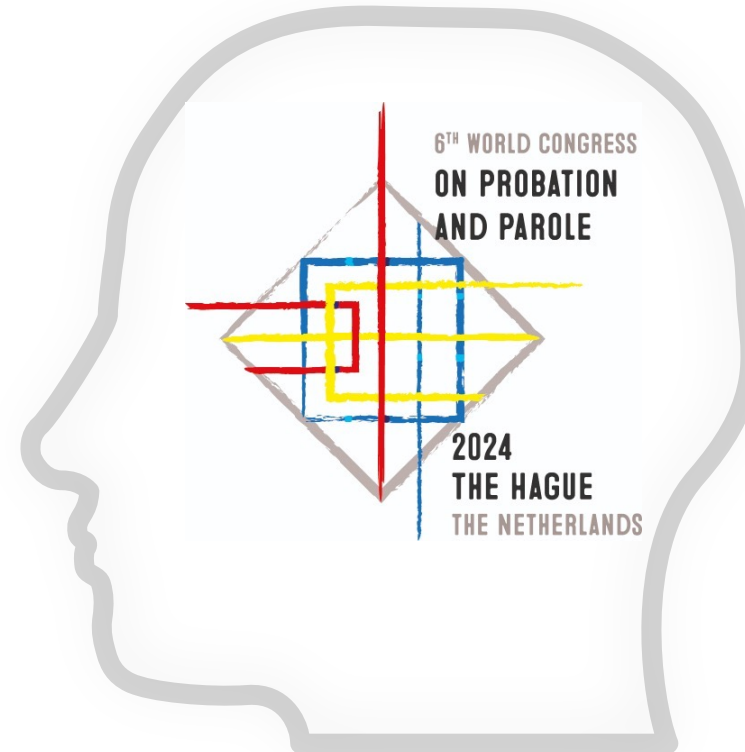


An interactive discussion on the future of probation in connection with the vulnerable group of foreign national offenders

**Balancing Rehabilitation and
Deportation: The UK and
France Experience with FNOs**

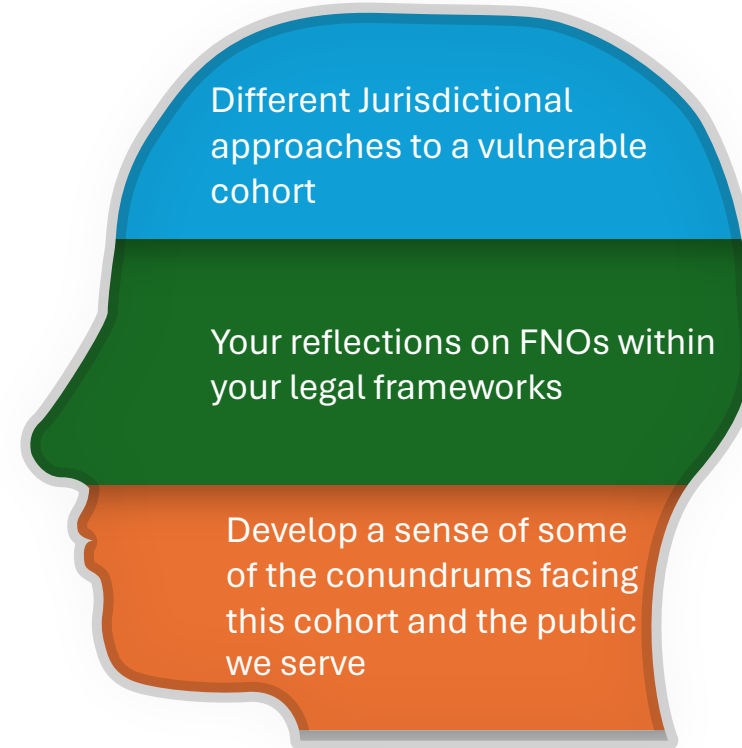


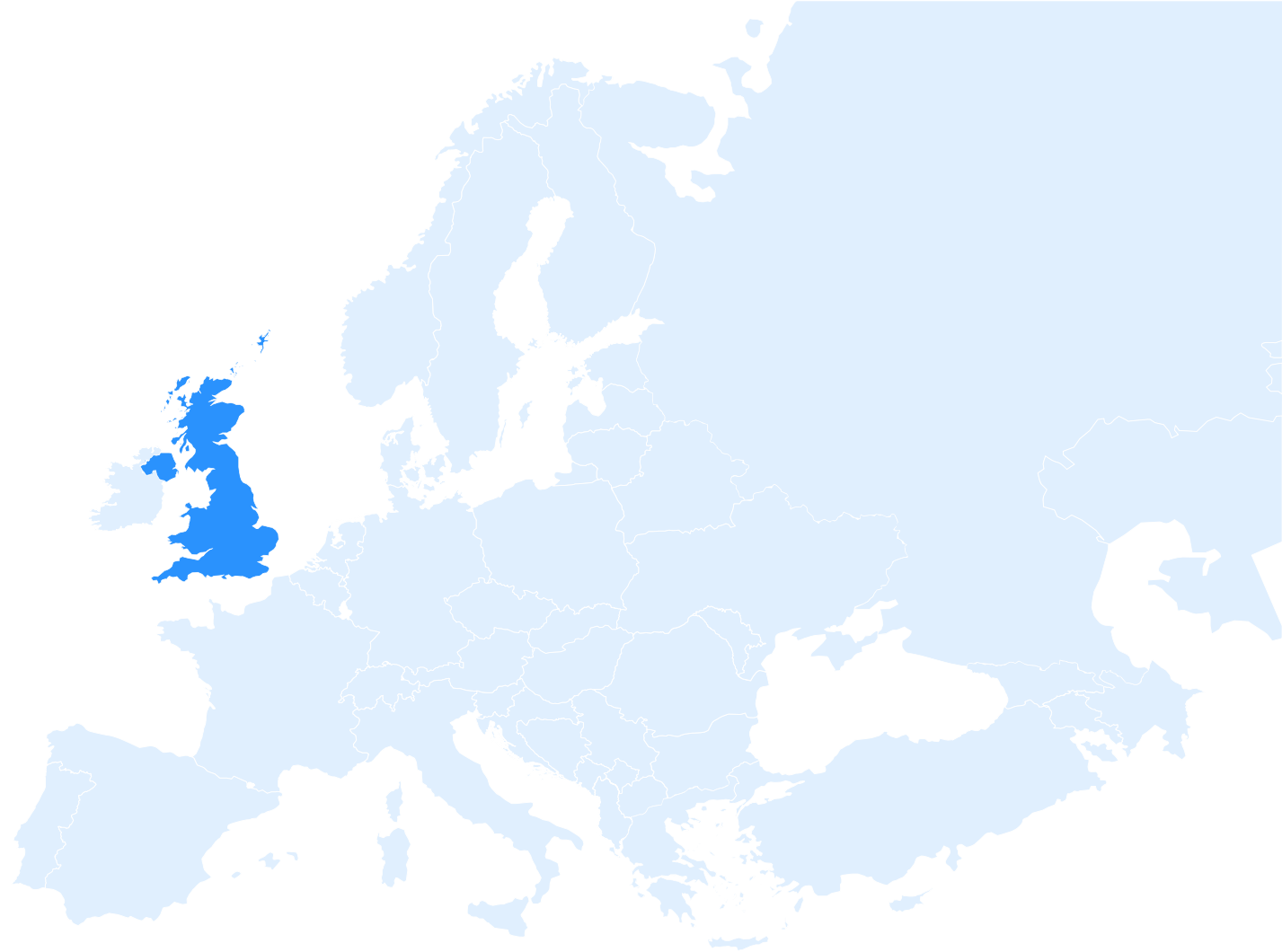
**Osman Nazir
Daniel Danglades**

April 17th, 2024

Session Scope...

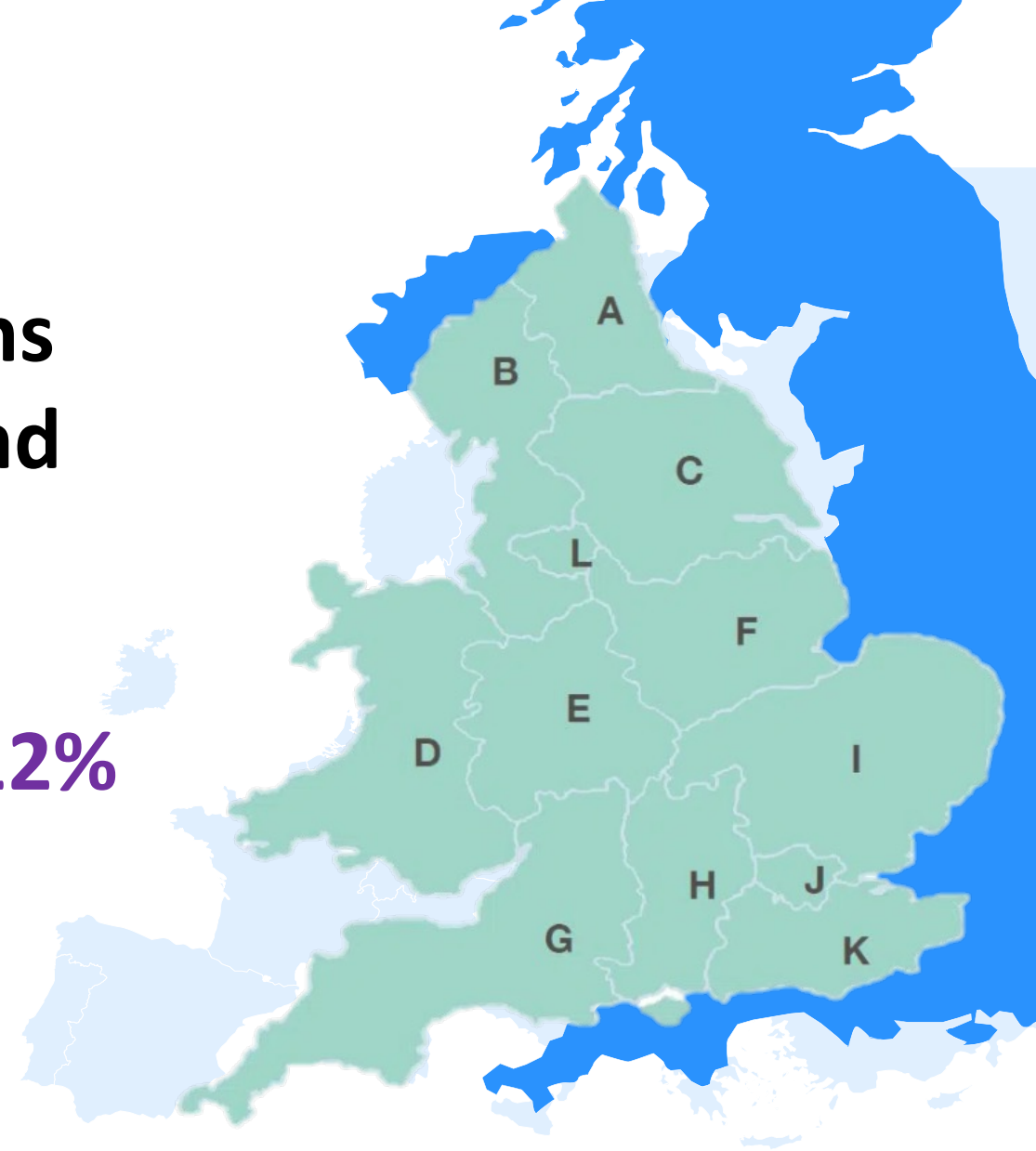
We'll treat this session as space and time to think about:





12 probation regions nationally in England and Wales

FNOs - 10,000+ or 12% of the caseload



Code	Naming convention
A	North East
B	North West
C	Yorkshire and the Humber
D	Wales
E	West Midlands
F	East Midlands
G	South West
H	South Central
I	East of England
J	London
K	Kent, Surrey and Sussex
L	Greater Manchester

National Probation Service in the HMPPS

As of Jan 2024, there were 87,538 prisoners in England and Wales

At the end of June 2023, the total number of people supervised on Probation was 238,264

On 31 March 2022, HMPPS had 62,015 staff in post

128 probation offices across 12 regions in England and Wales

Imprisonment rate of 159 people per 100,000



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Historic Context

1876 - Church of England Temperance Society established missionaries to give the court the option of placing offenders under their supervision rather than punishing them

A Assist

B Befriend

A Advice



Modern Context



Assess

A

Undertake quality assessments of risks, needs, strengths and circumstances - assess suitability and eligibility for interventions, identifying those matched to individual access and needs.

Protect

P

Manage risk of serious harm and work with specialists, multi-agency forums, statutory agencies and partnerships to manage risk and monitoring is in place as required.

Change

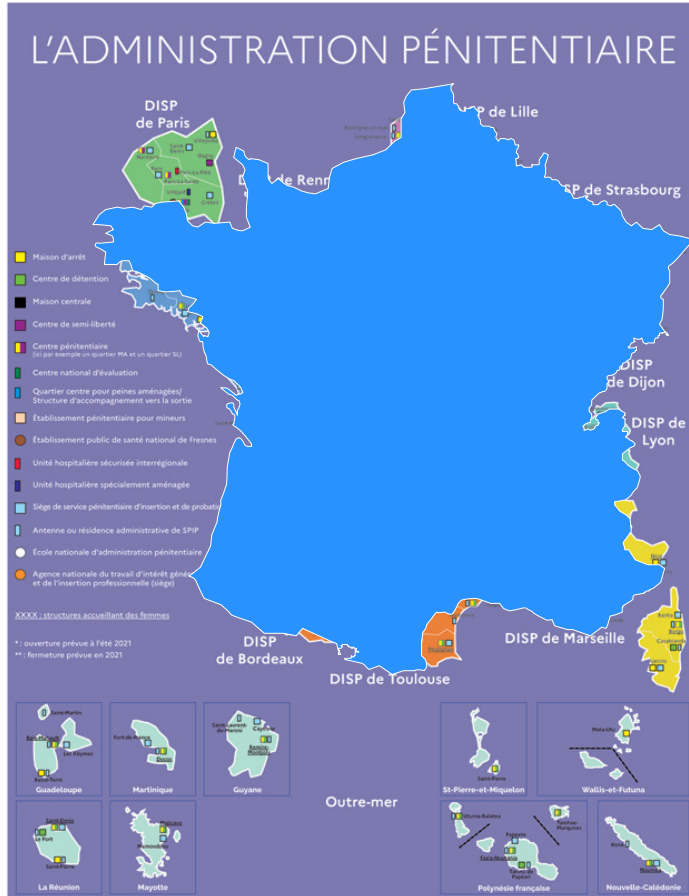
C

Empower people on probation to change their behaviour and build and maintain motivation. Select and sequence the right interventions to support the individual.



French context

Organisation



190 prison facilities

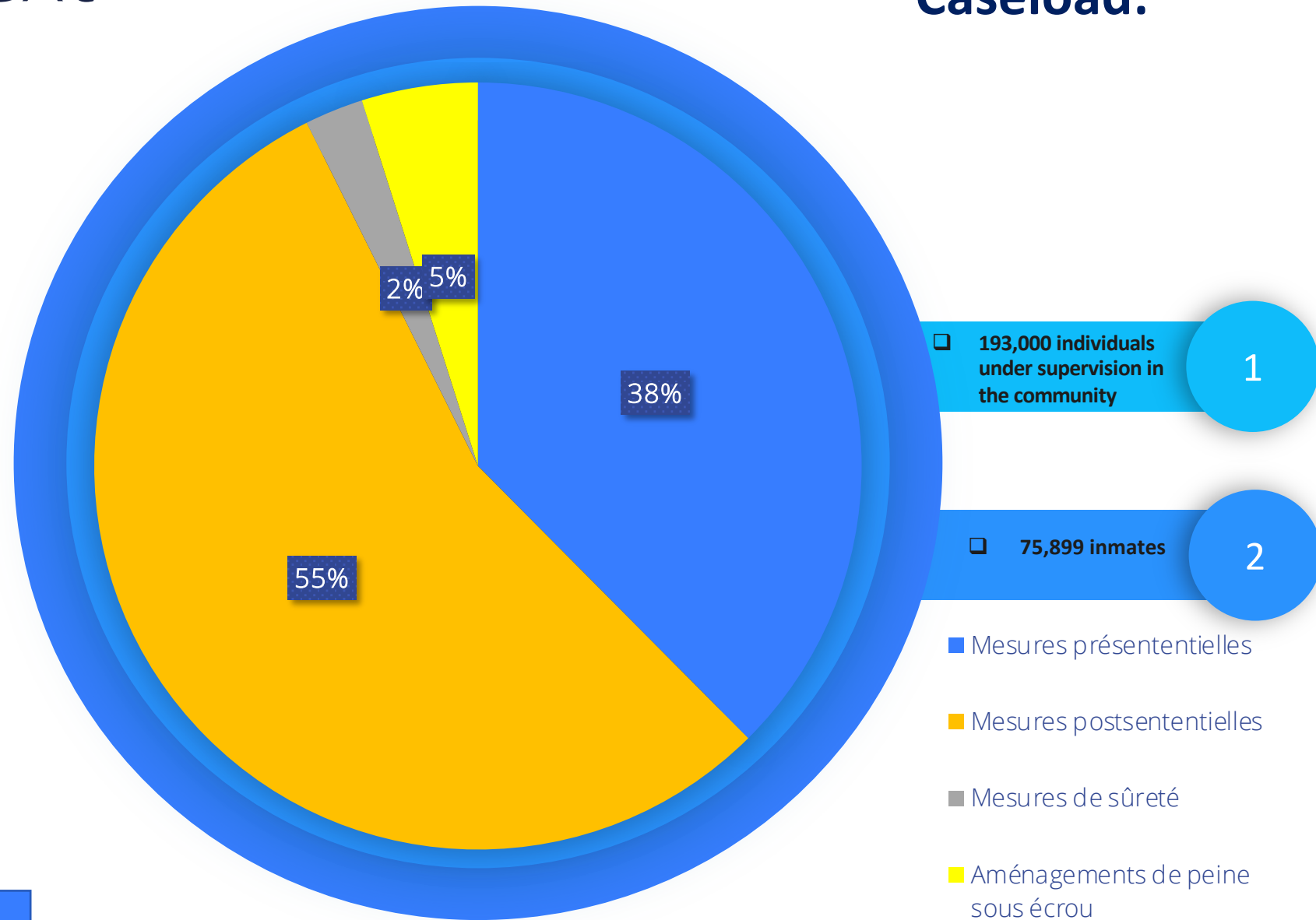
103 probation services

6,313 probation staff, including 4,164 probation officers & 554 directors

French prison & probation services

French context

Caseload:



French prison & probation services

French context

Mission:



Supervising compliance with obligations

2

1

Assisting judicial decisions

3

Helping offenders with reintegration and social exclusion

French probation services

French context



The Guiding Principles

1 The principle of sentence adjustment

2 The ultima ratio principle laid down by the Council of Europe

3 The principle of individualisation of sentences

4 The principle that combating recidivism is one of the purposes of sentencing

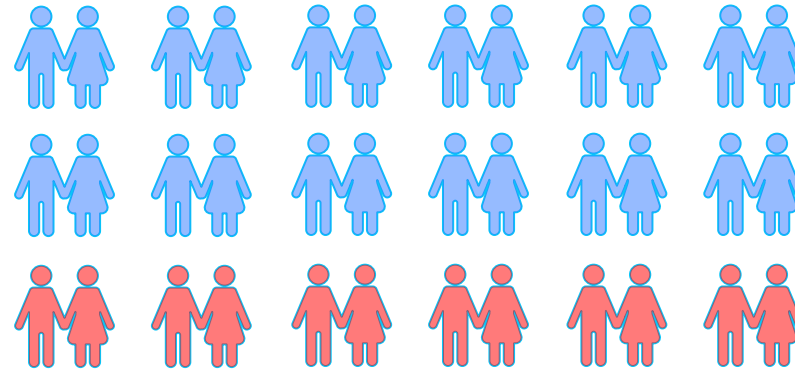
5 The right to be imprisoned in conditions that respect dignity

French context

French prison population rates



On January 1st, 2003



57 440
inmates

93 inmates per
100, 000
inhabitants

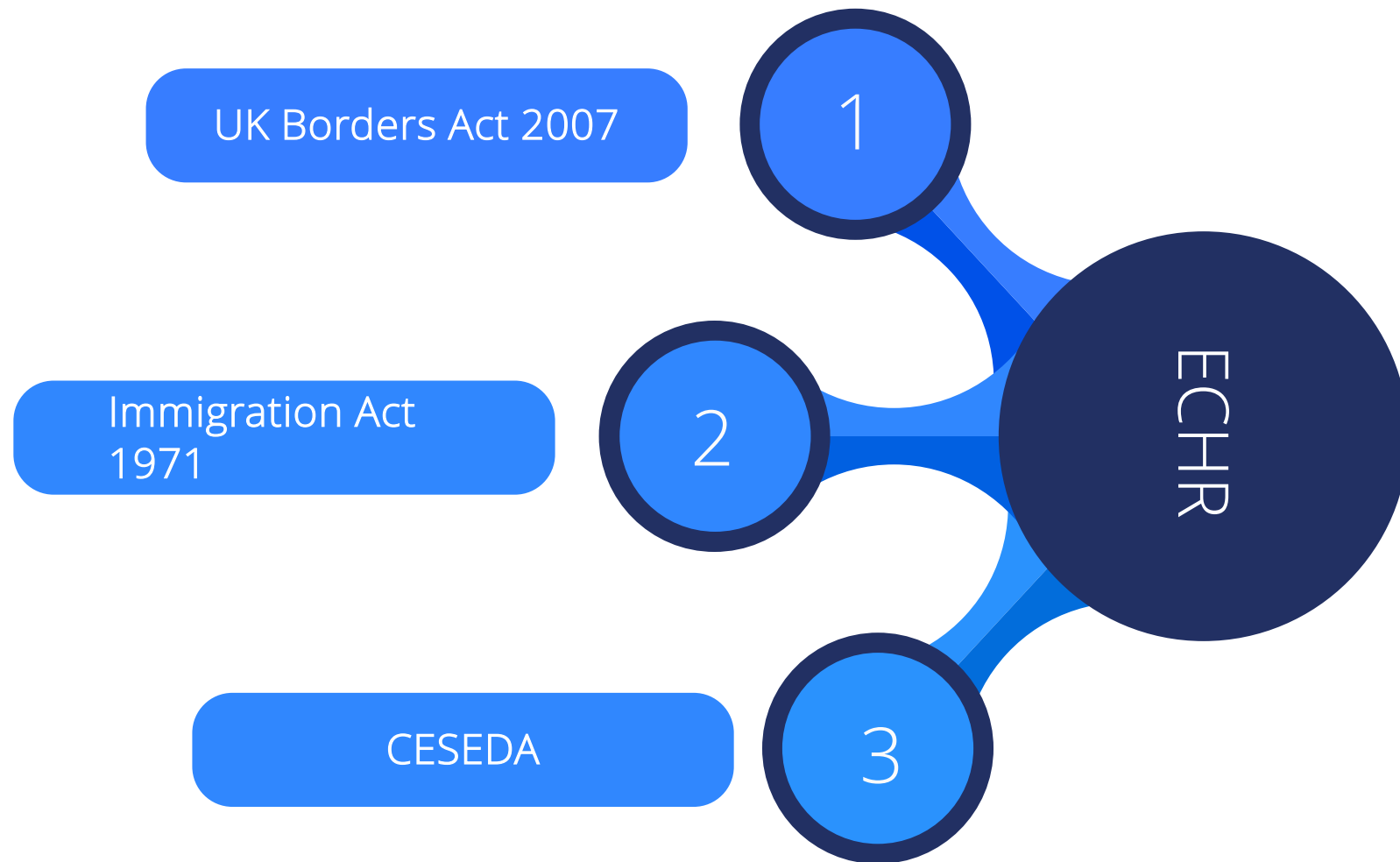
On January 1st, 2024

+28%
in 21 years

75 889
inmates

**107 inmates per
100,000
inhabitants**

Key Legislation



Who are Foreign National Offenders?

1

Diverse Nationalities

FNOs in the UK and France come from a wide range of countries, reflecting global migration patterns and the UK and France's historical ties with many nations.

2

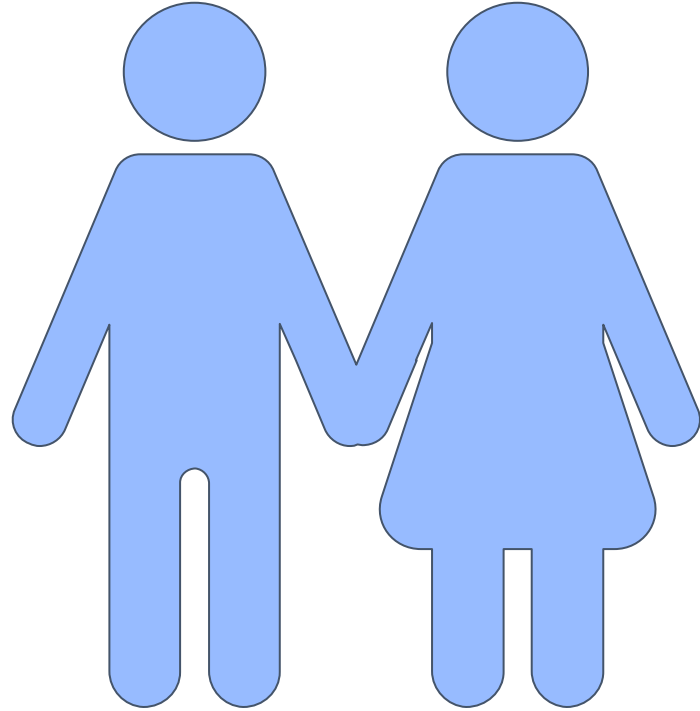
Varied Legal Statuses

The group includes individuals on temporary visas, asylum seekers, refugees, those with permanent residency, and undocumented migrants.

3

Range of Offences

FNOs have been convicted of a broad spectrum of crimes, from minor offenses to serious crimes



Who are
FNOs
within
your
Region?

Foreign Prisoners in Europe

Approximately 150,000 foreign prisoners across European countries.

Median percentage of foreign prisoners within the total prison population: 12.6%.

Wide variations between states (e.g., Luxembourg, Austria, Poland, and Romania).

34% of European prisoners serving sentences outside their country of nationality

Foreign Nationals on Non-Custodial Sanctions

Data less comprehensive than for custodial sentences.

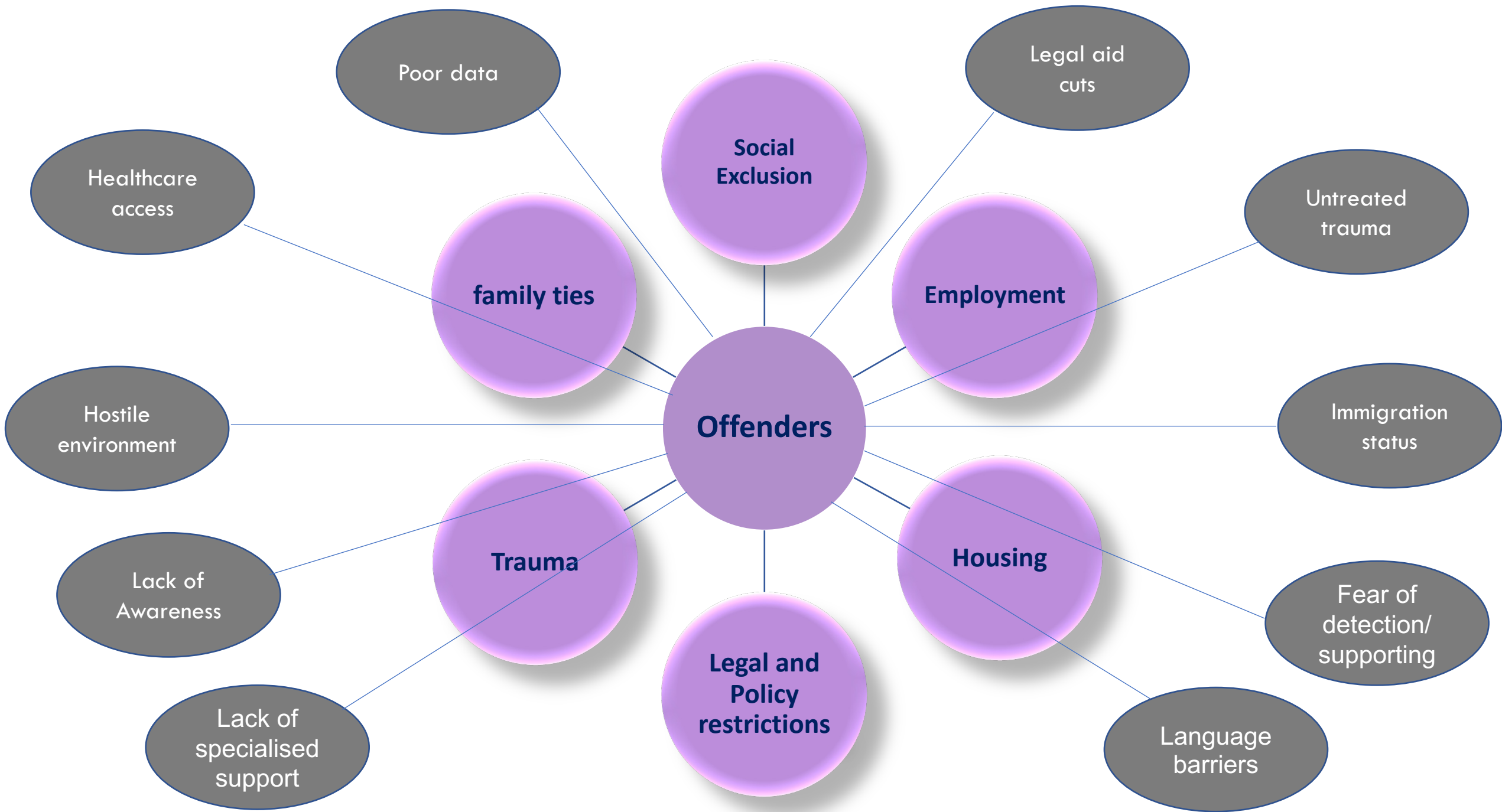
Median percentage of foreign nationals on non-custodial sanctions: 7.4%.

Disparities between states (e.g., Austria, Luxembourg, Spain, Belgium, and Switzerland).

Challenges related to police targeting, sentencing, and nationality bias.



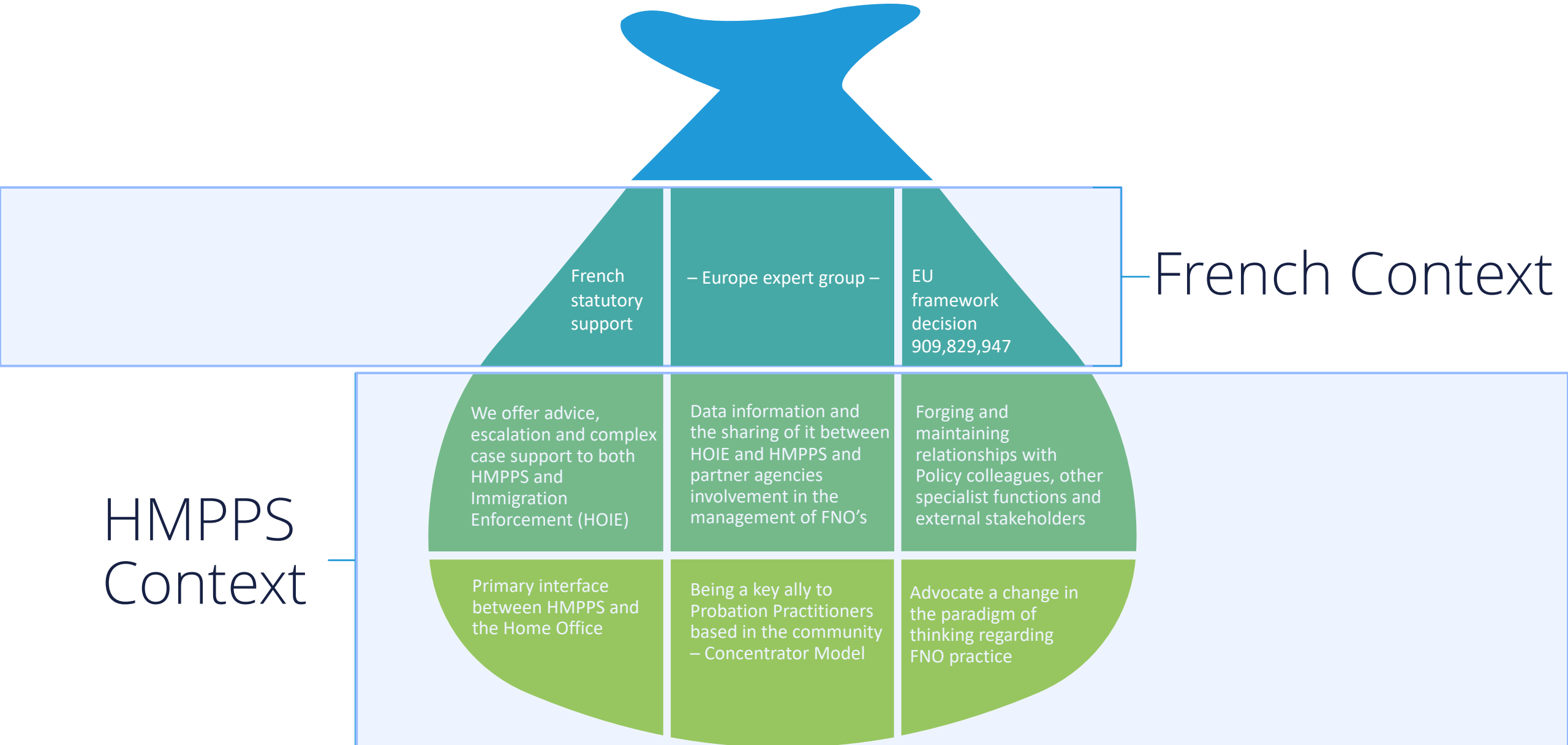
Key Challenges to Rehabilitation





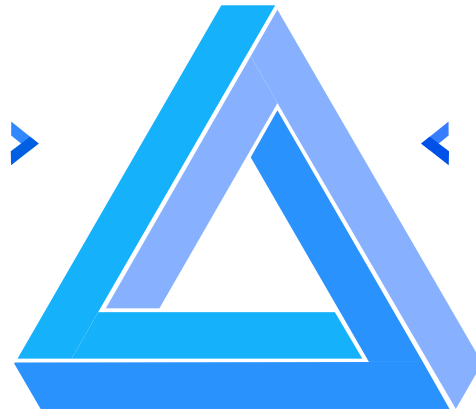
What are some of
the key challenges
for FNOs within
your jurisdiction?

So what support is available?



03

Prison/Probation work is not in isolation – what barriers do you face in accessing support from other agencies? Does resource follow risks?



01

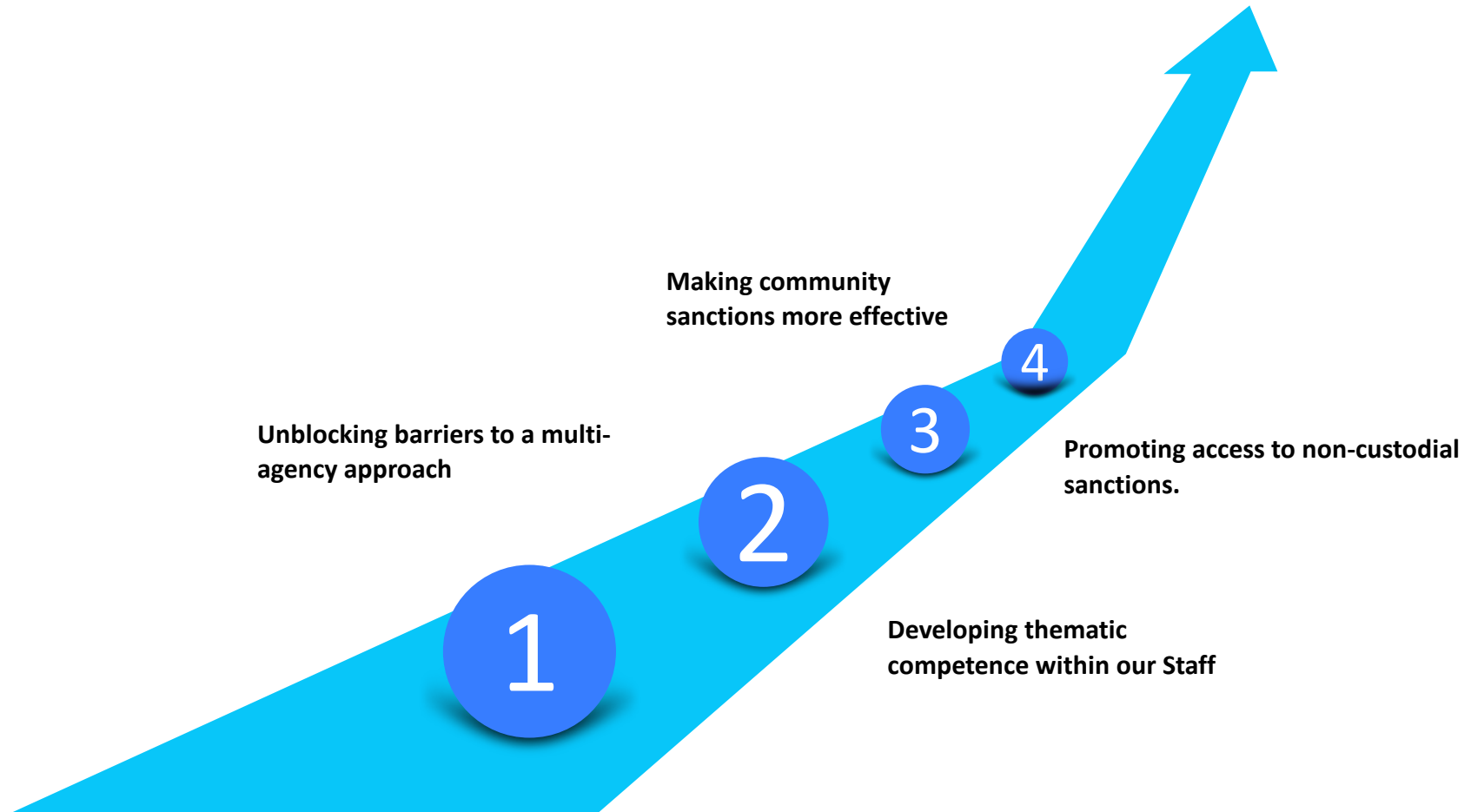
Can FNOs be given a chance to engage in rehabilitation in your Region?



02

Is there a balance to be struck between efforts to remove and efforts to rehabilitate?

Confronting Disparities



CEP/EuroPris Expert Group on Foreign Nationals

- **Unique Network in Europe:** Established in 2013 as a collaboration between CEP and EuroPris.
- **Support for Nationals Abroad:** Originated from European organizations aiding their nationals imprisoned abroad.
- **Collaborative Efforts:** Aims to enhance management and resettlement of foreign nationals in Europe.
- **Diverse Membership:** Includes organizations aiding nationals abroad, statutory prison and probation services, academics, and non-statutory members.
- **Guiding Framework:** Adopts the Council of Europe's Recommendations (CM/Rec 2012(12)) for managing foreign nationals in prison and probation.



HM Prison &
Probation Service

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MINISTÈRE
DE LA JUSTICE

*Liberté
Égalité
Fraternité*

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SCAN ME