



PRESS RELEASE

***“Precarity and children’s rights”
(2010 Thematic report)***

La Défenseure des enfants (French Ombudsperson for Children Rights) issues an alarm call regarding the situation of poor children

Paris, 15 November 2010

Eight million people, including close to two million children, currently live below the poverty threshold and have to survive on an income that is less than 950 euros per month (half of them have to live on 773 euros per month (taking into account social benefits)).

These children are **subject to a whole range of inequalities related to their housing** (600,000 children are in substandard housing, there are 10,000 children living in CHRS (Housing and Social Insertion Centres), and 6,000 children under the age of 3 in maternity centres...), **their healthcare, their school life and the maintenance of family ties** (143,800 have been placed in homes away from their family).

The effects of precarity have substantial consequences on children’s psychological development and their future

- The absence of housing, over-crowded housing or unfit housing, as well as emergency housing, all have direct consequences on their education, their social life and their health
- The effects on children of the growing number of evictions (10,000 per year) are comparable to those caused by war
- Emergency housing leads to the breaking up of the family unit
- The employment-related difficulties experienced by parents hamper their efforts to find stable housing and also undermine social and family life
- The loss of self-esteem of both the parents and the children
- Fear that the intervention of the institutions or social workers may lead to the

children being placed in a home

- The difficulty of fully committing to school work, since there is always a need to support family life
- The impact of the children's social conditions on their possibilities at school (lower degree of personal ambition and restriction of choices).

Although 68.5 billion euros are spent each year (47.8 billion on family related services and 20.7 billion in the form of aid to combat precarity), making it possible, in particular, to divide the poverty rates by 2 or even 3 thanks to the allocation of social benefits (family allowance, housing allowance and the provision of a minimum social income), **far too many families continue to find themselves in a vulnerable situation.**

The increasing numbers of single-parent families are particularly vulnerable

32.6% of single-parent families live below the poverty threshold (taking into account social benefits). In fact, 85% of these families are composed of mothers bringing up their children on their own:

- for the most part, they have fixed-term contracts, temporary employment, split shift working hours, assisted employment... 16 % of them work atypical hours (nights, Saturday or Sunday) and struggle to find collective childcare facilities that fit in with their working hours.
- They are twice as likely to be unemployed
- They find it difficult to access social housing that corresponds to their resources
- **13% of large families with more than 3 and 4 children live below the poverty threshold** (taking into account social benefits).

<p>Precarity affects all areas of a child's life and infringes upon a child's fundamental rights</p>

I. Poor children are subject to increasing inequalities in terms of access to healthcare and this is creating a two-speed healthcare system

- There is insufficient support during the perinatal period, whilst families and children living in precarious conditions are also excessively vulnerable
- Children increasingly attend hospital casual departments and this creates a discontinuity in their healthcare, since they only receive the bare minimum treatment in the event of a serious health problem
- The risk of obesity amongst children and adolescents in a precarious situation is multiplied by 3 or 4 as a result of nutritional deficiencies
- There are twice the number of obese children in ZEP (Priority Education Programmes), 16% have tooth decay that has not been treated and encounter difficulties in accessing dental braces and spectacles
- Increase in teenage pregnancies (closely linked in the difficulty of accessing contraception which is often too expensive – 15,000 abortions concern minors)
- 17 % of children affected by lead-poisoning live in families that have only the basic healthcare cover (CMU)

Obstacles to accessing prevention and healthcare services in common law:

- The payment per treatment (T2A) system is an obstacle to the provision of prevention and healthcare services for poor children
- There is an increase in the number of doctors who refuse to treat patients who only have the basic healthcare cover (CMU)
- The lack of emphasis placed on prevention: the Territorial Hospitals, Patients and Healthcare law, dated 21 July 2009, makes no mention of the word “prevention,” with the exception of the prevention of alcoholism amongst young people, which is clearly not sufficient.
- The absence of coordination of children’s health: there is no “children’s health plan”.

II. Poverty has an undeniable influence on a child’ educational development, since children are caught up in a form of social determinism

Our country spends a higher proportion of its GDP on its education system than any other country in Europe: in 2008 this amounted to a total of 129.4 billion euros, which represents 6.6% of GDP.

Attainment in mathematics and literacy fell in France between 2000 and 2006 compared to OECD countries (source: Conseil d’analyse stratégique – Strategic analysis council, 2009)

- The length of a child’s education is dependent upon whether or not the child in question belongs to a so-called “favoured” or “unfavoured” group, with those belonging to the second category often being steered towards technological or vocational areas of study.
- Every year, 150,000 children leave school without any form of formal educational qualification
- The lack of a balanced social mix in schools is a huge obstacle to ambition and to success
- There is a gap between the image that new teachers have of their career and the reality of the lives of the pupils and parents they then come into contact with. Since they have not been trained to address these kinds of social difficulties, they are not prepared to implement educational methods that are designed to develop the children and to establish positive relations with the parents.
- However, new means and resources have been introduced to help pupils in schools in sensitive areas (help with homework, cultural workshops, mentoring schemes, etc.) making it possible to mobilise and to promote team work and to establish closer links with the parents. The schools that have introduced this new and dynamic approach are achieving good results and there has been a reduction in the number of pupils dropping out of school.

III. The lack of social housing (900,000) has a serious impact on the future and equilibrium of children and their families and means that it is impossible to effectively apply the law on the compulsory right to housing

In many regions there is a cruel lack of social housing and this means that it is not possible to provide housing to people who are entitled to it under the DALO law. This is particularly the case in the Ile-de-France, the Provence Alpes Côtés d’Azur region,

Rhône-Alpes region and also, to a certain extent, in the North and East.

- the amount that middle class families have to spend on housing represents close to 38% of their budget, given the increase in rent and other charges
- for the poorest families, these unavoidable expenses represent between 40 and 50% of their budget
- the number of evictions has doubled over the last 10 years and 10,000 evictions occurred last year with the support of the police. Since some people leave their homes before they are actually evicted, then this probably means that between 30,000 and 40,000 families are evicted
- the lack of social housing means that families are forced to remain in emergency housing and social insertion centres (CHRS), or even in small hotels for lengthy periods of time (anywhere between 18 months and 2 or 3 years) and this has disruptive consequences on the psychological equilibrium of the children and their education.
- social landlords are reluctant to rent their housing to families who have just been in an emergency housing centre (CHRS)

The shortfall in social housing may be explained by the absence of any political will over several decades to require local authorities to build social housing, a failure to anticipate changes in society (divorce, single-parent families...) and the splintering of responsibilities between the State, the local authorities and property organisations.

- the SRU law that was passed in 2000 is not particularly well applied and only allows for the financing of 20,000 social housing units per year
- the lack of social housing means that it is impossible to apply the DALO law, which was introduced in order to protect the most vulnerable families
- the social mix is a failure
- the number of housing units built each year is in decline (between 320,000 and 340,000) and does not correspond to the target set by the government (500,000 per year)
- the absence of an annual balance sheet regarding the usage of public funds for social housing the previous year, or even for the previous 2 or 3 years, means that it is impossible to have a clear view of the reality of the housing stock that has been built, of buildings sites that have begun, etc.
- there is an ongoing reduction in the construction of housing to be rented out at a rate that is accessible to the poorest members of society: two thirds of the housing built last year is not accessible to two thirds of the population who have the lowest level of resources.

IV. The majority of children placed into social care during their childhood come from families faced with social difficulties

143,800 children were placed into social childcare in 2009: 87% of them were placed into care following a legal decision.

- looking beyond situations in which children are mistreated, it is generally accepted that social difficulties, combined with economic difficulties, may lead the social services to conclude that these families will struggle to ensure the education and well-being of

their children and therefore the social services are more likely to propose that the children be placed into care rather than to propose the provision of appropriate support measures (help with managing the family budget, parental support, home education activities, etc.) and other alternatives to placing the children in care (which do not always exist in any case).

- half of all children are not prepared for this separation and find themselves being rushed to care centres or family care workers.
- the reason for their placement is not always explained to the child and deprives the child of family guidance, causing feelings of aggression or depression that may, in turn, lead to behavioural problems and difficulties at school.

Basing itself on the observation that there are far too many cases of children being placed into care for reasons related to precarity, **the law introduced on 5 March 2007 to reform child protection made prevention and the maintenance of family links a major objective within child protection legislation.**

Under the provisions of this law, it is the Departments that must take the lead with regard to prevention, the evaluation of worrying information, supporting families and children by encouraging the development of alternative measures to placing children into care.

Thus far the implementation of this law has failed to live up to its expectations:

The Departments are faced with financial difficulties in their efforts to fulfil their mission, even though the expenditure for social aid for children reached a figure of 5.9 euros in 2008, half of which was allocated to placing children into care (source: Insee).

- the compensation mechanisms established by the State do not appear to correspond to the new areas of competence transferred to the Departments (RMI/RSA – minimum insertion revenue/revenue of active solidarity), APA – autonomous personalised allowance, etc.)
- The fund for child protection, which was set at 150 million euros to encourage the implementation of the March 2007 law and notably prevention actions for families, was established by decree on 18 May 2010, following the appeal lodged by the general councils before the Council of State. This decree has considerably reduced the amounts allocated to the Departments.

The Departments are also hampered by the compartmentalisation of the various local institutions in their efforts to put in place coordinated actions in order to resolve the problems that penalise families on the grounds of the situation they find themselves in and for which they are not directly responsible: housing, childcare systems, food, health, employment...

The Departments that are prepared to develop alternatives to placing children in care are also faced with the **difficulty of persuading the associations that provide traditional placements to move towards alternative projects and of encouraging the practitioners to change their practices** so that they are better placed to help parents to exercise their rights: meeting the families (PMI – Maternal and childhood protection centres, helping families to manage their household budget...), to develop

multidisciplinary networks with the various actors involved in children's lives (teachers, child psychiatrists, judges...) in order to bring about changes in the approach to families and to develop common professional practices.

The budgetary constraints are leading certain Departments to concentrate their actions on their compulsory areas of competence (child protection in the sense that it was understood before 2007) and to reduce prevention and social support actions for families:

- Reduction of support actions and assistance for parents and assistance to parents
- Reduction of the budgets designed to favour the maintenance of family ties (accompanying children on visits to see their parents)
- Reduction of the budgets designed to finance the psychological monitoring of children, etc.

Main recommendations

Although many laws designed to protect the most vulnerable (notably the 1998 law to combat exclusion, the 2005 law on social cohesion, the 2007 DALO de law) have been recently introduced and substantial budgets have been devoted to social protection and family policies, it must be acknowledged that **our social policies do not make it possible to guarantee the protection of children from vulnerable families.**

The government's aim to reduce poverty by 30% by 2012 cannot be achieved unless a clear commitment is made to implement political priorities:

1. **To build a sufficient number of social housing units that are accessible to low-income families.** This will require the modification of the SRU law and a revision of the local town planning programmes in the towns and cities in which there is the greatest lack of social housing, as well as the development of the social mix through the provision of support for programmes such as Housing and Humanism (the Christophe Mérieux House in Lyon) (recommendation II)
2. **To create childcare facilities that that are adapted to meet with all of the parents' needs** (opening times, income...) **and that are accessible to families living in a precarious situation. To establish territorial coordination bodies that are managed from a single point** (recommendation IV).
3. **To make prevention and support for families an absolute priority**, with the aim of reducing the number of children who are placed into care as a result of precarity and to develop alternative forms of placement: to open up the way in which the various institutions operate in order to mutualise the actions that are taken in relation to the families, to train staff to "reach out" to families and to ensure the creation of family homes that are accessible to all families everywhere (recommendation VI)
4. **To fight against the inequalities that exist regarding children's access to healthcare**, by setting up a "health plan for children and adolescents." To increase efforts made regarding the perinatal period (recommendation III).

5. To refuse to accept the consequences of precarity or of social determinism upon children's education: to ensure that schools become "resource centres", to develop multidisciplinary team work and networking, to ensure that teaching is focussed on the individual, to develop pupil mentoring and tutoring, to develop the social mix...(recommendation V).

6. To organise national and local awareness-raising campaigns in order to develop direct solidarity between all citizens (recommendation VII).

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