical Care for Persons Handed Over to the Courts, which lays down a precise framework of rules for the dispensing of medicines in prisons. In particular, the Guide states that where distribution of medicines takes place in detention, nursing staff, who can be helped by an assistant, “shall be accompanied by a prison officer”.

In practice, the delegation found that healthcare professionals often stayed in the doorway when they talked to prisoners with prison officers looking on, which compromised doctor-patient confidentiality. In disciplinary sections, healthcare professionals stayed in the entrance airlock to the disciplinary cells.

At *Fleury-Mérogis*, if a prisoner needed to be seen in the disciplinary section, a dedicated consultation room was available upstairs. This room had an alarm button that could be used if necessary, and consultations could take place without security staff present. It was not used routinely because of the difficulty of arranging moves of prisoners to a large disciplinary section, such as that at *Fleury-Mérogis*. Furthermore, patients managed with handcuffs or restraints were generally seen in the presence of security staff. The disciplinary sections of the other establishments visited did not have dedicated consultation rooms.

The CPT does not endorse this practice and wishes to emphasise that doctors and health personnel working in prisons are the caregivers (notably the general practitioners) of prisoners and that ensuring a positive relationship between caregiver and patient is an essential factor in preserving the health and well-being of prisoners.



**The Committee recommends that it be ensured that healthcare teams can establish relationships of trust with prisoners, particularly by guaranteeing respect for medical confidentiality. It also suggests that prison staff be reminded of the need to respect medical confidentiality while maintaining security, including when medicines are given out.**

## k. medical transfers

190. Medical transfers were increasingly frequent because of the reduction of healthcare teams and the low number of specialists working in places of detention (see also paragraphs 143 and following on healthcare staff numbers). The conditions in which these transfers took place varied according to the classification level of the escorts accompanying the prisoner. The higher the escort classification, the more strongly the use of restraints and the presence of prison staff during medical transfers were recommended. In theory, every escort was subject to an individual decision on security measures. In practice, the measures required by the escort classification level were always applied.

191. Escort teams experienced difficulties in getting enough officers together to ensure the required security levels, which were increasing in general (see paragraph 194 on the shortage of prison staff). As a result, transfers were regularly cancelled, especially medical transfers regarded as non-urgent. More than half of transfers were cancelled in 2023 at *Villefranche-sur-Saône* prison, and in 40% of cases, they were cancelled by the prison administration. The other cause of cancellations was refusal by prisoners to attend consultations, including because of security measures (strip searches, means of restraint).



**In view of the shortage of prison staff to act as escorts, the CPT invites the authorities to take security decisions on a truly case-by-case basis and to make more staff available for this task.**

192. Despite its repeated recommendations and grave concerns, the CPT once again regrets the fact that transfers of prisoners to ordinary hospital environments and the care provided to them there still take place in conditions that can be qualified as humiliating and degrading.

The interviews indicate that, except where there was a legal exemption, prisoners were at least handcuffed during medical transfers and, in most cases, also restrained. These measures were applied even where the person had mobility problems or serious traumatic injuries. The delegation noticed that these security measures had come to be routine (see paragraph 253 on this subject). Healthcare staff could not challenge the presence of prison staff or law enforcement officers during examinations. Moreover, the presence of security staff at points of care<sup>87</sup> or their refusal to remove restraints from the prisoner could result in doctors refusing to provide care. Prisoners had no option but to agree to these measures if they wished to be treated.

The CPT reiterates that examining or treating persons subjected to means of restraint is a highly questionable practice from the point of view of both medical ethics and clinical considerations. The decision in this regard should be taken by healthcare professionals, which did not appear to be the case in practice. It is important to educate both healthcare and custodial staff about the risks and also about respect for confidentiality and dignity.



**The CPT once again calls on the French authorities to take decisive action, including at the regulatory level, to ensure that medical transfers (transportation, escorting and guarding) of prisoners take place in such a manner that medical ethics, confidentiality and the prisoner's dignity are respected.**

## **6. Other questions**

### **a. prison staff**

193. The CPT is aware of the growing concerns of prison administration staff who appear to face increased risks, in the exercise of their duties, including from members of organised crime.<sup>88</sup> The tragic attack on 14 May 2024 against a prison convoy in Normandy (Incarville), which cost the lives of two officers and seriously injured several others, has created a legitimate feeling of insecurity among staff.

194. The CPT notes that the prison administration has introduced retention bonuses in order to make the profession more attractive and to prevent recently recruited staff from leaving for better-paid jobs with shorter working hours.<sup>89</sup>

Despite these efforts to retain staff and the massive recruitment programmes,<sup>90</sup> many posts within the prison service remained vacant, including in the establishments visited.

195. At *Fleury-Mérogis prison*, there were 1 633 staff positions, including 1 531 warders and chief warders according to the reference organisation chart. The absenteeism rate was estimated at 8%, and 170 uniformed posts (that is, around 15%) were vacant at the time of the visit.<sup>91</sup>

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87. In the *Fleury-Mérogis prison*, a woman said she had given birth in the presence of custodial staff.

88. For example, 53 physical assaults on staff were recorded between January and September 2024 at the *Marseille-Baumettes prison*.

89. As of 1 January 2024, the prison guard corps is now category B (with a requirement to have the baccalaureate to sit the competitive examination) and the officer corps is moving towards category A. These statutory changes increase the pay scale and facilitate mobility to other positions in the civil service. Since 1 January 2024, a supervisor graduating from ENAP (*l'Ecole nationale d'administration pénitentiaire*), the National School of Prison Administration has benefited from remuneration of €1 990 net, an increase of €200 net per month since 2017.

90. In May 2024, the administration opened two competitions to fill 1 200 vacant supervisory posts.

91. In 2024, the company recorded 30 296 days of sick leave and 12 resignations.

196. At *Fresnes prison*, the team consisted of 915 staff members, 857 of whom were available at the time of the visit. Management was faced with a large number of vacancies (132), an increase in sick leave and a high absenteeism rate (almost 27% in 2024, including almost 11% for medical reasons).<sup>92</sup>

197. At *Marseille-Baumettes prison*, the team was made up of 709 uniformed officers, supported by administrative and technical staff. 92 managerial and supervisory posts were vacant. The 2023 activity report shows that the number of days of absence for custodial staff was up by 17% compared with 2022, but for a smaller number of staff over the two years (21 072 days of absence in 2022 compared with 25 861 days of absence in 2021).

198. At *Villefranche-sur-Saône prison*, the team consisted of 167 assigned staff (156 of whom were available at the time of the visit), supported by technical and contract staff. There were 23 vacant posts for warders and first warders. Absenteeism was described as chronic,<sup>93</sup> the system of assigning staff on a rota basis did not allow them to establish a relationship of trust with the detained persons, which is particularly necessary to prevent violence (see in particular paragraphs 78 and foll. on issues relating to violence in the establishment). Finally, the organisation of movements and the protocol for action in the event of incidents did not appear to be efficient - any incident blocked movements in all areas of detention without any assessment.

199. All the establishments visited were thus operating in "degraded" mode, even "very degraded" in *Villefranche-sur-Saône*. In addition, prioritising the allocation of staff to certain facilities (in particular units for violent prisoners, isolation wards and disciplinary wards) resulted in a flagrant lack of staff in the corridors of ordinary detention wards. On a day-to-day basis, management had to decide which activities would not take place, which posts would not be filled, which medical or judicial transfers would be cancelled, or which staff would have to leave their posts to provide movement or support.

Once again, the delegation noted that a custodial agent, often a trainee, could be assigned alone to the surveillance of a floor or a wing sometimes housing close to 100 prisoners. The prison officers present in detention did not have the time they needed for training, ensuring dynamic security or listening to requests from detained persons. Their work was limited to running up and down the corridors to open and close the doors. As well as feeling frustrated at no longer being able to do their jobs properly, staff were experiencing burnout, which was closely linked to the high absenteeism rate overall. The delegation met staff who were often committed and keen to do their job well, but who were exhausted and frustrated by the situation.

**200. The CPT reiterates its recommendation that the French authorities take the necessary measures to ensure the effective presence at all times, including nights, weekends and public holidays, of a sufficient number of trained detention officers to enable the establishments visited to function properly.**

201. The management of the *Fresnes* and *Villefranche-sur-Saône* prisons, in particular, reported difficulties in retaining and supporting staff in the performance of their duties. There seemed to be a lack of support for developing the professional communication skills of staff in daily contact with prisoners.

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92. The prison had set up a loyalty monitoring and evaluation committee (*comité de suivi et d'évaluation de la fidélisation - COSEF*), which meets monthly to identify the difficulties experienced by certain employees and to propose better follow-up.

93. From 1 January to 30 September 2024, absenteeism represented 5 406 days for uniformed staff (including 192 days for officers, 685.5 days for first-line supervisors and 4 528.5 days for warders), that is, 19.8 absent staff per day.

**The CPT welcomes initiatives to set up training centres in establishments and invites the French authorities to support such training departments in their activities. In particular, the Committee invites the French authorities to provide the visited establishments with staff responsible for developing skills through ongoing training and day-to-day psychological support, and in particular in the prisons which receive large numbers of trainees and new staff (coming out of the National Prison Administration School) such as Fresnes and Villefranche-sur-Saône.**

202. Prisons have again experienced strike action in connection with national actions or, more recently, following the fatal attack on a prison convoy in May 2024. Although French law does not recognise the right of prison staff to strike, some prisons have come to a virtual standstill due to the absence of many staff, sometimes accompanied by blockades of prison entrances.

The strike in May 2024 (from 15 to 17 May) was well attended and very few staff were present in detention. In addition to the high rate of absenteeism, striking staff carried out screening at the entrances, determining who could access the establishment. Prison management had to negotiate with staff representatives to allow access to a small number of healthcare staff and voluntary guards. As a result, visits, access to exercise yard and activities were suspended, meals were distributed all at once and access to healthcare could not be guaranteed on a daily basis. Some medical transfers were carried out, following negotiations on a case-by-case basis. However, judicial and administrative transfers were suspended.

203. The CPT considers that the possibility of demanding better working conditions and security, in particular through concerted or collective action, is a right which should be ensured while guaranteeing respect for a guaranteed service. It is essential that the rights of detained persons are respected in all circumstances, including during strikes by prison staff. To achieve this, the authorities must provide a guaranteed service at all times, including during strikes. The implementation of such a guaranteed service should not depend on *ad hoc* negotiations between the management of each establishment and staff representatives.

Within the framework of a guaranteed service, each prisoner should benefit from meals provided at the scheduled times, unrestricted medical care, access to at least one hour of exercise per day, the possibility of maintaining good personal hygiene and the cleanliness of their cell, as well as continuous contact with the outside world. Such a guaranteed service should also include other essential services, such as a regime of activities and unimpeded access to justice.

**The CPT reiterates its recommendation that the French authorities take steps to ensure that a guaranteed service is provided in all prison establishments under all circumstances.**

204. Despite the CPT's previous recommendation,<sup>94</sup> prison staff still do not wear a name or identification number on their uniform. Prison staff addressed each other by rank within the establishment in order to protect their anonymity. The CPT recognises the importance of protecting the privacy of staff, as well as the fear of being identifiable or of being endangered on the outside. However, the absence of any means of identifying staff greatly limits the possibilities of complaints by detained persons and may give rise to a feeling of impunity among prison officers.

**The CPT reiterates its recommendation that measures be taken to ensure that prison staff present in detention are identifiable, preferably by wearing an identity tag or a short identification number.**

#### **b. contact with the outside world**

205. Prisoners were able to correspond with any person of their choice, except in the case of restrictions imposed by a magistrate or by the head of the establishment on the basis of an adversarial procedure. The right to sealed correspondence seemed to be respected.

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94. See in particular the report on the CPT's 2019 periodic visit, [CPT/Inf \(2021\) 14](#), paragraph 91.

206. As regards telephony, the CPT welcomes the progress made and notes with satisfaction that all cells in the establishments visited were equipped with a fixed telephone, with the exception of the disciplinary wards - in addition to those in the corridors and exercise yards. However, many of the facilities had fallen into disrepair.

Furthermore, all detained persons complained that the cost of telephone calls was significantly higher than the rates charged outside detention,<sup>95</sup> which was one reason why the use of in-cell telephones was not effective in curbing mobile phone traffic.<sup>96</sup>

**III The CPT invites the authorities to review the telephone calls prices to bring them into line with those applied outside detention.**

207. The delegation also received allegations regarding the recording of special calls (to rights support organisations and the CGLPL in particular) and calls with lawyers.

**III The CPT would like to receive the authorities' comments on this point.**

208. At the same time, a video-conference system was available on reservation, but requests from detained persons were rare due to a lack of awareness of this possibility and, above all, its cost (two hours of video calls cost €30). This access had been made available to detained persons free of charge during the Covid-19 health crisis.

The possibility of using modern means of communication such as video calls or the VoIP (Voice-over-Internet) telephone system enables detained persons who have few or no visits to maintain visual contact with their relatives, in principle at reduced cost.

**III The CPT invites the French authorities to facilitate access to videocalls by making it more widely available and reducing its cost, or even by offering free access, particularly for persons who receive few or no visits.**

209. With regard to visits, the law stipulated that remand persons were entitled to at least three visits per week and convicted persons to at least one visit per week, without specifying the minimum time granted to prisoners per visit or per week.

In practice, at *Marseille-Baumettes* prison, detained persons could in principle have two to three one-hour visits a week. At *Fleury-Mérogis* and *Fresnes* prisons, all detained persons (whether remand prisoners or convicted prisoners), including those placed in a special section, could receive a maximum of three visits per week lasting a minimum of 45 minutes (30 minutes on Saturdays at *Fresnes*). The *Villefranche-sur-Saône* establishment limited visits to one or even two visits per week for convicted prisoners (sometimes limited to 45 minutes).

**III The CPT recommends that it be ensured that all detained persons (whether sentenced or on remand), regardless of the regime, can receive weekly visits of at least one hour.**

210. Visits mainly took place in a visiting room that did not have a partition, including for persons placed in disciplinary isolation, unless otherwise decided by the head of the establishment. Segregated visiting rooms (with a physical separation) seemed to be rarely used.

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95. For example, seven hours of calls to a landline or just over three hours of calls (200 minutes) to a mobile phone in mainland France cost €30. The rate was higher for all other regions of the world, including French overseas territories.

96. For example, 352 mobile phones have been seized at *Fresnes prison* since 1 January 2024. 1 578 phones and accessories were seized between May and September 2024 at *Fleury-Mérogis prison*. 755 phones were seized in detention and 471 projections of mobile phones were recorded in 2023 at *Villefranche-sur-Saône*.

The recently opened premises at *Marseille-Baumettes* prison provided good material and acoustic conditions for visits. The same was true of the visiting rooms (around thirty small cubicles) at *Villefranche-sur-Saône*, which were in good condition and clean. One room was also adapted for people with reduced mobility. Material conditions in the visiting rooms at *Fleury-Mérogis* were also satisfactory, despite their cramped conditions (approx. 6.5 m<sup>2</sup>) and heating/air conditioning problems. In addition, these three establishments had taken measures to facilitate the maintenance of family ties (extended family visits,<sup>97</sup> "parent-child relay" space and/or children's play areas).

The situation was far more worrying at *Fresnes prison*. Very small "boxes" (around 1.20 m<sup>2</sup> per cubicle), located in the building's dilapidated and insufficiently ventilated basement, were used as visiting rooms. Despite the renovation of some of the visiting rooms, the old ones, which were cramped, dilapidated and unsuitable, were still in use. Each booth was equipped with two small plastic stools, but no table. The delegation observed, among other things, poorly soundproofed visiting rooms, holes in the walls, puddles of water on the floor and the presence of rats. *Fresnes* management informed the delegation that all the visiting rooms would be renovated by 2025.<sup>98</sup>

**The CPT recommends that urgent steps be taken at Fresnes Prison to improve the material conditions of visiting rooms by enlarging them and making them more respectful of the dignity of persons. It would like to receive updated information on the progress of the renovation.**

211. The *Marseille-Baumettes* prison had four "family living units" (*unités de vie familiales* - UVFs) where prisoners can receive their loved ones for up to 72 hours. The other establishments visited did not have such units.

**The Committee invites the authorities to develop the family visiting room and UVF systems in all French prisons.**

### **c. administrative and judicial isolation**

212. Each establishment visited had a ward used for administrative or judicial isolation. The number of places and placements in isolation was rising steadily in France, with more than 800 people in isolation at 31 December 2023.

Placements in solitary confinement were intended to guarantee the safety of detained persons and establishments or to protect the person concerned, including at their request. Segregation decisions consulted by the delegation were justified and the procedure was properly documented. The detained persons could be heard and assisted by a lawyer, if necessary, during an adversarial debate. They could appeal against this decision.

213. The CPT notes that the normative framework recognises the impact of isolation, which can "have physical and psychological consequences to which attention should be paid".<sup>99</sup> In the establishments visited, a number of isolated persons displayed difficult behaviour ("unmanageable", in the words of one *Villefranche-sur-Saône* staff member) or were symptomatic of severe mental illness (and sometimes refusing treatment).<sup>100</sup> The CPT questions the appropriacy and suitability of using isolation as a response to these often complex situations.

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97. At *Fleury-Mérogis*, for example, prisoners whose visitors live more than 150 km from the establishment and whose visits are infrequent (more than 15 days) could obtain an extension.

98. At the time of the visit, the renovated space in the first of the three facilities (D1), for example, included a large room of around 9 m<sup>2</sup> for families and people with reduced mobility. This room had no toys or play area for children, and no decoration. There were also five 7.5 m<sup>2</sup> booths (with a small shelf instead of a table). There were still 33 small cubicles in this area, belonging to the old configuration of visiting rooms, a hygienic visiting room and a visiting room equipped with a trap door for handcuffs.

99. Circular from the Ministry of Justice dated 14 April 2011 on the placement of prisoners in solitary confinement, [JUSK1140023C](#).

100. Many of the people in solitary confinement had problematic psychiatric profiles (with severe mental pathologies such as schizophrenia, hallucinatory delusions), substance use problems and behavioural problems (such as refusal to comply).

214. The Committee notes that the duration of solitary confinement could be very long. There is no time limit on solitary confinement under French law. The wards visited were almost all overcrowded.<sup>101</sup> At the *Fresnes establishment*, for example, of the 14 people in isolation, one had been in solitary confinement for more than six years. In all the establishments visited, people had been waiting, sometimes for several months, to be transferred to a more suitable environment (including ordinary detention in another establishment).<sup>102</sup>

**The CPT would like to receive detailed statistical information on the number of solitary confinements and their duration between 2020 and 2024 in all French prisons.**

215. The material conditions of the cells in the segregation wards<sup>103</sup> were generally satisfactory. Detained persons had individual cell confinement and a separate sanitary area, with an in-cell shower in the *Marseille and Fleury-Mérogis establishments*, and the necessary equipment (bed, television, telephone, etc.).

However, most of the windows in the solitary confinement cells at *Fresnes* and *Villefranche-sur-Saône prisons* had no view of the outside or the sky, and let in very little natural light. In addition, many of them were broken, making it impossible to protect the detained persons from the cold and damp. The delegation often found that the furniture was in poor condition. Finally, rubbish was piling up in the corridors in front of the windows of cells in *Fresnes* and *Villefranche-sur-Saône*. As elsewhere at *Fresnes* (see paragraph 98), there was no access to hot water in the cells and there was mould on the ceiling in the showers in the isolation block.

**The CPT recommends that the French authorities take the necessary measures to ensure that the cells in the isolation wards in the establishments visited, and where appropriate in all prisons in France, provide conditions of detention, in particular hygiene conditions, which respect the dignity of persons. It would like information on the renovation and maintenance work undertaken following the CPT's visit to these wards.**

216. Placement in solitary confinement does not, as a matter of principle, imply suspension of activities or grouping together with other detained persons in solitary confinement. In each of the establishments visited, specific areas for activities were available (gym with a few weight machines, library and a room for activities organised by external partners).

However, as observed in the past, the regime offered to isolated persons remained inadequate in the establishments visited, even extremely poor at *Villefranche-sur-Saône prison*, and very similar to that of the disciplinary ward. In the solitary confinement area of *Villefranche-sur-Saône prison*, detained persons were allowed one walk per day, while in *Fleury-Mérogis* and *Marseille-Baumettes prisons*, they had access to a morning and afternoon activity (they could choose between the exercise yard, the library or the gym). No other recurring activities were offered. In addition, none of the isolated prisoners had access to work, and none of them took part in face-to-face or distance learning courses or modules with the national education authorities.

217. Human contact for isolated detained persons was often limited to communication with custodial and medical staff, a few visits from relatives and possible meetings with the SPIP, a chaplain or the management. None of the persons in isolation at the time of the visit in the establishments visited had been authorised to associate with other isolated persons.

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101. Each establishment visited generally kept a 'buffer' cell to deal with emergency situations.

102. In one of the establishments visited, the administrative isolation of a person had been extended for several months, even though he was "affected by his isolation" and was expressing "suicidal thoughts", according to the documentation consulted.

103. See paragraph 102 for a description and recommendations relating to exercise yards.

218. The CPT welcomes the availability of a dedicated team in the solitary confinement units at *Fresnes*, *Fleury-Mérogis* and *Marseille-Baumettes*, establishments in which it has received positive feedback from some detained persons on the staff's communication and professionalism towards them.

*Villefranche-sur-Saône* prison, on the other hand, did not have a team dedicated to the solitary confinement area,<sup>104</sup> capable of dealing with a specific population and implementing dynamic security and non-violent communication. The delegation also observed a particularly degraded atmosphere in this area. There was a great deal of tension between detained persons and communication with staff had not eased.

**The CPT invites the French authorities to set up a team dedicated to the administrative, judicial and disciplinary isolation wards at the *Villefranche-sur-Saône* prison.**

219. As indicated in the past, the CPT is of the opinion that a number of persons met during the 2024 visit require care in appropriate facilities, not confined to a solitary confinement regime. The CPT's findings show that an extremely strict, one-size-fits-all regime was being applied to persons with heterogeneous profiles and needs. As solitary confinement has a direct impact on mental health, it is important to ensure regular and substantive exchanges between the prisoners concerned and other people, for example outside professionals with multidisciplinary skills. Consideration should also be given to changing the approach to solitary confinement so that more account can be taken of the profiles of the prisoners concerned, and so that they have greater access to sporting, cultural and leisure activities. These activities should help isolated people to return to ordinary accommodation and eventually prepare them for reintegration into the community

The objective pursued by the Committee in drawing up these standards is to reduce to a minimum the use of solitary confinement in prison establishments, both because of the damage it can cause to the mental and somatic health and social well-being of detained persons and because of the opportunity it can provide for the deliberate infliction of ill-treatment. Under no circumstances should segregation be used to compensate for a lack of facilities for the care of persons with mental health problems or as a substitute for disciplinary sanctions. The CPT considers that segregation should only be used in exceptional circumstances, as a last resort and for the shortest possible time.<sup>105</sup>

**The CPT recommends that the French authorities undertake, as a matter of priority, a multidisciplinary reassessment of the segregation regime and the profiles of the persons assigned to it. The authorities must ensure that solitary confinement is not used as a substitute for psychiatric care and that alternatives are considered before any placement in solitary confinement. Particular attention must be paid to long-term segregation.**

**The CPT reiterates its recommendation to the French authorities that detained persons held in solitary confinement for more than two weeks be provided with an individualised and structured programme of motivating and constructive activities, preferably outside their cells. They should be able to maintain meaningful human contact for at least two hours a day, preferably more, with staff and/or with one or more other prisoners.**<sup>106</sup>

104. The disciplinary ward located next to the solitary confinement ward also had no dedicated brigade or person in charge.

105. See the extract from the CPT's 21st General Report, [CPT/Inf\(2011\)28-part2](#).

106. See Rule 53A (a) of the [European Prison Rules](#).

#### d. discipline

220. The disciplinary procedure was transparent and disciplinary registers were generally well kept in the establishments visited, with the exception of *Marseille-Baumettes* and *Villefranche-sur-Saône*.

The time taken to process disciplinary procedures ranged from a few days for physical violence against staff, to thirty or even forty days (for verbal violence between prisoners or possession of prohibited objects). The delegation did not observe any backlog of proceedings.

221. Decisions were motivated and disciplinary proceedings were adversarial. Detained persons had the possibility of being assisted by a lawyer, including a free of charge lawyer, and by an interpreter during their disciplinary hearing. The CPT notes, however, that despite the efforts made by the establishments to contact bar associations in advance, to obtain the appointment of court-appointed lawyers and to inform detained persons of their rights, this assistance was not always effective.<sup>107</sup> It was not possible to postpone the disciplinary committee hearing if the lawyer was absent.

On the basis of the interviews and files consulted, it emerged that disciplinary files often lacked information that would give an understanding of the situation, such as video surveillance recordings (see also paragraph 92), medical certificates, witness reports or sufficiently detailed incident reports.



**The CPT recommends that the French authorities improve the quality of the written record of the incident as well as the collection of information (including video surveillance material) and make it available to detained persons and their lawyers, where appropriate.**

222. The rules governing disciplinary sanctions are set out in the Prison Code. The reform, which came into force on 1 May 2022, led in particular to a revision of the classification of offences and penalties incurred. In this context, the CPT regrets that a period of placement in a disciplinary cell in excess of fourteen days is still permitted, and may extend to thirty days for any act of physical violence against persons.<sup>108</sup>

223. The majority of sanctions handed down by the Disciplinary Committee remained disciplinary isolation, including suspended sentences.<sup>109</sup> At *Fleury-Mérogis*, for example, in August 2024, the delegation was able to count nearly 40 sanctions of more than 14 days (firm) out of approximately one hundred entries to the disciplinary section, and 33 sanctions of more than 14 days out of approximately 113 entries in September 2024 (that is, between 30% and 40% of the number of sanctions). At *Fresnes*, the average length of stay in the disciplinary section was seven days for 479 decisions (a total of 3 224 days) in 2024. At *Marseille-Baumettes*, the delegation recorded nine disciplinary sanctions lasting more than 14 days over the last 30 disciplinary commissions. At *Villefranche-sur-Saône*, there were five sanctions of more than 14 days (that is, 7%) out of the 67 procedures in September 2024.

224. It should be noted that when the Disciplinary Committee examines several offences committed by a prisoner on the same day, the law allows the penalties to be imposed concurrently, provided that the maximum quantum for the most serious offence is respected.<sup>110</sup> However, when disciplinary sanctions are imposed by separate disciplinary committees, the rule of capping at the regulatory maximum does not apply. Nor does the Penitentiary Code provide for any obligation to take into account successive prior

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107. At *Fleury-Mérogis*, in building D1, for example, one third of disciplinary committee decisions were taken in the absence of a lawyer (for all reasons combined, and sometimes for no specified reason). At *Villefranche-sur-Saône*, in 2022, 687 procedures were carried out in the presence of a lawyer, whereas the prison recorded 756 requests for legal assistance for the year.

108. Articles R. 235-5 and R. 235-12 of the French Prison Code.

109. Placement in the disciplinary section was generally preferred to confinement. At *Fleury-Mérogis*, 605 detained persons had been placed in the disciplinary section by 30 September 2024. At *Fresnes*, 863 persons were placed in the disciplinary section and 116 were confined in 2023. At the time of the visit in 2024, 459 disciplinary sentences (129 of which were suspended) and 90 confinement sentences had been handed down.

110. Article R. 234-34 of the Prison Code.

disciplinary confinements. An internal memo from 2023 recommended avoiding such situations.<sup>111</sup> These recommendations seemed to have been implemented in the establishments visited. However, none of the establishments had a register for tracking the accumulation of sanctions.

**225. The CPT reiterates, with insistence, its recommendation that the French authorities take the necessary legislative measures to ensure that placement in disciplinary isolation does not exceed 14 days for any given offence committed by an adult, and is preferably of a shorter duration. Any offence committed by a detained person that requires more severe sanctions should be dealt with by the criminal justice system. In addition, the execution of consecutive disciplinary sanctions should be interrupted for several days when it reaches 14 days.**

226. The material conditions of the cells in the disciplinary quarters (DQ) at *Marseille-Baumettes* (new building) and *Fleury-Mérogis*<sup>112</sup> were good and clean. In contrast, the cells in the DQs at *Fresnes*<sup>113</sup> and *Villefranche-sur-Saône*<sup>114</sup> were dilapidated, in a poor state of repair and offered no visual perspective.

At *Fresnes*, the barred windows were so small that they barely let in any natural light. Detained persons complained about the presence of pests (rats and bedbugs). In *Villefranche-sur-Saône*, some of the windows, which faced a wall and blocked the view of the sky, were also broken. Some people suffered from noise. These conditions were bound to have adverse effects on the mental and somatic health of the detained persons.

The material conditions of the confinement cells (secure cells in ordinary detention units) in *Villefranche-sur-Saône* were also in a deplorable state and dirty. Tiles were missing from the walls in the sanitary areas, and some equipment (such as lights and telephones) and windows were often broken. These cells had no television or refrigerator.

**The CPT recommends that the French authorities take steps to remedy the material conditions of the disciplinary quarters at Fresnes and Villefranche-sur-Saône, as well as the confinement cells in the latter establishment.**

227. As regards the regime for persons placed in disciplinary isolation, they were deprived of any activity. They retained their right to access a yard (only one hour - 1.5 hours at *Fresnes* - per day and in small spaces, see paragraph 102), three showers per week, a telephone call and visits from a chaplain and their lawyer. There was no television in the disciplinary cells; the only items allowed were a radio, books and religious objects. The canteen was limited to toiletries, correspondence and tobacco.

228. Interviews revealed that many detained persons showed symptoms of psychological and psychiatric disorders.<sup>115</sup> The staff at the *Fleury-Mérogis disciplinary unit* seemed to regularly refer cases to

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111. In an internal memorandum dated 23 November 2023, the Prison Administration Directorate stated that the aim was to avoid "as far as possible" continuous and long-term placement in the disciplinary cell. The memorandum also states that the inter-regional directorates and judicial authorities concerned should be informed of cases of continuous and long-term placement in a disciplinary cell, and in particular that cases lasting more than 30 days should be examined in order to consider all possible avenues of treatment. Lastly, the medical departments must be informed by means of a specific report.

112. Each of the 75 individual cells measured approximately 8.5 m<sup>2</sup>, including the entrance lock. The cells had metal furniture fixed to the floor, and a monobloc metal toilet and washbasin. The mattresses and cushions appeared to be in fair condition. Prisoners were provided with personal hygiene and cell maintenance kits. The call button in each cell was functional and accessible to the prisoners. The communal showers (used individually) were in good condition. At the time of the visit, the area had 68 operational places and was occupied by nearly fifty people. The MAF HQ at *Fleury-Mérogis* had been renovated shortly before the visit.

113. The *Fresnes* disciplinary unit had 24-25 places, twenty of which were operational (four were being renovated). The area was occupied by 17 prisoners at the time of the visit.

114. The *Villefranche-sur-Saône* disciplinary unit had nine places, all of which were occupied at the time of the visit.

115. During the visit, the delegation met people sleeping on the floor in dark and unsanitary cells (in one case, the person regularly threw excrement on the walls of his cell), under the influence of hallucinations, for example, or with exhibitionist behaviour.

the psychiatric staff at SMPR when necessary. However, prison officers in all the establishments visited said that they did not receive sufficient training in dealing with such cases.

Disciplinary quarters are places where suicide attempts are more frequent than in ordinary detention.<sup>116</sup> Staff at the DQ at *Fleury-Mérogis* were very attentive to suicide prevention, and each person placed in the disciplinary ward was systematically seen at a hearing by an officer trained in assessing the risk of self-harm.

The CPT was also informed of a worrying practice whereby prisoners "attempt" to commit suicide in order to get out of the disciplinary ward.<sup>117</sup> This practice put detained persons' lives at risk and placed prison staff in a difficult situation.

**The CPT invites the French authorities to strengthen communication between the teams dedicated to disciplinary quarters and the medical teams so as to be able to offer appropriate care for these specific situations (psychiatric symptoms, suicide attempts and refusal to leave the cell).**

229. The CPT notes with interest a legislative reform<sup>118</sup> which provides that certain breaches of internal regulations may give rise to the implementation of an alternative procedure to disciplinary proceedings, applicable to adult prisoners only, for second and third degree offences. The decision as to whether or not to implement this procedure rests with the head of the establishment "provided that the prisoner acknowledges the acts of which they are accused".

In January 2022, the *Fresnes prison* introduced a system of "composition pénitentiaire" (5% of CRIs drawn up in 2023) to deal with disciplinary offences such as failure to comply with the internal rules (blocked peephole), damage and refusal to return to the cell. The remedial measures imposed included a reminder of the rules, the writing of a letter of apology, cleaning work or even deprivation of activities (limited to eight days). Similarly, in *Villefranche-sur-Saône*, 478 "community management measures" were implemented in the first half of 2024. At the *MAF in Fleury-Mérogis*, management emphasised the importance of alternatives to placement in the disciplinary section, in order to increase the range of sanctions that can be imposed and find solutions for each situation.

**The Committee invites the French authorities to promote alternatives to disciplinary proceedings.**

#### **e. "units for violent prisoners"**

230. Created in 2019, the "units for violent prisoners" (*unités pour détenus violents* - UDV) are, according to the authorities, "a tool for assessing and treating prisoners presenting an identified or suspected risk of violence". Their purpose is to respond to violent attacks in prison, particularly against prison staff, and to remove certain people from ordinary detention.<sup>119</sup>

231. The procedure for placement in a UDV is based on motivated decisions by the prison administration. After consultation with the head of the establishment and the single multi-disciplinary committee (CPU), the detained person is informed of the placement decision and can present their observations. The inter-regional director decides on the placement for a maximum initial period of six months, renewable once for three months. In an emergency, a provisional placement of 15 days may be decided. At the end of this placement, the person returns to the original establishment or may be directed to a more suitable establishment.

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116. Of the 659 admissions on 1 July 2024, the disciplinary section of the *MAH at Fleury-Mérogis* accounted for 35 acts of self-harm (almost half of all acts of self-harm in ordinary detention).

117. See also paragraph 228.

118. Article [L. 231-4](#) of the Prison Code, introduced by the Ministry of Justice Orientation and Programming Act 2023-2027 of 20 November 2023 and articles [R. 232-7](#) to [R. 232-12](#) of the Prison Code.

119. See the analysis in the reports on the 2019 periodic visit, [CPT/Inf \(2021\) 14](#), paragraphs 68 and foll. and on the 2023 ad hoc visit, [CPT/Inf \(2025\) 07](#), paragraphs 168 and foll.

On site, the establishment's CPU carries out an initial assessment after two weeks, followed by a monthly reassessment of safety measures and the care programme.

As indicated, the procedure is in principle adversarial and the prisoner can present their point of view. Nonetheless, the prisoners we met indicated that they had not fully understood the procedure and had the impression that they had not been heard during their CPU hearing. Many indicated that they had a history of placements in segregation or disciplinary quarters and that the decision to place them in the UDV had already been taken before they spoke. Moreover, the review of measures seemed to be infrequent and all placements were completed to their full term.

### **III The CPT would like to receive the authorities' comments on the possibilities for reviewing UDV placement measures.**

232. There is a UDV in each of the ten inter-regional prison services directorates (*directions interrégionales des services pénitentiaires* - DISP). Each UDV generally has around ten cells (four reserved for the establishment and six for people from other establishments in the region). Given the limited number of places in the UDV, the directorates have to select the profiles of the people placed in these units, who are all adult males.

233. In principle, they offer a range of activities to deal with the problems of violence (such as programmes for reflection and workshops on managing emotions, animal mediation, therapeutic follow-up). The UDVs, which have dedicated prison staff, operate under strict security measures and apply a detention regime similar to that of administrative segregation.

According to the authorities, most prisoners return to ordinary detention after a stay in a UDV. The prison administration carried out a national study<sup>120</sup> in 2023, which tends to show that UDVs help to reduce violent behaviour, with a significant reduction in acts of violence in the six months following release from the unit.

### **III The CPT takes note of these positive findings and invites the French authorities to further analyse the relevance and effectiveness of placement in UDVs.**

234. The delegation visited and analysed the operation of the UDVs at *Fleury-Mérogis* (10 places) and *Marseille-Baumettes* (seven places).<sup>121</sup> In both establishments, the physical conditions were good and contrasted with the rest of the prison. The recently refurbished cells, measuring approximately 10 m<sup>2</sup>, were equipped with the necessary floor-mounted furniture, a partially partitioned bathroom and shower area, and a television. Above all, unlike ordinary detention, the prisoners were alone in their cells. However, prisoners were not allowed to have all their belongings at their disposal, and certain items of clothing and electrical appliances (hotplates, fridge, DVD player or hi-fi system) were forbidden to them, at least initially.

The units had an activity room, a meeting room, a library and a small gym. In both establishments, the exercise yards were austere, with no side view and a view of the sky limited by several layers of wire netting, and no seating facilities.

### **III The recommendation regarding the need to improve the physical conditions of the exercise yards, made in paragraph 102, also applies in this context.**

235. The UDV at *Marseille-Baumettes* prison was located in the same corridor as the disciplinary ward. Although physically separated, the detained persons of the UDV and the disciplinary quarter were able to communicate through the window. This situation led to tension between the two populations (music at night, threats, insults), which the staff in charge of these units regretted.

### **III The CPT invites the authorities to review the positioning of the UDV at Marseille-**

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120. The study focused on the 197 people who entered a UDV between May 2019 and December 2022 and were not discharged within six months of leaving the UDV.

121. The *Fresnes* and *Villefranche-sur-Saône* establishments did not have a UDV. People considered to have violent behaviour were placed in ordinary detention but managed according to an individualised management note.

### III Baumettes Prison in order to limit interaction with other prisoners.

236. The regime applied in the UDV focused exclusively on security, with the application of extremely strict measures that were progressively adapted according to the behaviour of each individual. During the initial assessment period, the prisoners were totally isolated and could only go for a walk alone for one hour a day, and possibly to a gym once a week. They were subject to strict security measures, with at least three officers in protection gear opening the door and handcuffing them behind their backs via a trap door. There was virtually no human interaction during this phase.

In practice, the escort with staff in protection gear lasted between two weeks and a month. Thereafter, the detained person was handcuffed in front of their body and then allowed to take part in activities with others, depending on their behaviour. Access to a hot plate in the cell could also be granted as a reward for good behaviour. A typical day then consisted of a sports or socio-cultural occupational activity and one or two talks a week focusing on disengagement from violence.

237. The detained persons spent an average of 20 hours a day inactive in a cell, with limited support, during the six to nine months of their placement in the UDV. In the opinion of the professionals and prisoners we met, the placement was a form of segregation for violent people, with security-based care designed to "straighten out" the person concerned.

238. As during the previous visit, the delegation noted that several prisoners in the UDVs visited had obvious psychological or psychiatric issues, a recurring problem according to the prison staff in charge of these units. These placements raise questions about the criteria for assignment to such a regime and reinforce the impression that placement in a UDV is used as a way of off-loading people who pose management problems in detention.

239. The CPT continues to question the appropriateness of treatment in UDVs and the impact of such a regime on mental health. A system with such a strict, security-oriented regime which leads to isolation for several months could even have the opposite effect to that intended if it is not combined with constructive activities and more human contact.

III **The Committee recommends that the French authorities do not place people with proven psychiatric disorders in "units for violent prisoners". The Committee calls for a review of the assignment criteria, the regime applied by increasing the amount of time and meaningful activities offered, particularly in relation to violence management, and by promoting a dynamic security approach based on dialogue.**

#### f. searches

240. The establishments planned individual and sector cell searches. According to the 2022 activity report for *Villefranche-sur-Saône*, the bags of prisoners going to sporting activities were regularly searched. The delegation received numerous complaints at *Villefranche-sur-Saône*, in particular about excessive searches, several times a week or even several times a day

III **Such a security measure could be misused, in particular to intimidate detained persons. The CPT invites the French authorities to be vigilant in ensuring that cell searches, whether planned or random, are carried out in a strictly necessary and proportionate manner.**

241. The law applicable to individual searches has not changed since the last periodic visit.<sup>122</sup> Decree no. 2022-655 of 25 April 2022 specifies that searches of detained persons, whether full or pat-down, are carried out by decision of the prison director or the head of the escort during transfers. In both cases, the nature and frequency of the searches are decided on the basis of the personality of the persons concerned, the circumstances and the specific nature of the establishment.

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122. See CPT/Inf (2021) 14, paragraph 102.

242. According to the law, full-body searches may be carried out systematically as part of a so-called "derogatory" regime, whereby the director of the establishment may decide to search an individual in specific situations for a period of up to three months. Decisions to introduce a derogation regime could authorise searches during all movements of detained persons. The CPT notes that the reasons given for decisions were often succinct and were sometimes based on the "facts giving rise to the imprisonment", "disciplinary history" or "inclusion in the register of particularly high-profile prisoners" (see also paragraph 247 on "DPS").

243. In addition, the prison director may order searches, including strip searches, of detained persons "in specific places and for a specific period of time, regardless of their personality" if there are "serious grounds for suspecting the introduction into the prison of objects or substances that are prohibited or constitute a threat to the safety of persons or property". The law limits strip searches to occasions when pat-down searches or the use of electronic detection systems are insufficient.<sup>123</sup> Such searches must be "strictly necessary and proportionate".

244. During the visit, the delegation noted that strip searches were systematically carried out on people entering the disciplinary or isolation wards, even when they had been transferred and had previously been searched. Some people stated that they were systematically strip-searched after visits, including visits where no physical contact was possible (behind glass).

**In view of the invasive and potentially degrading nature of strip searches, the CPT reiterates its recommendation that the French authorities take the necessary steps to ensure that, both in legislation and in practice, decisions to carry out full body searches are fully justified and individualised.**

245. In addition, the conditions and methods for carrying out full-scale searches remained inadequate. Only the *MAH at Fleury-Mérogis* had premises dedicated to searches. The other establishments frequently used showers or vacant spaces to carry out searches. For example, the showers at the *MAF in Fleury-Mérogis* had recently been renovated and an empty space had been made available for searches. Detained persons and staff alike said that these conditions were unsatisfactory, forcing them to lay their clothes on the floor or stand in full view of other persons. Many women reported feeling humiliated when full body searches were carried out during menstruation.

As in the past, prisoners stressed that they had to undress completely and sometimes pull up their knees and show the soles of their feet. In the event of refusal to comply, the prisoner was placed on the floor and handcuffed, so that staff could carry out a forcible full search (see paragraphe 82).

The Committee reiterates its recommendation that searches be carried out in stages, so that one part of the body is always covered ("the top" and then "the bottom"), in order to limit an uncomfortable situation for prisoners and guards alike. All the more vigilance is required to minimise discomfort when a full body search is carried out when the person concerned is menstruating.

**The CPT reiterates its recommendation that the authorities continue their efforts to ensure that searches are carried out in steps, while respecting the privacy and dignity of the persons concerned. Dedicated search rooms should be set up in all the establishments visited.**

**The Committee invites the French authorities to explore alternatives for strip searches, including the use of security technology, such as body scanners, in line with the Nelson Mandela and Bangkok rules.**

246. The prison administration pays particular attention to the implementation of searches. Searches have been recorded in the computer system (Genesis) since 2023 in all prisons. The CPT notes the good practice at the *Fleury-Mérogis* disciplinary unit of filling in standard forms for each operation in order to keep a written record of information specific to the search, together with a body chart which may indicate injuries on arrival at the disciplinary unit.

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123. See [Article L. 225-3](#) of the French Prison Code.

## **g. other safety measures**

### **i. "particularly high-profile prisoners"**

247. Prisoners requiring special attention (for example, those involved in organised crime or acts of serious violence) or who are likely to escape are listed as "particularly high-profile prisoners" (*détenus particulièrement surveillés* - DPS)<sup>124</sup> and are subject to special surveillance. The procedure for inclusion and maintenance in the register involves notifying the person concerned and giving them the opportunity to comment. The DPS committee meets at least once a year to give its opinion on whether or not the person should remain on or be removed from the register.

248. In principle, DPS are placed in ordinary detention, with possible adjustments (such as placement in a cell close to the surveillance post). Inclusion on the register also, and above all, entails possible restrictions on access to activities and work, as well as a substantial increase in security measures: increased vigilance during searches and contact with the outside world, increased number of searches, application of a secure management protocol, or the impossibility of going for a walk with another prisoner classified as DPS.

249. As was the case during previous visits, the delegation met DPS prisoners in ordinary detention in each of the establishments visited, who indicated that they benefited from a regime similar to that of other prisoners. However, they all said that they were subjected to almost systematic strip searches after visiting hours, were regularly woken up at night and were handcuffed and sometimes restrained during transfers and medical consultations, which were usually attended by escort staff.

**||| The CPT recommends that these measures be reviewed in line with the recommendations made in paragraphs 240 and 244 (on searches), 190 (on medical escorts) and 250 (on night-time monitoring).**

### **ii. Night-time monitoring**

250. As was the case during the previous periodic visit,<sup>125</sup> many prisoners were monitored at night in each establishment visited. Night guards were instructed to carry out specific rounds, approximately every two hours, or even every hour for certain wards, accompanied by a check through the peephole and sometimes the switching on of the light and the obligation to give "a sign of life" (movement of the arm, answering a question for example). This practice prevented detained persons from sleeping at night, generating noise for others who also suffered from interrupted sleep. These measures were applied to DPSs, people placed in solitary confinement, those assigned to special wards, and people considered to be at risk of suicide (see paragraph 183).

251. The CPT recalls that visual checks accompanied by the systematic switching on of lights at night can have harmful consequences for the health of the persons concerned. The perpetuation of such measures over several months or even years is likely to lead to psychological disorders or aggravate existing problems, particularly as regards the risk of suicide. This practice also encourages daytime idleness, with people preferring to sleep during the day, even if it means not going for walks or activities.

252. The Committee considers that sleep deprivation, which consists of preventing a prisoner from sleeping without interruption for a period of at least four hours, can have severe consequences for their somatic and mental health and cognitive decision-making abilities.

This practice, which leads to a significant interruption of sleep, or even sleep deprivation, applied over a period of several days could be considered as inhuman and degrading treatment under Article 3 of the European Convention on Human Rights.

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124. According to a Ministry of Justice circular, [JUSD1236970C](#), 15 October 2012. For a full description of the procedure, see [CPT/Inf \(2012\) 13](#), paragraph 65 and [CPT/Inf \(2017\) 7](#), paragraph 56.

125. See [CPT/Inf \(2021\) 14](#), paragraph 103.

||| The CPT reiterates its recommendation that the French authorities review the arrangements for night-time surveillance, in particular through the use of technical means and on the basis of an individual analysis of the risk of self-harm, in order to reduce to a strict minimum the number of persons subjected to this practice in all prisons. In particular, lights should only be switched on in cells when strictly necessary.

### iii. security issues

253. The delegation continued to observe an escalation in security with repeated searches (see paragraph 240), an increase in the use of isolation (see paragraph 212) and special management measures<sup>126</sup> including against minors. As in 2019,<sup>127</sup> with regard to secure management, the use of shackles and the presence of non-healthcare staff during external medical examinations and hospitalisations are practices that have also become the norm.

Following the fatal attack on a convoy in Incarville, the prison administration undertook to strengthen the security of its staff by purchasing new vehicles equipped with increased security options, to make the wearing of holsters more widespread and to deploy anti-drone devices and jammers in several prisons. Instructions have been given to the inter-regional directors on specific subjects which are the subject of strong expectations on the part of staff, in particular the harmonisation of the wearing of civilian clothes and balaclavas and the use of stun bombs.

### ||| The CPT would like to receive more information about these new measures

254. The chronic shortage of prison staff, combined with the constant deterioration in prison conditions and overcrowding, make any possibility of an individualised approach and truly dynamic security illusory. The lack of detailed knowledge of the prison population is leading to a general tightening of security measures. Dynamic security and, in particular, the ability of prison guards to support prisoners as they progress through the prison system, must remain the central element of their care. This means going beyond the illusory or superficial effects of wearing safety equipment alone, which is not enough to ensure the safety of staff and prisoners.

### ||| The CPT would like to receive the French authorities' comments on the measures taken to develop dynamic security in detention.

255. At *Fleury-Mérogis prison*, the delegation noted the presence of yellow or red cards affixed to cell doors as a reminder of the procedure to be followed to open the door: in the presence of two wardens (yellow card) or two wardens and a senior officer (red card). This marking, visible to everyone in the corridor, is stigmatising and does not encourage dynamic security or good knowledge of prisoners at an individual level by prison staff. It would be preferable for staff to see the profiles of detained persons through a file or a display in their offices.

### ||| The CPT invites the authorities to put an end to the process of marking the doors of certain cells at Fleury-Mérogis Prison.

256. The CPT notes the Minister of Justice's announcements in March 2025 concerning the transformation of the Condé-sur-Sarthe and Vendin-le-Vieil prisons to house the country's most dangerous drug traffickers by making the facilities more "hermetic", increasing resources and staff, and possibly restricting contact with the outside world.

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126. The special management arrangements involved several levels of security: opening the cell door by two officers, opening the cell door by two officers and a senior officer, handcuffed or equipped (body armour, shields, minimum of three officers) management. The protocol could also include individual cell confinement, isolated movements, regular searches or security rotations. These measures were set out in internal memos, which were generally reviewed on a monthly basis and explained.

127. See [CPT/Inf \(2021\) 14](#), paragraph 104.

**The Committee wishes to receive further information from the French authorities regarding the progress of this initiative, particularly regarding the security measures and regime envisaged in these facilities, as well as the arrangements for contact with the outside world for persons detained in these facilities.**

#### **h. complaints procedures**

257. The various internal requests from detained persons, relating, for example, to problems with the canteen or access to activities, were recorded in the computerised individual files (in the Genesis system) before distribution to the various departments. However, there was no traceability of complaints, which would have enabled the prison administration to have an overall view. At the *Marseille-Baumettes prison*, a useful analysis of litigation activity had been carried out, enabling the identification of areas for improvement.<sup>128</sup>

As in the past, many people indicated that they did not receive a response after lodging complaints or claims internally (despite the existence of instructions relating to the follow-up of requests).

In this context, the delegation was also informed of the trial of the *Numérique en Détention* (Digital in Detention) portal, which is gradually being set up in prisons and which will enable prisoners to make requests to the prison administration and facilitate the transmission of acknowledgement of receipt and responses to requests to the prisoner.<sup>129</sup> This is positive.

**The CPT recommends that the French authorities take the necessary measures to ensure that the internal complaints system guarantees that detained persons receive written replies to their complaints within a reasonable time, and that all complaints are duly recorded. The CPT would like updated information on the gradual installation of "Digital Detention" in French prisons.**

258. Act no. 2021-403 of 8 April 2021 amended the Code of Criminal Procedure (CCP) to allow unworthy conditions of detention to be challenged before a judicial judge, in response in particular to rulings by the European Court of Human Rights<sup>130</sup> and the French Constitutional Council. Article 803-8 of the French Criminal Procedure Code now allows a court to rule on conditions of detention within a maximum period of two months. Any prisoner may refer the matter to the liberty and custody judge in the event of pre-trial detention, or to the sentence enforcement judge in the event of conviction.

259. These appeals are in addition to those that can be lodged for all acts characterising life in detention, either before the criminal court (in particular for violence and incidents) or before the administrative court (in particular for searches, isolation, transfers and discipline). The CPT welcomes the practical consequences (for example, undertaking of works, closure of areas) that these appeals to the administrative courts can have on establishments.

260. Statistical information on appeals to the courts under article 803-8 of the Code of Criminal Procedure was still incomplete, as no reliable statistical tool was available at the time of the visit.<sup>131</sup> During interviews with detained persons, it became apparent that the number of appeals was limited, in particular due to a lack of awareness,<sup>132</sup> the length of the procedure (incompatible with short sentences) and the absence of legal aid. Many detained persons also seemed to give up the idea of taking their case to court

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128. The institution had noted a drop in referrals to the CGLPL, but more referrals to the *Commission d'accès aux documents administratifs* (Commission for Access to Administrative Documents) or to the Administrative Court through summary proceedings brought by the appointed defenders, various requests from lawyers or the OIP, as well as from the *Défenseur des droits* (Rights Defender).

129. Referred to in the [Guide](#) for incoming prisoners *Je suis en détention* published by the prison administration in July 2024.

130. See, in particular, the decision of the European Court of Human Rights in *J.M.B. and others v. France* ([application no. 9671/15](#)) of 30 May 2020 and [l'état d'exécution](#).

131. As the prison administration is not responsible for measuring judicial activity, it only had a fragmented view of this. Prisoners can lodge appeals with the prison registries or directly with the court registries.

132. It should be noted that the updated [guide](#) *Je suis en détention* takes account of these legal changes.

on this legal basis, as the solution often proposed was to transfer them to another establishment, with no guarantee that the material conditions would be better or that they would be able to remain close to their families in the new establishment. What's more, this remedy does not prevent another prisoner from being placed in the same cell and in the same undignified conditions. The implementation of this remedy was already analysed by the CPT<sup>133</sup> and questioned by both civil society and the CGLPL.<sup>134</sup>

**261. The CPT would like to receive information on the measures taken to guarantee the applicant (in the context of an appeal under Article 803-8 of the Criminal Procedure Code) a transfer to an establishment which can offer material conditions of detention respectful of their dignity and proximity to their family.**

**The Committee once again calls on the French authorities to continue their efforts to raise awareness of the appeals procedure introduced by Article 803-8 of the Criminal Procedure Code, using language that is appropriate to the procedure, and to improve the collection of statistical data as a management tool. In particular, it would like to receive updated information on the number of appeals lodged under this procedure and the action taken since it was introduced.**

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133. See the report of the ad hoc visit of 2023, [CPT/Inf \(2025\) 07](#), paragraphs 174 and foll.

134. See, for example, [Syndicat de la magistrature](#), [Conseil national des barreaux](#), [Observatoire international des prisons](#) and the [rapport sur l'Effectivité des voies de recours contre les conditions indignes de détention](#), CGLPL, 14 November 2024.

## C. Situation in establishments for children deprived of their liberty

### 1. Preliminary remarks

262. On 1 October 2024, 743 children (aged 13 to 17) were being held in prisons, representing less than 1% of the whole prison population. Children may be held in children wards (*quartier pour mineurs* - QM) in conventional prisons or in children prisons (*établissement pour mineurs* - EPM).

263. At the time of the visit, there were 45 QMs, generally of small capacity (8 to 10 places), located in adult prisons in mainland France and overseas.<sup>135</sup> Although accommodated in the same prison, adults and children are held in separate wings or structures.

264. The six EPMs<sup>136</sup> are establishments exclusively dedicated to children. In principle, they offer a more suitable detention environment thanks to a less confining architecture and additional resources for educational, cultural and sports programmes. The teams, made up of professionals with multi-disciplinary skills, rely in particular on a joint organisation between the prison administration and the judicial youth protection service (*protection judiciaire de la jeunesse* - PJJ). The aim of this collaboration is to strengthen the educational approach and step up efforts to reintegrate the children concerned. With a standard capacity of 60 places, the EPMs were all designed with a unit for girls. In practice, only three EPMs have an operational unit dedicated to girls.

265. Children are held indiscriminately in QMs and in EPMs. The allocation seems to be based on available places and proximity more than on a distribution that would be based on the seriousness of the offences or the first-time offender's character. Since 2017, the average length of incarceration, close to three months (2.6 months in 2022), has been similar in both types of establishments, as has the age distribution.



**The CPT would like to receive information about the allocation policy applied in the wards and establishments dedicated to minors.**

266. The new provisions of the Juvenile Criminal Justice Code (CJPM) of September 2021 have led to a substantial reduction in the amount and duration of pre-trial detention, which remains possible only for the most serious offences. As a result, minors on remand, who accounted for 75% of children detained on 1 October 2021, accounted for 56% at the time of the visit.



**The CPT welcomes this significant reduction in the length and number of children held in pre-trial detention and encourages the authorities to take measures to maintain the trend.**

267. During the 2024 visit, the delegation visited for the first time the QMs for boys and girls at the *Fleury-Mérogis prison*, the QM for minor girls at the *Marseille-Baumettes prison* and the *Marseille EPM* (*EPM de la Valentine*).

The ward for boys at Fleury-Mérogis prison is the largest in France, with a capacity of 94 places, almost twice as many as an EPM. Located on the third floor of the prison's D4 building, 71 boys were being held there at the time of the visit - over 70% of whom were on remand (that is, higher than the national average). The area had three units/wings for new arrivals and persons under specific observation, under the ordinary regime and the "trust regime".

The ward for girls at Fleury-Mérogis prison was located in a separate wing from the MAF. With a capacity of 19 places, eight girls were being held there at the time of the visit. All were on remand. Unlike the rest of the building, the QM for girls had recently been renovated.

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<sup>135</sup> See in particular the CPT's report on its ad hoc visit in 2023, [CPT/Inf \(2025\) 07](#), paragraphs 109 to 112.

<sup>136</sup> The EPMs were located in Lavaur (Tarn), Marseille (Bouches-du-Rhône), Meyzieu (Rhône), Orvault (Loire-Atlantique), Porcheville (Yvelines) and Quiévrechain (Nord).

The ward for girls at the Marseille-Baumettes prison had a capacity of 10 places for two female children detained at the time of the visit. The QM was located in a separate building from the prison's MAF.

The Marseille la Valentine children's detention centre (EPM), opened in 2007, had a capacity of 59 places for male children. At the time of the visit, 35 children were being held there, nearly 66% of whom were on remand. The facility's occupancy rate has fallen in recent years.<sup>137</sup> The facility consisted of six detention units<sup>138</sup> and a separate unit for disciplinary isolation.

## 2. Ill-treatment

268. The children interviewed in the four facilities visited indicated that they were treated well by custodial staff. No allegations of ill-treatment were made during the interviews. Many children said that the staff were attentive and respectful.

However, the CPT notes that there have been allegations of ill-treatment, particularly at *the Valentine EPM*<sup>139</sup> and that some boys held at the *Fleury-Mérogis QM* have spoken of inappropriate language and insults from some prison officers.

**In this context, the recommendations made in paragraph 83 should be taken into account, in particular the need to regularly remind staff of the importance of professional and respectful behaviour.**

269. Arguments and even fights between children could occur, particularly in connection with previous animosity or trafficking within the establishment. The management was vigilant and took steps to remedy the situation. In the two *QMs at Fleury-Mérogis*, the groups going out for walks were adjusted to take account of possible tensions, and boys held at the EPM could be moved to a different unit if necessary.

At *the Valentine EPM* and at the *Fleury-Mérogis Boys' QM*, the delegation received information concerning cases of bullying of young boys by others, which had allegedly been filmed and broadcast on social networks.

**The CPT urges the authorities to exercise the utmost vigilance in order to prevent this type of violence between detained persons, as well as its recording and distribution.**

## 3. Conditions of detention

### a. material conditions

270. Unlike adult detention, detention in individual cell is in principle applied to children in both QM and EPM. In addition, the material conditions observed were generally better than those for adults.

In the four facilities visited, the detained children had a cell of at least 9 m<sup>2</sup>, generally in good condition, equipped with a partially partitioned sanitary area with a shower, except for at the *QM for girls in Fleury-Mérogis*. In this facility, girls had daily access to communal showers located in their corridor.

271. The cells at *the Valentine EPM* showed signs of advanced deterioration, particularly in the sanitary areas. Some of the children had repainted their cells, but all the accommodation areas were in need of renovation, which the management acknowledged. Further, the mattresses provided were foam blocks, without protection, and were particularly uncomfortable and unhygienic.

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137. The occupancy rate was 78.8% in 2021, 60.2% in 2022 and 59.3% at the time of the visit.

138. This includes an "arrivals" unit, three ordinary detention units, a "REPARE - REspect - PARTICipation - REsponsabilisation" trust unit and a differentiated regime unit for children with difficulties in respecting authority or with living in a group - this unit was unoccupied at the time of the visit.

139. See [decision 2021-173](#) of 21 July 2021 of the *Défenseur des droits* on allegations of physical violence by custodial staff against several minors at the Marseille la Valentine EPM.



**The CPT invites the authorities to take steps to renovate and improve the living conditions, including sleeping conditions, at the Valentine EPM.**

272. While the physical conditions of the cells in the *QM for boys at Fleury-Mérogis* were satisfactory, its location was a source of great concern. The QM was located on the third floor, between two floors of ordinary adult male detention.<sup>140</sup> As a result, the children interacted with the adult prisoners and, above all, exchanged food products or objects with them - including illicit substances, cigarettes and mobile phones - by means of "yo-yos". In addition, this location made it difficult to access activities or receive visits. The boys had to move around in the common areas without coming into contact with adult prisoners (see paragraph 277 on activities) and the administration required the children to go up and down the three floors one after the other. There was no dedicated socio-educational area or gymnasium. In addition, the management considered that "a number of more than 70 minors constitutes an alert threshold and becomes a critical threshold when it exceeds 80 minors. The number of minors therefore has an impact on the work of the staff working in the QM: once these thresholds are attained, the practical implementation of differentiated regimes is hampered, despite the efforts made in this regard. A high number of minors in prison leads to an increase in tensions and incidents."<sup>141</sup>

The need and urgency of moving this children's detention centre to a suitable environment was agreed upon by all those involved, especially as the QM is the largest prison for minors in France. It is therefore unacceptable that it should be located in an environment so unsuitable for the care of children.



**The CPT recommends that the French authorities place the ward for boys at Fleury-Mérogis in a suitable environment with no contact with adult prisoners and no obstacles to their access to activities. The possibility of creating a separate building, for example close to the MAF, should be envisaged.**

273. In the four facilities visited, the children had access to a playground large enough to exercise, for at least one hour a day, and often more. However, the exercise yards at the QM for girls in Fleury-Mérogis and at several units of the EPM did not have adequate shelter or sports equipment.



**The CPT recommends that all QM and EPM exercise yards be equipped with the facilities mentioned in paragraph 102.**

#### **b. regime**

274. In the CPT's view, the care of children prisoners requires special efforts to reduce the risk of long-term social maladjustment. This requires a multidisciplinary approach, mobilising a wide range of professionals with varied skills, within a secure environment that is both educational and socio-therapeutic.

275. The circular of 24 May 2013 on the detention regime for minors stipulates that education and vocational training must represent the largest part of the detention time of minors, regardless of where they are deprived of their liberty.

276. Teaching is the responsibility of the Ministry of Education. In the facilities visited, the delegation met motivated but often understaffed teaching teams. In fact, the Ministry of Education was experiencing difficulties in recruiting or retaining teachers and had to resort to contract staff for vacant posts. This led to instability within the teams and difficulties in setting up long-term projects.

277. The need to set up small groups to take into account the age and level of the children (needing literacy training, dropping out of school or, on the contrary, obtaining a diploma) meant that teaching time had to be subdivided, which varied greatly from one structure to another.

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140. The other specific sections of the *Fleury-Mérogis MAH* (isolation section, section dedicated to transgender people in particular) were located on the fourth and top floors of the other buildings.

141. Fleury-Mérogis Prison 2022 Activity Report.

At the *Marseille-Baumettes* and *Fleury-Mérogis* QMs, the girls received between 12 and 15 hours of lessons per week and the lessons were considered "compulsory". The girls generally took part in the lessons and were satisfied with them, although some said they were too easy.

At the *Valentine* EPM, the length of weekly classes varied depending on the level of the boys, but often did not exceed 10 hours. According to many of the children interviewed, lessons lasted 1.5 hours a day. Participation in sports activities in the afternoon was conditional on attendance in class in the morning, which ensured a high rate of school attendance.

On the other hand, at the *boys' QM at Fleury-Mérogis*, the number of hours of teaching received was extremely limited. In theory, school lessons represented 12 hours a week. Despite a capacity of 42 pupils (seven classes with six places each), only 25 children could attend classes at any one time due to security constraints imposed by the prison administration. As a result, the boys could not attend classes every day. In addition, unlike the other facilities, the boys were not encouraged to go to school and most preferred to sleep in the morning rather than go to class. Prison staff said they did not have the time to talk to the boys and encourage them to go to school. Finally, the time spent travelling between the cell and the classroom was included in "school time", reducing the actual teaching time by up to 30 minutes at times.

278. In the facilities visited, teaching followed the school calendar and was interrupted during school holidays. There were occasional exceptions, notably at the *Valentine* EPM. In all cases, no teaching was offered during the two summer months.

**279. The CPT recommends that the French authorities review the number of hours allocated to schooling, as well as the quality of the courses, offered to detained children and adapted to their level, in particular at the QM for boys at Fleury-Mérogis and the EPM at La Valentine. Teaching should be continuous throughout the year, including during school holidays. Additional resources appear necessary in this context.**

**Urgent measures should be put in place to provide real schooling for boys held in Fleury-Mérogis prison.**

280. Some vocational training courses were offered at the *Valentine* EPM, as well as at the *Fleury-Mérogis* and *Marseille-Baumettes* QMs for girls. Despite the large number of boys detained at the Fleury-Mérogis QM, no vocational activities were offered to them.

281. Sports activities (such as table tennis, boxing, football and dance) were offered between three and five times a week, for periods of one to two hours in the afternoon, at the two *girls' QMs* and at the *Valentine* EPM. Personal development and artistic expression activities (such as theatre, writing and animal therapy) were also offered every week in these establishments.

On the other hand, the boys in *Fleury-Mérogis* prison were only offered a 1.5-hour sports activity and one or two socio-educational activities per week due to the lack of facilities and staff, as well as security constraints.

282. In the facilities visited, no activities were organised at weekends or on public holidays, apart from access to the yard - except at the *Marseille-Baumettes* QM, where one hour of activity was offered on Saturdays. As a result, the children spent up to 22 or even 23 hours a day confined to their cells on these days. In addition, activities were sometimes interrupted during school holidays (particularly the end-of-year and summer holidays) due to the absence of staff or budgetary constraints.

283. The lack of motivating activities is detrimental to all prisoners. It is especially detrimental to children, who need physical activity and intellectual stimulation. It is therefore essential to allow them to spend most of the day outside the cell, engaged in varied, stimulating activities that are conducive to their development.

**The CPT reiterates its recommendation that the French authorities step up their efforts to ensure that all children prisoners are able to spend at least eight hours outside their cells, including at weekends, on public holidays and during school holidays, and take part in motivating and structured programmes of activities tailored to their individual needs. These activities should aim to fulfil the functions of education, personal and social development, vocational training, reintegration and preparation for release, in the light of the [European Rules for juvenile offenders subject to sanctions or measures](#) of the Council of Europe. The introduction of an open-door regime should be considered in this context.**

**Urgent measures should be taken to increase the activities offered to boys held in Fleury-Mérogis prison.**

284. The CPT notes that, in principle, EPMs are staffed by prison and educational personnel in sufficient numbers to provide sustained care (see below). Nevertheless, it appears from the findings that the out-of-cell time of boys detained *at the Valentine EPM* was no greater than in some of the children wards visited, despite the fact that the latter were less well staffed.

**III The Committee would like to receive the authorities' comments on this matter.**

285. A football pitch was located in the centre of the inner courtyard *of the Valentine EPM*. Although it was in good condition and easily accessible, it was only used a few times a year for occasional sports activities. Both the detained boys and the professionals interviewed lamented this situation.

**III The CPT would like to receive the authorities' comments on this point.**

286. In terms of food, many of the children interviewed said that they did not like the meals served, even though they were balanced and adapted to the needs of adolescent boys and girls. In addition, breakfast food was distributed with the evening meal at the *boys' QM in Fleury-Mérogis*, which did not encourage them to wake up in the morning or eat properly.

*At the Valentine EPM*, communal meals were organised in each unit before the Covid-19 pandemic. This practice has since been discontinued, notably due to a lack of staff, mainly in the PJJ. Several boys and members of staff regretted the end of the communal moments. The management has indicated that it intends to reinstate them.

**III Eating meals together is an essential part of the children's (re)socialisation and promotes living together within the establishment.**

**III The CPT invites the authorities to reintroduce communal meals in the units of the Valentine EPM and to consider introducing them in the children's wards of Fleury-Mérogis and Marseille-Baumettes, and where appropriate, in any other children's wards and establishments in France.**

## **4. Specific healthcare for detained children**

287. In the *Fleury-Mérogis* and *Marseille-Baumettes establishments*, children were cared for by the same health team and in the same premises as the adult prisoners. However, the need to separate children from adult prisoners made medical consultations difficult: either they were carried out in the health unit, requiring the complete absence of adult prisoners, or they took place in premises with no healthcare facilities in or near the QMs.

**The CPT would like to receive the authorities' comments on these practical difficulties in the medical care of children in the Fleury-Mérogis and Marseille-Baumettes establishments.**

288. At the *Valentine EPM*, the health unit had spacious, clean and well-equipped premises. It included several rooms for medical and dental consultations, as well as an X-ray room. A team of medical and nursing staff worked from Monday to Friday, from 08:30 to 16:18. Outside these hours, the emergency services were called in.

The delegation was informed that medical appointments within the establishment were regularly delayed or cancelled, often at the last minute, due to a lack of prison staff.

**The CPT recommends that the organisation of the healthcare service at the Valentine EPM be reviewed in order to extend the time slot for the presence of healthcare staff to the afternoon. Measures should also be taken to ensure that healthcare is not dependent on the absence or unavailability of prison staff. The recommendation made in paragraph 200 regarding the presence of healthcare staff in the evenings and at weekends also applies in this context.**

289. As regards access to specialist medical care, in all the facilities visited, particular attention was paid to children's mental health and any addiction problems they might have. Consultations with addictologists and psychologists were offered and awareness-raising activities were regularly organised. However, access to child and youth specialists, particularly child psychiatrists, was not available.

Gynaecological care for girls held in *Fleury-Mérogis* and *Marseille-Baumettes* prisons was non-existent, due to the lack of a gynaecologist practising in these establishments.

The same applied to orthodontic treatment, which could not be provided in detention. Some children reported that they had removed part of their braces themselves. Consultations with other specialists (such as a dermatologist) were also not possible in the short term.

**The CPT recommends that the authorities ensure access to specialist doctors working in areas necessary for detained minors, in particular child psychiatry and orthodontics.**

**290. The recommendations on improving trauma injury certificates and setting up dedicated registers (paragraph 169), detecting violence on admission (paragraph 160), and respecting the confidentiality of exchanges between children and the care service (paragraph 189) also apply to the facilities visited and particularly to the Valentine EPM.**

## 5. Other questions

### a. prison staff and youth protection staff

291. The number of custodial staff present in the children's facilities visited was generally higher than in the adult wards. The presence and number of female officers in the two *QMs for girls* at *Fleury-Mérogis* and *Marseille-Baumettes* were appropriate given the number of girls detained and the size and organisation of the wards. In addition, the staff seemed to know the detained girls and were respected by them, particularly at *Fleury-Mérogis*.

292. The *Valentine EPM* had a custodial staff of approximately 55 FTE (for a theoretical staffing level of 60 FTE) for 35 boys detained at the time of the visit. Despite having more prison staff than in the QM and an occupancy rate of less than 60%, the staff in place seemed barely sufficient to carry out basic activities. Activities and movements, including medical consultations (see paragraph 277), were regularly delayed or cancelled due to a lack of available staff.

The situation was even more worrying at the *QM for boys at Fleury-Mérogis*. The ward had 28 FTE custodial staff (out of a theoretical staffing level of 32 FTE), which was insufficient to provide individualised care for the 71 detained minors. As in the adult wards, the staff's task was often reduced to running from one point to another and opening and closing doors without having time to talk to the boys.

**The CPT recommends that the number of prison staff assigned to the Fleury-Mérogis QM for boys be substantially increased to provide care equivalent to that offered in the other facilities visited.**

293. Prison staff wishing to work with minors, whether in QM or EPM, must undergo specific training. In principle, this training should be carried out before they take up their post. However, the lack of volunteers and staff in the establishments makes it difficult to follow this training before and after taking up their duties. During its visit, the delegation met prison officers who had wanted to take this training for more than a year, but had been unable to find the time to do so. Management also deplored the situation.

**The CPT encourages the French authorities to continue their efforts to ensure that prison staff in contact with children receive appropriate training.**

294. In prisons, educators working for the Judicial Protection of Youth (PJJ) support minors, ensuring their integration and introduction into school, society and the workplace, in collaboration with the prison services and external services. They are responsible for developing an individual project with each child, maintaining links with the outside world and in particular with the family, and organising collective socio-educational activities within the detention facility.

The small number of girls held at *Marseille-Baumettes prison* enabled the PJJ to provide regular, individualised care and to organise various activities. At *Fleury-Mérogis prison*, the theoretical team of PJJ educators was 20 FTE to cover the children wards for boys and girls, that is, 79 children at the time of the visit. In practice, some posts were vacant (due to illness or non-replacement). As a result, the PJJ staff were unable to provide individual monitoring of the children under their responsibility or organise frequent and varied activities. This situation was a source of frustration for the staff. For their part, most of the children did not know their educator.

In the EPMs, the role of the PJJ is strengthened with a constant presence in the units, which are in principle run by a pair of prison and PJJ staff. At *the Valentine EPM*, 32 FTE educators were assigned to the establishment. However, the team was experiencing difficulties, with a high rate of absenteeism and divergent professional practices among colleagues. As a result, the physical presence of PJJ educators in the living units was intermittent, leaving day-to-day management to prison staff. The organisation of socio-educational activities also fluctuated depending on the availability and motivation of PJJ staff. Measures had recently been taken in terms of management and organisation of schedules to try to remedy this situation.

**The CPT recommends that the French authorities increase the resources allocated to the PJJ in the performance of its duties in children wards. Measures should also be taken to ensure the proper functioning of the PJJ department at the Valentine EPM.**

#### **b. contact with the outside world**

295. The rules governing contact with the outside world were the same for children and adults, as were the prices of telephone calls. All the children interviewed complained about the cost of calls and video-conferencing (see paragraphs 206 and 208).

296. Most of the boys at *the Valentine EPM* came from the vicinity of these establishments and were able to receive regular visits, even though they sometimes came from neighbouring counties. On the other hand, many of the boys and girls incarcerated at *Fleury-Mérogis* and *Marseille-Baumettes prisons* found it very difficult to receive visits, due to the distance from their families and the poor accessibility of the prison by public transport, especially in the case of *Fleury-Mérogis*.

**297. The CPT invites the authorities to facilitate as far as possible contact between detained minors and the outside world in particular by reviewing the prices of telephone communications, facilitating access to videoconferencing and providing assistance for visits from geographically distant families, where necessary.**

### **c. discipline and isolation**

298. The sanction of "confinement in an ordinary individual cell" may be imposed on a detained minor regardless of age.<sup>142</sup> The duration of this confinement for persons under the age of 16 is a maximum of three days.

Despite the repeated recommendations of the CPT and the European Prison Rules,<sup>143</sup> French law<sup>144</sup> continues to provide for the possibility of placing a detained minor aged 16 or over in a disciplinary cell for a period of seven days.

299. *The Valentine EPM* had a building reserved for disciplinary isolation (*quartier disciplinaire* - QD) with four disciplinary cells and a walking yard. In 2023, 56 placements in the disciplinary quarter (QD) had been ordered and 12 in 2024, including five for a period of seven days.

The other facilities visited did not have isolation cells or a dedicated DQ. Minors were placed in the disciplinary section with adult prisoners. Thus, 55 placements in the adult disciplinary section at *Fleury-Mérogis* were ordered in 2024, including 24 placements for prevention. Despite efforts to separate minors from adults within the wing (a cell left empty between a minor and an adult or placement of the minor on another wing), the situation remains unacceptable.

The CPT notes positively that the management of the *QM for girls at Fleury-Mérogis* had chosen not to place minors in disciplinary isolation. Measures such as cell confinement or community service were applied as alternatives to disciplinary isolation.

**300. The CPT reiterates its recommendation that the law be amended to prohibit the segregation of minors in disciplinary cells, regardless of their age. In practice, establishments should put an end to the disciplinary isolation of children without waiting for the legislative amendment.**

301. At the *Marseille-Baumettes QM*, a girl had spent two months alone in the area before the arrival of a second minor prisoner. No measures had been taken by the prison staff to increase human interaction with her during this period, in particular by giving her more attention or having more discussions. She had even been forbidden to take her book to the exercise yard, which had reinforced her feeling of loneliness.

Isolating a person for a prolonged period can have negative consequences for their physical and mental health, particularly if they are a minor. In the CPT's view, a revised care plan should be drawn up when a child is in *de facto* isolation due to the absence of other detained children. Living rules should be reviewed and adapted to limit moments of solitude, and staff should be encouraged to increase interaction and provide more activities, including the possibility of participating in out-of-cell activities with adult prisoners where appropriate.

**The Committee recommends that specific measures be put in place to adapt the care of minors when they find themselves isolated in detention, in order to avoid their *de facto* isolation.**

142. [Article R. 124-23](#) of the Juvenile Criminal Justice Code (CJPM).

143. See Rule 60.6.a. of the [European Prison Rules](#).

144. [Articles R. 124-3 to R.124-9](#) of the CJPM.

# ANNEX I - ESTABLISHMENTS VISITED

The delegation visited the following places of deprivation of liberty:

## Law enforcement establishments

- Drancy Police Station
- Marseille Police Headquarters
- Marseille 1st district police station
- Marseille 8th district police station
- Marseille 10th district police station
- Marseille 12th district police station
- Marseille 15th district police station
- Les Lilas Police Station
- Paris 5th and 6th districts police stations
- Local reception and investigation service (SIAP) for the 16th arrondissement of Paris
- Paris 17th district police station
  
- Belleville-en-Beaujolais Gendarmerie Brigade
- Marseille District Gendarmerie Brigade
- Thoissey Community Brigade

## Prisons

- Fleury-Mérogis Prison
- Fresnes Prison
- Marseille-Baumettes Prison
- Villefranche-sur-Saône Prison
- Marseille detention centre for minors - la Valentine

## Justice establishments

- Marseille Court detention facilities

## ANNEX II - LIST OF NATIONAL AUTHORITIES, OTHER INSTITUTIONS AND NON-GOVERNMENTAL ORGANISATIONS MET BY THE CPT DELEGATION (in French only)

### A. AUTORITES MINISTÉRIELLES

#### Ministère de l'Intérieur et des Outre-mer

##### Cabinet du ministre

Louis-Xavier THIRODE  
Loïc LOUPRET

Directeur-adjoint de cabinet du ministre de l'Intérieur  
Lieutenant-colonel, en fonction à la mission opérationnelle de  
sécurité et de défense

##### Préfecture de police (PP)

Magali CHARBONNEAU  
Etienne CHURET

Directrice de cabinet du Préfet de Police  
Commissaire de police, conseiller technique adjoint chargé des  
affaires de police au cabinet du Préfet de Police

##### Direction de l'évaluation de la performance, de l'achat, des finances et de l'immobilier (DEPAFI)

Henri ZELLER

Sous-directeur des affaires immobilières, DEPAFI

##### Direction générale des étrangers en France (DGEF)

Yvan LLEDO-FERRER  
Jean-François CAMIER

Conseiller diplomatique du directeur général, DGEF  
Commissaire de police, conseiller technique adjoint chargé des  
affaires de police au cabinet du Préfet de Police

##### Direction générale de la police nationale (DGPN)

Thierry DE WILDE

Commissaire général, conseiller affaires internationales et  
européennes du DGPN

Alain CHATRUSSE

Commissaire de police, adjoint au conseiller "missions de police",  
chargé des missions sécurité et ordre publics/frontières-  
immigration illégale, cabinet du Directeur général de la police  
nationale (DGPN)

Deborah ZOLTY

Commandante de police, adjointe au conseiller territorial (cabinet  
du DGPN)

Valérie MARTINEAU

Sous-directrice de l'Inspection, de l'Evaluation et de l'Audit interne  
de l'IGPN

##### Direction générale de la gendarmerie nationale (DGGN)

Maud CERCLE-FRAVAL

Colonelle, en fonction à la direction des opérations et de l'emploi,  
DGGN

Christophe MENEAU

Lieutenant-colonel, chef du pôle juridique et judiciaire au cabinet  
du DGGN

Jean-Michel GENTIL

Chef de l'Inspection Générale de la Gendarmerie Nationale (IGGN)

##### Direction des affaires européennes et internationales (DAEI)

Patrick LAPOUZE

Sous-directeur, DAEI

Alexandra AUTHIER

Commissaire divisionnaire de police, conseillère stratégie et  
partenariats, sous-direction des affaires juridiques et  
institutionnelles (SDAJI)

Zoïa ANSARIMEHR

Conseillère chargée de la communication et des partenariats  
institutionnels, SDAJI/DAEI

Kevin MEKROUD

Conseiller juridique à la mission juridique de la SDAJI

## **Ministère de la Santé et de l'Accès aux soins ou Ministère du Travail, de la Santé et des Solidarités**

|                    |                                                                                                                                                                                                        |
|--------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Mireille GAÜZERE   | Inspectrice générale des affaires sociales (IGAS)                                                                                                                                                      |
| Anne HEGOBURU      | Sous-directrice de la prise en charge hospitalière et des parcours ville-hôpital, Direction générale de l'offre de soins (DGOS)                                                                        |
| Constance FAVEREAU | Adjointe à la sous-directrice de la prise en charge hospitalière et des parcours ville-hôpital, Direction générale de l'offre de soins (DGOS)                                                          |
| Laora TILMAN       | Cheffe du bureau de la prise en charge en santé mentale et des publics vulnérables (DGOS)                                                                                                              |
| Louise MARIE-MABIT | Chargée de mission au bureau de la prise en charge en santé mentale et des publics vulnérables (DGOS)                                                                                                  |
| Gaëlle PAPIN       | Cheffe du bureau territoires, Europe et international, sous-direction de l'appui au pilotage et des ressources (DGOS)                                                                                  |
| Léa COURREGES      | Chargée de mission au bureau territoires, Europe et international (DGOS)                                                                                                                               |
| Sophie LE BRIS     | Cheffe du bureau infections par le VIH, les IST, les hépatites et la tuberculose, précédemment cheffe de projet Santé des Personnes Placées Sous Main de Justice, Direction générale de la santé (DGS) |

## **Ministère de la Justice**

### Cabinet du garde des Sceaux

|                    |                                                    |
|--------------------|----------------------------------------------------|
| Charles TOUBOUL    | Directeur de cabinet du garde des Sceaux.          |
| Philippe COMBETTES | Directeur adjoint du cabinet du garde des Sceaux   |
| Clément DI MARINO  | Conseiller politique pénitentiaire                 |
| Sébastien MORGAN   | Conseiller affaires européennes et internationales |

### Secrétariat général (SG)

|                        |                            |
|------------------------|----------------------------|
| Alexandre DE BOSSCHERE | Secrétaire général adjoint |
|------------------------|----------------------------|

### Délégation aux affaires européennes et internationales

|                        |                                                                 |
|------------------------|-----------------------------------------------------------------|
| Pascal-Alexandre ROCHE | Délégué adjoint aux affaires européennes et internationales     |
| Guillaume VIEILLARD    | Chef du bureau des questions institutionnelles et diplomatiques |
| Marie KASSASSEYA       | Rédactrice au BQID                                              |

### Service de l'expertise et de la modernisation

|             |                                                           |
|-------------|-----------------------------------------------------------|
| Yann FROGER | Chef du bureau du contentieux administratif et du conseil |
|-------------|-----------------------------------------------------------|

### Service de la statistique, des études et de la recherche

|                   |                                                                              |
|-------------------|------------------------------------------------------------------------------|
| Pascal CHEVALIER  | Chef du service de la statistique, des études et de la recherche             |
| Valentine CHARHON | Adjointe au chef du bureau du contentieux administratif et du conseil (BCAC) |
| Thomas LAINE      | Consultant au pôle contentieux pénitentiaire du BCAC                         |

### Direction des affaires criminelles et des grâces (DACG)

|                           |                                                            |
|---------------------------|------------------------------------------------------------|
| Sophie MACQUART-MOULIN    | Directrice adjointe des affaires criminelles et des grâces |
| Marie VIALATTE DE PEMILLE | Cheffe du bureau de l'exécution des peines et des grâces   |

### Direction de l'administration pénitentiaire (DAP)

|                          |                                                                            |
|--------------------------|----------------------------------------------------------------------------|
| Emmanuel RAZOUS          | Directeur adjoint de l'administration pénitentiaire                        |
| Vincent DUPEYRE          | Sous-directeur de la sécurité pénitentiaire                                |
| François-Marie TARASCONI | Adjoint au chef du département des politiques sociales et des partenariats |
| Daniel DANGLADES         | Adjoint à la cheffe du pôle des relations européennes et internationales   |

#### Direction de la protection judiciaire de la jeunesse (DPJJ)

|                   |                                                                            |
|-------------------|----------------------------------------------------------------------------|
| Caroline NISAND   | Directrice de la protection judiciaire de la jeunesse                      |
| Marie LEON        | Directrice de la protection judiciaire de la jeunesse adjointe             |
| Claire PAILLASSOU | Ajointe à la cheffe du bureau de la législation et des affaires juridiques |

#### Direction des services judiciaires

|                          |                                                     |
|--------------------------|-----------------------------------------------------|
| Aurélie GRENOT-DEVEDJIAN | Cheffe du pôle de l'évaluation et de la prospective |
| Hélène FORTIN-CREMILLIAC | Cheffe du bureau de l'immobilier                    |

#### Inspection générale de la justice

|                    |                                             |
|--------------------|---------------------------------------------|
| Christophe STRAUDO | Chef de l'inspection générale de la justice |
|--------------------|---------------------------------------------|

### **Ministère de l'Europe et des affaires étrangères**

#### Direction des affaires juridiques (DJ)

|                  |                                                 |
|------------------|-------------------------------------------------|
| Milène BLANCHARD | Sous-directrice des droits de l'homme (DJ/DHOM) |
| Karen ROCHET     | Consultante juridique (DJ/DHOM)                 |

#### Agent de liaison français pour le CPT

|                |                                                                                                                             |
|----------------|-----------------------------------------------------------------------------------------------------------------------------|
| Thierry DONARD | Premier vice-président adjoint, Coordonnateur de la 10 <sup>ème</sup> chambre correctionnelle, Tribunal judiciaire de Paris |
|----------------|-----------------------------------------------------------------------------------------------------------------------------|

## **B. INSTITUTIONS ADMINISTRATIVES INDEPENDANTES**

### **Contrôleur Général des Lieux de Privation de Liberté**

|                         |                                                        |
|-------------------------|--------------------------------------------------------|
| Dominique SIMONNOT      | Contrôleure générale des lieux de privation de liberté |
| Maria DE CASTRO CAVALLI | Adjointe à la directrice des affaires juridiques       |
| Anne-Sophie BONNET      | Contrôleure chargée des relations internationales      |

### **Commission nationale consultative des droits de l'homme**

|                      |                                                           |
|----------------------|-----------------------------------------------------------|
| Jean Marie BURGUBURU | Président de la CNCDH                                     |
| Renée KOERING-JOULIN | Vice-Présidente de la CNCDH                               |
| Magali LAFOURCADE    | Secrétaire générale de la CNCDH                           |
| Cécile RIOU-BATISTA  | Secrétaire générale adjointe de la CNCDH                  |
| Ophélie MARREL       | Conseillère juridique                                     |
| Michel TABBAL        | Conseiller chargé des questions internationales           |
| Fiona HOUDIN         | Représentante à la CNCDH                                  |
| Régis BRILLAT        | Personnalité qualifiée à la CNCDH                         |
| Prune MISOFFE        | Représentante de l'observatoire international des prisons |
| Nathalie TEHIO       | Représentante de la Ligue des droits de l'homme (LDH)     |
| Nicolas VATIMBELLA   | Représentant d'Amnesty International France               |

### **Défenseur des droits**

|                     |                                                                                                  |
|---------------------|--------------------------------------------------------------------------------------------------|
| Claire HEDON        | Défenseure des droits                                                                            |
| Céline ROUX         | Adjointe de la Défenseure des droits en charge de la déontologie de la sécurité                  |
| Néphéli YATROPOULOS | Conseillère aux affaires européennes et internationales – Cabinet de la Défenseure des droits    |
| Muriel CAUVIN       | Adjointe à la Directrice - Direction Protection des droits - Affaires judiciaires                |
| Benoit NARBAY       | Chef du pôle Déontologie de la sécurité - Direction Protection des droits - Affaires judiciaires |
| Marie CHAUMARD      | Juriste au pôle Défense des enfants - Direction Protection des droits Affaires judiciaires       |

|                   |                                                                                                                      |
|-------------------|----------------------------------------------------------------------------------------------------------------------|
| Nina KORCHI       | Juriste au pôle Justice et libertés - Direction Protection des droits - Affaires judiciaires                         |
| Etienne MARTY     | Conseiller aux questions pénitentiaires - Direction de l'action territoriale                                         |
| Léa FRANCHISTEGUY | Stagiaire auprès de la Conseillère aux affaires européennes et internationales – Cabinet de la Défenseure des droits |

## **C. ORGANISATIONS NON-GOUVERNEMENTALES**

ACAT-France

Association des avocats pour la défense des droits (A3D)

Association des professionnels de santé exerçant en prison (APSEP)

Association des Secteurs de Psychiatrie en Milieu Pénitentiaire (ASPMP)

Association Nationale des Juges d'application des peines (ANJAP)

Barreau de Paris

Conseil national des barreaux

Observatoire international des prisons – Section française

## **“NO ONE SHALL BE SUBJECTED TO TORTURE OR TO INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT”**

*Article 3 of the European Convention on Human Rights*

**E**stablished in 1989 by the Council of Europe Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, the CPT's aim is to strengthen the protection of persons deprived of their liberty through the organisation of regular visits to places of detention.

The Committee is an independent, non-judicial preventive mechanism, complementing the work of the European Court of Human Rights. It monitors the treatment of persons deprived of their liberty by visiting places such as prisons, juvenile detention centres, police stations, immigration detention facilities, psychiatric hospitals and social care homes. CPT delegations have unrestricted access to places of detention, and the right to interview, in private, persons deprived of their liberty. They may access all the information necessary to carry out their work, including any administrative and medical documents.

The CPT plays an essential role in promoting decency in detention, through the development of minimum standards and good practice for states parties, as well as through coordination with other international bodies. The implementation of its recommendations has a significant impact on the development of human rights in Council of Europe member states and influences the policies, legislation and practices of national authorities regarding detention.



### **Secretariat of the CPT**

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The Council of Europe is the continent's leading human rights organisation. It comprises 46 member states, including all members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.