

Child protection at risk: *the ESEC's recommendations*

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Child protection is in danger. With 344,682 minors and young adults in the care of child welfare services, all benefits and measures combined (+18% since 2011)¹, an average delay of more than 6 months in implementing protection measures and an unprecedented shortage of staff (30,000 vacancies in the medico-social and educational sector²), these are the findings of the ESEC.

The ESEC has been asked by the President of the Senate to draw up an assessment of the three child protection laws, and points to a systemic crisis in child protection: There are no statistics, no evaluations, few controls, insufficient resources and budgetary means, a worrying failure to enforce court rulings, complex and poorly coordinated governance, serious problems with recruitment and the promotion of professions... It warns of malfunctions that persist or are getting worse and the huge gap that is emerging between the protective and comprehensive framework of existing laws and their application on the ground. Child protection is a textbook case of the lack of effectiveness of social policies. The lack of collective ambition, the disorganisation and exhaustion of those involved mean that children are put at risk.

Child protection is a major issue that society as a whole must address as a matter of urgency. That is why the ESEC has put forward 20 recommendations for a protection system that focuses on children's rights and needs. It calls on the State to better respect France's commitments to protect all children, whatever their vulnerabilities, equally and throughout the country. No distinction should be made between unaccompanied minors (UAMs) and other minors. Lastly, the ESEC stresses that there can be no improvement in child protection without the recruitment of better-trained, better-recognised and better-supported staff.

3300

**children at risk kept
in their families
because of a lack of
available places³**

³Survey of 522 juvenile court judges conducted by the Syndicat de la magistrature (November 2023).

20 years

**number of years
less life expectancy
for abused
children⁴**

⁴Study published in 2021 in The Lancet.

¹ ONPE 2022.

² Livre blanc du travail social, 2023.

1 Call on the State and the départements to assume their responsibilities and coordinate management.

→ *How?*

By commissioning France Enfance Protégée to produce a full annual inventory of care capacity and needs for all départements, in order to bring child protection out of statistical invisibility.

By adopting an inter-ministerial strategy for the prevention and protection of children, renewed every 2 years. The State must be responsible for ensuring that the strategy is applied equally in all départements through contractual arrangements, a monitoring mechanism, equalisation and financial incentives.

By speeding up experimentation with departmental child protection committees (CDPE), to which the departmental child protection observatories (ODPE) should be attached to ensure ongoing dialogue between all the players on the ground.

2 Effective protection for children abused by the system.

→ *How?*

By developing preventive action with families by all bodies.

By making the effectiveness of the Child Protection Plan (CPP), drawn up jointly with the child, his or her parents and the players involved, a prerequisite for the allocation of funding to the départements.

By stepping up open educational initiatives and diversifying the types of care provided: small living units, reducing the number of children monitored by each social worker.

Ensuring that children receive early and comprehensive support (educational, academic, therapeutic): guaranteeing rapid admission to child psychiatry, systematising agreements with

MDPHs and ARSs, developing multi-professional care centres, monitoring the effectiveness of support systems for young adults leaving ASE.

3 Enforcing children's rights.

→ *How?*

By providing for the child to be systematically assisted by a specialist lawyer, and by giving a status to the ad hoc administrator to represent the child's interests in court.

By ensuring the permanent and effective participation of the young people concerned in the CDPE.

By creating a children's code bringing together all the provisions relating to the rights, freedoms and duties of children.

By creating an independent national authority to monitor childcare facilities for protected children, which will have access to the facilities at all times.

4 Guarantee that children are cared for across the board by a sufficient number of well-trained professionals.

→ *How?*

By concretely improving the attractiveness, initial and ongoing training, pay and working conditions of child protection staff, without whom no improvement will be possible.

By publishing without delay the decree on the minimum number of children in collective care, and by introducing a maximum number of measures monitored by professionals in the open environment.

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