



*CHRONICLE OF THREE
YEARS OF STRUGGLE OF
THE SOCIALIST DEPUTIES*

CHILD PROTECTION, ASE AND
GENERALIZATION OF CONTRACTS
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YOUNG PEOPLE

BY GISÈLE BIÉMOURET, 07 . 05 . 2019
AND VALÉRIE RABAUULT, BORIS VALLAUD

CHRONICLE OF THREE YEARS OF STRUGGLE OF THE SOCIALIST DEPUTIES:

CHILD WELFARE, ASE AND GENERALIZATION OF CONTRACTS FOR YOUNG ADULTS

BY GISEÈLE BIÉMOURET, 07 . 05 . 2019

Interview of Gisèle Biémouret on Tuesday 07 May 2019

Summary: The Government was questioned during the debate on the bill aimed at reinforcing the accompaniment of vulnerable young adults towards autonomy, which, by amendment, wished to delete article 1. By refusing to make the young adult contract compulsory, a decision that is heavy in meaning, would distort the purpose of this bill. By deleting Article 1, the Government would prolong this institutional abuse as soon as it is clearly identified that the only incentive will not change the situation in any way, except to encourage the departments that are already the most virtuous. On the other hand, equality of treatment and universality of care for children in the same way throughout our territory would not be ensured. Gisèle BIÉMOURET asked that this text could be voted by consecrating the obligatory character of the Contrats Jeunes Majeurs.

It took 10 months of waiting without explanation for the bill aimed at strengthening the support of vulnerable young adults towards autonomy, adopted in July 2018 in committee, to be put on the agenda.

10 months of government blockage and prevarication on a subject that Olivier Noblecourt, inter-ministerial delegate for the fight against poverty, describes as "social carnage".

This delay is all the more regrettable since this bill is the first of the majority group to finally contain some social measures.L

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he figures are sufficiently eloquent (and alarming) to declare a social emergency for children in care:

- Approximately 21,000 young people between the ages of 18 and 21 benefit from a care measure, only one-third of those eligible, 70% of ASE young people leave without a diploma ;

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And 1 in 4 homeless people under 25 years of age has been through ESA.

This very late session examination is part of an illegible political agenda since at the same time :

a government mission entrusted to the rapporteur on this subject is underway, a parliamentary mission on ESA has been established in the National Assembly ; and that a National Pact for the Protection of Children is to be announced in July.

It is true that the government's national steering of child protection was late, interrupting in 2017 the momentum generated during the previous five-year period. It was not until early 2019 that a Secretariat of State for Child Protection was finally restored.

Nevertheless, the subject deserves to be examined with all the necessary attention that the Defender of Rights recommends when dealing with child protection.

I also wanted to salute the fight led by the associations of former foster children, the Cause Majeure and LaRueà18 collectives, who tenaciously make these dramatic human situations visible in order to prevent others, future young adults, from finding themselves on the street. It is up to us today, as legislators, to take up the baton.

The laws of 2007 and 2016 have led to many advances. The first enshrined the departments in their role as leaders in child protection, the second renewed the philosophy of child protection, centered on taking into account the needs of the child. There is still room for improvement, particularly in this support for the ESA's dry outings. With this text, do you really have the will to make it an extension of these old world initiatives?

This is what this bill aims to achieve, notably through the generalization of contracts for young adults and the obligation for departments to support these young people between the ages of 18 and 21 by providing state funding.

For years, the care of this public has been marked by a great territorial disparity that we know without having complete data on the issue. There is a certain deviation from the spirit of the law of March 14, 2016.

There are many reasons for these disparities: lack of resources in some departments, which have difficulty assuming their missions, while others make political choices such as using the Contrats Jeunes Majeurs as a budget adjustment variable by playing on the number of contracts awarded or by refusing them to unaccompanied minors, the forgotten ones in this proposed law.

We are therefore fully in favour of the introduction of the mandatory character to ensure equal treatment on our territory. We even wanted to go further by lifting the cumulative conditions that are set for the care to be

mandatory but our amendment was declared inadmissible. Difficulties of social integration due to lack of resources or family support seem to us to be sufficient for the obligation.

However, contractualization based on a reference system proposed by the Government will not make it possible to achieve this objective.

It is in this spirit and to avoid a random assumption of responsibility that the Socialist deputies approved the draft law in committee, and it is true that the text proposes interesting measures through its various articles. But concerning access to social housing, the solvency of young people in housing is not addressed.

We have also tabled a number of amendments, for example to allow all young people undergoing follow-up to benefit from support until the end of their studies, amendments on professional integration or to reintroduce into the proposed system young people in CFA or young adults in agricultural education who are currently excluded from the measures provided for in the text.

But for the ambition of this text to become a reality, it is now necessary for the State to invest more in social policies so as not to leave the departments alone to bear the financial burden.

Because the question of financing remains the big question mark. The text is plagued by a lack of data and impact studies that would allow an effective and serious measurement of the financial scope of the provisions it proposes.

But for the moment, the amounts announced are not commensurate with the stakes.

After the \$12 million budgeted in the framework of the contractualization reference framework with the departments, presented in February, we are now talking about the \$60 million announced by the government.

However, according to the limited data available to us, this \$60 million financing is still far from the forecasts needed to generalize the estimated \$300 million obligation. Seine-Saint-Denis, **which already supports nearly 1,000 young people on "Young Adult" contracts, is devoting 20 million euros to it each year.**

However, in recent hours, the issue of funding has become less important as the government is preparing, by amendment, to delete section 1.

It is true, Mr. Minister, that despite your co-signature of the text as a member of Parliament, you have on several occasions in recent weeks expressed your opposition support this bill from now on, preferring to rely on the referential signed with the departments last February, which favors incentives rather than legal obligation.

By refusing to make the young adult contract mandatory, your decision, which is heavy with meaning, would distort the purpose of this proposed law.

The most fragile and vulnerable people have already been the ones forgotten in Emmanuel Macron's announcements at the end of the Great Debate. It seems indecent to us that the settlement of internal disagreements within your majority can be done on the backs of children leaving the ESA.

Mr. Minister, Laurence Rossignol, then Minister in charge of child protection, had declared during the legislative debates on the 2016 law that the situation of the children of the ASE "is sufficiently painful for a form of institutional abuse to be added to it".

Deleting the article would prolong this abuse when it is clearly identified that the only incentive will do nothing to change the situation, except to encourage the already most virtuous departments.

On the other hand, the equal treatment and universality of the care of children in the same way throughout our territory will not be ensured.

A long way has been undertaken since the law of 2007 to improve the situation of children in care, much remains to be done but we hope that this text can nevertheless be voted by consecrating the compulsory nature of the Contrats Jeunes Majeurs. This would be a measure of justice that the Republic owes to its children mistreated by life.