

Judicial youth protection services



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Editorial



The core mission of the judicial youth protection services is to educate minors in a judicial context. To achieve this, the protectorate bases its actions on essential principles, i.e. everybody can be educated, respect for the rights and freedoms of every individual and the permanent adapting of educational solutions to the personal development of the young beneficiaries.

In order to promote the appropriate handling of requirements and the personal development of teenagers, entrusted by courts and often facing a very tough time, protectorates can offer a wide range of solutions deployed thanks to complementary educational structures in an open environment, placements and integration programmes, and healthy coordination with both the public sector and authorised associations.

However, the success of this handling primarily depends on the work and investment of professionals equipped with a high level of knowledge, know-how and behavioural skills. Educators, psychologists, service directors, social service assistants and special needs teachers work hand in hand with youngsters on a daily basis to promote their social and professional integration and help them to construct their lives and careers.

All of these actors in the field acquire and improve their skills via quality training programmes organised by the national school for judicial youth protection located in Roubaix.

Catherine SULTAN

director of the judicial youth protection services



"Few problems are as serious as those affecting the protection of children, including matters relating to the fate of children involved in court proceedings. France does not have enough children to be able to neglect all possible action to ensure that these children become healthy adults".

Extract from the summary of principles behind the Order of 2 February 1945



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The order of 2 February 1945 represents the reference text for under-age delinquents. This order lays down the principle of attenuated criminal liability for minors capable of discernment and that education should prevail over repression. This order established the existence of a specialised children's judge in order to guarantee a balance and the specific nature of this system, which combines court involvement with education.

The judicial youth protection services (JYPS) *"are responsible, in the context of the competencies of the Ministry of Justice, for all matters relating to justice for minors and coordination between the institutions involved in this field"*. (decree of 9 July 2008)

The judicial youth protection services:

- Help to draft texts on under-age delinquents or minors in danger (bills, decrees and various organisational texts).
- Provide magistrates with permanent assistance for under-age delinquents and minors in danger, particularly with "investigatory" initiatives used to assess the situation of the minors.
- Implement the decisions of children's courts in open environment and placement services and establishments in the public sector and authorised associations.

- Monitor the education of minors in children's sections of prisons or in children's prisons.
- Inspect and assess all public and authorised structures handling minors under a court mandate. The professionals working for the court protection service for youth carry out daily educational initiatives to the benefit of youngsters, particularly aiming to ensure their social, educational and professional integration.



The children's judge plays a role in terms of both protection and sanctions. In civil proceedings, the judge takes action to provide educational assistance if a minor faces physical or legal danger. In a criminal context, the judge takes action when a minor is prosecuted. The entities of the judicial youth protection services implement the decisions taken by children's judges.

Investigatory initiatives

Court-ordered investigations into education can be ordered by a magistrate and implemented by a multi-disciplinary team from the judicial youth protection services. These investigations aim to provide the judge with information on the personality, educational situation and life of a minor and his or her family in order to help the magistrate to reach a decision on merit.

Before presenting a minor to a judge, educators also draft brief reports containing relevant information on the situation of the minor, together with an educational proposal, at the earliest opportunity. This file containing social and educational information helps the magistrate to reach a decision.

Educational initiatives

Assistance-based, supervisory and educational initiatives aim to provide support for the minor and prevent the recurrence of the offences:

- **Probation:** the minor is left in their family environment under the supervision of an educator.
- **Judicial placement :** aiming to provide the minor with a safe context to live in, with protection and a structure, helping he or she to construct an identity, assimilate the rules of living with others, and benefit from a process of social, educational and professional integration.
- **Court protection:** this approach can be pronounced for a maximum period of 5 years, either in an open environment or in the form of a placement.

- **Compensation:** this approach combines a criminal solution with individual educational support, engaging the minor in a compensatory approach involving an activity or an action to the benefit of the victim (direct compensation) or society at large (indirect compensation).
- **Civic training:** this approach consists of group sessions focusing on short modules on social structure and civic values such as respect for others, solidarity and citizenship.
- **Daytime activities:** these activities involve the minor participating in professional and educational integration programmes. This approach primarily targets minors not attending school, with high levels of absenteeism or on the margins of common law training programmes.

Court supervision

- **Court supervision:** a security initiative and an alternative to prison, where the minor remains free, but subject to a given number of obligations. By assessing the minor's ability to accept restrictions, the services of the JYP ensure compliance with the obligations laid down by the magistrate and assess the minor's ability to accept legal restrictions.



In order to prevent repeat offences, criminal law applicable to minors aims to ensure that the teenager becomes aware of the effect of his or her acts, to compensate for the prejudice suffered by the victim and to integrate the minor into society.

Educational sanctions

These sanctions apply for minors aged between 10 and 13.

These sanctions are more restrictive than educational initiatives, but do not represent criminal sanctions. They consist of prohibitions and obligations.

- An object may be confiscated
- The minor may not go to specific locations
- The minor may not meet with specific individuals
- A "rupture" placement
- A curfew
- Compensation
- Civic training

Sentences

These sanctions only apply for minors aged over 13.

Sentences limiting freedom:

- **Works of general interest:** applicable to minors aged 16 to 18. The works must be educational or promote social integration.
- **Socio-judicial monitoring:** the minor must accept assistance, supervision and help intended to prevent repeat offences.
- **Citizenship courses:** these courses aim to remind the minor of the republican values of tolerance and respect for human dignity and ensure that the minor is aware of his or her duties and responsibilities (to be differentiated from the civic training programme).
- **An awareness course focusing on the dangers of drug use.**
- **Placement with electronic supervision.**

Prison sentences:

- **Prison:** provision of education for minors in children's prisons and children's sections of prisons.
- **Parole with restrictions or parole with works of general interest:** the JYP educator must ensure compliance with obligations while providing support for the minor in this context.

Parole:

- **External placement:** the minor can serve the sentence outside of prison and work, undertake an internship or obtain treatment.
- **Partial parole.**
- **Placement with electronic supervision.**
- **Parole.**



The territorial structure of the judicial youth protection services is based on four levels of responsibility:

- **The central authority**
- **Inter-regional divisions**
- **Territorial divisions**
- **The services and establishments responsible for implementing the initiatives entrusted by magistrates**

The central authority

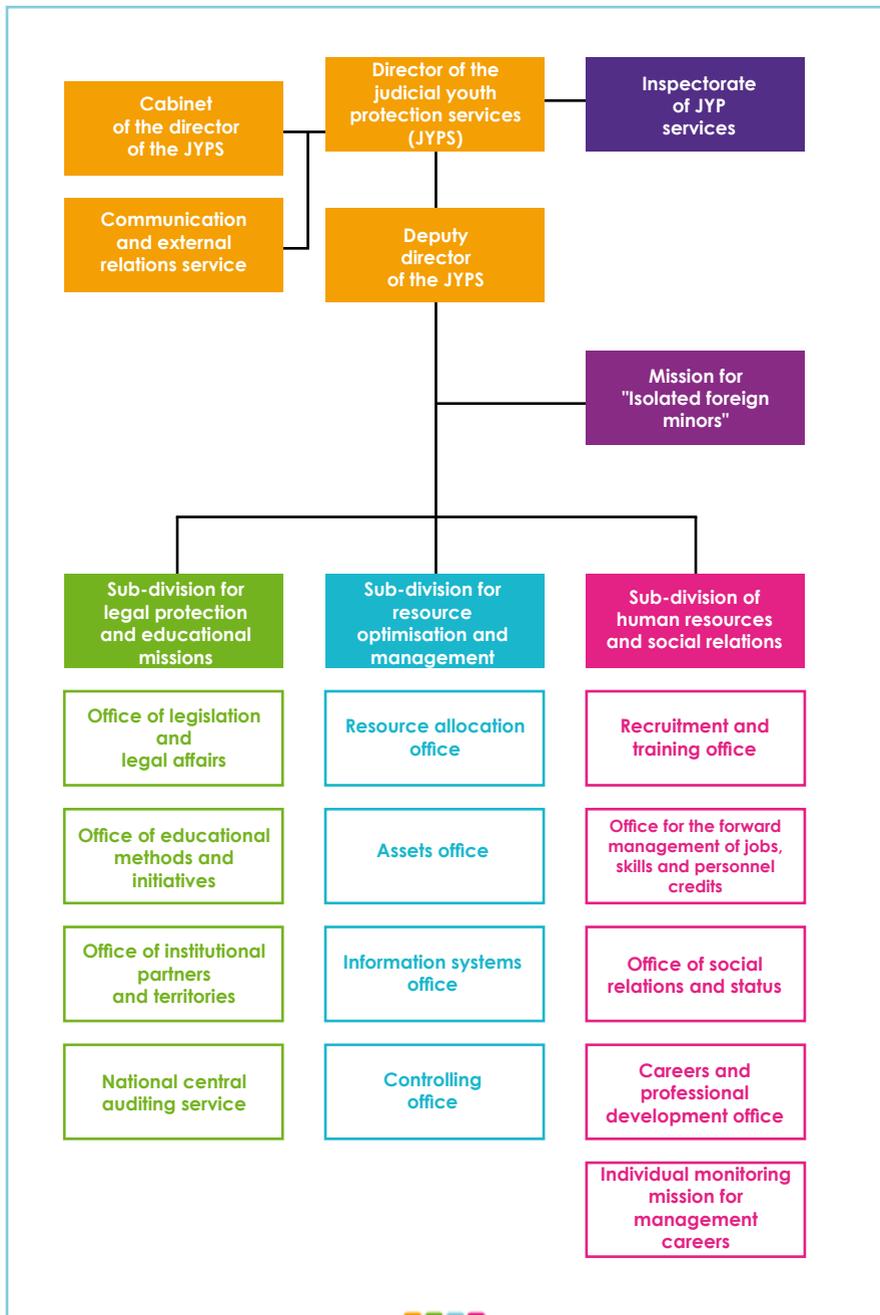
This authority is broken down into three sub-divisions, an inspectorate and a national unit:

- The sub-division for legal protection and educational missions.
- The sub-division for resource optimisation and management.
- The sub-division of human resources and social relations.
- The inspectorate for JYP services.
- The mission for "Isolated foreign minors".



The division of the legal protection service for youth leads the national programme for the sheltering, assessment and guidance of isolated foreign minors based on a protocol signed on 1 June 2013 by the Ministries of Justice, the Interior, Social Affairs and Health and by the Assembly of french departments. This division manages the national MIE support unit, which ensures that these minors are distributed equally throughout mainland France.

Organisation chart of the JYPS



The regional JYP services

Inter-regional divisions (IRD)

The 9 inter-regional divisions hold competencies for leading and inspecting the public sector in the field of the legal protection of youth. They inspect associations (establishments and services) authorised to handle minors entrusted based on a court decision.

Each IRD is managed by an inter-regional director, in charge of implementing national policy on the legal protection of youth within the allocated territorial circumscription. Territorial directors report to the inter-regional director.

Territorial divisions (TD)

The 54 territorial divisions are responsible for implementing the policy on handling young delinquents or children in danger, managing the resources of the public sector in terms of the legal protection of youth, and inspecting the activities of the services in a given territory.

Establishments and services

The public sector: is the direct operator for jurisdictions for minors for the handling of penal measures.

Authorised associations: structures managed by associations (governed under the law of 1901) may be authorised by the State to implement court decisions alongside the JYP's public sector initiatives.

The judicial youth protection services can access a wide range of solutions to ensure that handling is adapted to the situation of each minor entrusted.

Territorial structure of the judicial youth protection services



The judicial youth protection services can access a wide range of complementary solutions to ensure that support is adapted to the profile and needs of each minor entrusted.

The open environment

Professionals working in an open environment operate in the usual environment of the young people and families. They implement educational and investigatory initiatives and monitor under-age inmate.

The multi-disciplinary nature of educational teams promotes the successful handling of each minor entrusted.

Open environment services:

Territorial educational open environment services (TEOES)

These services welcome and provide information to minors and families and implement the instructions of the court authority. Educators take action from the home of the minor.

These services consist of one or several units:

- **The open environment educational unit (OEEU)** implements the decisions ordered by the children's judge.
- **The daytime activity educational unit (DAEU)** organises educational, professional, cultural and sports activities suitable for minors facing a court decision. *Note: when a OEEU includes a DAEU, it is known as a territorial integration and open environment educational service (TIOEES).*



- **The Court educational unit (CEU)** gathers socio-educational information (personality, living conditions, family situation) on the minor for the magistrate, and particularly in view of providing educational guidance.



The judicial youth protection aims to promote the educational, social and professional integration of children and young adults facing a court mandate. Its missions are primarily educational.

Court educational services (CES)

These services provide permanent educational services within district courts (tribunaux de grande instance) including a children's court and at least 7 children's judges. In smaller jurisdictions, this mission is carried out via CEUs by open environment educators and via OEEUs in the context of a permanent educational mission with the court CEP).

Territorial educational and integration services (TEIS)

These services provide permanent handling solutions based on daytime educational, professional, cultural and sports activities adapted to the minors. These activities are implemented by the daytime activity educational units.



JYP professionals provide daily assistance for minors and their families, helping them to overcome the difficulties facing them in life.

Educational support for under-age inmates

Support is provided either within children's sections of prisons or via the educational services of children's prisons. JYP educators ensure that under-age inmates receive constant educational assistance. They ensure that family and social ties are maintained and prepare the minors for their release.

Court-ordered placements

The JYP organises placements allowing the young person to live outside of their family and social environment on a temporary basis. In parallel, minors placed in a home or with a foster family may continue to attend school or a training course.



Handling court-ordered placements

Educational placement homes (EPH)

These homes include a collective placement educational unit (CPEU) possibly combined with one or more diversified accommodation units (DAU) targeting "reinforced education". If an EPH consists of a daytime activity educational unit (DAEU), it will be referred to as a site for educational placements and integration (EPI).

- **The collective accommodation educational unit (CAEU)** manages minors under a court mandate, including in emergency situations. The unit can host up to 12 minors aged between 13 and 18.

- **The diversified accommodation educational unit** combines a range of solutions such as individual accommodation units within a collective structure (home for young workers, social home, network of fostering farms with a social role) and accommodation with foster families or independent housing. This unit allows teenagers to reach a compromise between their need for support and acquiring the independence they require.

Reinforced educational centres (REC)

Small accommodation units managed by authorised associations, home to a group of a maximum of 8 teenagers. These units allow the teenagers to change their habits and prepare the terrain for social and professional integration, particularly via intensive activities.

The REC approach offers 2 solutions:

- Collectives sessions between 3 and 6 months
- Individual sessions lasting 3 months (renewable)

Closed educational centres (CEC)

These centres complete the solutions available for minors entrusted to the JYP. These centres offer an alternative to prison, and integrate minors within a particularly restricted environment. The minors benefit from reinforced medico-psychological and educational support, adapted to their individual personalities.

CEC manage minors aged between 13 and 18, having committed repeat crimes or offences, for a duration of 6 months, which may be renewed once.

The JYP meets two targets:

- Reinforce and expand the range of educational support initiatives carried out to the benefit of minors entrusted in a penal context.
- Ensure that the public action of other ministries and territorial authorities takes into consideration the specific requirements of a public in difficulty and under court protection.

In view of these targets, the involvement of the JYPS grants priority to childhood protection policies, public health, integration, employment, training, sports, leisure, culture, social cohesion and the prevention of delinquency.

Its participation in the implementation of these across-the-board policies is preferable due to its knowledge of field aspects.

Partnerships

Institutional partnerships help to ensure the social, educational and professional integration of minors under court protection (e.g.: division of the national service of the Ministry of Defence, Ministry of Agriculture and Ministry of National Education).

The legal protection service for youth is supported by a network of partners (SNCF, La Croix-Rouge, La Poste, the National student group teaching to inmates, the French Rugby Federation, the Foot Citoyen association, etc.) in order to implement the initiatives entrusted by the court authority. This support is based on national conventions adapted locally.

The National school for judicial youth protection (NSJYP)

The NSJYP is a regional service operating under the authority of the division of the legal protection service for youth. The school organises initial and continuous training for all members of JYP personnel. The school opens its training courses to those involved in justice for minors, the protection of childhood (youth magistrates, lawyers, professionals providing general advice) and authorised associations.



The NSJYP trains 5,000 professionals in the field of justice for minors each year.

The NSJYP consists of a central site located at Roubaix, nine territorial training units (TTU) and two regional units (Reunion island and Guyane/Antilles) reporting to the TTU of the inter-regional Ile-de-France/Overseas division. The school issues professional qualifications.

Integrated preparatory classes for selective entrance examinations

In 2007, the Ministry launched integrated preparatory classes for its selective entrance examinations in order to ensure equal opportunities in terms of accessing the various programmes.

Since 2008, each year, the NSJYP has helped 25 selected pupils with intensive preparation for selective entrance examinations to become educators. This preparation includes: lectures, workshops, methods and individual monitoring. The cost of the training, accommodation and meals for these pupils are met by the school.



The NSJYP can access one of the largest European documentary resource centres dedicated to children facing difficulties.

A few positions within the judicial youth protection

After successfully passing the entrance examination, the NSJYP, provides initial training for service directors, educators and psychologists. Courses are remunerated and consist of alternated lessons, conferences and internships at the establishments and in the services of the JYP.

Service directors

Service directors report to the territorial director and implement the policy defined by the Minister of Justice to the benefit of underage delinquents and children in danger, subject to court protection. Service directors represent the division of the legal protection service for youth within the bodies implementing public policies and participate in the various decision-making entities.

Within the allocated service, service directors guarantee the due enforcement of the decisions of magistrates and the quality of educational solutions.

Educational unit managers

Educational unit managers report to service directors and lead the multi-disciplinary educational team. The unit managers also guarantee the quality of individual handling.

Educators

Educators operate under the authority of the person in charge of the educational unit, and oversee educational and integration initiatives targeting the minors in question, ensuring daily monitoring and carrying out investigations in order to provide magistrates with information enabling them to adapt their decision to the changing situation of the minor.

Psychologists

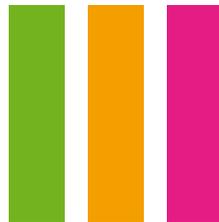
Psychologists guarantee and promote the consideration of the specific psychological condition of the minors assigned to the services of the JYP by the court authority. Psychologists reports to a director and operate in an open environment or in homes within multi-disciplinary teams. Psychologists help to prepare and track educational projects by providing their analysis of the mental issues of minors and information on the family context relating to the target of the educational initiative.



Many professionals (social service assistants, nurses, special needs teachers, etc.) work alongside of educational teams on a daily basis, helping to handle the minors entrusted to the legal protection service for youth.

website: www.enpjj.justice.fr

Key figures



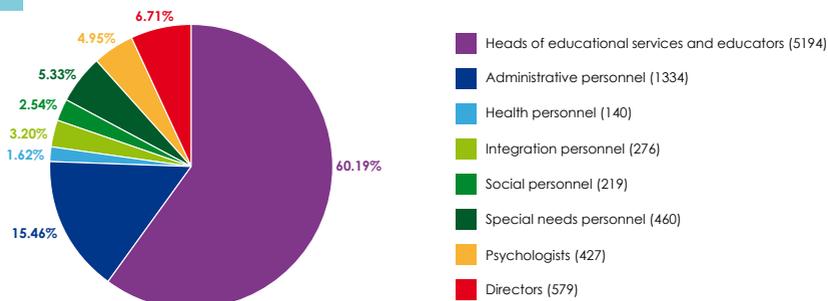
Figures for the judicial youth protection

Organisation

The judicial youth protection services include:

- **9** inter-regional divisions
- **54** territorial divisions
- **221** public service establishments and services and almost **1 100** authorised associations (establishments and services).
- **1** national school for judicial youth protection

Personnel

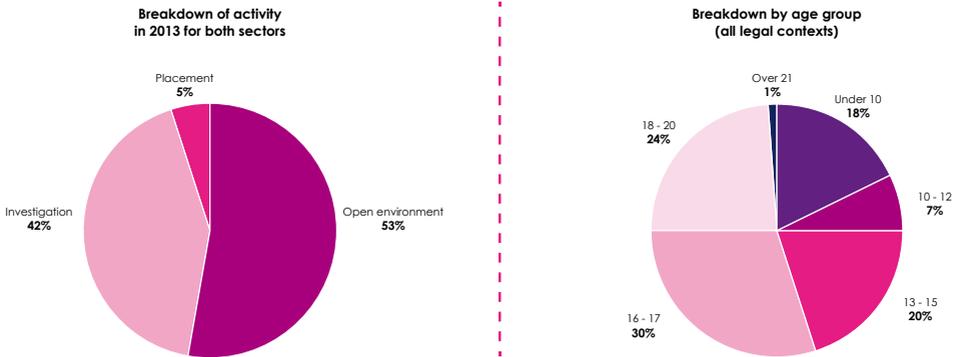


Handling

In 2013, **138 500** minors were tracked by the judicial youth protection:

	Initiatives tracked in 2013	Public sector %	Associations %
Investigation	85,685	75.6%	24.4%
Under-age delinquents	52,493	99.7%	0.3%
Children in danger	33,173	37.6%	62.4%
Protection of young adults (over 18)	19	100.0%	0.0%
Placements	9,452	51.5%	48.5%
Under-age delinquents	9,393	51.3%	48.7%
Children in danger	39	100.0%	0.0%
Protection of young adults (over 18)	20	45.0%	55.0%
Open environment	109,539	90.1%	9.9%
Under-age delinquents	109,184	90.1%	9.9%
Children in danger	228	100.0%	0.0%
Protection of young adults (over 18)	127	25.2%	74.8%
Total	204,676	82.3%	17.7%
Under-age delinquents	171,070	90.9%	9.1%
Children in danger	33,440	38.1%	61.9%
Protection of young adults (over 18)	166	36.1%	63.9%

The initiatives launched³ can be broken down as follows:



730, monthly inmates, tracked by the professionals of the judicial youth protection in children's sections of prisons and children's prisons managed by the prisons' authority.

Establishments and services

- **Open environment:** The public sector of the legal protection service for youth consists of 267 open environment educational units (OEEU)
- **Court-ordered placements:** Penal handling by the public sector and authorised associations:

Educational placement homes manage minors, both collectively and individually. These homes include:

- **75** collective accommodation educational units (CAEU)
- **22** individual accommodation educational units (IAEU)
- **4** reinforced educational centre units (RECU)
- **51** closed educational centres (CEC)
- **Integration:** The public service of the JYP consists of 85 daytime activity educational units (DAEU)
- **Prisons:**
 - **6** children's prisons
 - **43** children's sections

Budget

783 million euros: the budget allocated to the judicial youth protection services².
234 million euros are allocated to the funding of authorised associations.

A significant share of this budget is used to meet personnel expense:

- Either directly for the public service sector, to which a job authorisation ceiling is granted: **8 507 FTE³**
- Either indirectly for authorised associations, subject to private law and employing approximately **3 000** employees

Practical Information

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