
RECOMMENDATIONS

of 17th November 2008

from the French *Contrôleur Général des Lieux de Privation de Liberté*
concerning the *détention centre in Choisy-Le-Roi*

The detention centre in Choisy-Le-Roi (Val-de-Marne), management of which is under the responsibility of the central administration of the French national police force (central department for public security), was visited by two inspectors from the French *Contrôle général des lieux de privation de liberté* from 11 a.m. to 8 p.m on Tuesday 8th July.

Factual findings from this inspection were communicated to the police commissioner of the appropriate police department on 30th July 2008. A response to this was provided by the Prefect of the Val-de-Marne dated 19th August 2008. The public prosecutor at the Créteil Court of First Instance for Criminal Matters, solicited in writing, gave his written response on 3rd September, 2008.

The final report concerning the visit was submitted for observations to both the Minister for Immigration, Integration, National Identity and Socially Responsible Development and the Minister for the Interior, Overseas Territories and Local Authorities on 15th September 2008. On 24th October 2008, the Minister for the Interior, Overseas Territories and Local Authorities made it known that he would leave it to the Immigration Minister to reply. The Minister for Immigration, National Identity and Socially Responsible Development provided his remarks in a note dated 25th October 2008.

Following this procedure, and in accordance with Act no. 2007-1545 of 30th October 2007, the French *Contrôleur général des lieux de privation de liberté* has made the following recommendations:

1. Detention centres have generally been set up in units that were not initially destined the detention of foreigners who are the subject of deportation or expulsion orders. The centre in Choisy-Le-Roi is no exception to this rule, since its rooms (four bedrooms, a lounge, a vestibule, a room for the guards plus washing and toilet facilities) were originally designed as offices for the local police station. Although overall the premises are in a satisfactory state, the disposition and size of the rooms are not entirely satisfactory. In addition, certain deficiencies suffered by the police station and the personnel therein (inadequate electrical installation) have an effect on the way the unit operates. There is therefore a **medium-term requirement to find premises in a building more adapted to the functions carried out in such a centre.**

2. The four bedrooms, one of which being reserved for women, are in a row (the 'male' bedrooms being separated from the 'female' bedroom by the room for the guards). To get to the washing and toilet facilities, the men need to pass in front of the bedroom reserved for women. And this bedroom is separated from the corridor by a full-length glass partition which is naturally totally transparent. Whilst security concerns mean that the agents on guard need to be able to keep all detainees under surveillance, this should not be at the expense of a complete **lack of respect for individual privacy** to which all persons have a right. Such an arrangement is not to be found, for example, in any prison. No security instructions can justify such a situation,

which is clearly prejudicial to human dignity. These arrangements need to be rectified as quickly as possible (for example by applying an opaque film to the glass).

3. The conditions in which detainees can receive visitors are less than satisfactory, especially when one considers that one relies on third parties to bring what the detainees lack and to provide such comfort as can make their stay more agreeable. Indeed, these discussions take place in a corridor where no seats are available. In addition they are limited to twenty minutes (as is the case in other centres) without any clearly established reason for such a limit (according to those who keep the register, out of 234 persons detained in Choisy-Le-Roi, only 78, i.e. 33%, received visits). The French *Contrôleur général* is convinced that **allowing third parties a longer and more comfortable access** to detainees would not constitute a security problem concerning the person's detention. In these conditions, extra resources will need to be provided.

4. It is clear that most of the public security police officers assigned to guard the detainees, in Choisy-Le-Roi but also in other equivalent locations, are on their first assignments after initial training. Apart from the disappointment these officers feel at performing low-esteem tasks which they never expected, it is clear that their training has not equipped them with the necessary and useful skills for managing a relationship with people who are very uncertain of their future, and for doing this in a cramped environment over an extended period. Through fear, suspicion and a legitimate concern for their own safety, their reaction can be to apply the relevant security measures in a much more draconian manner than is usual. Whilst the idea of specific training for people likely to be involved in guarding foreign detainees may not be contemplated, **the conditions to be found when confronted with prolonged guarding of people form part of the characteristics of the profession which should be taken into account both during initial training for new recruits, and by the help of their more senior colleagues and their immediate superiors** at the time of their first such assignment.

5. The visit also enabled an inventory of positive elements to be made. In particular, an examination of the register - well maintained - showed that no-one was detained in the premises longer than the forty-eight hours allowed by the regulations in force. In addition, at the initiative of a local manager, an arrangement has been made with a local company for providing **paper (strengthened) sheets**, which ensures both rigorous standards of hygiene and savings on the laundry budget - the administrative authorities should investigate the possibility of extending this practice. Although incidents have occurred in the past, notably concerning swallowing or other use of dangerous substances by detainees (for example on 3rd January 2008), the period prior to the visit had not been witness to any such event. Lawyers (very few had come) and charity and humanitarian organisations have satisfactory conditions for access to the premises. Access to healthcare and treatment is assured. Catering arrangements gave rise to no particular concerns.

Jean-Marie DELARUE