



HUMAN RIGHTS COUNCIL

Universal Periodic Review

43<sup>ème</sup> session

May 2023

**FOR THE RESPECT OF THE RIGHTS OF CHILDREN AND  
YOUNG PEOPLE IN DIFFICULTY**

**Submission:**

Apprentis d'Auteuil

*(Special consultative status with ECOSOC)*

Paris, October 2022

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## Presentation of the author

1. Created in 1866, **Apprentis d'Auteuil** is a catholic foundation recognised as being of public utility by the French State and a committed actor in the prevention and protection of children. The foundation **develops programmes in France and abroad for the reception, education, training and professional integration of children and the support of families**. In 2021, it supported 30,000 young people and 6,000 families. The foundation obtained the ECOSOC status in 2014.

2. The above-mentioned organisation, which is a field operator in metropolitan and overseas France, has drawn up this report based on the **observations made by educational and social support professionals**, but also and above all based upon the **expressions and experiences of more than 5,000 young people and families gathered during a consultation** which took place during the year 2021<sup>1</sup>. Apprentis d'Auteuil is established all over the territories of metropolitan France and overseas, counting 250 establishments (day care centres, schools, child protection establishments, integration schemes, etc.).

## Preliminary remarks

3. This report aims to highlight issues related to childhood. To this end, our organisation will address the issue of **social determinism and the right to education** on the one hand, and the **protection of children against all forms of violence** on the other.

## IMPLEMENTATION OF INTERNATIONAL OBLIGATIONS

### I. Combating social determinism: giving equal opportunities to all

4. During the third Universal Periodic Review that took place in 2018, the French state accepted several recommendations that had been made regarding the impact of children's social origin on their school performances and access to school for all<sup>2</sup>. To this day, one child out of five lives in a poor family in France. France is identified as one of the OECD countries where "*the link between socio-economic status and school performance is strongest*". These **children issued from poor families are likely to come under social determinism, thus chained to a reproduction of inequalities** (academic failure, complex integration into professional life, etc.). This phenomenon is **reflected in their educational ambitions**: "*one disadvantaged pupil in five performing good academic results does not plan to complete higher education, whereas this proportion is very low among pupils issued from a privileged social environment*"<sup>3</sup>.

#### a. Tackling inequality from an early age

**5. The provision of collective childcare for children under 3 years old is an essential tool in order to lead the fight against social determinism**: childcare in nurseries has been

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<sup>1</sup> See in particular "*Taking the side of young people, 24 solutions to transform their future*", Apprentis d'Auteuil, January 2022. From March 12 to May 15, the foundation gathered the views of young people and families to build its strategic project and renew its advocacy. To broaden the consultation outside the foundation's circle, Apprentis d'Auteuil devised a #maparolecompte campaign on TikTok and Instagram, using its network of partners and influencers. Young people and families, but also experts and professionals, were listened to through questionnaires, collaborative workshops and listening sessions to identify the problems that prevent them from living peacefully and integrating into society. 5000 young people, 200 families and 900 professionals were heard.

<sup>2</sup> A/HRC/38/4, recommendations 145.193 (Portugal), 145.194 (Slovakia), 145.195 (Congo), 145.196 (Hungary), 145.197 (Serbia), 145.199 (Timor-Leste), 145.200 (Honduras).

<sup>3</sup> PISA Survey 2018

proved to have a particularly positive impact upon the acquisition and development of language for children from disadvantaged families<sup>4</sup>. The report on the "1000 first days" and the Poverty Strategy launched in 2018 are steps in the right direction in order to encourage the care of children issued from the most disadvantaged families, although several difficulties must be raised.

**6. The use of childcare is not universal in practice and is unequal: less than one family in two uses it and almost 80% of families below the poverty line do not use it<sup>5</sup>.** Professionals stress that access to nurseries is difficult for families in great material and social distress because they lack information or cannot find the information, they need to access this type of care. Professionals stress that these families do not think that they are entitled to it. This is why it is necessary to go to them and to the places they frequent ("Aller-vers" or "go-to").

**7. In order to facilitate support for families experiencing poverty, professionals affirm that innovative schemes need to be put in place.** Opening childcare places for the most vulnerable families is not enough: this public need to be brought into these arrangements. One of the solutions would be to encourage the **development of hybrid facilities** (drop-in centres, toy libraries, parenting support facilities, etc.) that welcome parents, children or both, practice the "go-to" dynamic and offer various exchange, care and support activities. These facilities do not operate on a care basis but **on a support basis**. Indeed, the funding per hour of care does not allow them to find a financial balance and thus hinders their development, whereas they could effectively support the most precarious families.

**8. The development of work-oriented day-care centres ("AVIP<sup>6</sup>"),** which offer flexible hours, special rates, and parent monitoring in conjunction with the public employment service, can **guarantee better access to childcare facilities for the children who are least likely to have access to it.** Although the number of AVIP nurseries has tripled between 2018 and 2021, no funds have been allocated to this measure in the Poverty Reduction Strategy<sup>7</sup>. It is necessary to keep supporting the day-care centres that are committed to this approach for the integration of parents from families in difficulty (single-parent families, etc.).

**9. Lastly, this issue of accessibility to this form of collective childcare cannot be solved without considering an increase in salaries and the implementation of an effective training plan** for the related jobs, both in terms of support for parenthood and in early childhood. This sector is currently experiencing an unprecedented shortage of professionals, which sometimes leads to the closure of establishments or a reduction in reception capacity.

## **10. Recommendations:**

- Encourage the development of innovative schemes to support parents of younger children and change the way facilities are funded;
- Encourage the development of social and professional integration day-care centres (referred as "AVIP") to support parents in their professional integration.

## **b. Education, a right for all**

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<sup>4</sup> Lawrence M. Berger, Lidia Panico and Anne Solaz, 2021, "The Impact of Center-Based Childcare Attendance on Early Child Development: Evidence From the French Elfe Cohort", Demography.

<sup>5</sup> HCFEA, "First Steps. Early Childhood Development and Public Policy", October 2021.

<sup>6</sup> In French, this measure is called « crèches à vocation d'insertion professionnelle (AVIP) »

<sup>7</sup> France Stratégie, Comité d'évaluation de la stratégie nationale de prévention et de lutte contre la pauvreté, Les 35 mesures - suivi et évaluation 2021, March 2021

11. The principles enumerated in article 28-1 of the International Convention on the Rights of the Child (CRC) appear to be respected in France: education is compulsory and free for all, information and guidance on school and career orientation is available, and multiple forms of secondary education are open and accessible to every child. However, **in France, many children are still out of school in 2022 or do not have access to school under the same conditions as elsewhere.**

12. **The situations in Mayotte and Guyana are the most worrying.** While the law “for a reliable school”, that was adopted on 26 July 2019, is making school compulsory from the age of 3 in order to fight social inequalities, it seems essential to be able to have quantified feedback on schooling from the earliest age. This is even more urgent in the Overseas Territories and for disadvantaged families where early schooling could have a considerable impact. These figures are particularly difficult to obtain, even though a 2017 report estimated the enrolment rate for 3–5-year-olds at 85% in French Guyana and 79% in Mayotte in 2016. This compares with a rate of almost 100% in metropolitan France<sup>8</sup>.

13. In the field, particularly in **Mayotte**, it has been observed that **children are not registered** and therefore do not appear on the waiting lists of town halls for schooling. **Children attending school must often reach their school by walking, which can take hours, or wait for transport in the rain** due to a lack of bus shelters. Thus, during the rainy season, children reach school wet and dirty. Professionals also report difficulties with **insecurity and violence on** the island. These phenomena hinder access to school.

*“Young people who no longer go to school out of fear.”*

14. **The metropolitan pedagogical model does not seem to be adapted either.** The methods are not very appropriate for pupils for whom French is a second language and/or who entered the educational system later. According to professionals, the placement tests and the age groups for entry to secondary school are not adapted and many children are “*flunked*”. The courses that are established are not always adapted to the needs of these children and, because they are behind, they drop out quickly. Professionals also raise the issue of teacher training that does not seem adapted to answer these stakes of differentiated levels. The challenges are different in the French Overseas Territories as pupils are further behind academically and live in different social realities (violence, poverty, geographical distance from schools, etc.). Moreover, the level of training of teachers in the overseas territories is out of step with that of teachers in mainland France, and the **need for teacher recruitment and training is becoming more pressing.**

15. **The situation of Unaccompanied Minors (UAMs) is also a source of concern. In Mayotte and French Guyana, their schooling is very difficult due to** overcrowding in schools and the instructions given concerning regularisation. Training courses can thus be abruptly interrupted due to a lack of regularisation.

16. **In metropolitan France, there are currently not enough specialised classes for unaccompanied allophone minors<sup>9</sup>,** or they are poorly distributed geographically, which means that these young people cannot be offered suitable schooling conditions depending on their location, while they are given little time to build a professional project. The latter is crucial for obtaining residence permits, whereas schooling, which is essential for proper integration into French society, is often the first thing to be forgotten.

*“If you don't have paper, you don't have a boss. If you don't have a boss, you can't have training. If you don't have training, you don't have papers.”*

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<sup>8</sup> HCFEA, Sante et scolarisation des enfants avant 6 ans à Mayotte, en Guyane et à la Réunion, 28 September 2021

<sup>9</sup> These classes are called in French « UPE2A », Unité Pédagogique pour Élèves Allophones nouvellement Arrivés »,

17. **Schooling does not seem to be considered a priority until UAMs are taken into care by the Child Welfare Social Service<sup>10</sup>, during and even with an announced possibility to obtaining a residence permit. As an example**, French as a Foreign Language is not currently recognised as a skill for certification. These difficulties are particularly heightened by the quality of their care, which often falls short of what is offered to young French people (cost of a day in an establishment, hotel accommodation, etc.). Young people sometimes feel more alone during their care than while outside of it. The latter is often focused on shelter and access to basic needs (food, housing, etc.), without any educational support.

*"Since I've been in France, I find that it's quickly become lonely in the world."*

## 18. Recommendations:

- Offer young people from overseas territories comprehensive support: food aid, access to basic necessities, social integration, support in building a personal project to help them stay in school;
- Guarantee comprehensive quality educational care for Unaccompanied Minors.

### c. Are we all equal when it comes to guidance?

19. During its last review of France in February 2016, the Committee on the Rights of the Child, expressed a concern about *"the determining role that the socio-economic background of children plays in school results"*<sup>11</sup>. This observation and concern are not new and are unanimously shared at the international level<sup>12</sup>. This situation **has a particularly high impact over the orientation of children taken over by child protection (201,348 children in France).**

20. The pandemic of Covid-19 recalled that **school success widely depends on families supporting their children**. However, not all families can equally help their children as they do not have the same means (technological, financial, social) to follow their children's schooling. 69% of children state that dropping out of school is in their opinion linked to a complicated family context<sup>13</sup>. The *orientation and programming law for the refoundation of the school of the Republic* (July 2013) provided several major advances such as the association of parents in educational projects, a place for parents in schools, activities around parenthood and special attention to parents who are the least in contact with the school institution. However, involving the whole social group of parents seems complicated as many parents express their fear of judgement and ways of proceeding that can erode trust in institutions (school, social workers etc.).

*"I was helped in primary school but not afterwards. I managed on my own. Because my parents didn't follow my schooling."*

*"When children do poorly, they call the parents in, but they do not call them when they do well."*

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<sup>10</sup> Called in French « Aide Sociale à l'Enfance (ASE) ».

<sup>11</sup> CRC/C/FRA/CO/5, p. 17

<sup>12</sup> See in particular OECD, *PISA Survey, Country Note for France, 2016*, p.2: <http://www.oecd.org/fr/france/PISA-2015-France-FRA.pdf>

<sup>13</sup> Auteuil Apprenticeship Education Barometer, 2021. The Auteuil Apprentice surveyed young people in its second edition of the Education Barometer between the 1st and 19th of July 2021. The results were presented at a press conference on Thursday 14 October 2021 at the Apprentis d'Auteuil headquarters. Carried out in partnership with Opinion Way, the views of 2,492 young people over the age of 16 were collected on this occasion.

21. **Studies also show that children taken over in care services are more likely to drop out of school, fall behind or repeat school years than other children**<sup>14</sup>. They do not necessarily know where or who to turn to. Professionals often anticipate the end of their care concurrently to their majority, thus directing them towards **short vocational training courses**. The temporality of the aid also encourages them to choose fast-track routes. These young people focus on getting a job and, to do so, seek to obtain a "young adult contract". Thus, children in care say that they often feel they have grown up too fast.

*"When you don't have a family, it's hard to talk to strangers, guidance counsellors."*

*"We need to sign young adult contracts in order to have time to learn a trade".*

22. **These young people testify that they face difficulties with mobility and autonomy, which are often linked to difficulties with the Child Welfare Social Service** (refusal of work placements and / or taking in charge travelling, etc.). These situations lead them to live daily with very concrete concerns (food, housing, work) and strong fears about their future. Some young people also reproduce very deeply rooted patterns and are under the impression that their destiny is already set.

*"We are thrown into the wilderness; we don't have the support anymore."*

*"I am Portuguese, [I will] be a bricklayer like my father, like the other Portuguese."*

### 23. Recommendations:

- Offer support to each young person from Child Protection up to the age of 25 if necessary;
- Strengthen measures to create a link between parents and the school institution.

## II. Protecting children from all forms of violence

24. During the Universal Periodic Review of France, several recommendations against ordinary educational violence were accepted by France<sup>15</sup>. **Throughout the consultation that was conducted by Apprentis d'Auteuil, the issue of violence suffered or felt was particularly highlighted.** It seems to be present everywhere and revealing in many forms. **54% of young people aged 16 to 25 declared having experienced violence within their child welfare institution**<sup>16</sup>. A first step has been taken by the 2022 law on child protection, setting up a single, shared reference system for all reports of violence. This single reference system will be declined through the decrees that will result from this law, expected in November 2022.

25. **Young people and families often name school as a potential place of aggression.** School is pointed out as the preferred place for mockery and harassment. The psychological, social, and academic consequences can be extremely serious, leading to school drop-out, self-destructive or even suicidal behaviour. Young people are aware of the consequences and worried about these. Young people regularly point at the "group effect" as an enhancer and

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<sup>14</sup> ONPE, Literature review "The schooling of protected children", September 2022

<sup>15</sup> A/HRC/38/4, recommendations 145.237 (Sweden), 145.238 (Uruguay), 145.239 (Andorra), 145.240 (Denmark), 145.241 (Estonia).

<sup>16</sup> Apprentis d'Auteuil, Barometer for Education, 2021.

violence catalyst through violent situations, girl/boy disturbed and abusive relationships (rumours, unfounded accusations, sexual photos) and physical appearance.

*"You put a child in a world which can be very dangerous, and the child in the schoolyard has to fend for himself" - "There is a lot of bullying, and it starts very early in primary school, even in kindergarten".*

*"Harassment can lead to suicides."*

26. Harassment is all the more difficult to combat when it comes in hands with a lack of action or even a form of contempt on behalf of adult supervisors. **This lack of consideration and listening exacerbates young, harassed people's feeling of being misunderstood and, as a common consequence, their withdrawal.** Sometimes, the adults are the actors of harassment and teasing of young people at school, which aggravates the young people's feelings of being devalued, demotivated and insecure, as they do not identify school as a reassuring place.

*"There should be [...] better supervision to avoid harassment at school; adults pretend not to see".*

*"The teachers don't react; we are told to 'stop complaining'.*

*"Even my sports teacher [...] used to pick on me and make fun of me."*

*A teacher said to me: "Anyway, it's obvious that you look like a drug dealer."*

*"Their comments can be hateful: 'you don't deserve to have the baccalaureate' - it's extremely demotivating."*

## **29. Recommendations:**

- Create mechanisms and institutions in charge of monitoring violence in institutions minors, in order to understand and respond to the causes of violence at an early level;
- Strengthen the training of professionals in detecting and reporting violence to protect children.

### **III. Recommendations addressed to the French State to take children and young people's rights into better consideration:**

#### **30. Recommendations for fighting inequalities from an early age:**

- 31. Encourage the development of innovative schemes to support parents of younger children and change the way facilities are funded;
- 32. Encourage the development of social and professional integration day-care centres (referred as "AVIP") to support parents in their professional integration.

#### **33. Recommendations to ensure access to education for all children in France:**

- 34. Offer young people from overseas territories comprehensive support: food aid, access to basic necessities, social integration, support in building a personal project to help them stay in school;
- 35. Guarantee comprehensive quality educational care for Unaccompanied Minors.

#### **35. Recommendations to give all children equal opportunities in terms of guidance:**

- 36. Offer support to each young person from Child Protection up to the age of 25 if necessary;
- 37. Strengthen measures to create a link between parents and the school institution.

#### **38. Recommendations to protect children from all forms of violence:**

- 39. Create mechanisms and institutions in charge of monitoring violence in institutions minors, in order to understand and respond to the causes of violence at an early level;
- 40. Strengthen the training of professionals in detecting and reporting violence to protect children.