

## Situation of the wards of state in France as of December 31<sup>st</sup>, 2010

### Presentation of the survey and ONED report

The survey regarding the situation of wards of state, which was initiated in 1987 by the *Direction générale de la cohésion sociale* (DGCS<sup>1</sup>, the French Directorate general of social cohesion), has been conducted since 2006 by the *Observatoire national de l'enfance en danger* (ONED, French national observatory for children in danger). Initially carried out every second year, the survey has since 2006 been conducted on an annual basis, which provides us not only with more up-to-date data but also with a tool better suited to closely monitor the immediate evolution the children taken into care. The collection of data is done through a questionnaire that the *département*-level Directorates of social cohesion (DDCS<sup>2</sup>) and the General councils answer together. This questionnaire enables the ONED to outline the situation of the wards of state, as well as to describe how the family councils work and how consent for adoption is granted. The survey done in 2011 focuses on the situation of the wards of state in the year 2010.

The first part of the annual report analyses the situation of children under the ward of state status as of December 31<sup>st</sup>, their characteristics and the evolutions that concern them. The second part accounts for the population flows, i.e. for the children who became wards of state during the year (entries), the children who left this status during the year (exits), as well as placements for adoption decided during the year by family councils. A final part of the report provides more information regarding the wards of state who entered care as a result of their parent's decision or without declaration of filiation (paragraphs 1, 2 and 3 of Article L.224-4 of the French Social action and Family code, CASF), regarding the guardianship of the wards (how family councils work) and regarding the adults who wish to adopt (adoption application).

### Wards of state as of December 31<sup>st</sup>, 2010

As of December 31<sup>st</sup>, 2010, **2 347 children had the ward of state status in France (+3.6%)**, i.e. 16 minors out of 100 000. Slightly over a third of them (38%) were placed with a family for adoption. These proportions have been stable for several years.

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<sup>1</sup> In the framework of the territorial administration reform of the state, the DGCS comprises and replace, as of January 2010, the *Direction générale de l'action sociale* (DGAS, Directorate general for social action), the *inter-ministerial Taskforce on the family and the Service des droits des femmes et de l'égalité* (SDFE, Department for Women's Rights and Equality). The DGCS comes under the joint authority of the Ministry for work, social relations, family and solidarity, and of the Ministry for health, youth, sports and volunteer organizations.

<sup>2</sup> The various DDCS have replaced since early 2010 the *département*-level sanitary and social affairs directorates (*Direction départementale de l'action sanitaire et sociale, DDASS*); their missions are those that used to be carried out by the department for social affairs of the DDASS.

The children who aren't placed for adoption are on average 10.8 years old, and 72% of them had entered the specialized child welfare service (ASE) beforehand; children who are placed for adoption are almost four times younger. Furthermore, 16% of children deemed "with specificities" are given to a family for adoption, as opposed to 52% of wards with no specificities.

Regarding the children who are not given for adoption, the reasons why there is no adoption project are variable: some are doing well in their foster family (11%); others aren't ready for adoption because of psychological trauma, failed adoption or refusal by the child (11%). For 4% of the children, there are remaining ties- judicial or affective- with their families. Finally, for 46% of these children, no adoptive family has been found because of their health condition, special needs, age, or because they had siblings.

**In 2010, 1 049 new children became-** for a limited or indefinite time- **wards of state**, which amounts to slightly over one admission for a thousand births. This proportion varies from 0 to 5 ‰ depending on the *département*. Admissions concern more than 80% of children who have "no filiation" or who have been admitted through a judicial declaration of abandonment. The number of children born following an anonymous delivery with request for secrecy is stable, going from 664 in 2009 to 666 in 2010. In the same time, 8 children were found, and 9 were admitted as wards of state following a failed adoption.

With an average age of 2.6, 70% of children are less than one year old on arrival and 11% have reached their tenth birthday. The oldest are, in most cases, admitted following a judicial decision or their parents' passing. **In the months following admission, the ward's situation is likely to change very suddenly.** Thus, by the end of the year 2010, 45% of recently admitted children have been adopted and 11% returned to their birth family. While 17% of recently admitted children are deemed "with specificities", only 6% of these children leave the ward of state status quickly.

**In the year 2010, 1 051 children stopped being wards of state (+2%).** 68% of all exits follow an adoption judgment, 20% are caused by the ward reaching majority, and 12% go back to their parents before the legal period is over. Those children who became 18 during the year 2010 had been wards of state for an average of 8.3 years.

**In 2010, 757 children were adopted into a family**, as opposed to 714 the year before. The children who have been adopted were very young (77% of them were less than one year old), have predominantly been adopted through paragraph 1 of article L.224-4 of the CASF (73%) and by a *département*-registered family (84%).

In France, there are **117 family councils, each monitoring the situations of 20 children on average.** The proportion of **children whose situations have been examined by these councils in 2010 is estimated at 92%.**

**The presidents of the General councils in each *département* have granted in the year 2010, 6 073 consents for adoption**, a number that has stabilized following a marked decrease (-13% between 2008 and 2009). For the first time since 2005, the General councils have noted an increase in the number of families filing for adoption (+8%), from 8 400 in 2009 to 9 060 in 2010. Finally, the number of consents that are still valid has decreased by 7% in 2010, from 26651 on December 31<sup>st</sup>, 2009, to 24 702 on December 31<sup>st</sup>, 2010, which continues a trend initiated in 2009.