

FRENCH PRISON POPULATION

some features

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	Research into the prison population (CESDIP and SCERI)	

Communications, Research and International Relations Department (SCERI) of the Prison Services Division has decided to publish, in English, the latest research into the recidivism of long term prisoners ⁽¹⁾, which was carried out jointly with the Centre for Sociological Research into Law and Penal Institutions (CESDIP). This publication sets out in detail both the methods used to make the investigation and also the main results.

Before looking at this research into recidivism concerning a precise type of prisoner, it would be interesting to have a general overview and analysis of the changes to the French prison population over the last twenty years. In this way it will be possible to see what the principal issues of the period are, including of course recidivism and the means introduced to reduce it.

This publication concludes with a presentation of all the research being done on the same subject, with a thematic bibliography of work done on the prison population by the SCERI and the CESDIP.

⁽¹⁾ Kensey (A), Tournier (P), *Libération sans retour ? devenir judiciaire de la cohorte des sortants de 1982 condamnés à trois ans ou plus*, Paris, CESDIP, Etudes et données pénales n° 69, SCERI, Travaux et documents n° 47, 1994.

- A -

**Factors leading to the Inflation
of the Prison Population in France**

This text was presented at the 48th Congress of the American Society of Criminology, the subject being "Controlling Crime and Achieving Justice", in the workshop on "Assessing prison population trends" (Chicago, Illinois, November 1996).

The French prison population is on the increase. Rather than talk in terms of disaster scenarios or undue optimism, the aim of this paper is to try and identify the underlying trends of the French prison population over the last twenty years. Between January 1975 and January 1995 the number of prison inmates rose from 26,032 to 51,623 in metropolitan France (see Table 1). This represented an increase of almost 100%, despite the two amnesties of 1981 and 1988, plus increasing recourse to collective pardons. By May 1 1995 the prison population had reached a record high of 55,479 prisoners⁽¹⁾ in metropolitan France. The last time there were so many prisoners was in 1948, at which time one third of all inmates were in prison for having collaborated with nazi Germany. The factors leading to this prison population inflation can be analysed in two different but complementary ways.

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Two approaches and an observation

One way of studying the changing structure of the prison population is to look at the socio-demographic and criminal characteristics of the inmates. This requires making a differential analysis of the growth in the number of inmates. Given the available data, the changes will be examined in terms of penal category (which means studying remand prisoners), the structure of convicted prisoners according to sentence length and type of principal offence, and finally the structure in terms of nationality (French and foreign). All these points involve "stock" data, in fact the statistics as of January 1 each year.

⁽¹⁾ Unless otherwise stated, the data given in this paper refer to metropolitan France. On May 1 1995 there was a total of 57,782 prisoners for the whole of France (metropolitan France + overseas departments).

The other way of studying the question is through an examination of prison entry flows and detention length. Here, the question is whether the increase in the prison population is due to:

1. an increase in the flow of entries, the detention length being stable or falling,
2. an increase in detention length, the flow of entries being stable or falling,
3. an increase in the two.

The impact of the three different situations is extremely different as far as the diagnosis of both past penal policy (or whatever existed instead) and future measures is concerned.

In the two forms of analysis, be it the "stock, entry flow, length" triplet or the question of structures, the SEPT (SEries Pénitentiaires Temporelles) data base was used. This base was created in 1981, using manual quarterly statistics reported by the prison authorities, and has been updated regularly ever since. For practical reasons, the base only includes prisoners in metropolitan France. Although putting the two forms of analysis defined above together is extremely useful, this is often hampered by the lack of certain cross-matching of variables. In the quarterly statistics, for instance, the type of principal offence is only given for convicted prisoners, and the type of offence is not cross-matched with sentence length, etc. To fill the gaps, the prison authorities have set up a new system for statistics using the national prison records (FND - Fichier national des détenus). It has only been operational for a short time, however, and is therefore of no immediate use to study trends.

Before going any further it would be interesting to see how France fares against her European partners in terms of prison policy and population ⁽¹⁾ (see Table 2). Using the SPACE statistics of the Council of Europe it has been possible to calculate the increase in the number of prisoners over a decade (September 1 1983-September 1 1993) for fourteen countries. The first remark is that prison populations are increasing over the whole of Europe, with the exception of Austria, where there was a significant drop of 15% in the number of prisoners. In Germany, too, there was a drop, but only up till 1991 ⁽²⁾. The second remark is that the rate of increase varies

⁽¹⁾ For further information, please refer to the SPACE publications (Statistique pénale annuelle du Conseil de l'Europe).

⁽²⁾ No statistics are available for Germany as of September 1 1993.

considerably from one country to the next. France, with a 31% rate of increase, is about average. Looking at the detention rate per 100,000 inhabitants as of September 1 1993 ⁽¹⁾, in France there were 86.3 inmates per 100,000 inhabitants (overseas departments included). France comes in sixth position after Spain, Portugal, Austria, England and Wales ⁽²⁾ and Italy ⁽³⁾.

Table 1.
The prison population between 1975 and 1996

As of January 1	Number of prisoners	Annual percentage increase	
1975	26,032	+ 13,3	<i>July 11 1975, law on the additional reduction of sentence</i>
1976	29,482	+ 3.5	
1977	30,511	+ 5.7	
1978	32,259	+ 3.3	
1979	33,315	+ 7.0	
1980	35,655	+ 9.3	<i>Collective pardon</i>
1981	38,957	- 22.1	<i>Collective pardon Law of amnesty, August 4 1981</i>
1982	30,340	+ 14.0	
1983	34,579	+ 11.7	
1984	38,634	+ 11.1	
1985	42,937	- 0.7	<i>July 9 1984 law on remand came into force on January 1 1985 Collective pardon</i>
1986	42,617	+ 1.9	<i>September 19 1986 law on reduction in sentences</i>
1987	47,694	+ 3.4	
1988	49,328	- 8.8	<i>Collective pardon Law of amnesty, July 20 1988 Collective pardon</i>
1989	44,981	- 2.4	
1990	43,913	+ 7.4	
1991	47,160	+ 2.0	<i>Collective pardon</i>
1992	48,113	+ 0.1	<i>Collective pardon</i>
1993	48,164	+ 4.1	<i>Collective pardon</i>
1994	50,240	+ 2.8	<i>Collective pardon</i>
1995	51,623	+ 2.0	<i>Collective pardon Law of amnesty</i>
1996	52,658		<i>Collective pardon</i>

Source: SEPT data base, field = metropolitan France

⁽¹⁾ Number of prison inmates relative to the number of inhabitants.

⁽²⁾ On September 1 1993 the rates were 115 per 100,000 in Scotland and 118 per 100,000 in Northern Ireland.

⁽³⁾ The rates in the former communist countries are all higher than in France: 91 per 100,000 in Bulgaria, 132 in Hungary, 275 in Lithuania, 160 in Poland, 136 in the Slovak Republic, 165 in the Czech Republic, 200 in Rumania (SPACE data base).

Table 2.

The prison population in certain European countries over a ten-year period

	Prison population as of 1.9.1983	Prison population as of 1.9.1993	Percentage increase over 10 years	Detention rate as of 1.9.1993 (*)
Austria	8,387	7,099	- 15.4	91.0
Belgium	6,525	7,203	+ 10.4	72.1
Denmark	3,120	3,702	+ 18.7	71.0
England & Wales	43,415	45,633	+ 5.1	89.0
France (**)	39,086	51,134	+ 30.8	86.3
Greece	3,736	6,524	+ 74.6	68.0
Ireland	1,466	2,108	+ 43.8	59.8
Italy	41,413	50,794	+ 22.7	89.0
Netherlands	4,000	7,843	+ 96.1	51.0
Norway	1,941	2,607	+ 34.3	60.0
Portugal	6,093	10,904	+ 79.0	111.0
Spain	14,659	45,711	+ 211.8	114.9
Sweden	4,422	5,794	+ 31.1	66.0
Switzerland	4,000	5,627	+ 40.7	81.0

(*) per 100,000 inhabitants

(**) including overseas departments

Source: Tournier, SPACE (Council of Europe)

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Entry flows and detention length

Stock data are not the only statistics to be examined. Table 3 shows the number of prison entries per year and the average detention length.

Table 3.

Entry flow and detention length (in months)

	1974-1980		1981-1987		1988-1994			
	Entries	Length	Entries	Length	Entries	Length		
1974	72,491	4.4	1981	80,898	5.1	1988	83,517	6.8
1975	77,117	4.3	1982	74,427	5.2	1989	75,940	7.0
1976	74,308	4.8	1983	86,362	5.1	1990	78,442	7.0
1977	79,353	4.7	1984	89,295	5.5	1991	87,787	6.5
1978	83,711	4.7	1985	82,917	6.2	1992	88,586	6.5
1979	88,906	4.7	1986	87,906	6.2	1993	80,421	7.3
1980	96,955	4.6	1987	90,697	6.4	1994	85,761	7.1
average	81,834	4.6	average	84,643	5.7	average	82,922	6.9

Source: SEPT data base, field = metropolitan France

The term entries means the number of imprisonments per year, not the number of individuals. This is because the same individual can be counted more than once (either for different offences during the same year or for different imprisonments for the same offence at different moments during the proceedings).

Average detention length is calculated by relating the average number of prison inmates during the year ⁽¹⁾ (stock) to the number of entries (flow). This rather unsophisticated method of calculation means that deviations observed over two consecutive years are not significant. But as far as trends are concerned, this element is extremely informative.

In order to allow for the amnesties following the presidential elections, the period has been subdivided into three, corresponding to Giscard d'Estaing's 7-year term of office (1974-1981), Mitterrand's first 7-year term of office (1981-1988) and his second 7-year term of office (1988-1995).

1.1.1974 - 1.1.1981

The increase in the number of prisoners (+ 11,850) is due to an increase in the number of entries, detention length remaining stable. In 1974 there were 72,500 entries as opposed to 97,000 in 1980, i.e. about 25,000 more entries in 6 years. If this trend had continued beyond 1980, in 1992 there

⁽¹⁾ Arithmetic average of the prison population as of January 1 of the year n and of the prison population as of January 1 of the year $n + 1$.

would have been 50,000 more entries than in 1980, making a total of 147,000 entries. In actual fact there were 88,586! The 1980 figure was an all-time high that has never been repeated. It should be remembered that in February 1981 the "security and liberty" law was passed, which brought to its acme the constantly increasing use of imprisonment as punishment.

1.1.1981 - 1.1.1988

The increase in the number of prisoners slowed down slightly in absolute terms (+ 10,400) thanks, in part, to a great drop in 1981 following the amnesty and collective pardon ⁽¹⁾. What is very different is the pattern: the increase is due to longer sentences, the number of new entries falling for the first time. During this period there were 84,600 entries, well below the level for 1980. This trend must be considered alongside the development of alternatives to short prison terms, especially supervision orders (*contrôle judiciaire associatif*) and the introduction of community service orders in 1983. Although it may not be possible to prove conclusively the link between these measures and the drop in the number of entries, the facts do tend to contradict the defeatist ideas of those who suggest that none of the measures introduced during the eighties to reduce recourse to prison as a form of punishment had any effect ⁽²⁾. However, this is not sufficient to solve the problem of prison population explosion due to longer prison detention.

1.1.1988 - 1.1.1995

The increase in the number of prisoners slowed down considerably (+ 2,295 prisoners), thanks to annual collective pardons on July 14. Elapsed time continued to get longer, with a record high of 7.6 months in 1995, for 80,000 entries. This trend, which has been observed in France since 1981, is to be found in many other European countries. During the eighties, the number of imprisonments tended to decrease in Belgium, Germany, Greece, Italy, the Netherlands and Portugal. At the same time the prison population increased due to longer detention time, with the exception of Germany.

⁽¹⁾ The percentage increase from 1.1.1982 to 1.1.1988 was 63%, as opposed to 50% for the period between 1.1.1975 and 1.1.1981, but this difference can be explained in particular by the low number of prisoners at the end of 1981 due to the generous measures adopted during the summer of 1981.

⁽²⁾ These statistics go against the theory according to which all new measures introduced into the criminal justice system as alternatives to prison develop the field of social control without any effect on detention rates.

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Longer detention elapsed time

The detention length indicator that was introduced in 1981 and that has been used as a reference ever since is a global one that does not take into account the legal status of the prisoners. The greater periods of time spent in prison may be explained by a number of different factors:

- increase in length of legal proceedings (remand period, trial, sentencing, appeal),
- heavier sentences either because of changes in types of offences or because of different punishments for the same offences,
- changes in the law and/or practices concerning adaptation of sentences to individual circumstances (remission or release on licence granted less often), etc.

There are insufficient elements to study the process in all its complexity but certain observations may be made.

As explained below, the current increase in the length of time spent in prison cannot be explained by periods of remand. At the other end of the process, we shall also see that the number of prisoners released on licence is also falling, thus showing a tougher stand on the serving of sentences.

Taking into account the differential analysis of the number of convicted prisoners according to length of sentence being served provides another element (see Table 4). Over a period of twenty years the number of convicted prisoners has been multiplied by 2.25. Both for lesser criminal offences (*correctionnel*) and for serious crimes (*criminel*), the ratio increases with length of sentence. It is thus very high for sentences for lesser criminal offences ranging from 3 to under 5 years (3.3) and extremely high for sentences for lesser criminal offences of five years and over (12.5). These sentences are mainly handed down for drug trafficking offences. There is also a sharp increase in the number of life sentences. On January 1 1975,

4,345 prisoners were serving sentences of three years or more, i.e. 33% of all convicted prisoners. Twenty years later there were 13,066 prisoners serving such sentences, i.e. 45% of all convicted prisoners. These figures must be considered in the light of the changes in the types of offences involved.

Table 4.

Convicted prisoners: differential analysis according to sentence length

	January 1 1975 (1)	January 1 1995 (2)	(2)/(1)
All convicted prisoners	12,972	29,166	2.25
Sentences for lesser criminal offences			
Under 6 months	2,896	3,876	1.34
6 months to under 1 year	1,997	4,097	2.05
1 year to under 3 years	3,588	7,127	1.99
3 years to under 5 years	1,159	3,838	3.31
5 years and over	246	3,074	12.50
Sentences for serious criminal offences			
fixed sentences	2,755	5,658	2.05
life	185	496	2.68

Source: SEPT data base, field = metropolitan France

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**Structure according to type of offence committed:
a radical change**

The data presented in Table 5 shows to what extent the structure of the convicted prisoners has changed over the last twenty years in terms of type of offence committed. Indeed, this is the most obvious change to have taken place.

Table 5.

Convicted prisoners: structure according to type of principal offence

	% as on January 1		
	1975	1985	1995
All convicted prisoners	100.0	100.0	100.0
Drug related crimes	in	in	20.9
Theft	48.7	37.2	20.4
Rape and sexual offences	4.9	7.9	12.5
Intentional killing	9.1	11.0	10.0
Robbery	9.3	9.8	9.5
Assault	6.1	6.3	6.5
Breaches of immigration legislation	0.9	1.5	4.5
Fraud	3.2	2.8	2.4
Breaches of military regulations	2.0	1.7	1.8
Worthless cheques	1.6	1.9	0.8
Procuring	1.8	2.0	0.8
Others	10.6	15.5	7.9

in: no separate statistics, included in others

Source: SEPT data base, field = metropolitan France

In 1995, drug offenders (included in "other offences" before 1988, counted separately since then by the prison authorities) were top of the list of all prisoners in terms of frequency (21%). It should be noted that very few of them were in prison for simple possession. Then there are those who are in prison for theft, whose numbers have dropped from almost 50% of all prisoners to 20%. Here, too, the influence of alternative sentences is obvious ⁽¹⁾.

In addition to drug related offences, two other types of offences contributed to the prison population explosion: rape and sexual offences and breaches of immigration legislation. Were more offences committed, were more offences reported to the police, were the sentences handed down by the judges tougher? In order to answer these questions, let us examine some figures concerning rape.

⁽¹⁾ In 1984, the first year that community service was implemented, nearly 2/3 of those given a community service order had been found guilty of theft.

Table 6.
Rape – some statistics

	Recorded by the police	Clear up rate (%)	Number of suspected offenders	Convictions (1)	% of prison sentences of 10 years and more
1978	1,631	79	1,711	343	13
(2)					
1984	2,859	81	2,600	563	17
1985	2,823	82	2,558	618	23
1986	2,937	82	2,179	619	22
1987	3,196	86	2,548	574	21
1988	3,776	86	3,068	624	29
1989	4,342	85	3,604	677	36
1990	4,582	85	3,617	729	35
1991	5,068	83	3,940	913	33
1992	5,356	88	4,000	892	35
1993	5,605	82	3,984		

(1) Whole of France

Source: Ministry of the Interior, Ministry of Justice, field = metropolitan France

(2) no data available for 1979-1983

From 1978 to 1993 the number of rapes recorded by the police was multiplied by 3.4 ⁽¹⁾. At the same time, the number of suspected offenders was multiplied by 2.3. This lower increase, despite the better clear up rate, can be explained by the increase in the ratio between the number of cases solved and the number of suspected offenders, which went up from 0.75 to 1.27. This may be due to a relative drop in the number of gang rapes (one offence, several suspected offenders) and/or an increase in the number of multiple offences attributed to the same individual (one suspected offender, several offences).

The high deviation between the numbers of suspected offenders and the number of those convicted - which was relatively constant over the period

⁽¹⁾ It is impossible to know how many rapes were actually committed, whether or not they were reported. But it is reasonable to think that an unquantifiable part of this increase is due to the fact that more and more victims report the rapes to the police.

considered - can be explained by the fact that a certain number of suspects were eliminated during the investigations or had their cases dismissed during trial or were in fact charged with other offences instead of rape. Having said this, there were 2.6 times as many convictions for rape in 1992 as in 1978 and the sentences were heavier, the proportion of prison terms of 10 years and more rising from 13% to 35%.

Looking at Table 7, taken from the European Sourcebook of Crime and Criminal Justice Statistics of the Council of Europe, France is the most repressive of the countries studied in cases of rape ⁽¹⁾.

Table 7.
*European Sourcebook of Crime and Criminal Justice Statistics:
statistics on rape, 1990*

	(1)	(2)	(3)	(4)	(5)
England & Wales	3,391	6.7	94	48	7
France	4,582	8.1	95	81	8
Germany	5,112	8.0	59	12	20
Hungary	468	4.5	90	21	23
Ireland	89	2.5	...	56	12
Italy	687	1.2	...	5	59
Netherlands	1,330	8.9	82	4	80
Northern Ireland	125	7.9	92	55	0
Norway	398	9.4	96	15	72
Scotland	326	6.4	91	73	10
Sweden	1,410	16.0	95	7	56
Switzerland	428	6.2	68	15	26

Source: Council of Europe

⁽¹⁾ It should be noted that in the new criminal code, prison sentences for rape have been increased from 10 to 15 years.

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The question of remand

The number of remand prisoners has increased steadily since 1974 and by January 1985 had reached over 51% of all prisoners, making a total of 22,000, as opposed to 12,000 in 1974 (see Table 8). On January 1 1985 the July 1984 law introducing the right for an accused person to have a lawyer was implemented and at the same time the number of remand prisoners dropped, to stabilise at around 20,000. This is hardly a coincidence.

The proportion of cases where the accused has a lawyer to represent him or her and that do not lead to their being remanded in custody is very low (about 10%). The presence of a lawyer is therefore not in itself a factor in the drop in the number of remand prisoners. It is more likely that the complications introduced by the requirement of a lawyer being present have led to fewer cases being brought, in particular under the system whereby the accused is brought to trial immediately without committal proceedings. As a result of these two trends, there are currently fewer remand prisoners, relatively speaking, than in 1974, i.e. 38% as of June 1 1995 as opposed to 44% 20 years earlier.

The length of time prisoners spent on remand had gone up considerably between 1974 and 1985 (from 2.5 months to 3.9 months) and has now dropped slightly to stabilise at around 3.7 months (see Table 9). A similar trend can be observed concerning the number of remand prisoners.

Table 8.
Number of remand prisoners at January 1 each year

1974-1980		1981-1987		1988-1994	
Numbers		Numbers		Numbers	
1974	12,023	1981	17,313	1988	20,251
1975	12,889	1982	15,274	1989	19,526
1976	12,825	1983	17,643	1990	19,909
1977	13,065	1984	20,080	1991	19,047
1978	13,820	1985	22,060	1992	19,550
1979	14,167	1986	21,146	1993	20,101
1980	15,849	1987	21,411	1994	20,026
average	13,520	average	19,275	average	19,773

Source: SEPT data base, field = metropolitan France

Table 9.
Remand prisoner entry flow and length of remand (in months)

1974-1980			1981-1987			1988-1994		
	Entries	Length		Entries	Length		Entries	Length
1974	58,630	2.5	1981	64,478	3.0	1988	64,804	3.7
1975	65,143	2.4	1982	65,952	3.0	1989	64,027	3.7
1976	57,876	2.7	1983	72,541	3.1	1990	61,216	3.8
1977	60,183	2.7	1984	72,316	3.4	1991	66,034	3.5
1978	60,006	2.8	1985	66,332	3.9	1992	69,861	3.4
1979	63,404	2.8	1986	67,727	3.8	1993	62,098	3.9
1980	68,947	2.9	1987	65,181	3.8	1994	65,898	3.8
average	62,027	2.7	average	67,790	3.7	average	64,848	3.7

Source: SEPT data base, field = metropolitan France

The situation in France concerning remand prisoners is often represented as being exceptional in comparison with our European partners. But just how true is this image? Using the SPACE data base it has been possible to calcu-

late the rate of remand prisoners ⁽¹⁾ for 19 European countries as of September 1 1993. With a rate of 33.7 per 100,000 inhabitants, France has a median position. Nine countries have a higher rate of remand prisoners: former communist countries, Lithuania (105 per 100,000), Rumania (81), the Czech Republic (78), Poland (38) and also southern Europe, Italy (48), Portugal (42), Spain (34), Belgium and Luxembourg (35).

On the other hand, there are fewer remand prisoners in Austria, Bulgaria, Germany and Northern Ireland (31), Scotland (20), Sweden (14), Finland and Ireland (5) and Iceland (1).

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Foreign prisoners

So far the prison population has been presented in this paper as forming a sociological whole with no differences ⁽²⁾. There is, however, an important phenomenon that cannot be ignored even if it is difficult to interpret and runs the risk of being misused by xenophobic groups. It is the considerable increase in the number of foreign prisoners over the last few years, rising from 18% of all prisoners in 1975 to 29% in 1995. The same thing can be seen in other European countries with comparable immigration patterns. The breakdown of foreign prisoners in terms of nationality has also changed considerably; the proportion of those coming from black Africa ⁽³⁾ has risen from 4% in 1975 to 16% in 1985.

(1) Number of remand prisoners relative to the number of inhabitants at a given date (stock statistics).

(2) The quarterly statistics used for this analysis are greatly lacking in socio-demographic data. Other than gender, the only other variable given is nationality, but it is not cross-matched with other criminal characteristics. The recent introduction of the statistics taken from the national prison records (FND - Fichier national des détenus) is a great improvement and provides the following variables: gender, date of birth, nationality, marital status, level of education, employment status at time of imprisonment.

(3) Zaire, Senegal, Mali, Angola, Congo, Ivory Coast.

The research done by the CESDIP ⁽¹⁾ at the end of the eighties and recently updated is useful here. It is important, however, to draw a distinction between those foreigners who are in prison for breaches of immigration regulations (administrative matters) and the others (criminal matters). This distinction is possible using prison authority statistics since September 1983. Though the increase in France from 1984 to 1995 in the number of foreign prisoners was much greater than it was for French nationals (48% to 29%), this is entirely due to foreigners without residence or work permits. In fact their number increased by 180%! For the other foreigners the increase was 29% as for French prisoners ⁽²⁾.

The question of illegal immigrants aside, it is possible to show that the way the criminal justice system functions is unfavourable towards foreigners. Table 10 shows the most common offences and the proportion of unsuspended custodial sentences handed down to French and foreign offenders. For each type of offence, the proportion of unsuspended sentences handed down to foreign offenders is systematically higher, often twice as high: entering and residing in France without papers, possession and acquisition of drugs, illegal use of drugs, handling stolen goods, theft, criminal damage. It is hardly surprising therefore to find so many foreigners in the prison system ⁽³⁾.

(1) CESDIP - Centre for Sociological Research in Law and Penal Institutions.

(2) In 1994 there was a sharp drop in the number of foreigners detained for breaches of immigration legislation, but there is insufficient information from the police and the courts to be able to interpret this trend.

(3) The reference offence is the "principal offence", i.e. the first offence to be listed on the criminal record in the most serious category of offences. The type of punishment or sentence depends on whether or not any other "hidden" offences (category 2 or below) were committed. As for the offences taken as a whole, the proportion of single offences is 75%, which limits the distortion thus introduced. This proportion is no doubt lower for foreigners than for French nationals because of breaches of immigration legislation, but the deviation is certainly low (only 5,000 offences concerning illegal entry or residence are not single offences or category 1 offences).

Table 10.

*Sentences handed down in 1991 (defendant present at trial)
Percentage of unsuspended or partly suspended prison sentences
for the most common offences according to principal offence and nationality
(French and other)*

	French nationals		Foreigners	
	All	%	All	%
<i>All offences</i>	262,241	16.7	49,255	44.1
Illegal entry or residence of a foreigner	202	36.6	8,500	75.9
Robbery	4,369	57.3	1,176	63.5
Possession and acquisition of drugs	3,955	40.8	1,495	80.1
Burglary	13,046	36.7	1,780	48.5
Illegal use of drugs	3,687	23.3	795	55.8
Handling stolen goods	9,258	19.9	2,319	46.1
Theft	49,592	21.2	9,736	39.7
Assault with victim off work for ≤ 8 days aggravating circumstances	5,021	21.3	969	29.4
Criminal damage	5,333	12.8	761	23.7
Assault with victim off work for > 8 days aggravating circumstances	6,502	12.1	1,190	15.7
Obstructing a police officer	3,787	7.8	449	14.0
Issuing a worthless cheque	5,292	6.7	500	7.0
Drinking and driving	69,830	5.9	4,875	6.5
Abandoning one's family	4,190	5.4	327	6.4
Hit-and-run	5,519	4.1	571	5.6
Careless driving leading to injury	5,758	0.6	404	1.5

Source: Tournier, 1995e - field=whole of France

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70,000 prisoners in the year 2000?

In the newspaper *Témoignage chrétien* on March 18 1994 the then Garde des Sceaux (French Minister of Justice), M Pierre Méhaignerie, declared that "in line with a statistical model whose predictions have been accurate since 1981, there should be 70,000 prisoners in France ⁽¹⁾ at the beginning of the century". What should we think of such an assertion?

For obvious reasons, the prison authorities' estimated needs are high, so that projections have been calculated regularly since the beginning of the eighties. Based on a very simple "model", they are calculated from a linear extrapolation of past trends while allowing for seasonal adjustments (numbers on the first of each month). As the above quotation shows, it is often difficult to get those for whom the calculations are intended to understand the difference between projections and predictions. If we imagine it is January 1 1995, for example, the technique used gives a good estimate of the number of prisoners on the first day of each month for 1995 or 1996 - provided no "disruptive phenomena" occur which were not allowed for in the projection, such as an amnesty and/or a collective pardon, the scope and procedure of which can modify the prison population considerably. To illustrate this point, let us look at projections which were calculated in 1980. Depending on the different calculation modes, there were estimated to be 40,400 to 45,000 prisoners in French prisons (including overseas departments) on January 1 1982. The actual number was 31,500. And they say that this type of model has been accurate since 1981!

Finally, it should be remembered that during the last three seven-year presidential terms of office, the number of prisoners increased in absolute terms by + 11,850, + 10,400 and + 2,295 respectively.

⁽¹⁾ Although it was not specified, this figure covers the whole of France, overseas departments included. This gives a total prison population of 67,000 for mainland France, i.e. an increase of over 15,000 in five years.

Though these projections may not be capable of predicting the future they do show the numeric consequences of simple hypotheses: if the trend of the last few years continues, where are we heading? The word "if" is the operative word! It is also a good means to look at the current situation by putting the monthly statistics into perspective (allowing for seasonal adjustments), measuring the effects of new legislation and regulations, etc. Above all these calculations should encourage each and everyone to think about the means that will be necessary to reverse the trends that are problematic. In this way, all the factors described above that contribute to the prison population explosion make it necessary to look at the question of alternative sentences in a new light. The question of alternatives to short prison sentences remains topical, of course, but shouldn't the question be extended to find alternatives to long prison sentences?

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Alternatives to long prison sentences?

The expression is seldom used, and understandably so in a period of economic and social crisis when public opinion is less than tolerant and finds it difficult to accept the idea of leniency. The expression "alternatives to long prison sentences" can cover a variety of very different measures, ranging from changes to the laws laying down punishments to the way they are enforced and including the attitudes of the judiciary.

A reduction in the scale of sentences is hardly possible, for obvious reasons. The latest legal measure, the introduction of "real life sentences" shows this only too well. One might imagine that the critical situation in prisons would encourage the judges to be more lenient, as is no doubt sometimes the case. But it is unlikely that a truly independent court would worry about the prison population when called upon to make judgement on someone.

Nevertheless it would perhaps be useful to inform both judges and citizens (potential members of the jury ⁽¹⁾) about the state of the prisons. The final possibility would be to tailor punishments to the individual. The most promising aspect, at least in theory since it affects length of detention, is that of release on licence. Unfortunately, since the law of 1972 fewer and fewer prisoners have been released on licence (RL), be it by the juge de l'application des peines (sentencing judge) or the Garde des Sceaux (Minister of Justice), see Table 11. If the trend observed over the last twenty years continues, this possibility, which is more than a hundred years old, will in fact disappear ⁽²⁾.

Table 11
*Frequency of prisoners being released on licence
since the December 29 1972 law*

Decision of the judge (1)	1973	1983	1993
% of acceptances calculated relative to the number of prisoners who meet the requirements	29.3	19.9	10.2
Decision of the Minister of Justice	1976	1983	1991
% of applications transmitted to the authorities (la Chancellerie) calculated relative to the number of prisoners who meet the requirements	43.3	28.9	19.3
% of acceptances calculated relative to the number of proposals examined by the consultative committee	55.1	52.1	51.2
% of acceptances calculated relative to the number of prisoners who meet the requirements	21.0	13.2	7.8

(1) before 1993 the judge decided for terms of 3 years and under, since 1993 for terms of 5 years and under.

source: Tournier, 1995c

- (1) In France the jury decides on both the guilt or innocence of the defendant and the sentence, in the case of a guilty verdict.
- (2) Fifteen states of the United States and the federal government abolished the possibility of being released on licence in the period 1975-1995. (Normandeu A., *Un panorama des politiques et des pratiques de la nouvelle pénologie made in America*, in Prison : sortir avant terme, Travaux de l'Institut des sciences criminelles de Poitiers, n°15, Ed. Cujas, 1996, 11-54.)

Releasing a prisoner on licence obviously means taking a risk that he/she will re-offend. In order to reduce this risk it would be desirable to introduce appropriate support measures within the prison (for certain sexual offenders, violent offenders or drug addicts serving long sentences for drug dealing, for example) and also, afterwards, to set up suitable supervision schemes to help them readapt to life outside. These two conditions are necessary if they are to be accepted both by those who mete out punishment and those in whose name they mete it out.

The Cartier Commission, set up by M. Pierre Méhaignerie on December 1 1993 to study ways of preventing recidivism, put forward a number of proposals along the same lines. In the report ⁽¹⁾ to the Minister of Justice on October 26 1994, early release is clearly presented as a "means to prevent recidivism". These proposals are currently being studied at the Chancellor's Office (Chancellerie). In July 1994 the Parliament put forward a "pluri-annual programme for justice " (PPJ). It is interesting to note that the majority of French deputies refused the only proposal put forward by the Minister of Justice (Garde des Sceaux) concerning the extension of release on licence: "that release on licence may be granted at the time of sentencing for all prison terms of less than one year". At the very same time a new collective pardon was proclaimed.

⁽¹⁾ Professor Cartier presented the report in detail in May 1995 during the day seminar organised by the Institute for Criminal Science at Poitiers on "Prison - early release", (Cartier M.E. *Les propositions de la commission d'étude pour la prévention de la récidive*.in Prison : sortir avant terme, Travaux de l'Institut des sciences criminelles de Poitiers, n°15, Ed. Cujas, 1996, 99-121.)

– B –

Back to prison

And what if, one day or one night, a demon were to slip into your supreme solitude and were to say to you 'the existence that you are leading and that you have led till now, well you will have to start all over again and again endlessly, with nothing new, on the contrary!'

Nietzsche, Gay Knowing

Overview of research on recidivism

Before examining the results of the latest research into recidivism, it is necessary to put it into the general context of all the work done on the same question since the beginning of the eighties.

- The first survey was carried out in 1981 at the request of the Minister of Justice in preparation for the debate on the abolition of capital punishment. It covered the cohort of those who had been sentenced to death and reprieved, and those serving a life sentence, who had been released between January 1 1961 and December 31 1980. The survey was not particularly about "recidivism" but more about the actual length of time served in prison. At a later stage of the research the criminal records were studied (end of 1981).

As far as the those who had been sentenced to death and reprieved were concerned, the "back to prison" rate was 4% (observation period from 6-20 years). For "lifers" the rate was 7% (8% for the cohort of those released between 1961 and 1974, for the observation period to be more significant). In 8 cases out of 10, the new offence was an either-way offence.

- A new enquiry was carried out at the request of the Head of the Prison Service and included a broader range of people: those serving prison terms of 3 years and more, released in 1973. These results have often been quoted in the press or elsewhere, sometimes forgetting that they only concerned "long sentences". The criminal records were examined at the beginning of 1981. The future of the prisoners in question was therefore studied over a period of between 7 and 8 years. For the whole of the cohort, the "return" rate was 43%.

- Having an exhaustive data base at our disposal, we decided it would be a good idea to study the deviation between the sentences handed down and the time actually spent in prison. We studied the mechanisms which

explained these deviations (release on licence, remission of sentence). We also showed that there was a correlation between this deviation and the frequency of recidivism. For the same length of sentence, the longer the actual period spent in prison, the more frequent the recidivism.

Once the research department at the Ministry of Justice had been restructured, the newly set up CESDIP and the SCERI undertook a new programme of research into "recidivism" at the request of the Research Council.

- An inventory was taken of all the surveys into recidivism that had been carried out since 1980 in the different member countries of the Council of Europe. The aim was to specify the different parameters that could be used to characterise the different research: type of populations studied, criteria of recidivism, observation periods. The possibility of making international comparisons was considered but it seems highly unlikely.

- The CESDIP and the SCERI began new research concerning, as we shall see below, those sentenced to a prison term of 3 years or more and released in 1982.

- To begin with, we reiterated the analysis performed on the previous investigation, thus highlighting a reduction over time in the return to prison rate within 4 years of release: 34% as opposed to 39%.
- We then introduced an innovation with a new complex procedure which scanned the whole of the criminal record. This enabled us to answer some of the questions raised by the CARTIER Commission.

- In parallel with the work on the cohorts of released prisoners sentenced to long prison terms, at the end of the eighties the CESDIP chose a new approach to the question of the "judicial career" of former prisoners. This was done after research into short prison sentences based on the follow-up of a cohort of prisoners who had entered prison in 1983. This follow-up was extended after release to the study of the criminal records (records that had been collected just before the 1988 amnesty). This analysis took the following into account:

a. Contents of the criminal record before imprisonment in February 1983: analysis of the profile of a cohort of new prisoners in terms of previous convictions.

b. Contents of the criminal record after release: 1. analysis of cases dismissed of prisoners who were released before trial - as the result of an order for release -, 2. study of the whole cohort to see if, after release, there were any new convictions.

- This research was the first opportunity to consider the problem of the "judicial future" of former prisoners in global terms, especially as there were no limits to the length of initial sentence.
- The data produced so far only concerns the sub-cohort of juveniles imprisoned in February 1983. 90% of them were released within five months. The criminal records were examined as of July 1 1988, i.e. about five years after release.

Globally, the "rate of new offences leading to a term of imprisonment" (all types of offences) is 77%. If there was already a conviction prior to the February 1983 imprisonment, the rate is 91% (as opposed to 63% otherwise). The rate is 97% when there is a conviction prior to the unsuspended sentence (as opposed to 73% otherwise). The majority of new offences were committed less than six months after release.

If just the new offences leading to an unsuspended custodial sentence are taken, the rate of new offences is 60%.

It should be observed that the expression "recidivism rate" would be even less appropriate in the present case than in the three studies presented above, as a not inconsiderable number of juveniles who were followed up were not convicted of the offence for which they had been imprisoned in February 1983.

The conclusion of this document will consider the state of the above and all related research at the beginning of 1997. Let us now turn to the analysis of the cohort of those who were sentenced to at least three years in prison and who were released in 1982. To be more precise, let us now examine the second part (synchronic analysis) of the research carried out on this cohort.

The main aim of the first part of the research (diachronic analysis) was to update the data of the previous national study on recidivism, carried out in 1981 and focusing in particular on the frequency of return to prison of those prisoners who had been released in 1973 and who had originally been sentenced to a term of at least three years in prison. The approach was basically diachronic: what methods were used and what were the conclusions?

Step 1. Diachronic analysis

Having chosen a representative sample of the population under consideration, their criminal records on June 15 1988, i.e. six years after they had been released, were analysed. Because of the time that elapses between the commission of the crime and the trial itself, and between conviction and sentencing and the fact that this is put on the criminal record, it was impossible to take all the more recent incidents into account. For this reason the research covers in fact the four-year period after release.

Examination of the 1,016 criminal records ⁽¹⁾ of the sample showed that in 348 cases a new offence had been committed and had led to a new term of imprisonment, giving a "return rate" of 34.3% within four years of release. The return rate after four years for the cohort who had been released in 1973 was 39.0%. The 1982 rate is therefore 4.7 points lower than that of 1973, i.e. a relative drop of 12%.

A direct comparison of the global rates must however take into account as far as possible structural differences between the two cohorts. An in-depth analysis of the main structural effects ⁽²⁾ has given the following result: although the structural effects can certainly go some way to explain the drop in the return rate between 1973 and 1982, they do not account entirely for this drop.

Moreover, sentencing practice and enforcement were very different for the two cohorts. In the 1973 group, 2/3 had been released on licence, whereas only 1/3 had benefited from this measure in the second group. But at the same time there was a drop in the ration (Ro) ⁽³⁾ of the actual time spent in prison, which fell on average from 78% to 68%. Deviation around the mean has also dropped significantly. Diachronic analysis shows that these changes were not accompanied by an increase in the return rate of those sentenced to a term of at least three years in prison.

Step 2. Synchronic analysis

This step only concerns the 1982 cohort, and it was thus possible to eliminate certain choices that had been made previously for reasons of comparison with earlier research. The first part of the analysis covers all 1,157 records of the sample, and considers all new convictions, whether or not they have given rise to prison sentences.

⁽¹⁾ For this first step, the 141 records of foreigners who had been expelled were deducted from a total of 1,157 records, in order to obtain data that would be comparable to that used in the study of prisoners released in 1973.

⁽²⁾ According to age on release, the seriousness of the offence (either-way / indictable offences) and number of previous convictions.

⁽³⁾ $Ro = T/Q$ where Q is the quantum (length of unsuspended sentence handed down by the court) and T the time actually spent in prison.

The study no longer focuses on return to prison but shifts to look at the judicial career of released prisoners. What is important is the type of offence newly committed, the new sentence and, in addition, the time that elapses between release and the commission of the new offence.

Encouraged by the Commission for the Study of Recidivism in the case of Serious Offenders, chaired by Madame Marie-Elisabeth Cartier ⁽¹⁾, the second part of the analysis looked particularly at the type of original offence, i.e. that which had led to the term of imprisonment that had ended in 1982, when processing the statistics. The group was therefore divided into seven sub-cohorts based on the original offence: petty theft, serious theft, assault, indecent assault, rape, intentional killing and drug trafficking.

This variable, the "original offence", turned out to be the most significant when looking at the judicial career of released prisoners. It is therefore regrettable that earlier work on recidivism had not considered this factor sufficiently and had often merely noted the distinction between either-way offences and indictable offences.

So, in more ways than one, the analysis that follows may considerably modify our knowledge in a field that is often the subject of ideological debate such as that observed during the discussions about "life sentences that really mean life".

⁽¹⁾ During the meeting of January 7 1994, the Cartier Commission requested access to the information about what happened to sexual offenders who had been studied in our sample with respect to the law.

- I -

Global data

The way in which the representative sample of all prisoners who had originally been sentenced to a term of at least three years in prison and who had been released in 1982 was selected will not be discussed here. It has already been described in detail in the previous report and can be referred to. Suffice to say that using a stratified sampling method, 1,157 records were selected and analysed out of a total of 2,654.

1. Presentation of the population studied

Appendix 1 contains the main socio-demographic and criminal characteristics of the cohort under consideration ⁽¹⁾. For reasons of representativity, the sample includes very few women (33 released, i.e. 3% of the cohort). It is therefore impossible to carry out a differential analysis in terms of gender. It will be considered that a rate is not significant if the number of released prisoners from which it is calculated is less than 20.

⁽¹⁾ For reasons of clarity, the term "cohort" or "population" will be used instead of "representative sample of the cohort".

In the first step of the study, those foreigners who had been expelled from France, had been refused the right ever to set foot on French soil again, or who were escorted to the border were excluded, for the simple reason that the criminal record would not be sufficient to follow the "judicial career" of these persons. This decision was taken for the purpose of comparison but was debatable, as some of the foreigners could well have returned to France during the observation period and committed new offences. In this second step, the whole of the sample is included, under three headings: French nationals (79%), foreigners who had not been expelled (9%) and foreigners who had been expelled (12%).

The mean age of the cohort, at the time of release, is 32. Two thirds of them are between 25 and 40 years of age. It is therefore impossible to make an in-depth analysis of the youngest (8 are under 20 years old) and the oldest (85 are over 50 years old).

The vast majority of prisoners had no previous record (68%). It should be remembered that the study covers unsuspended prison sentences that were handed down before the commission of offences leading to the standard prison sentence (ending in 1982). The same selection criteria were taken as those used for the 1973 cohort but excluding those sentences that were running concurrently with a longer sentence, those sentences that were crushed on appeal and prison sentences for fine and costs defaulters. Totally suspended sentences were taken into account if the suspension was revoked before the commission of offences leading to the standard prison sentence (ending in 1982).

This retrospective analysis is necessarily distorted by the existence of laws of amnesty, especially that of August 4 1981. This amnesty covered offences committed before May 22 1981 leading to a maximum prison sentence of 6 months.

The original offence, the one that led to the term of imprisonment which ended in 1982, is most of the time a serious crime (indictable offence, 57%). The most common offences are theft (either-way offences, 27%), theft (indictable offence, 19%), murder (10%), rape (8%), drug trafficking (8%), less serious assaults (either-way offences, 6%), indecent assault (3%), more serious assaults (indictable offence, 3%).

46% of the prisoners of the cohort were originally sentenced to a prison term of from 3 to under 5 years, 40% to a prison term of from 5 to under 10 years and 14% to a prison term of 10 years or more. As already mentioned above, only 1/3 were released on licence.

2. New offence: frequency and characteristics

Examination of criminal records over a period of four years after release gives the following results:

Table 12
Rate of new offences leading to conviction
within four years of release

	Numbers	%
All released prisoners	1,157	100.0
No new offence	582	50.3
At least one new offence	575	49.7

In about 50% of the cases, at least one new offence had been committed within four years of release and had been punished by a sentence that had been registered in the criminal record before June 15 1988. This will be known as the new offences rate. Conversely, 50% of the records contain no new offence, however petty or serious (*contravention de 5e classe*, either-way offences, indictable offences).

The expression recidivism rate, which seems to refer to the juridical notion of legal recidivism, will not be used here. Similarly, the term reiteration rate will be avoided, as it seems to suggest that the new offence is of the same type as the original one (reiterate = re-begin). What is important is that all new offences are taken into account, even if they are incomparably less serious than the original offence - punished by a term of at least three years in prison. The new offences included the following:

- issuing a worthless cheque

- travelling without a regular ticket on the French railways
- out of date vehicle licence papers subsequent to change of ownership
- fuel fraud.

To talk of these offences in terms of recidivism or even reiteration when the original offence was one of murder, rape or assault would be very misleading. The new offences rate is therefore a very global one and we shall see later on in this paper how to analyse the judicial career of the released prisoners.

When a criminal record contains at least one new offence, the first one is taken (first date) and the characteristics are given ⁽¹⁾ :

- time lapse between release and the new offence (Table 2)
- type of new offence (Table 3)
- type of new sentence (Table 4)
- quantum (sentence length) in the case of an unsuspended prison sentence (Table 5)

The average time lapse between release and the commission of the new offence is one year and one month. The distribution of new offences is concentrated around the first few months: in more than one case out of three, the offence is committed less than six months after release.

The new offences can be divided into three groups: indictable offences (3%), either-way offences (90%) and very minor category 5 offences (*contraventions*, 7%). These new offences are globally less serious than the original offences (57% crimes, 43% either-way offences). The new either-way offences are mainly cases of theft (31% of all new offences), breaches of the highway code and related documents (14%), worthless cheques (7%), assault (5%) and handling stolen goods (5%).

Most of these offences - 56% - give rise to unsuspended (or sometimes partly suspended) terms of imprisonment.

In nearly two cases out of three, the unsuspended sentence is less than one year, sentences of at least three years being relatively rare (19%). There was one life sentence.

(1) For convenience sake, the first new offence will be called the "new offence, and the term "new sentence" will be used to designate the sentence pertaining to the new offence.

Table 13.
Time lapse between release and the new offence

	Numbers	%	Cumulative %
All (at least one new offence)	575	100.0	
Under 6 months	218	37.9	37.9
6 months to under a year	131	22.8	60.7
One year to under 2 years	119	20.7	81.4
2 years to under 3 years	72	12.5	93.9
3 years to under 4 years	35	6.1	100.0

Average time lapse, one year and one month

Table 14.
Type of new offence (see appendix for definitions)

	Numbers	%			
<i>All new offences</i>	575	100.0	•Fraud	66	11.5
<i>Indictable offences</i>	17	3.0	Breach of trust	21	
•Offences against the person	7	1.2	Worthless cheques	40	
Sexual offences	3		Swindling	5	
Manslaughter, murder, parricide	4		•Criminal damage	7	1.2
•Theft-Handling stolen goods	10	1.8	•Road traffic offences	100	17.4
Theft	10		Documents	81	
<i>Either-way offences</i>	516	89.7	Drinking and driving	15	
•Offences against the person	94	16.3	Other	4	
Unintentional assault	9		•Public order breaches	30	5.2
Family	3		Weapons	12	
Threatening behaviour	1		Hunting	1	
Assault	28		Other	17	
Drug offences	20		•Financial, economic and social offences	3	0.5
Sexual offences	22		<i>Minor offences (1)</i>	42	7.3
Other offences against the person	11		•Offences against the person	19	3.3
•Theft-Handling stolen goods	216	37.6	Unintentional assault	5	
Theft	176		Assault	14	
Robbery	13		•Fraud	21	3.7
Handling stolen goods	27		Travelling without a regular ticket	21	
			•Road traffic offences	2	0.3
			Documents	1	
			Other	1	

(1) Category 5 contraventions

Table 15.
Type of new sentence

	Numbers	%
All	575	100.0
Unuspended prison sentence (1)	323	56.2
Suspended prison sentence	40	7.0
Non-custodial sentence	18	3.1
Fine	190	33.0
Probation and supervision order	1	0.2
Discharge	3	0.5

(1) Unuspended or partly suspended

Table 16.
Unuspended sentence (quantum) in the case of a prison sentence

	Numbers	%	Cumulative %
All	323	100.0	
Under 3 months	61	18.9	18.9
3 months to under 6 months	54	16.7	35.6
6 months to under a year	71	22.0	57.6
One year to under 2 years	54	16.7	74.3
2 years to under 3 years	22	6.8	81.1
3 years to under 5 years	31	9.6	90.7
5 years to 18 years	29	9.0	99.7
Life	1	0.3	100.0

These different elements can be summarised in terms of frequency relative to the total number of released prisoners as follows:

	Numbers	%
All released prisoners	1,157	100.0
At least one new offence within four years	575	49.7
New offence - Either-way or indictable offences	533	46.1
New offence - leading to unuspended prison sentence	323	27.9
New offence - prison sentence of at least three years	61	5.3

It should be remembered that only the first new offence to be found in the criminal record is taken into account, regardless of any further offences that may have been registered.

Table 6 shows the type of sentence with respect to the type of new offence committed. The indicator chosen is the proportion of unsuspended or partly suspended prison sentences.

Table 17.

*Type of new offence and sentence:
% of unsuspended or partly suspended prison sentence*

	New offences	Unsuspended sentence Number	%
All new offences	575	323	56.2
Indictable offences	17	17	100.0
Either-way offences	516	301	58.3
Offences against the person	94	62	66.0
Theft-Handling stolen goods	216	180	83.3
Fraud	66	27	40.9
Criminal damage	7	5	...
Road traffic offences	100	11	11.0
Public order breaches	30	14	46.7
Financial, economic and social offences	3	2	...
Minor offences (1)	42	5	11.9

(1) Category 5 contraventions

(...) Insignificant rate (number of released prisoners under 20)

3. New offences rate: differential analysis

The new offences rate calculated above on the whole of the cohort (49.7% within four years of release) may cover a wide variety of situations depending on the socio-demographic and criminal characteristics of those released.

The variables that were used in this differential analysis are as follows: gender, nationality, marital status, age at the time of release, previous convictions, type of original offence, quantum (length) of initial sentence, mode of release and proportion of the sentence actually served. The specific rates are given in Tables 7 and 8 and are to be read as follows: example, the cohort includes 915 French nationals, 505 of whom are involved in a new offence, i.e. a new offence rate of $505/915=55.2\%$.

Table 18.

*Rate of new offences committed within four years of release
and leading to punishment (based on demographic variables)*

	Number of released prisoners	New offences	New offences rate %
The whole cohort	1,157	575	49.7
Gender			
Male	1,124	572	50.9
Female	33	3	9.1
Nationality			
French	915	505	55.2
Foreign + expulsion	101	41	40.6
Foreign, no expulsion	141	29	20.6
Marital status			
Single	684	378	55.3
Married	315	121	38.4
Separated, divorced, widowed	158	76	48.1
Age at time of release			
Under 25	158	99	62.7
25-29	314	176	56.1
30-39	444	211	47.5
40-49	156	63	40.4
50 and over	85	26	30.6

Two variables have not been taken into account: gender and nationality. The new offences rate is far lower for women than for men (9% as opposed to 51%) but the cohort includes very few women. The "foreigners, no expulsion" group is very small and has a lower rate than the French (41% as opposed to 55%). The "foreigners plus expulsion" group cannot be directly compared, for the obvious reason that those individuals who did not return to France were unable to commit another offence there. Consequently, the rate seems particularly high (21%).

Of the seven remaining variables, it is the type of offence that gives the greatest deviation, with a 72.3% rate for theft (either-way offences) and a 13.7% rate for drug trafficking, i.e. a deviation of 59 points.

The second variable is that of the number of previous convictions. When there are no previous convictions the rate is 39.8% as opposed to 75.5% with at least two, giving a deviation of 39 points. Then come the variables age on release, original sentence, marital status, mode of release and the ratio of sentence actually served. It might seem surprising to see the small deviation between the rate of releases on licence and that of prisoners who have served their full sentence (40% and 54% respectively). Research into return to prison had shown up much greater differences and the point is worth reconsidering in the light of what follows.

From these observations it would seem relevant to take the type of original offence as a major variable in the rest of the analysis and to study seven resulting sub-cohorts.

Table 10.
The sub-cohorts studied

Original offence	Number of released prisoners	New offences	New offence rate
1. Theft (<i>either-way offence</i>)	220	159	72%
2. Theft (<i>indictable offence</i>)	312	184	59%
3. Assault	101	52	51%
4. Rape	96	37	38%
5. Intentional killing	121	39	32%
6. Indecent assault	35	11	31%
7. Drug trafficking	95	13	14%

- II -

Sub-cohorts defined according to original offence

The cohort will now be analysed in terms of seven sub-cohorts, which is a new approach worthy of being underlined. What is important here is the homogeneity of the groups which is guaranteed through the fact that they have been defined through the original offence, thus enabling a major structural distortion to be removed. It should be remembered that the study is limited to the first offence to be committed within a period of four years after release.

The statistics of each sub-cohort are analysed in the same way, beginning with the structure of the population considered. This is essential in order to know exactly who the people are, and this will be shown caricaturally in the study of the "drug traffickers" sub-cohort.

The rate of new offences committed within four years of release and leading to a sentence is mentioned, followed by details of the original offence: time that has elapsed between release and the new offence, and type of new offence.

The studied concludes by a differential analysis of the new offences rate according to the different variables that are available. The tables containing the structure of each sub-cohort are given in Appendix 3.

1. Those convicted of theft (either-way offences)

They are younger than the other prisoners of the cohort (53% are under 30 as opposed to 41% in the whole of the cohort) and are consequently more often single (71% as opposed to 59%). They have a criminal past: the majority have already been sentenced to a term in prison (this appears in their criminal record), while one out of three have two or more serious previous convictions. They have mostly been sentenced to terms of between three and under five years, but longer sentences are not uncommon. This can be explained by the fact that they may have been sentenced for more than one offence, in which case the figure used for statistical purposes is the sum of all the sentences. Given all of this, it is hardly surprising that the number of those released on licence is low (25%). Paradoxically, however, the percentage of sentence actually served is similar to that of the whole of the cohort.

As we have seen above, the new offences rate for this sub-cohort is extremely high, above 72% (see Table 11). The average time that elapses between release and the commission of the new offence is 10 months, 70% of new offences being committed less than a year after release (see Table 12).

The vast majority of new offences are either-way offences, including theft (55%), road traffic offences (18%) and minor fraud (9%).

Table 21.

Original offence = theft (either-way offence): rate of new offences leading to a term of imprisonment within four years of release

	Numbers	%
All released prisoners	220	100.0
No new offence	61	27.7
At least one new offence	159	72.3

Table 22.

Original offence = theft (either-way offences): time elapsed between release and commission of new offence

	Numbers	%	Cumulate %
Under 6 months	72	45.3	45.3
6 months to under a year	38	23.9	69.2
A year to under 2 years	30	18.9	88.1
2 years to under 3 years	15	9.4	97.5
3 years to under 4 years	4	2.5	100.0
All	159	100.0	

Average time = 10 months

Table 23.

Original offence = theft (either-way offences): type of new offence

	Numbers	%		
			Robbery	4
			Handling stolen goods	8
All new offences	159	100.0	•Fraud	15 9.4
			Breach of trust	4
Indictable offences	3	1.9	Worthless cheques	10
			Swindling	1
•Offences against the person	1	0.6	•Criminal damage	2 1.3
Manslaughter, murder, parricide	1		•Road traffic offences	28 17.6
•Theft-Handling stolen goods	2	1.3	Documents	25
Theft	2		Drinking and driving	1
			Other	2
Either-way offences	149	93.7	•Public order breaches	4 2.5
			Weapons	3
•Offences against the person	13	8.2	Other	1
Unintentional assault	1		Minor offences (1)	7 4.4
Family	3			
Threatening behaviour	1		•Offences against the person	2 1.3
Assault	4		Assault	2
Drug offences	2		•Fraud	5 3.1
Sexual offences	1		Travelling without a regular ticket	5
Other offences against the person	5			
•Theft-Handling stolen goods	87	54.7		
Theft	75			

(1) Category 5 contraventions

Differential analysis of the new offences rate

Table 14 shows the variations in the new offences rate according to 7 demographic or criminal variables. What conclusions can be drawn for each of them which allow not only for deviations but also for the numbers used as denominators for the rates?

- Nationality: numbers are few but it should be noted that the rate of "foreigners who are not expelled" is considerably lower than that of French nationals. On the other side, the number of "foreigners with expulsion" is high.
- Marital status: this variable is globally not discriminatory.
- Age at time of release: no simple correlation.
- Previous convictions: noticeable difference between those with no previous convictions (59%) and the others (83%), i.e. a deviation of 24 points.
- Length of sentence: the rate varies inversely with the length - 13 points deviation between "3-5 years" and "5 years and over".
- Mode of release: the rate is naturally lower for those who were released on licence, with a deviation of 11 points.
- Ratio of sentence actually served: no simple correlation.

Relative to the whole of the cohort, here the deviations are smaller. This is perfectly logical since the population is more homogeneous with respect to a variable which has turned out to be the most discriminatory (original offence). In addition, a clear correlation, such as age, with the whole of the cohort has virtually disappeared.

In the light of these results, the rest of the analysis will use the three variables "previous convictions", "length of sentence" and "mode of release". These variables are not statistically independent and, in particular, release on licence depends on previous convictions. Here too the variables will be cross-matched. The results of the elementary multivariable analysis are given in Table 15.

Table 24.
Original offence = theft (either-way offences): rate of new offences leading to a term of imprisonment (offences committed within four years of release)
differential analysis

	Number of released prisoners	New offences	New offences rate (%)
<i>The whole cohort</i>	220	159	72.3
Nationality			
French	186	144	77.4
Foreign, no expulsion	18	9	(50.0)
Foreign + expulsion	16	6	(37.5)
Marital status			
Single	156	113	72.4
Married	37	25	67.6
Separated, divorced, widowed	27	21	77.8
Age at time of release			
Under 25	44	29	65.9
25-29	72	59	81.9
30-39	71	48	67.6
40 and over	3	23	69.7
Previous convictions			
0 conviction	98	58	59.2
1 conviction	41	35	85.4
2 or more convictions	81	66	81.5
Quantum (length) of original prison sentence			
3 years to under 5 years	170	128	75.3
5 years and over	50	31	62.0
Mode of release			
Served full sentence (FS)	164	123	75.0
Released on licence (RL)	56	36	64.3
Ratio of sentence served in custody (Ro)			
Less than 60%	46	32	69.6
60% to under 70%	73	49	67.1
70% and over	101	78	77.2

() : Insignificant rate, number of released prisoners under 20.

Table 25.

Original offence = theft (either-way offences): rate of new offences leading to a term of imprisonment (offences committed within four years of release) according to number of previous convictions, the length of sentence and mode of release

Previous conviction	Length (quantum)	release	Number of released prisoners		New offences rate (%)
0	3-5 yrs	FS	54	38	70.4
0	3-5 yrs	RL	25	11	44.0
0	5 yrs and over	FS	13	8	(61.5)
0	5 yrs and over	RL	6	1	(6.7)
1 or more	3-5 yrs	FS	68	57	83.8
1 or more	3-5 yrs	RL	23	22	95.6
1 or more	5 yrs and over	FS	29	20	69.0
1 or more	5 yrs and over	RL	2	2	(100.0)
All			220	159	72.3

() : Insignificant rate, number of released prisoners under 20.

FS : served full sentence

RL : released on licence.

From this table it is possible to try and build an empirically defined typology through elimination and classification of the value of the rates.

Typology of the theft (either-way offences) sub-cohort

The group of those sentenced to a prison term of 5 years and more is to be considered separately. A priori they were not sentenced only for a less serious offence of theft (either-way offences) and cannot therefore be compared directly with the other individuals of the sub-cohort. Most of them have at least one previous conviction, leave prison after having served their full sentence and have a lower new offences rate than the sub-cohort (62%).

If the analysis is confined to the categories of Table 25 where the numbers are 20 or more, a typology of three groups is possible (for the 3-5 years group):

- Group A is characterised by the existence of a criminal record. Whether they leave prison after having served their full sentence or are released on licence, the new offences rate is greater than 80%. In the case of those released on licence (RL), the rate is a record high of 96%.
- Group B prisoners have no previous convictions and yet leave prison after having served their full sentence. The rate is still very high at 70%.
- Group C is similar to Group B except that the prisoners are released on licence. The rate is much lower at 44%.

Table 26.

Typology of theft (either-way offences)

	Previous conviction	release	Number of released prisoners	New offences rate (%)
Group A	1 or more	RL	23	95.6
		FS	68	83.8
Group B	0	FS	54	70.4
Group C	0	RL	25	44.0

FS : served full sentence

RL : released on licence.

2. Those convicted of theft (indictable offence)

Almost all of these prisoners are male, with a small percentage of foreigners (10%). They are younger, at the time of release, than the whole of the cohort and the vast majority are sentenced to terms of 5-10 years (56%). There are no other structural distinguishing features.

The rate of new offences committed within four years of being released and leading to a term of imprisonment is 59%. On average, the time between release and the commission of the new offence is 13 months. Nearly 60% of new offences are committed within a year of release.

Very few (4%) of these new offences are indictable offences (see Table 29), though the seriousness of subsequent offences, if any, must be examined and this will be done later. If just the first new offence is considered, it is less serious.

Table 27.

Original offence = theft (indictable offence): rate of new offences leading to a term of imprisonment within four years of release

	Numbers	%
All released prisoners	312	100.0
No new offence	128	41.0
At least one new offence	184	59.0

Table 28.

Original offence = theft (indictable offence): time elapsed between release and commission of new offence

	Numbers	%	Cumulate %
Under 6 months	59	32.1	32.1
6 months to under a year	49	26.6	58.7
A year to under 2 years	43	23.4	82.1
2 years to under 3 years	23	12.5	94.6
3 years to under 4 years	10	5.4	100.0
All	184	100.0	

average time = 13 months

Table 29.

Original offence = theft (indictable offence): type of new offence

	Numbers	%			
			•Fraud	22	12.0
			Breach of trust	6	
			Worthless cheques	15	
			Swindling	1	
<i>All new offences</i>	184	100.0	•Road traffic offences	32	17.3
			Documents	29	
<i>Indictable offences</i>	7	3.8	Drinking and driving	3	
			•Public order breaches	6	3.3
•Offences against the person	1	0.5	Weapons	3	
Manslaughter, murder, parricide	1		Hunting	1	
•Theft-Handling stolen goods	6	3.3	Other	2	
Theft	6				
			<i>Minor offences (1)</i>	20	10.9
<i>Either-way offences</i>	157	85.3			
			•Offences against the person	29	15.8
•Offences against the person	29	15.8	Unintentional assault	3	
Unintentional assault	3		Family	2	
Family	2		Assault	7	
Assault	7		Drug offences	10	
Drug offences	10		Sexual offences	3	
Sexual offences	3		Other offences against the person	4	
Other offences against the person	4		•Theft-Handling stolen goods	68	36.9
•Theft-Handling stolen goods	68	36.9	Theft	54	
Theft	54		Robbery	7	
Robbery	7		Handling stolen goods	7	
Handling stolen goods	7				
			•Fraud	7	3.8
			Travelling without a regular ticket	7	
			•Road traffic offences	2	1.1
			Documents	1	
			Other	1	

(1) Category 5 contraventions

Differential analysis of the new offences rate

The information contained in Table 30 can be examined to see the effect of different variables on the new offences rate.

- Age at time of release: the older the prisoner, the lower the new offences rate. However, 2/3 of the sub-cohort fall within the 35-39 age range, so this variable is not useful.
- Previous convictions: there is a strong positive correlation between the number of previous convictions and the rate of new offences, with a deviation of 15.5 points between the two extremes.

- Length of sentence: the rate is 5 points lower for those sentenced to a prison term of 10 years or more.
- Mode of release: once again, those who are released on licence have a lower rate than those who served their full sentence, with a deviation of 15.3 points.
- Ratio of sentence actually served: no clear variations.

As a result of the above, the three variables "previous convictions", "length of sentence" and "mode of release" were used to build a typology (see Table 31).

Table 30.

Original offence = theft (indictable offence): rate of new offences leading to a term of imprisonment (offences committed within four years of release)/differential analysis

	Number of released prisoners	New offences	New offences rate (%)
<i>The whole cohort</i>	312	184	59.0
Nationality			
French	280	166	59.3
Foreign, no expulsion	24	15	62.5
Foreign + expulsion	8	3	(37.5)
Marital status			
Single	197	126	64.0
Married	78	38	48.7
Separated, divorced, widowed	37	20	54.1
Age at time of release			
Under 25	63	41	65.1
25-29	100	59	59.0
30-39	121	70	57.9
40 and over	28	14	50.0
Previous convictions			
0 conviction	210	117	55.7
1 conviction	50	30	60.0
2 or more convictions	52	37	71.2
Quantum (length) of original prison sentence			
3 years to under 5 years	78	46	59.0
5 years to under 10	173	104	60.1
10 years and over	61	34	55.7
Mode of release			
Served full sentence (FS)	202	130	64.4
Released on licence (RL)	110	54	49.1
Ratio of sentence served in custody (Ro)			
Less than 60%	45	20	44.4
60% to under 70%	120	76	63.3
70% and over	147	89	60.5

() : Insignificant rate, number of released prisoners under 20.

Table 31.

Original offence = theft (indictable offence): rate of new offences leading to a term of imprisonment (offences committed within four years of release) according to number of previous convictions, the length of sentence and mode of release

Previous conviction	quantum	release	Number released	New offence	New offence rate (%)
0	3-5 yrs	FS	40	26	65.0
0	3-5 yrs	RL	22	11	50.0
0	5 yrs and over	FS	84	50	59.5
0	5 yrs and over	RL	64	30	46.9
1 or more	3-5 yrs	FS	11	7	(63.6)
1 or more	3-5 yrs	RL	5	2	(40.0)
1 or more	5 yrs and over	FS	67	47	70.1
1 or more	5 yrs and over	RL	19	11	(57.9)
<i>All</i>			312	184	59.0

() : Insignificant rate, number of released prisoners under 20.

FS : served full sentence.

RL : released on licence.

Typology of the theft (indictable offence) sub-cohort

As for the previous sub-cohort, only those categories of Table 31 where the numbers are 20 or more are used. The resulting typology is similar to the previous one, the sentence having very little impact on the new offences rate. Again, there are three groups.

The rate is highest in group A (70%). These are people with previous convictions, sentenced to long terms of imprisonment (5 years or more) which they served in full.

- Group B is made up of prisoners with no previous convictions who leave prison after having served their full sentence. The rate differs between 5 and 10 points from that of group A depending on the sentence.
- Group C is made up of prisoners with no previous convictions who were released on licence. The rate is the lowest, and slightly lower still for the heaviest sentences.

Table 32.
Typology of theft (either-way offences)

	Previous conviction	release	quantum	Number released	New offences rate (%)
Group A	1 or more	FS	5 yrs and over	67	70.1
Group B		FS	3-5 yrs	40	65.0
			5 yrs and over	84	59.5
Group C		RL	3-5 yrs	22	50.0
			5 yrs and over	64	46.9

FS : served full sentence
RL : released on licence.

3. Those convicted of assault

Although small in number, this sub-cohort is perfectly representative of the whole cohort, as far as demographic variables and also the structure of previous convictions are concerned. Most of the members of the sub-cohort were sentenced to less than 5 years (58%) and they were released on licence (37%).

The rate of new offences committed within four years of being released and leading to a term of imprisonment is 51%. On average, the time between release and the commission of the new offence is 15 months, 54% being committed within a year of release. The new offences are exclusively (either-way offences) and contraventions. Half of the cases are offences against the person. It should be remembered that for 1/3 of the prisoners, the original offence was serious (indictable offence).

Table 33.
Original offence = assault: rate of new offences leading to a term of imprisonment within four years of release

	Numbers	%
All released prisoners	101	100.0
No new offence	49	48.5
At least one new offence	52	51.5

Table 34.
Original offence = assault: time elapsed between release and commission of new offence

	Numbers	%	Cumulate %
Under 6 months	21	40.3	40.3
6 months to under a year	7	13.5	53.8
A year to under 2 years	12	23.1	76.9
2 years to under 3 years	8	15.4	92.3
3 years to under 4 years	4	7.7	100.0
All	52	100.0	

average time = 15 months

Table 35.
Original offence = assault:
type of new offence

	Numbers	%		
All new offences	52	100.0	•Fraud	1
Indictable offences	0	0.0	Worthless cheques	1
Either-way offences	48	92.3	•Criminal damage	2
•Offences against the person	19		•Road traffic offences	6
Unintentional assault	3		Documents	4
Assault	5		Drinking and driving	2
Drug offences	2		•Public order breaches	2
Sexual offences	8		Weapons	1
Other offences	1		Other	1
•Theft-Handling stolen goods	18		Minor offences (1)	4 7.7
Theft	12		•Offences against the person	2
Robbery	2		Assault	2
Handling stolen goods	4		•Fraud	2
			Travelling without a regular ticket	2

(1) Category 5 contraventions

Differential analysis of the rate of new offences

The information contained in Table 36 leads to the following remarks.

- Marital status: not significant
- Age at time of release: the older the prisoner, the lower the new offences rate.
- Previous convictions: there is a strong positive correlation between the number of previous convictions and the rate of new offences, with a deviation of 26 points between the two groups.
- Length of sentence: the rate is 9 points lower for those sentenced to a prison term of 5 years or more.
- Mode of release: once again, those who are released on licence have a lower rate than those who served their full sentence, with a deviation of 26 points.
- Ratio of sentence actually served: the results are consistent with the above.

In order not to have too many groups that were too small, the three variables "previous convictions", "length of sentence" and "mode of release" were used to build a typology (see Table 37).

Table 36.
Original offence = assault: rate of new offences leading to a term of imprisonment
(offences committed within four years of release)/differential analysis

	Number of released prisoners	New offences	New offences rate (%)
The whole cohort	101	52	51.5
Nationality			
French	79	44	55.7
Foreign, no expulsion	8	4	(50.0)
Foreign + expulsion	14	4	(28.6)
Marital status			
Single, separated, divorced, widowed	75	40	53.3
Married	26	12	46.2
Age at time of release			
Under 30	38	22	57.9
30 and over	63	30	47.6
Previous convictions			
0 conviction	71	31	43.7
1 conviction or more	30	21	70.0
Category of original offence			
Either-way offences	68	39	57.4
Indictable offences	33	13	39.4
Quantum (length) of original prison sentence			
3 years to under 5 years	59	32	54.2
5 years and over	42	19	45.2
Mode of release			
Served full sentence (FS)	64	39	60.9
Released on licence (RL)	37	13	35.1
Ratio of sentence served in custody (Ro)			
Less than 70%	55	23	41.8
70% and over	46	29	63.0

(): Insignificant rate, number of released prisoners under 20

Table 37.

Original offence = assault: rate of new offences leading to a term of imprisonment (offences committed within four years of release) according to number of previous convictions, the length of sentence and mode of release

Previous conviction	Length (quantum)	release	Number released	New offence	New offence rate (%)
0	3-5 yrs	FS	24	13	54.2
0	3-5 yrs	RL	16	6	(37.5)
0	5 yrs and over	FS	16	8	(50.0)
0	5 yrs and over	RL	15	4	(26.7)
1 or more	3-5 yrs	FS	14	11	(78.6)
1 or more	3-5 yrs	RL	5	3	(60.0)
1 or more	5 yrs and over	FS	10	7	(70.0)
1 or more	5 yrs and over	RL	1	0	(00.0)
All			101	52	51.5

() : Insignificant rate, number of released prisoners under 20.
FS : served full sentence RL : released on licence

Typology of the assault sub-cohort

Despite the small numbers which reduce the significance of the new offences rates, the pattern is the same as for the other offences but with lower numbers, especially for groups B and C.

Table 38.
Typology of assault

Group	Previous conviction	release	quantum	Number released	New offences rate (%)
Group A	1 or more	FS	3-5 yrs	14	(78.6)
			5 yrs and over	10	(70.0)
Group B		FS	3-5 yrs	24	54.2
			5 yrs and over	16	(50.0)
Group C		RL	3-5 yrs	16	(37.5)
			5 yrs and over	15	(26.7)

() : Insignificant rate, number of released prisoners under 20.
FS : served full sentence RL : released on licence

4. Those convicted of rape

What is important here is the high number of foreigners (32%). Those convicted of rape generally do not have any previous convictions (87%). In 2 cases out of 3 their sentences range from 5- 10 years. One third are released on licence.

The rate of new offences committed within four years of being released and leading to a term of imprisonment is 38.5%. In other words, 61.5% of the records contain no other offences. On average, the time between release and the commission of the new offence is 15 months.

Table 39.

Original offence = rape: rate of new offences leading to a term of imprisonment within four years of release

	Numbers	%
All released prisoners	96	100.0
No new offence	59	61.5
At least one new offence	37	38.5

Of the 37 new offences, two are serious sexual offences (indictable offences) and four are less serious offences (either-way offences) against the person, including one sexual offence (see Table 40).

Differential analysis of the new offences rate

Of the variables that were analysed (see Table 41), the most important ones were length of sentence and mode of release. When these two variables are cross-matched (see Table 42) the importance of the mode of release stands out. Those who were released on licence have a low rate of 22% regardless of sentence length. Those who serve their full sentence have a maximum rate of 52% for those serving the longest sentences.

Table 40.

*Original offence = rape:
type of new offence*

	Numbers	%		
<i>All new offences</i>	37	100.0	Theft	7
			Robbery	2
			•Fraud	5 13.5
			Breach of trust	2
<i>Indictable offences</i>	3	8.1	Worthless cheques	3
			•Criminal damage	1 2.7
•Offences against the person	2	5.4	•Road traffic offences	10 27.1
Sexual offences	2		Documents	8
•Theft-Handling stolen goods	1	2.7	Drinking and driving	2
Theft	1		•Public order breaches	2 5.4
			Other	2
<i>Either-way offences</i>	31	83.8	Minor offences (1)	3 8.1
			•Offences against the person	1 2.7
•Offences against the person	4	10.8	Unintentional assault	1
Family	1		•Fraud	2 5.4
Assault	2		Travelling without a regular ticket	2
Sexual offences	1			
•Theft-Handling stolen goods	9	24.3		

(1) Category 5 contraventions

Table 41.

*Original offence = rape: rate of new offences leading to a term of imprisonment
(offences committed within four years of release)/differential analysis*

	Number of released prisoners	New offences	New offences rate (%)
<i>The whole cohort</i>	96	37	38.5
<i>Nationality</i>			
French	65	29	44.6
Foreign, no expulsion	18	5	(27.8)
Foreign + expulsion	13	3	(23.1)
<i>Marital status</i>			
Single, separated, divorced, widowed	63	26	41.3
Married	33	11	33.3
<i>Age at time of release</i>			
Under 30	51	22	43.1
30 and over	45	15	33.3
<i>Quantum (length) of original prison sentence</i>			
3 years to under 5 years	25	7	28.0
5 years and over	71	30	42.2
<i>Mode of release</i>			
Served full sentence (FS)	64	30	46.9
Released on licence (RL)	32	7	21.9
<i>Ratio of sentence served in custody (Ro)</i>			
Less than 70%	44	17	38.6
70% and over	52	20	38.5

() : Insignificant rate, number of released prisoners under 20.

Table 42.

*Original offence = rape: rate of new offences leading to a term of imprisonment
(offences committed within four years of release) according to the length
of sentence and mode of release*

Mode of release	Sentence length Quantum	Number released	New offence	New offence rate
FS	5 yrs and more	48	25	52.1
	3-5 yrs	16	5	(31.2)
RL	3-5 yrs	9	2	(22.2)
	5 yrs and more	23	5	21.8
<i>All</i>		96	37	38.5

() : Insignificant rate, number of released prisoners under 20.

FS : served full sentence.

RL : released on licence.

5. Those convicted of murder

Generally speaking, those convicted of murder are older than the whole of the cohort. Most of them have no previous convictions (84%). There are great differences in sentence length, 15% of prisoners having been sentenced to a term of under 5 years while at the other extreme 21% have been sentenced to 15 years and more. What is remarkable about this sub-cohort is that it is the only one where most prisoners have been released on licence (54%).

The new offences rate is 32% and on average the time between release and the commission of the new offence is 15 months.

Table 43.

Original offence = murder: rate of new offences leading to a term of imprisonment within four years of release

	Numbers	%
All released prisoners	121	100.0
No new offence	82	67.8
At least one new offence	39	32.2

Of the 39 new offences, there are one robbery (indictable offence) and 9 less serious offences (either-way offences) against the person, (see Table 44).

The new offences rate varies mainly in function of marital status and age, which are naturally interdependent variables (see Table 45). The mode of release is an important element, with a rate of 25% for those released on licence as opposed to 41% for those who serve a full sentence.

Table 44

*Original offence = murder
type of new offence*

	Numbers	%			
<i>All new offences</i>	39	100.0	•Fraud	3	7.7
<i>Indictable offences</i>	1	2.6	Breach of trust	1	
•Theft-Handling stolen goods	1	2.6	Worthless cheques	2	
Theft	1		•Road traffic offences	6	15.4
<i>Either-way offences</i>	34	87.1	Documents	4	
•Offences against the person	9	23.0	Drinking and driving	2	
Threatening behaviour	1		•Public order breaches	6	15.4
Assault	7		Weapons	5	
Others	1		Other	1	
•Theft-Handling stolen goods	9	23.0	Minor offences (1)	4	10.3
Theft	7		•Offences against the person	1	2.6
Robbery	2		Assault	1	
			•Fraud	3	7.7
			Travelling without a regular ticket	3	

(1) Category 5 contraventions

Table 45.

Original offence = murder: rate of new offences leading to a term of imprisonment (offences committed within four years of release)/differential analysis

	Number of released prisoners	New offences	New offences rate (%)
<i>The whole cohort</i>	121	39	32.2
<i>Nationality</i>			
French	94	34	36.2
Foreign, no expulsion	7	3	(42.9)
Foreign + expulsion	10	2	(20.0)
<i>Marital status</i>			
Single	63	25	39.7
Married	29	6	20.7
Separated, divorced, widowed	29	8	27.6
<i>Age at time of release</i>			
Under 30	23	13	56.5
30-39	56	17	30.4
40 and over	42	9	21.4
<i>Quantum (length) of original prison sentence</i>			
3 years to under 10 years	72	23	31.9
10 years and over	49	16	32.7
<i>Mode of release</i>			
Served full sentence (FS)	56	23	41.1
Released on licence (RL)	65	16	24.6
<i>Ratio of sentence served in custody (Ro)</i>			
Less than 70%	71	20	28.2
70% and over	50	19	38.0

() : Insignificant rate, number of released prisoners under 20.

6. Those convicted of indecent assault

The characteristics of this sub-cohort are very specific. The vast majority of them are French, they are far more often married than the whole of the cohort (60% as opposed to 27%) and they are also considerably older (71% are over forty as opposed to 21% for the whole of the cohort).

83% of them have no previous convictions (as opposed to 68% for the whole of the cohort). Most of them are sentenced to a term of between 5 and 10 years in prison. Few of them (23%) are released on licence.

The rate of new offences is 31% and on average, the time between release and the commission of the new offence is 15 months.

Table 46.

Original offence = indecent assault: rate of new offences leading to a term of imprisonment within four years of release

	Numbers	%
All released prisoners	35	100.0
No new offence	24	68.6
At least one new offence	11	31.4

Of the new offences, there are no serious ones (indictable offence) and 2 less serious sexual offences (either-way offences) out of 11 cases.

Table 47 gives the specific rates of new offences according to the different variables, but numbers are very low.

Table 47

Original offence = indecent assault: type of new offence

	Numbers	%		
<i>All new offences</i>	11	100.0	•Criminal damage	1
<i>Either-way offences</i>	9	81.8	•Road traffic offences	2
•Offences against the person	4		Documents	1
Unintentional assault	1		Drinking and driving	1
Assault	1		•Public order breaches	1
Sexual offences	2		Other	1
•Theft-Handling stolen goods	1		Minor offences (1)	2
Theft	1			18.2
			•Offences against the person	2
			Assault	2

(1) Category 5 contraventions

Table 48.

Original offence = indecent assault: rate of new offences leading to a term of imprisonment (offences committed within four years of release)/differential analysis

	Number of released prisoners	New offences	New offences rate (%)
<i>The whole cohort</i>	35	11	31.4
Nationality			
French	33	11	33.3
Foreign, no expulsion	1	0	(0.0)
Foreign + expulsion	1	0	(0.0)
Marital status			
Single, separated, divorced, widowed	14	5	(35.7)
Married	21	6	28.6
Age at time of release			
Under 30	2	1	(50.0)
30 and over	33	10	30.3
Quantum (length) of original prison sentence			
3 years to under 5 years	8	2	(25.0)
5 years and over	27	9	33.3
Mode of release			
Served full sentence (FS)	27	10	37.0
Released on licence (RL)	8	1	(12.5)
Ratio of sentence served in custody (Ro)			
Less than 70%	12	3	(25.0)
70% and over	23	8	34.8

7. Those convicted of drug trafficking

This sub-cohort has a very specific demographic structure. There are more women than in the other sub-cohorts (8%) but, above all, the majority of them are "foreigners + expulsion" (66%). Added to the other foreigners, this represents a sub-cohort of 76% of foreigners.

When drawing conclusions about the present form of drug trafficking and the role played by foreigners, it is important not to be anachronistic. During the late seventies, 70 % of those suspected by the police of drug trafficking were foreigners (CESDIP, Davido data base). It is precisely during this period that the members of the sub-cohort were imprisoned. Since 1984, the percentage of foreigners has been falling and in 1992 it had dropped to 32%.

This sub-cohort is also remarkable for the very high proportion of those with no previous convictions (92%), which can surely be explained by the fact that they had only been in France for a short while before being arrested and imprisoned. The vast majority have been sentenced to prison terms of between 3 and 5 years and they are very rarely released on licence. Given the make-up of the sub-cohort, it should not be surprising to find that the rate of new offences is very low (under 14%).

Table 49.

Original offence = drug trafficking: rate of new offences leading to a term of imprisonment within four years of release

	Numbers	%
All released prisoners	95	100.0
No new offence	82	86.3
At least one new offence	13	13.7

The low rate of new offences cannot be explained entirely by the make-up of the sub-cohort. Just remember that, in the sub-cohorts, the rate of new offences for "foreigners + expulsion" was as follows: theft (either-way offences), 37.5%; theft (indictable offence), 37.5%; assault, 37.5%; assault, 28.6%; rape, 23.1%; murder, 20.0%.

The differential analysis of the new offences rate is necessarily limited by the

very specific make-up of the sub-cohort, with the result that the variables "previous convictions", "sentence length" and "mode of release" have not been included. The rates for the remaining variables are extremely low, except for the French (30%).

Table 50.

Original offence = indecent assault: rate of new offences leading to a term of imprisonment (offences committed within four years of release)/differential analysis

	Number of released prisoners	New offences	New offences rate (%)
<i>The whole cohort</i>	95	13	13.7
Nationality			
French	23	7	30.4
Foreign, no expulsion	9	1	(11.1)
Foreign + expulsion	63	5	7.9
Marital status			
Single, separated, divorced, widowed	66	10	15.2
Married	29	3	10.3
Age at time of release			
Under 30	34	3	8.8
30 and over	61	10	16.4
Ratio of sentence served in custody (Ro)			
Less than 70%	46	7	15.2
70% and over	49	6	12.2

() : Insignificant rate, number of released prisoners under 20.

Let us now look in more detail at the criminal records of the newly released prisoners who have reoffended and been convicted again.

- III -

**Specific study of recently released prisoners
who have been newly convicted**

In this specific study of recently released prisoners who have been newly convicted, the seven sub-cohorts defined according to the type of original offence will still be used. However, unlike what was done in parts I and II, this time the analysis will not be limited to the first new offence committed which, as has already been seen, may be less serious than the original offence. Here, the complete criminal record will be examined, for two reasons:

- a. To take into account only offences of a certain degree of seriousness
- b. To see whether an offence identical or very similar to the original offence has been committed

As we shall see below, the approach may vary according to the sub-cohort in question (raw data are given in Appendix 4). Let us begin with the example of rape.

1. Original offence = rape

Question 1: has a new offence been recorded within four years of release? The answer has already been given: in 38.5% of cases there has. The offences may be very different in terms of seriousness (8% of very minor contraventions 5e classe, 27% of road traffic offences, etc.). But by the same token it is true to say that in 61.5% of cases, no new offence has been committed.

Question 2: has a new offence of a certain seriousness been recorded, the criterion being an unsuspended custodial sentence? The answer is yes, for 22.9% of cases.

Question 3: has a new offence as serious as the original offence been recorded, the criterion being an unsuspended custodial sentence of at least 3 years ⁽¹⁾? The answer is yes for only 6 cases, i.e. 6.3% of released prisoners.

These six cases were then characterised by taking offences in order of seriousness. The first thing was to see whether the offence of murder had been committed. If so, the case is characterised, if not, then we looked to see whether rape had been committed. If so, the case is characterised, if not, then we looked to see whether indecent assault had been committed, and so on. The results were as follows:

Murder with malice aforethought, voluntary manslaughter, parricide	1
Rape	2
Indecent assault	1
Other sexual offences	0
Other offences against the person	0
Other offences	2

This represents 4 serious offences against the person out of 96 released prisoners.

(1) Remember that the sentence for the original offence was at least 3 year.

2. Original offence = theft (either-way offences)

The same questions were asked.

Question 1: has a new offence been recorded within four years of release? The answer is yes in 72.3% of cases.

Question 2: has a new offence of a certain seriousness been recorded, the criterion being an unsuspended custodial sentence? The answer is yes, for over half the cases (57.3%).

Question 3: has a new offence as serious as the original offence been recorded, the criterion being an unsuspended custodial sentence of at least 3 years? The answer is yes for 35 cases, i.e. 15.9% of released prisoners. These cases were characterised as follows:

Murder with malice aforethought, voluntary manslaughter, parricide	1
Other offences against the person	4
Other offences	30

This represents 5 serious offences against the person out of 220 released prisoners. A large proportion of new offences led to shorter prison sentences than those imposed for the original offences.

3. Original offence = theft (indictable offence)

Question 1: has a new offence been recorded within four years of release? The answer is yes in 59.0% of cases.

Question 2: has a new offence of a certain seriousness been recorded, the criterion being an unsuspended custodial sentence? The answer is yes, for over half the cases (36.5%).

Question 3: has a new offence as serious as the original offence been recorded, the criterion being an unsuspended custodial sentence of at least 3 years? The answer is yes for 38 cases, i.e. 12.2% of released prisoners. These cases were characterised as follows:

Murder with malice aforethought, voluntary manslaughter, parricide	2
Other offences against the person	9
Other offences	27

This represents 11 serious offences against the person out of 312 released prisoners.

4. Original offence = assault

Remember that this sub-cohort includes those convicted of less serious and more serious assault. The results are as follows:

Question 1: has a new offence been recorded within four years of release? The answer is yes in 51.5% of cases.

Question 2: has a new offence of a certain seriousness been recorded, the criterion being an unsuspended custodial sentence? The answer is yes, for over half the cases (34.7%).

Question 3: has a new offence as serious as the original offence been recorded, the criterion being an unsuspended custodial sentence of at least 3 years? The answer is yes for 7 cases, i.e. 6.9% of released prisoners. These cases were characterised as follows:

Murder with malice aforethought, voluntary manslaughter, parricide	0
Rape	1
Indecent assault	3
Other sexual offences	0
Other offences against the person	1
Other offences	2

This represents 5 serious offences against the person out of 101 released prisoners.

5. Original offence = indecent assault

Question 1: has a new offence been recorded within four years of release? The answer is yes in 31.4% of cases.

Question 2: has a new offence of a certain seriousness been recorded, the criterion being an unsuspended custodial sentence? The answer is yes, for over half the cases (17.1%).

Question 3: no new offence as serious as the original offence been recorded, the criterion being an unsuspended custodial sentence of at least 3 years.

6. Original offence = intentional killing

Question 1: has a new offence been recorded within four years of release? The answer is yes in 32.2% of cases.

Question 2: has a new offence of a certain seriousness been recorded, the criterion being an unsuspended custodial sentence? The answer is yes, for over half the cases (19.8%).

Question 3: has a new offence as serious as the original offence been recorded, the criterion being an unsuspended custodial sentence of at least 3 years? The answer is yes for 5 cases, i.e. 4.1% of released prisoners. These cases were characterised as follows:

Murder with malice aforethought, voluntary manslaughter, parricide	0
Other offences against the person	4
Other offences	1

This represents 4 serious offences against the person out of 121 released prisoners.

7. Original offence = drug trafficking

Question 1: has a new offence been recorded within four years of release? The answer is yes in 13.7% of cases.

Remember that this low rate is due to the fact that such a large number of those

contained in this sub-cohort are foreigners who are expelled (2/3 of the prisoners), with the result that the figures given below are of little interest.

Question 2: has a new offence of a certain seriousness been recorded, the criterion being an unsuspended custodial sentence?

The answer is yes, for over half the cases (10.5%).

Question 3: has a new offence as serious as the original offence been recorded, the criterion being an unsuspended custodial sentence of at least 3 years?

The answer is yes for 4 cases, i.e. 4.2% of released prisoners. These cases were characterised as follows:

Drug trafficking	0
Other drig related offences	4

Conclusions

Whenever there is a discussion about what becomes of ex-prisoners, the impression given by those taking part in televised debates, by those commenting outside the courtroom about what some consider too lenient a sentence, by the media and certain politicians who say our streets are unsafe, is that "they re-offend". Be they thieves or murderers, it is always "back to prison". What follows shows that in fact things are not so pessimistic, though it must be said that even if only one crime is committed, that is one crime too many.

The results of our analysis are summarised below in a synoptic table, where Q1, Q2, Q3 and Q4 are new offences rates that have been obtained by taking ever more restrictive criteria.

- Q1: a new offence has been committed within four years of release
- Q2: an offence has been committed that is punished by an unsuspended custodial sentence
- Q3: an offence has been committed that is punished by an unsuspended custodial sentence of three years or more
- Q4: an offence against the person has been committed that is punished by an unsuspended custodial sentence of three years or more.

Prisoners released in 1982 and sentenced to a prison term of 3 years or more

Original offence	Rate of new offences within 4 years of release (%)			
	Q1	Q2	Q3	Q4
1. Theft (either-way off.)	72	57	16	2
2. Robbery (indictable off.)	59	36	12	4
3. Assault	51	35	7	5
4. Rape	38	23	6	4
5. Intentional killing	32	20	4	3
6. Indecent assault	31	17	0	0
7. Drug trafficking	14	10	4	4

It should be noted that the classification of offences is the same for the first three criteria, which is additional proof of the fact that this variable discriminates. The fourth criterion, however, gives very low rates which hardly vary at all with respect to the original offence.

Taking all the 980 criminal records belonging to any one of the 7 sub-cohorts, 33 cases of offences against the person leading to an unsuspended prison term of 3 years or more were found, of which 4 were cases of intentional killing. This only goes to show, as if it were really necessary, that as far as recidivism is concerned, no one single measure exists.

At the time of the debate on the bill relating to "real life sentences", many statistics concerning the recidivism of sexual offenders were published in the press or merely suggested. It was said that for such and such category of "delinquent" or "criminal", the rate of recidivism was extremely high. There was also constant use of figures from the USA, the sources of which were usually not given. Here are three significant passages from an article published in October 1993 (1).

(1) *L'Événement du jeudi*, October 21-27 1993, "What should be done with delinquents?"

"Since the beginning of the year, in 20 or so states - including Texas - new legislation obliges the police to inform the population whenever a convicted "sexual killer" arrives in their town. This legal measure was adopted after the publication of a study according to which 47% of people convicted of sexual offences have re-offended during the last five years" (p.72).

"In Canada, for example, it is well-known that one sexual offender out of two will re-offend if not treated, as opposed to one out of five who are treated" (p.62).

And for France, "Officially, the rate of [recidivism] is very low: 6% of all sexual offenders and 1.7% for rapists. But all those who are studying the question contest these statistics" (p.62).

The last sentence is final.

These peremptory statements inspire comment, some of which goes beyond the scope of this article.

Where do these statistics come from, which are at the same time official and contested by all the specialists? Quite simply from the current research (1). They cannot be compared directly with those contained in this report as they did not cover the whole of the sample. Moreover, the indicators were defined somewhat differently. The orders of magnitude, however, are the same.

A "recidivism" rate is only meaningful if we know exactly who was concerned in order to calculate it, which definition of recidivism was used, and over what period of time observations were made. Taking just the 7 sub-cohorts of our study, the rate over 4 years varied from 0% to 72% (2). In the passages quoted above, not one of the rates given satisfies this minimum condition.

In particular, it is important to know exactly who one is talking about. In the article the terms "authors of sexual crimes", "sexual offenders", "people convicted"

(1) These statistics were published by the daily *La Croix* on April 22 1992 as part of a report on sexual offenders, prepared by S. GIGNOUX and M-F MASSON, and on which we worked.

(2) Without the three precise details on those concerned, the definition of recidivism and the observation period, the only assertion that can be made is that the "recidivism" rate is somewhere between 0% and 100%.

ted of sexual offences" and "rapists" were used. These terms may well be meaningful but they are not equivalent.

If what is said about the United States is true, one should think carefully about the consequences of publishing such and such statistics concerning recidivism. Hence the importance of being absolutely precise when reporting this information, including in the media.



Future lines of research

In conclusion, let us see what research is currently being undertaken by the CESDIP and the SCERI into recidivism and how this is progressing. The present research programme covers the "individualisation of sentences and recidivism", the "individualisation of sentences" being considered in the broadest sense of the term. Four operations of different importance make up this programme.

1. *Observation of a cohort of newly committed prisoners - follow-up after release*, Pierre Tournier, coll. France Line Mary and Carlos Portas.

This is the last phase of research concerning all those who entered prison in February 1988 (n = 6,745). The aim of the research is to follow up a sample of this cohort after release through access to their criminal records: analysis of how much of their time spent in prison on remand is offset by an order for release; examination of the new cases in which they may have become involved after release and which have led to a conviction being registered on their criminal record.

2. *Judicial career of long term prisoners on release*, Annie Kensey, Pierre Tournier, coll. Maud Guillonneau.

This is the third phase of the research concerning those sentenced to at least three years in prison and released in 1982. This operation involves examining the cohort again in detail and studying their judicial careers over a twelve year period after release, with particular attention being paid to the type of offences (original and new).

3. *National enquiry into the execution of custodial sentences*, Annie Kensey and Pierre Tournier.

The first aim of this study is to measure the deviations between the sentence handed down by the courts and the time actually spent in prison. The second one is to examine the different ways in which the time served is reduced: remission of sentence, pardons, amnesties, release on licence. The third is a differential analysis of these deviations and the reasons for them, mainly in function of the type of offence and length of sentence handed down.

Up till now, the few quantitative studies carried out on the subject have only covered long sentences, the reason being that there was no data base allowing work on representative samples. Henceforth such a base is available through the national prison records (FND - Fichier national des détenus) and this will be the first time that such information will be used. The study will cover those prisoners who were released in 1995 and a sample of 3,206 individuals will be taken (the sample rate varying from 1/30 to 1/5 depending on the offence).

4. *Local research into "individualisation of sentences and recidivism" in the department 'Nord'*, Françoise Lombard, Annie Kensey-Boudadi and Pierre Tournier.

The research will cover five types of cohort:

- a. Those leaving prison after having served their full sentence
- b. Those released on licence (decided by the sentencing judge)
- c. Convicted offenders given a suspended sentence without a probation order
- d. Convicted offenders given a suspended sentence and a probation order
- e. Convicted offenders given a community service order

Data concerning those serving a custodial sentence will include court records and prison files (life in prison); for those on probation it will include extracts of the court decision plus the probation record; for those given a suspended sentence it will be the court decision; and for all offenders the criminal record will be consulted after a variable lapse of time depending on the category of offender. The sample will be built in such a way as to analyse five types of offence:

theft and handling stolen goods, assault, drug offences, drinking and driving, manslaughter and unintentional injury caused while driving. The corpus will cover approximately 3,000 people.

If the necessary funding is available for such a project, this will mean that for the first time in France empirical research will be carried out into the recidivism of those serving both custodial and non-custodial sentences. In addition, our knowledge of the factors allowing the analysis of the correlation between the individualisation of sentences and recidivism will be enhanced.

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Appendix

This appendix concerns the second part «Back to prison»

Appendix 1.

Presentation of the population considered

1.1

Prisoners released in 1982 who had been sentenced to at least three years in prison Demographic structure of the cohort

	Number of released prisoners	Percentage
<i>The whole cohort</i>	1,157	100.0
Gender		
Male	1,124	97.1
Female	33	2.9
Nationality		
French	915	79.1
Foreign without expulsion	101	8.7
Foreign with expulsion	141	12.2
Marital status		
Single	684	59.1
Married	315	27.2
Separated, divorced, widowed	158	13.7
Age at time of release		
Under 25	158	13.7
25-29	314	27.1
30-39	444	38.4
40-49	156	13.5
50 and over	85	7.3

1.2

*Prisoners released in 1982 who had been sentenced
to at least three years in prison
Penal structure of the cohort*

	Number of released prisoners	Percentage
<i>The whole cohort</i>	1,157	100.0
Previous convictions		
0 convictions	789	68.2
1 conviction	156	13.5
2 or more convictions	212	18.3
Category of original offence		
Either-way offences	493	42.6
Indictable offences	664	57.4
Type of original offence		
Offences against the person	546	47.3
Intentional killing	121	
with malice aforethought	26	
Rape	96	
Indecent assault	35	
Drug trafficking	95	
Assault (either-way offences)	68	
Assault (indictable offences)	33	
Other offences against the person	72	
Theft-Handling stolen goods	542	46.8
Theft (indictable offences)	312	
Handling stolen goods (indictable offence)	2	
Theft (either-way offences)	220	

Handling stolen goods (either-way offences)	8	
Fraud	38	3.3
Criminal damage	12	1.0
Public order offences	15	1.3
Financial, economic & social offences	4	0.3
Quantum (length) of original prison sentence		
3 years to under 5 years	529	45.8
5 years to under 10 years	465	40.2
10 years to under 15 years	107	9.2
15 years to under 20 years	42	3.6
20 years and over	14	1.2
Mode of release		
Served full sentence	783	67.7
Released on licence	374	32.3
Ratio of sentence served in custody (Ro)		
Less than 40%	2	0.2
40% to under 50%	42	3.6
50% to under 60%	140	12.1
60% to under 70%	419	36.2
70% to under 80%	507	43.8
80% and over	47	4.1
Average Ro = 67.6%		

Appendix 2.

Type of new offence

The whole cohort	575
<hr/>	
Offences against the person	120
<hr/>	
Unintentional injury	14
0020 unintentional injury with victim off work for > 3 months	1
0222 unintentional injury with victim incapacitated for > 3 months driving a vehicle	2
0223 unintentional injury with victim off work for ≤ 3 months driving a vehicle	5
0025 unintentional injury with victim incapacitated for < 3 months, over the prescribed limit (OPL)	1
0257 unintentional injury with victim off work for < 3 months, OPL	2
1267 unintentional injury with victim off work for > 3 months, other than road traffic, injuries at work or while hunting	1
1268 involuntary manslaughter, ditto	1
6224 involuntary manslaughter, driving a vehicle	1
Family	3
0011 abandoning the family	3
Threatening behaviour	1
7172 violence against the person, carrying a prison term of five years or more	1
Assault	42
0022 assault with intent with victim incapacitated for > 8 days	1
0023 assault with intent without victim off work for > 8 days	14
1486 violent act against the person committed by a tramp or a vagrant	1
7140 violence with intent and the use or threat of use of a weapon with victim off work for > 8 days	3
7145 violence with intent and the use or threat of use of a weapon with or without victim off work for ≤ 8 days	2
7146 violence with intent and with malice aforethought or an ambush with or without victim off work for ≤ 8 days	1
7148 violence with intent on the person of a lawyer or representative of	

	the public authority with or without victim off work for ≤ 8 days	2
7149	violence with intent against the person of one's parents or adoptive parents with or without victim off work for ≤ 8 days	1
7181	violence with intent against a particularly vulnerable person with victim off work for > 8 days	2
7182	violence with intent against a vulnerable person with or without victim off work for ≤ 8 days	2
7183	violence with intent leading to incapacity for > 8 days	13

Drugs **20**

0180	illegal use of drugs	5
0181	illegal possession, trade trafficking or use of drugs	8
2925	illegal trafficking or transport of drugs	3
2927	illegal acquisition, possession or use of drugs	3
2931	drug trafficking by the import, export, making or production drugs	1

Sexual offences **25**

0061	indecent exposure	3
0142	running or financing of a place of prostitution	1
1115	rape	2
1117	rape on the person of a minor of 15 or younger	1
1122	indecent assault using violence, force or surprise	6
1128	indecent assault without the use of violence on the person of a minor of 15 or younger	4
1130	indecent assault using violence or surprise on the person of a minor of 15 or younger	2
1131	indecent assault on the person of a minor of 15 or younger by a parent or person with authority	2
1646	procuring (aggravated), more than one offender or accomplice	1
7202	procuring	2
7262	procuring - living off the immoral earnings of another	1

Unlawful killing, murder with malice aforethought, parricide **4**

5014	murder with malice aforethought	2
5020	voluntary manslaughter	1
5169	unlawful killing	1

Others **11**

0030	insulting a police officer or representative of the public authority	6
0031	rebellion committed by one or two persons without weapons	4
7204	extortion obtaining money under false pretences	1

Theft - handling stolen goods	226
Theft	186
0001 theft	2
7151 petty theft	131
7154 burglary	28
7155 burglary committed at night or with others	12
7156 theft and climbing up/in	2
7159 theft with the use of a false key or key stolen at night or with others	1
7164 armed robbery	10
Robbery	13
7152 robbery	9
7153 robbery committed at night or with others	4
Handling stolen goods	27
0002 receiving stolen goods	1
0055 handling stolen goods	1
0497 receiving goods obtained fraudulently	1
0498 receiving goods obtained by breach of trust	1
7235 handling goods obtained illegally whilst committing an indictable or either-way offence	20
7244 receiving goods stolen during a burglary either at night or as a group, with the knowledge of the person receiving them	3
Fraud	87
Fraud - breach of trust	21
0057 fraud, fraudulent behaviour	1
0058 breach of trust	7
0159 falsification of an official document conferring a right, identity or function	4
0428 literary or artistic forgery	1
0485 fraud (Paris transport season ticket)	1
0496 use of a falsified, incomplete or inexact official document	2
1301 alteration to postage stamps or franking to avoid them being cancelled	1
1795 fraud or fraudulent behaviour and use of a false name or function	3
3188 misuse of company assets or funds by a director for personal interest	1

Cheque related offences	40
0003 issuing a worthless cheque	35
0006 forgery or falsification of a cheque and use of such a cheque	3
0560 using a forged or falsified cheque	1
0562 issuing a cheque while under a prohibition to do so	1
Swindling	5
0076 leaving a hotel without paying	4
0077 leaving a petrol station without paying	1
Travelling without a regular ticket	21
0230 travelling on the railways without a regular ticket	12
0600 travelling on the SNCF/RATP network without a regular ticket	4
0618 travelling on the railways with an invalid ticket	1
0621 travelling on the railways with a ticket that has not been punched	1
0624 travelling on the railways beyond a fare zone	1
2015 travelling first class on the underground system with a second class ticket	1
2075 travelling on a bus without a regular ticket	1
Criminal damage	7
0113 breaking and entering into a private home using violence or force	2
7205 destruction of or damage to another's property	4
7209 destruction of another's property through an incendiary device or other dangerous means	1
Traffic offences	102
Papers	82
0036 driving an uninsured land motor vehicle	42
0037 driving a vehicle without a driving licence or without the appropriate one	24
0038 driving after being disqualified or banned from driving	2
0044 not having any car registration documents	3
0046 keeping or driving a vehicle without the necessary authorisation or papers	1

2269	not registering car in new owner's name	9
6163	not producing insurance for driving a land motor vehicle	1
Drinking and driving		15
0039	driving under the influence of alcohol while at or over the legal limit (1.2g)	3
0040	drinking and driving under the legal limit (1,2 g)	1
0041	driving while obviously drunk	3
0051	refusing to submit to intoximeter or equivalent tests	1
1247	driving under the influence of alcohol	7
Other driving offences		5
0042	hit and run	2
0050	refusing to stop when ordered to do so	2
2009	driving through road blocks or no entry signs	1
<hr/>		
Public order offences		30
<hr/>		
Weapons		12
0569	carrying or transporting ammunition or 1st or 4th category weapons without a legitimate reason	4
0579	carrying or transporting 6th category weapons without a legitimate reason	4
2049	acquisition or possession of ammunition or 1st or 4th category weapons without a licence	3
2054	unlawful carrying of ammunition or 1st category weapons	1
Hunting		1
2151	hunting at night or using prohibited devices	1
Aliens 7		
0015	disobeying an expulsion order	3
0581	disobeying an order of house arrest for aliens under threat of expulsion	1
6305	unlawful entry or residence in France	2
6306	alien who has been residing in France for at least three months and has no resident's permit	1
Other offences		10
0013	residing in France despite prohibition	4

0341	absence of planning permission	1
1425	breaking out of prison or escape with use of violence (attempt)	2
1487	begging in a place where there is a alms house	1
2362	running an establishment selling alcohol on unlicensed premises	1
9912	Non possession of anthropometric documents	1
<hr/>		
Financial, economic and social offences		3
<hr/>		
0470	non respect of cooling off period granted to the purchaser before buying from door-to-door sales	1
6768	smuggling of prohibited or heavily taxed goods	2
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Appendix 3.

Sub-cohorts defined by original offence

3.1

*Original offence = theft (either-way offences)
demographic structure*

	Number of released prisoners	Percentage
The whole cohort	220	100.0
Gender		
Male	217	98.6
Female	3	1.4
Nationality		
French	186	84.5
Foreign, without expulsion	18	8.2
Foreign with expulsion	16	7.3
Marital status		
Single	156	70.9
Married	37	16.8
Separated, divorced, widowed	27	12.3
Age at time of release		
Under 25	44	20.0
25-29	72	32.7
30-39	71	32.3
40-49	24	10.9
50 and over	9	4.1

3.2

*Original offence = theft ((either-way offences)
penal structure*

	Number of released prisoners	Percentage
The whole cohort	220	100.0

Previous convictions		
0 convictions	98	44.6
1 conviction	41	18.6
2 or more convictions	81	36.8

Quantum (length) of original prison sentence		
3 years to under 5 years	170	77.2
5 years to under 10 years	46	20.9
10 years to under 15 years	3	1.4
15 years and over	1	0.5

Mode of release		
Served full sentence (FS)	164	74.5
Released on licence (RL)	56	25.5

Ratio of sentence served in custody (Ro)		
Less than 50%	14	6.4
50% to under 60%	32	14.5
60% to under 70%	73	33.2
70% to under 80%	96	43.6
80% and over	5	2.3
Average Ro = 66.8%		

3.3

*Original offence = theft (indictable offence)
demographic structure*

	Number of released prisoners	Percentage
The whole cohort	312	100.0
Gender		
Male	310	99.4
Female	2	0.6
Nationality		
French	280	89.7
Foreign, without expulsion	24	7.7
Foreign with expulsion	8	2.6
Marital status		
Single	197	63.1
Married	78	25.0
Separated, divorced, widowed	37	11.9

Age at time of release		
Under 25	63	20.2
25-29	100	32.0
30-39	121	38.8
40-49	18	5.8
50 and over	10	3.2

3.4

*Original offence = theft (indictable offence)
penal structure*

	Number of released prisoners	Percentage
The whole cohort	312	100.0
Previous convictions		
0 convictions	210	67.3
1 conviction	50	16.0
2 or more convictions	52	16.7
Quantum (length) of original prison sentence		
3 years to under 5 years	78	25.0
5 years to under 10	173	55.5
10 years to under 15 years	45	14.4
15 years and over	16	5.1
Mode of release		
Served full sentence (FS)	202	64.7
Released on licence (RL)	110	35.3
Ratio of sentence served in custody (Ro)		
Less than 50%	8	2.6
50% to under 60%	37	11.9
60% to under 70%	120	38.5
70% to under 80%	126	40.3
80% and over	21	6.7
Average Ro = 68.4%		

3.5

*Original offence = assault
demographic structure*

	Number of released prisoners	Percentage
The whole cohort	101	100.0
Gender		
Male	100	99.0
Female	1	1.0
Nationality		
French	79	78.2
Foreign without expulsion	8	7.9
Foreign with expulsion	14	13.9
Marital status		
Single	59	58.5
Married	26	25.7
Separated, divorced, widowed	16	15.8
Age at time of release		
Under 25	8	7.9
25-29	30	29.7
30-39	42	41.6
40-49	11	10.9
50 and over	10	9.9

3.6

*Original offence = assault
penal structure*

	Number of released prisoners	Percentage
The whole cohort	101	100.0
Previous convictions		
0 conviction	71	70.3
1 conviction	13	12.9
2 convictions or more	17	16.8

Category of original offence		
Either-way offences	68	67.3
Indictable offences	33	32.7
Quantum (length) of original prison sentence		
3 years to under 5 years	59	58.4
5 years to under 10	35	34.6
10 years to under 15	5	5.0
15 years and over	2	2.0
Mode of release		
Served full sentence (FS)	64	63.4
Released on licence (RL)	37	36.6
Ratio of sentence served in custody (Ro)		
Less than 50%	7	6.9
50% to under 60%	13	12.9
60% to under 70%	35	34.7
70% to under 80%	44	43.5
80% and over	2	2.0
Average Ro = 66.2%		

3.7
Original offence = rape
demographic structure

	Number of released prisoners	Percentage
The whole cohort	96	100.0
Gender		
Male	94	97.9
Female	2	2.1
Nationality		
French	65	67.7
Foreign without expulsion	18	18.8
Foreign with expulsion	13	13.5
Marital status		
Single	58	60.4
Married	33	34.4
Separated, divorced, widowed	5	5.2

Age at time of release		
Under 25	17	17.7
25-29	34	35.3
30-39	30	31.3
40-49	11	11.5
50 and over	4	4.2

3.8
Original offence = rape
penal structure

	Number of released prisoners	Percentage
The whole cohort	96	100.0
Previous convictions		
0 conviction	84	87.5
1 conviction	7	7.3
2 convictions or more	5	5.2
Quantum (length) of original prison sentence		
3 years to under 5 years	25	26.0
5 years to under 10 years	64	66.7
10 years to under 15 years	7	7.3
15 years and over	0	0.0
Mode of release		
Served full sentence (FS)	64	66.7
Released on licence (RL)	32	33.3
Ratio of sentence served in custody (Ro)		
Less than 50%	2	2.1
50% to under 60%	12	12.5
60% to under 70%	30	31.2
70% to under 80%	48	50.0
80% and over	4	4.2
Average Ro = 68.8%		

3.9

*Original offence = unlawful killing
demographic structure*

	Number of released prisoners	Percentage
The whole cohort	121	100.0
Gender		
Male	113	93.4
Female	8	6.6
Nationality		
French	94	77.7
Foreign without expulsion	17	14.0
Foreign with expulsion	10	8.3
Marital status		
Single	63	52.0
Married	29	24.0
Separated, divorced, widowed	29	24.0
Age at time of release		
Under 25	8	6.6
25-29	15	12.4
30-39	56	46.3
40-49	23	19.0
50 and over	19	15.7

3.10

*Original offence = unlawful killing
penal structure*

	Number of released prisoners	Percentage
The whole cohort	121	100.0
Previous convictions		
0 conviction	102	84.3
1 conviction or more	7	5.8
2 convictions or more	12	9.9
Quantum (length) of original prison sentence		
3 years to under 5 years	18	14.9
5 to under 10 years	54	44.6

10 to under 15 years	24	19.8
15 years and over	25	20.7

Mode of release		
Served full sentence (FS)	56	46.3
Released on licence (RL)	65	53.7

Ratio of sentence served in custody (Ro)		
Less than 50%	2	1.7
50% to under 60%	17	14.0
60% to under 70%	52	43.0
70% to under 80%	45	37.2
80% and over	5	4.1

Average Ro = 67.0%

3.11

*Original offence = indecent assault
demographic structure*

	Number of released prisoners	Percentage
The whole cohort	35	100.0
Gender		
Male	33	94.4
Female	2	5.6
Nationality		
French	33	94.4
Foreign without expulsion	1	2.8
Foreign with expulsion	1	2.8
Marital status		
Single	9	25.7
Married	21	60.0
Separated, divorced, widowed	5	14.3
Age at time of release		
Under 25	1	2.9
25-29	1	2.9
30-39	8	22.8
40-49	15	42.8
50 and over	10	28.6

3.12

*Original offence = indecent assault
penal structure*

	Number of released prisoners	Percentage
The whole cohort	35	100.0
Previous convictions		
0 conviction	29	82.9
1 conviction or more	5	14.3
2 convictions or more	1	2.8
Quantum (length) of original prison sentence		
3 years to under 5 years	8	22.9
5 years to under 10 years	23	65.7
10 years to under 15 years	3	8.6
15 years and over	1	2.8
Mode of release		
Served full sentence (FS)	27	77.1
Released on licence (RL)	8	22.9
Ratio of sentence served in custody (Ro)		
Less than 50%	0	0.0
50% to under 60%	1	2.8
60% to under 70%	11	31.5
70% to under 80%	22	62.9
80% and over	1	2.8
Average Ro = 70.7%		

3.13

*Original offence = drug trafficking
demographic structure*

	Number of released prisoners	Percentage
The whole cohort	95	100.0
Gender		
Male	87	91.6
Female	8	8.4
Nationality		
French	23	24.2
Foreign without expulsion	9	9.5

Foreign with expulsion	63	66.3
Marital status		
Single	62	65.3
Married	29	30.5
Separated, divorced, widowed	4	4.2
Age at time of release		
Under 25	5	5.3
25-29	29	30.5
30-39	45	47.4
40-49	14	14.7
50 and over	2	2.1

3.14

*Original offence = drug trafficking
penal structure*

	Number of released prisoners	Percentage
The whole cohort	95	100.0
Previous convictions		
0 conviction	87	91.6
1 conviction or more	7	7.4
2 convictions or more	1	1.1
Quantum (length) of original prison sentence		
3 years to under 5 years	74	77.9
5 years to under 10 years	16	16.8
10 years to under 15 years	5	5.3
15 years and over	0	0.0
Mode of release		
Served full sentence (FS)	76	80.0
Released on licence (RL)	19	20.0
Ratio of sentence served in custody (Ro)		
Less than 50%	4	4.2
50% to under 60%	8	8.4
60% to under 70%	34	35.8
70% to under 80%	48	50.5
80% and over	1	1.1
Average Ro = 67.8%		

Appendix 4.

*Specific study of released prisoners
who have been newly convicted*

4.1

*Original offence = rape
Analysis of the whole of the criminal record*

	Number of released prisoners	Percentage
The whole cohort	96	100.0
At least one new offence	37	38.5
At least one new offence leading to an unsuspended prison sentence	22	22.9
At least one new offence leading to an unsuspended prison sentence of at least three years	6	6.3

4.2

*Original offence = theft (either-way offences)
Analysis of the whole of the criminal record*

	Number of released prisoners	Percentage
The whole cohort	220	100.0
At least one new offence	159	72.3
At least one new offence leading to an unsuspended prison sentence	126	57.3
At least one new offence leading to an unsuspended prison sentence of at least three years	35	15.9

4.3

*Original offence = theft (indictable offence)
Analysis of the whole of the criminal record*

	Number of released prisoners	Percentage
The whole cohort	312	100.0
At least one new offence	184	59.0
At least one new offence leading to an unsuspended prison sentence	114	36.5
At least one new offence leading to an unsuspended prison sentence of at least three years	38	12.2

4.4

*Original offence = assault (indictable and either-way offences)
Analysis of the whole of the criminal record*

	Number of released prisoners	Percentage
The whole cohort	101	100.0
At least one new offence	52	51.5
At least one new offence leading to an unsuspended prison sentence	35	34.7
At least one new offence leading to an unsuspended prison sentence of at least three years	7	6.9

4.5

Original offence = indecent assault
Analysis of the whole of the criminal record

	Number of released prisoners	Percentage
The whole cohort	35	100.0
At least one new offence	11	31.4
At least one new offence leading to an unsuspended prison sentence	6	17.1
At least one new offence leading to an unsuspended prison sentence of at least three years	0	0.0

4.6

Original offence = unlawfull killing
Analysis of the whole of the criminal record

	Number of released prisoners	Percentage
The whole cohort	121	100.0
At least one new offence	39	32.2
At least one new offence leading to an unsuspended prison sentence	24	19.8
At least one new offence leading to an unsuspended prison sentence of at least three years	5	4.1

4.7

Original offence = drug trafficking
Analysis of the whole of the criminal record

	Number of released prisoners	Percentage
The whole cohort	95	100.0
At least one new offence	13	13.7
At least one new offence leading to an unsuspended prison sentence	10	10.5
At least one new offence leading to an unsuspended prison sentence of at least three years	4	4.2

Bibliography

Research into the prison population (CESDIP and SCERI)

Work on the criminal justice system - prisons

English

- Godefroy (Th), Laffargue (B), *The Labor Market and Penal Control, the French Situation*, American Society of Criminology, « Challenges of Crime and Social Control », Miami, USA, 1994, 23 p.
- Tournier (P), « The custodial crisis in Europe, inflated prison populations and possible alternatives », Romainmôtier / Lausanne, IV Colloquium on crime and criminal policy in Europe, *European Journal on Criminal Policy and Research*, 1994, Vol.2, 4, 89-10.

French

- Aubusson de Cavarlay (B), *Les filières pénales. Étude quantitative des cheminements judiciaires*, Paris, Cездip, Déviance et Contrôle social, 43, 1987, 297 p.
- Aubusson de Cavarlay (B), Huré (M-S), *Arrestations, classements, défèrements, jugements, suivi d'une cohorte d'affaires pénales de la police à la justice*, Paris, Cездip, Études et Données pénales, 72, 1995, 250 p.
- Aubusson de Cavarlay (B), Huré (M-S), « De l'arrestation au jugement, enquête sur les filières pénales », *Questions Pénales*, VIII, 5, 1995.
- Bernat de Celis (J), *Peines prononcées, peines subies, la mise à exécution des peines d'emprisonnement correctionnel, pratiques du parquet de Paris*, Paris, Cездip, Déviance et Contrôle social, 46, 1988, 232 p.
- Cnerp, *Recherches sur la population des prisons*, Paris, 1973, 287 p.
- Faugeron (C), *Les politiques pénales*, La Documentation française, Problèmes politiques et sociaux, 1992, 688, 67 p.

- Faugeron (C), Tournier (P), « La crise des prisons françaises », La documentation française, *Les Cahiers français*, 1991, 251, 128-136.
- Guillonnet (M), Kensey (A), Mazuet (Ph), « Densité de population carcérale », *Cahiers de démographie pénitentiaire n°4*, Paris, Direction de l'administration pénitentiaire, 1997.
- Godefroy (Th), Laffargue (B), Changements économiques et répression pénale: plus de chômage, plus d'emprisonnement ?, Paris, Cesdip, *Déviance et Contrôle social*, 55, 1991, 284 p.
- Kensey (A), Mazuet (Ph), « Analyse conjoncturelle de la population détenue », Paris, Sceri, *Cahiers de démographie pénitentiaire*, n°3, 1997.
- Kensey (A), Timbart (O), FND 93, compilation statistique des incarcérations, libérations et durées de détention, Paris, Direction de l'administration pénitentiaire, Travaux et Documents, 49, 1995, 244 p.
- Robert (Ph), Aubusson de Cavarlay (B), Pottier (M-L), Tournier (P), *Les comptes du crime. Les délinquances en France et leurs mesures*, L'Harmattan, Logiques sociales, 1994, 329 p.
- Tournier (P), «La prison à la lumière du nombre», Mémoire d'habilitation à diriger des recherches, soutenu en Sorbonne, université Paris I, 1996, 205 p.
- Tournier (P), « La prison à la lumière du nombre », Lignes /Editions Hazan, n°27, 1996, 128-141.
- Tournier (P), « Démographie carcérale en trois dimensions: le temps, l'espace et l'individu », *Déviance & société*, 1998, vol. 22, n°2, 213-227.
- Tournier (P), « Délinquance et criminalités : des nombres pour comprendre ? », Université de droit, d'économie et des sciences d'Aix-Marseille, Institut de sciences pénales et de criminologie (ISPEC), sous presse.

Chronological analyses and projections

English

- Kensey (A) «Prison population in France: an erratic evolution?», paper presented at the International seminar on prison population projections, Home Office, July 1991, Manchester, England.

French

- Barré (M-D), « 130 années de statistique pénitentiaire en France », *Déviance et société*, 1986, vol.10, 2, 107-128.
- Barré (M-D), Résistible progression des effectifs de la population carcé-

- rale en France ? réflexion sur les projections, VIIIe Colloque national de démographie, Grenoble, 1987, 17 p.
- Barré (M-D), Tournier (P), *Projections de la population pénale pour la période « 1.4.1980 1.4.1982 »*, Paris, Direction de l'administration pénitentiaire, Travaux et Documents, 1, 1980, 70 p.
- Cnerp, *Recherche sur la prévision des effectifs de la population pénale*, Paris, 1971, 96 p.
- Kensey (A), *Note sur les perspectives d'évolution de la population carcérale*, Paris, Direction de l'administration pénitentiaire, Note de conjoncture, 98, 1990, 6 p.
- Kensey (A), *La population des prisons en France, une évolution aléatoire ?*, Paris, Direction de l'administration pénitentiaire, Travaux et Documents, 41, 1991, 28 p.
- Leconte (B), Tournier (P), *Contribution à la connaissance de la population des personnes incarcérées en France, actualisation des tableaux sur la période « 1981-1985 »*, Paris, Direction de l'administration pénitentiaire, Travaux et Documents, 30, 1985, 119 p.
- Leconte (B), Tournier (P), *Contribution à la connaissance de la population des personnes incarcérées en France, « 1968-1980 », actualisation des données sur la période « 1981-1988 »*, Paris, Direction de l'administration pénitentiaire, Travaux et Documents, 37, 1988, 82 p.
- Maalay (A), « 70 000 en 2 000 », *Pénombre*, 1995, 6, 16-18.
- Macioszek (J), Tournier (P), Base de données SEPT (séries pénitentiaires temporelles). représentations graphiques, Paris, CESDIP, Etudes et Données pénales, 63, 1991, 85 p.
- Nabucet (F), *La population pénale métropolitaine de 1911 à 1939: analyse statistique*, Paris, Direction de l'administration pénitentiaire, Travaux et Documents, 8, 1981, 38 p.
- Papail (J), *Contribution statistique à l'étude de la population pénale au XXe siècle (1852-1910)*, Paris, Direction de l'administration pénitentiaire, Travaux et Documents, 5, 1981, 109 p.
- Sagnier (G), *La population pénale métropolitaine de 1945 à 1980: analyse statistique*, Paris, Direction de l'administration pénitentiaire, Travaux et Documents, 12, 1981, 47 p.
- Tournier (P), *Note sur l'évolution actuelle de la population pénale et ses variations saisonnières*, Paris, Direction de l'administration pénitentiaire, 1979, 11 p.
- Tournier (P), *Perspectives de la population pénale pour la période 1.11.1979 - 1.4.1981*, Paris, Direction de l'administration pénitentiaire, 1979, 40 p.
- Tournier (P), « Analyse statistique de l'évolution de la population pénale

depuis 1967 », *Revue de science criminelle et de droit pénal comparé*, 1980, 3, 743-753.

- Tournier (P), *Contribution à la connaissance de la population des personnes incarcérées en France (1968-1980), analyse démographique*, thèse de 3e cycle, Université de Paris I, 1981, 342 p.
- Tournier (P), « Transformation des populations carcérales 1974-1994 », in *Soigner et/ou punir, questionnement sur l'évolution, le sens et les perspectives de la psychiatrie en prison*, L'Harmattan, 1996, 65-73.
- Tournier (P), *Évolution de la population des prisons françaises de 1945 à nos jours*, in *La réinsertion des délinquants: mythe ou réalité*, Presses Universitaires d'Aix-Marseille, Faculté de droit et de science politique, 1996, 131-155.

Prison population inflation

English

- Kensey (A), Tournier (P), *Factors leading to prison population inflation in France*, The American Society of Criminology, Controlling Crime and Achieving Justice, Assessing prisoner population trends, Chicago, Illinois, novembre 1996, 18 pages.

French

- Tournier (P), *Démographie des prisons françaises - toujours plus ?*, École nationale d'administration (ENA), séminaire sur « L'impossible maîtrise de la population pénitentiaire ? », Paris, Ccsdip, Etudes et Données pénales, 64, 1992, 117 p.
- Tournier (P), « L'inflation carcérale en France : quelques données pour mieux comprendre », *FORENSIC*, revue de psychiatrie et de psychologie légale, n°8, 9-13, 1995.
- Tournier (P), « Inflation carcérale et aménagement des peines », in *Prison: sortir avant terme*, Travaux de l'Institut de sciences criminelles de Poitiers, n°15, Editions Cujas, 1996, 123-162.
- Tournier (P), « La population des prisons est-elle condamnée à croître ? », Michel Foucault, Surveiller et punir: la prison vingt ans après, Sociétés & Représentations, n°3, 1996, 321-332.
- Tournier (P), « Lutter contre l'inflation carcérale », *Le Nouveau Bulletin du CLCJ*, 1997, n°3,
- Tournier (P), « Que faire pour lutter contre l'inflation carcérale ? », Le quotidien La Croix, 26 juin 1997, p.15.

- Tournier (P), « Que faire pour lutter contre l'inflation carcérale ? », *Le Croquant* n°22, 1997, 185-194.
- Tournier (P), « Les composantes de l'inflation carcérale ? », *Les cahiers de la sécurité intérieure*, ministère de l'Intérieur, sous presse.

Time spent in prison

French

- Barré (M-D), Tournier (P), coll. Leconte (B), *La mesure du temps carcéral, observation suivie d'une cohorte d'entrants*, Paris, Ccsdip, *Déviance et Contrôle social*, 48, 1988, 199 p.
- Barré (M-D), Tournier (P), « Le temps carcéral », *Revue de science criminelle et de droit pénal comparé*, 1990, 2, 379-387.
- Guillonnet (M°), Kensey (A), Mazuet (Ph), « Les ressources des sortants de prison », *Cahier de démographie pénitentiaire* n°5, 1998.

Remand prisoners

French

- Descombres (V), « On vous aura prévenus », *Chronique d'outre-tombe, Le Nouveau bulletin*, revue du CLCJ n°2, 1997.
- Robert (Ph), Ed., *Entre l'ordre et la liberté, la détention provisoire, deux siècles de débats*, L'Harmattan, 1992, 288 p.
- Tournier (P), « La détention provisoire et sa mesure », Les presses universitaires de Montréal, *Criminologie*, XXVIII, 1995, 27-41.

Individualisation of execution of sentences

French

- Barré (M-D), Tournier (P), *Érosion des peines perpétuelles: analyse des cohortes des condamnés à mort graciés et des condamnés à une peine perpétuelle libérés entre le 1er janvier 1961 et le 31 décembre 1980*, Paris, Direction de l'administration pénitentiaire, Travaux et Documents, 16, 1982, 95 p.
- Barré (M-D), Tournier (P), « L'érosion des peines perpétuelles », *Revue*

- de science criminelle et de droit pénal comparé, 1983, 3, 505-512.
- Kensey (A), *Le temps compté, étude sur l'exécution des peines des condamnés à dix ans et plus, libérés en 1989*, Paris, Direction de l'administration pénitentiaire, Travaux et Documents, 43, 1992, 99 p.
 - Kensey (A), Tournier (P), *Enquête sur la durée de détention effectuée par les condamnés à une peine de dix ans et plus, libérés en 1989, collecte et codification de l'information*, Direction de l'administration pénitentiaire, Concepts et Méthodes, 18, 1990, 12 p.
 - Lombard (F), Tournier (P), *Projet de recherche locale sur l'aménagement des peines correctionnelles et la récidive dans le département du Nord*, Cesdip, 1995, 30 p.
 - Meurs (D), Tournier (P), « L'érosion des peines, analyse statistique de cohortes de détenus libérés, condamnés à une peine de trois ans et plus », *Revue de science criminelle et de droit pénal comparé*, 1985, 3, 533-540.
 - Tournier (P), *Prisons, Façons d'en sortir*, Deuxième rencontre nationale des intervenants en alcoologie auprès des populations pénales (APE-CAPP), École nationale de la magistrature, Bordeaux, 1996.
 - Tournier (P), Leconte (B), Meurs (D), *L'érosion des peines: analyse de la cohorte des condamnés à trois ans et plus, libérés en 1982*, Paris, CES-DIP, *Études et données pénales*, 49, 1985, 79 p.
 - Tugault (Y), « L'érosion des peines perpétuelles », *Population*, 1984, 3, 608-614.
 - Descombres (V), « De grâce, un chiffre ! », *Chronique d'outre-tombe, Le Nouveau bulletin*, revue du CLCJ n°4, 1997.

Detention of juveniles and young adults

English

- Tournier (P), « Detention of juveniles, a follow-up study of a cohort of entering prisoners », *Penal Issues*, 1993, 4, 3-5.

French

- Gervy (N), Kensey (A), Mazuet (P), « Détenus mineurs », Paris, Sceri, *Cahiers de démographie pénitentiaire*, n° 1, 1996.
- Tournier (P), La détention des mineurs, observation suivie d'une cohorte d'entrants, Paris, Cesdip, *Études et données pénales*, 62, 1991, 109 p.
- Tournier (P), « La détention des mineurs, observation suivie d'une

- cohorte d'entrants », *Questions pénales*, 1992, V, 1.
- Tournier (P), « Jeunes en prison », Paris, *Droit de l'enfance et de la famille*, 1993, 37, 399-416.
- Tournier (P), « La détention des mineurs en France, observation suivie d'une cohorte d'entrants », *Bulletin suisse de criminologie*, 1993, 2, 9-25.
- Tournier (P), *Jeunes en prison : données statistiques sur la détention des moins de 21 ans en France métropolitaine*, Paris, Cesdip, *Études et données pénales*, 67, 1993, 147 p.
- Tournier (P), « Mineurs en prison, analyse démographique », *Délinquance et précocité, actes du 29e Congrès de l'association française de criminologie*, Beauvais, 1995, 217-233.

Detention of women prisoners

French

- Mary (F-L), *Femmes, délinquances et contrôle pénal, analyse socio-démographique des statistiques administratives françaises*, Paris, Cesdip, *Études et Données pénales*, 75, 1996, 267
- Mary (F-L), *Délinquances des femmes et répression pénale*, *Questions Pénales*, 1996, IX, 5.
- Mary (F-L), *Les femmes, et le jugement pénal : apports de l'approche démographique et limites de l'information statistique*, édité in Baccaini (B), Barbieri (M), Condon (S), Digoix (M), Eds, *Actes du colloque Jeunes chercheurs « Questions de population »*, Tome I : mesures démographiques dans les petites populations, Paris, INED, *Dossiers & Recherches* n°58, 1997.
- Mary (F-L), « Justice pénale : les inégalités profitent aux femmes », in *L'état de la France*, édition 1996-1997, Éditions de la découverte, 1997.

Detention of foreigners

English

- Tournier (P), « Nationality, Crime, and Criminal Justice in France », *The University of Chicago, Crime and Justice, Ethnicity, Crime and Immigration: Comparative and CrossNational Perspectives*, Volume 21, 1997, 523-551.

German

- Tournier (P), Robert(Ph), «Mehr Gefangene als Tater», Neue Kriminalpolitik, forum fur Praxis, Politik und Wissenschaft, Heft, 2, 38-40, 1992.

French

- Guillonnet (M), Kensey (A), «Les étrangers en prison», *Cahiers de démographie pénitentiaire n°6*, Direction de l'administration pénitentiaire, Paris, à paraître.
- Mary (F-L) et Tournier (P), *La répression pénale de la délinquance des étrangers en France*, Lyon, Colloque sur « ruptures, crises, sociétés en crise et santé publique », 1996, 12 p.
- Mary (F-L) et Tournier (P), «La répression pénale de la délinquance des étrangers en France», *Le croquant n°22*, 1997, 133-139.
- Mary (F-L) et Tournier (P), «Derrière les chiffres, réalités de la répression pénale de la délinquance des étrangers en France», *Information Prison-Justice n°84*, 1998, 12-17.
- Roy (P), « Etrangers en prison, les comptes de Sorman », Pénombre, 0.07, octobre 1992.
- Tournier (P), *Que faire des statistiques pénales en matière d'extranéité ?* Bruxelles, séminaire « Loi, criminalité, politiques de contrôle social et minorités raciales, ethniques ou étrangères dans les pays européens », 1994.
- Tournier (P), « La délinquance des étrangers en France, analyse des statistiques pénales », in *Délit d'immigration, immigrant delinquency*, Commission européenne, Cost A2, Sciences sociales, 1996, 133-162.
- Tournier (P), Robert (Ph), *Étrangers et délinquances, les chiffres du débat*, L'Harmattan, 1991, 263 p.
- Tournier (P), Robert(Ph), « Etrangers : Police, Justice, Prison » in *La connaissance de l'immigration et de l'intégration, rapport 1992 du Haut Conseil à l'Intégration*, La Documentation française, collection des rapports officiels, 1993, 133-170.
- Tournier (P), « La question de la délinquance des immigrés en Europe, le point de vue d'un démographe » colloque «Migration, Interaction and conflicts in the Making of an European Democracy », Bologna, sous presse.

Drug addiction - the health of prisoners**French**

- Cirba (L), Kensey (A), « Les toxicomanes incarcérés », Paris, Ministère de la Justice, Travaux et documents N° 38, avril 1989.
- Guillonnet (M), Kensey (A), «La santé en milieu carcéral, éléments d'analyse sociodémographique » *Revue française des affaires sociales*, n°1, 1997, 42-59.
- Kensey (A), Jean (J-P), « Usage licite de chiffres stupéfiants », Pénombre, 1993, 2, 5-11.
- Kensey (A), Guillonnet (M), *Éléments statistiques pour l'étude de la santé en milieu carcéral*, *Revue française des affaires sociales*, «La santé en prison, un enjeu de santé publique», La Documentation française n°1, janvier-mars 1997 n°40-60.

Sexual assault**English**

- Tournier (P), « Sexual assault, Punishment and judicial carcer of offenders », *Penal Issues*, n°8, 1997, 6-8.

French

- Tournier (P), « Agressions sexuelles: repression pénale et devenir des condamnés », *Questions Pénales*, IX, 2, 1996.
- Tournier (P), Agressions sexuelles: du dépôt de plainte à l'exécution des peines, Cinquième colloque pluridisciplinaire du groupe autonome pluridisciplinaire d'études et de recherches en psychopathologie, « victimes et auteurs d'agressions sexuelles : les réponses interdisciplinaires », Lille, 1995.

Suicidal behaviour in prison**French**

- Bourgoin, (N) « Le suicide en prison et en liberté. Situations comparées », *Revue française des affaires sociales*, 4, 1992, 161 - 173.
- Bourgoin, (N), « Le suicide en milieu carcéral », *Population*, 3, 1993, 609-626.
- Bourgoin (N), *Le suicide en prison*, L'Harmattan, Logiques sociales, 1994, 27 p.

- Tournier (P), Chemithe (Ph), *Contribution à l'étude des conduites suicidaires en milieu carcéral* (1976-1978), Paris, Direction de l'administration pénitentiaire, 1979, 208 p.

Recidivism

English

- Kensey (A), Tournier (P), « Reincarceration », *Penal Issues*, 1992, 3, 9-12.
- Kensey (A), Tournier (P), « Long Prison Terms: what Judicial Career after Release ? », *Penal Issues*, 7, 1996, 3-5.
- Tournier (P), « Post-release Judicial Careers of a Cohort of Entering Prisoners », *Penal Issues* n°9, 1998, 17-20.

Hungarian

- Kensey (A), Tournier (P), « Hosszú idejű börtönbüntetések mi a szabadlabra helyezést követő büntetőjogi életpálya ? », *Journal des procureurs hongrois*, Budapest, 1996, 4, 50-57. (traduction en hongrois de « Long prison terms: what judicial career after release ? *Penal Issues*, n°7, 1996, 3-5).

French

- Coll., *Le récidivisme*, XXIe Congrès de l'Association française de criminologie, rapports et communications, Paris, PUF, 1983, 263 p.
- Descombres (V), « Elle s'appelait Marilyn », *Chroniques d'outre-tombe, Le nouveau bulletin*, revue du CLCJ n°1, 1997.
- Faugeron (C), Le Boulaire (J-M), *Quelques remarques à propos de la récidive*, Paris, Cescip, Etudes et Données pénales, 65, 1992, 26 p.
- Kensey (A), Tournier (P), *Enquête sur le devenir judiciaire des condamnés à une peine de trois ans ou plus*, libérés en 1982: collecte et codification de l'information, Paris, Direction de l'administration pénitentiaire, Concepts et Méthodes, 16, 1989, 32 p.
- Kensey (A), Tournier (P), *Le retour en prison*, analyse diachronique (détenus libérés en 1973 détenus libérés en 1982, initialement condamnés à trois ans ou plus), Paris, Direction de l'administration pénitentiaire, Travaux et Documents, 40, 1991, 95 p.
- Kensey (A), Tournier (P), « Le retour en prison », *Questions Pénales*, 1991, IV, 3.

- Kensey (A), Tournier (P), « Le retour en prison, analyse diachronique (détenus libérés en 1973 - détenus libérés en 1982, initialement condamnés à trois ans ou plus) », *Revue de science criminelle et de droit pénal comparé*, 1992, 1, 134-142.
- Kensey (A), Tournier (P), *Libération sans retour ? devenir judiciaire de la cohorte des sortants de 1982 condamnés à trois ans ou plus*, Paris, Cescip, Etudes et Données pénales, 69, Sceri, Travaux et Documents, 47, 1994, 127 p.
- Kensey (A), Tournier (P), « Longues peines, quel devenir judiciaire après la libération », *Questions Pénales*, 1995, VIII, 1.
- Kensey (A), Tournier (P), « L'éternel retour, devenir judiciaire d'une cohorte de sortants de prison condamnés à une peine à temps de trois ans ou plus », *Les archives de politique criminelle*, 1995, 17, 83-99.
- Kensey (A) Tournier (P), « Mesurer la récidive » in *L'état de la France*, édition 1995-1996, Éditions de la découverte, 1995, 522-523.
- Landreville (P), *Le critère de la récidive dans l'évaluation des mesures pénales*, Paris, Sepc, Déviance et Contrôle social, 36, 1982, 150 p.
- Mary (F.L.), Portas (C), Tournier (P), *Au-delà de la libération, observation suivie d'une cohorte d'entrants en prison*, Paris, Cescip, Coll. Études & données pénales, n°76, 1997, 117..
- Tournier (P), *Enquête sur la récidive des condamnés à une peine de trois ans et plus libérés en 1973: construction de « tables de récidive »*, Paris, Direction de l'administration pénitentiaire, Concepts et Méthodes, 6, 1981, 50 p.
- Tournier (P), « Le retour en prison », *Déviance et Société*, 1983, vol. VII, 3, 237-248.
- Tournier (P), « Le retour en prison », in *XXIe Congrès de l'Association française de criminologie: le récidivisme*, Paris, PUF, 1985, 65-89.
- Tournier (P), *Réflexion méthodologique sur l'évaluation de la récidive: recension des enquêtes de récidive menées depuis 1980 dans les Etats membres du Conseil de l'Europe*, Cescip, Etudes et Données pénales, 56, 1988, 59 p.
- Tournier (P), « La récidive et sa mesure: production de l'information, interprétation des résultats... et diffusion des connaissances », in Martin Killias (Ed.), *Rückfall und Bewahrung Récidive et réhabilitation*, Schweizerische Arbeitsgruppe für Kriminologie - Groupe suisse de travail de criminologie, Reihe Kriminologie - Collection Criminologie, Vol.10, Chur, Verlag Ruegger, 1993, 35-45.
- Tournier (P), « La mesure de la récidive en France », *La Documentation Française, Regards sur l'actualité*, 1997, n°229, 15-23.
- Tournier (P), Dupont(V), *Le retour en prison . analyse rétrospective de la*

cohorte des condamnés à une peine de trois ans et plus libérés en 1973, Paris, Direction de l'administration pénitentiaire, Travaux et Documents, 14, 1982, 120 p.

- Tournier (P), Dupont (V), « Le retour en prison: analyse de la cohorte des condamnés à trois ans et plus, libérés en 1973 », *Revue de science criminelle et de droit pénal comparé*, 1984, 4, 789-800
- Tournier (P), « Devenir judiciaire d'une cohorte d'entrants en prison après la libération » *Questions pénales*, 1997, X, 5.

Alternatives to custody

French

- Barbarin (M), Barré M-D), Le Toqueux (J-L), Tournier (P), *Statistiques sur le Travail d'intérêt général - description des procédures de collecte*, Paris, Direction de l'administration pénitentiaire, Concepts et Méthodes, 12, 1984, 73 p.
- Barré (M-D), Tournier (P), coll. Le Toqueux (J-L), *Travail d'intérêt général: premières données statistiques* (mises à exécution au cours du premier semestre 1984), Paris, Direction de l'administration pénitentiaire, Note de conjoncture, 40, 1984, 38 p.
- Barré (M-D), Tournier (P), coll. Leconte (B), *Le travail d'intérêt général: analyse statistique des pratiques*, Paris, CESDIP, *Études et données pénales*, 50, 1986, 175 p.
- Delaveau (P), Kensey (A), Mazuet (Ph), « Semi-liberté et placements à l'extérieur », Paris, Sceri, *Cahiers de démographie pénitentiaire*, n°2, 1996.
- Inizan (J), Lacroix (M), *Situation professionnelle des publics du comité de probation et d'assistance aux libérés de Paris*, Paris, Direction de l'administration pénitentiaire, 1997, 4 p.
- Ministère de la justice, *Le travail d'intérêt général (1984-1994), études et recherches*, 1994, 132 p.
- Tournier (P), « Le bracelet électronique », Interview paru dans *Dedans, dehors*, revue de l'Observatoire international des prisons (OIP), n°1, 1997.

International comparisons

English

- Killias (M) (Chair), Rau (W) (secretary of group), Barclay (G), v. Hofer (H), Kertesz (I), Kommer (M), Jehle (J-M), Lewis (C), Tournier (P), *European Sourcebook of Crime and Criminal Justice Statistics, Draft Model*, Council of Europe, European Committee on Crime Problems (CDPC), 1995, 194 p.
- Tournier (P), « French Prisons, European Prisons », *Penal Issues*, 1994, 5, 3-6.
- Tournier (P), « Council of Europe Annual Penal Statistics S.PACE: 1993 survey, 1994 survey », Council of Europe, *Penological Information Bulletin*, 19 and 20, 1995, 34-92.
- Tournier (P), *Prison Population Inflation and Overcrowding, Terminology and Methods*, Council of Europe, European Committee on Crime Problems, Strasbourg, PC-CP (96). 9, october 1996, 23 p.
- Tournier (P), *Detention stocks, flows and durations, modes of turnover of prison populations in Europe*, International seminar on the theme « Prison Population in Europe and in North America, Problems and Solutions », Ministry of Justice in Finland, HEUNI, Council of Europe, Helsinki, 12-15 mars 1997, 29 pages.
- Tournier (P), « Council of Europe Annual Penal Statistics S.PACE : 1995 survey, 1996 survey », Council of Europe, *Penological Information Bulletin n°21* (in press)

French

- Barré (M-D), « Les statistiques criminelles : comparaisons internationales », *Questions Pénales*, 1991, IV, 1.
- Enquête relative à certaines sanctions et mesures non carcérales prononcées dans les États membres, Réf. PC-R-CP (90), 8, 4 p. (en français et en anglais).
- Tournier (P), « Les populations carcérales en Occident », in *L'état du monde*, édition 1987-1988, Editions de la Découverte, 1987, 543-548.
- Tournier (P), *Projet de statistiques pénales annuelles du Conseil de l'Europe (S.PACE)*, 19e Réunion du Comité de coopération pénitentiaire, Conseil de l'Europe, Strasbourg, 1990, Réf. PC-R-CP (90), 5, 11 p. (en français et en anglais).
- Tournier (P), *Projet de statistiques pénales annuelles du Conseil de l'Europe (S.PACE)*, 39e session plénière du Comité européen pour les problèmes criminels, Conseil de l'Europe, Strasbourg, 1990:
- Enquête sur les populations pénitentiaires dans les États membres, Réf.

- PC-R-CP (90), 9, 6 p. (en français et en anglais).
- Tournier (P), « La population des prisons en Europe », INSEE, Données sociales, 1990, VII, 444-446.
 - Tournier (P), *Projet de statistiques pénales annuelles du Conseil de l'Europe* (S.PACE): analyse des observations présentées par les Etats membres, 22e Réunion du Comité de coopération pénitentiaire, Conseil de l'Europe, Strasbourg, Réf. PC-R-CP (91), 9, 1991, 71 p. (en français et en anglais).
 - Tournier (P), *Statistiques pénales annuelles du Conseil de l'Europe: PROJET S.PACE.2*, Xe Conférence des Directeurs d'administration pénitentiaire, 41e Session plénière du Comité européen pour les problèmes criminels, Conseil de l'Europe, Strasbourg, Réf. PC-R-CP (92), 6, 1992, 13 p. (en français et en anglais).
 - Tournier (P), « La population carcérale dans les pays européens » in *Encyclopaedia Universalis*, Universalis 92, 1992, 321-324.
 - Tournier (P), « Statistique pénale annuelle du Conseil de l'Europe (S.PACE): enquête 1992 », Conseil de l'Europe, Numéro spécial du Bulletin d'information pénologique, 1993, 18, 37 p.
 - Tournier (P), *Statistique pénale annuelle du Conseil de l'Europe* (S.PACE): enquête 1993 et enquête 1994 », Conseil de l'Europe, Bulletin d'information pénologique, 19-20, 1995, 36-94.
 - Tournier (P), « Prisons d'Europe: inflation carcérale et alternatives », *La revue de la gendarmerie nationale*, n° 180, 1996, 8-12.
 - Tournier (P), Inflation carcérale et surpeuplement des prisons, *Langage & Méthodes*, Conseil de l'Europe, Conseil de Coopération Pénologique, 32e réunion, Strasbourg, PC-CP (96). 9, octobre 1996, 23 p.
 - Tournier (P), « Statistique Pénale Annuelle du Conseil de l'Europe (S.PACE): enquête 1995 », Conseil de l'Europe, Bulletin d'information pénologique, n°21, (en français et en anglais).
 - Tournier (P), *Stocks, flux et durées de détention: les modes de renouvellement des populations carcérales en Europe*, International seminar on the theme « Prison Population in Europe and in North America, Problems and Solutions », Ministry of Justice in Finland, HEUNI, Council of Europe, Helsinki, 12- 15 mars 1997, 29 pages.
 - Tournier (P), coll. Barré (M-D), *Rapport sur la démographie carcérale dans les Etats membres du Conseil de l'Europe*, VIe Conférence des directeurs d'administration pénitentiaire, Conseil de l'Europe, Strasbourg, 1983, 40 p. (en français et en anglais).
 - Tournier (P), Barré (M-D), *Enquête sur les systèmes pénitentiaires dans les Etats membres du Conseil de l'Europe*, démographie carcérale comparée, Conseil de l'Europe, numéro spécial du Bulletin d'information péniten-

- taire, 15, 1990, 45 p. (en français et en anglais).
- Tournier (P), « Statistique pénale annuelle du Conseil de l'Europe (S.PACE), enquête 1995, enquête 1996 », Conseil de l'Europe, *Bulletin d'information pénologique n°21* (in press)



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Before looking at the last research into the recidivism of long-term prisoners which was carried in France, here is presented a general overview and analysis of the changes to the french prison population over the last 20 years.

This publication concludes with a presentation of the principal research being done on the same subject, with a thematic bibliography of works done on prison population, within the context of the French Ministry of Justice.

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