

# Making better sense of children's trajectories in child protection in France<sup>☆</sup>



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## ABSTRACT

In France, the child protection system – as well as family-related policies in general – links specific interventions and schemes to the recognition of a particular situation: this is usually called the status-based approach. But in child protection, the status-based approach has severe limitations that may affect the quality of care. Piling up a number of statuses does not promote an overall vision of the child, and the evolving, dynamic nature of a child's development and history tends to disappear in a framework that relies heavily on ascertained, stable situations. Practitioners have started to develop tools to work with the children and families over time and in a more holistic manner, but these developments need to be mainstreamed and to be mirrored in administrative practices and at policy level to really take into account life trajectories.

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## 1. Introduction

More and more interest has been given in recent years in France to the life trajectories of children in the care system and how to better take them into account, both in terms of the care that is provided and in terms of broad policies and administrative procedures. This is a fairly new development in practice, which is progressively being integrated in a more systematic way by policymakers (Illustration 1).

This attention to life trajectories has generated a gradual shift, across the board, away from the traditional, “status”-based definitions that have been operative since the beginning of child protection in France. Our article aims to shed some light on this movement by highlighting the main limitations of status-based policies, and discussing the main reform proposals that are currently being introduced to make better sense of life trajectories of children in care in France – and the main limitations that we see for these proposals (Séraphin, 2014a, 2014b).

## 2. Status-based policies and their limitations

### 2.1. “Status” (statut) and its usage in the French child protection system

The French child protection system, like many others, is dual: children can be protected (through in-home interventions or placement)

as the result of a judicial decision (with or without the parents' consent) or as the result of a decision by social services in agreement with the parents. In both cases, intervention is conditional on a child or family being recognized as being in a specific situation – the fact that they are in this predefined situation triggers the right to receive assistance of a specific kind.

In the present article, the word “status” refers to the situation of a person at a given time, understood through a series of criteria and categories (gender, age, income level, health conditions...). Instead of dealing with a person's overall situation as a whole, the “status-based approach” therefore divides it into different components (with regard to gender, age, income level, health conditions...) for which a specific type of help can be granted.

For the purposes of this article, this “status-based approach” is compared to “life trajectory approaches”, i.e. focusing on the past/present/future tension (an individual's past experience but also his or her projects).

### 2.2. Different usages of the status-based approach in child protection

The first and foremost “status”, in the sense that we've defined it, involved in child protection is age: being a child or a young adult (18–21: young adults are entitled to specific types of assistance by the child protection system), or being in a particular age group (young children, teenagers...) will entail different types of protection, different rights and institutions.

The notion of “status” is also used in relation to specific types of situations that are formally acknowledged during the assessment period: as situations of risk or danger (the legal category that is used in French

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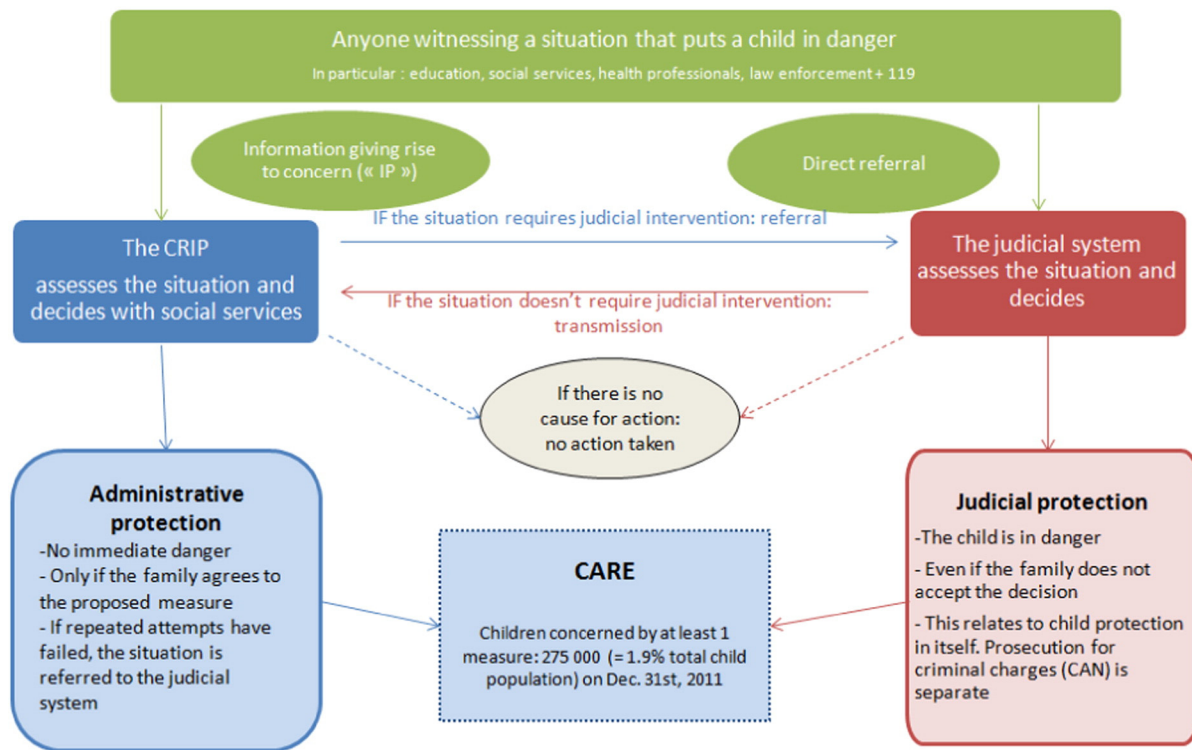


Illustration 1. Functional diagram of Child protection in France after 2007.

child protection is “(risk of) danger”, with precise definitions in the legislation.

Finally, another type of status involved in child protection is linked to the type of care measures that has been decided for a given situation (“open-settings” i.e. in-home interventions as opposed to placement in foster care or residential institutions; administrative decisions as opposed to judicial ones), since being in one category or another will have an impact on the “track” the child can follow.

Broader child-and-family measures (outside of child protection per se – called *Aide sociale à l'enfance*, ASE) that can play a part in the family's context also involve status-based approaches: the family's income (for benefits), a child medical condition or disability...

The previous examples illustrate the variety and prevalence of statuses that can be involved in child protection in France. For each given aspect of the child's situation, different categories of population are defined, each with its specific types of interventions and resources. The idea is that each child's overall situation can be defined as the intersection of these dimensions: tailoring the care plan to the child's needs will, in effect, simply be the result of an adequate assessment of the various dimensions of their situation, rather like a layer cake of intervention. The great strength of status-based approaches, in the authors' opinion, and one reason why they are so generalised, is that they are in line with the equality principle, which is a cornerstone of French public policies. In this framework, entitlement to benefits and help is conditioned by an ascertainable situation to which anyone (in theory) could be confronted, and not to a subjective or ad hoc decision. In other words, the uniqueness of the child's situation is translated in the number and characteristics of the layers, not in the cake mix itself; and this meant to ensure that, although help is proportional and tailored, nobody is treated in a radically different way.

The status-based approach is also very efficient in terms of identifying the population concerned, from a policy monitoring point of view, since the situation that gives access to the help must be recognized through objective criteria. This makes it considerably easier to document the effects of a policy and the evolution of the population concerned.

For all these reasons, this approach has so far been dominant in French public policies, and child protection is no exception.

### 2.3. Limitations of status based approaches for practice

However, status-based approaches lead to a number of difficulties that are increasingly being recognized as major issues by practitioners.

Status-based policies require, for instance, the definition of ascertainable criteria to justify an intervention. Setting measurable levels in turn requires minimal and maximal limits, which invariably causes threshold effects, with two otherwise similar situations being treated differently, for instance, because of a few months' age difference or because of a few Euros in the family's income.

One situation in child protection which is particularly impacted by this is the transition to adulthood: because child protection usually stops when a child becomes an adult, a child's 18th birthday becomes an absolute deadline, which is sometimes not prepared much, and can translate into young adults being left to fend for themselves from one day to the next. The ELAP study (*Étude Longitudinale sur l'Autonomisation des jeunes après un Placement*, <http://elap.site.ined.fr/>), currently underway, already shows that many care leavers have a very strong, negative experience of their 18th birthday (I. Frechon, personal communication, 18 March 2015). *Aides jeunes majeurs* can extend some protection until the age of 21: at a time when most statistical bodies and policies recognize that financial independence comes much later in life than twenty years ago due to the length of studies among other things (Demuynck, 2009; ONED, 2015), most care leavers prepare for very short studies and know they are expected to be autonomous at 21 at the latest.

Moreover, the decision recognizing a specific status or a variety of statuses happens at a given time. Not all decisions that have an impact on child protection require periodic re-assessment or renewals. Decision can sometimes “freeze” a situation, even though the status of parents and children can change, requiring a different life organisation or a new intervention: but getting the change recognized can be a lengthy process.

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