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HHR Paris Wins Police Misconduct Verdict

News & Events | Pro Bono

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January 8, 2021 – HHR Paris obtained a pro bono victory for 11 victims of police misconduct in a civil lawsuit holding the French government liable for a lengthy track record of abusive practices by the police.

On Oct. 28, the First Chamber of the Paris Judicial Court held that police conducted identity checks without due cause; that unjustified or excessive acts of violence occurred; and that transport and detentions at the police station took place outside the legal framework during several incidents (although no presumption of discrimination was demonstrated).

The First Chamber awarded 40,500 euros in total damages to the 11 victims, plus an additional 1,500 euros for each of them in trial expenses, including attorney fees.

The case focused on a collective complaint of 44 allegations filed in December 2015 by 18 youths aged 14 to 23 filed against 11 police officers. The allegations included verbal, physical and sexual assault during unjustified identity checks, intense frisks, arbitrary arrests and discrimination. The complaint marked the first collective action in France to tackle abusive identify checks, a problem that disproportionately targets African and Arab youths.

HHR also represented two victims in a parallel criminal proceeding that led to the conviction of three police officers in April 2018 for assaulting them in a Parisian neighborhood when they were teenagers. The officers were acquitted on appeal in October 2020.

In the civil case, HHR argued on behalf of 17 plaintiffs that the misuse of identity checks led to arbitrary arrests, unlawful detention, abuse of authority and violence in Paris police stations.

The French state and the Interior Ministry, which oversees the police, sought dismissal of the case, as well as reimbursement for trial expenses, arguing that the identity checks were justified, lawful and not discriminatory, and that the criminal investigation ruled out any alleged excessive force.

The First Chamber dismissed claims by six plaintiffs due to a lack of sufficient evidence that they were victims of police misconduct. But the court held there was enough evidence to support allegations made by Mr. M, Mr. K, Mr. B, Mrs. B, Mr. ES and Mrs. S.

Mr. M and Mr. K received the largest awards – 12,000 euros for Mr. M and 7,000 euros for Mr. K – for their encounters with police when they were teenagers. Mr. M was taken into custody and detained at a police station where he was hit in the face on two occasions in 2014 and 2015. Mr. K was subjected to unjustified identity checks on three occasions, as well as irregular transportation and detention at the police station on four occasions, all in 2014 and 2015.

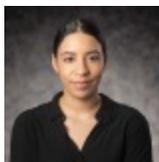
HHR received assistance from Open Society Justice Initiative (OSJI), the operational program of the Open Society Foundations, a philanthropic organization founded by billionaire investor George Soros. Since 2003, OSJI has represented dozens of individuals and groups before domestic and international courts around the world in cases that have sought not only to vindicate individual claims, but to establish and strengthen the law's protection for all.

Felix de Belloy and Laureen Bokanda-Masson handled this matter. De Belloy previously worked with OSJI to win landmark decisions against the French state before the Paris Court of Appeal in 2015 and before the Court of Cassation, France's highest court, in 2016 over abusive and discriminatory identity checks that resulted in damages of 1,500 euros per plaintiff and fundamental changes in French police practices.

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Félix de Belloy



Laureen Bokanda-Masson