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Decentralization and specialization Series: Child Protection

Thematic pole: Health, Society, Inclusion

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Background:

The current model of ESA is not only the product of international standards and conventions. It is also the result of the broader transformations of French institutions in the 1970s and 1980s. Among these developments, the decentralization laws adopted in the early 1980s played a major role in the redefinition of child protection.

Until this period, child protection was mainly the responsibility of the State, within a relatively centralized administrative framework. The law of 7 January 1983, adopted as part of the Defferre laws (1982-1983), transferred to the departments the competence for social assistance, including child welfare (ASE). This reform marks an important structural change: child protection becomes a departmental competence. This transfer goes beyond a simple administrative reform: it profoundly transforms the structure, working methods and governance of ESA.

Decentralization is gradually accompanied by a movement towards specialization of child protection systems. With the transfer of competences to the departments, the organisation of the system is evolving in order to better structure certain essential functions. Specific mechanisms are thus created to centralise the processing of reports, improve the flow of information between institutions and develop a better knowledge of child protection situations. The creation of the CRIP and departmental observatories illustrates this evolution; These structures make it possible both to better coordinate the actors involved and to strengthen the production of data, which have gradually become a central tool for the observation and evaluation of public policies for child protection.

1. Decentralization laws: a structuring transfer of competences

1.1. The Defferre laws (1982-1983)

The Defferre laws, adopted between 1982 and 1983 during François Mitterrand's first term in office, redefined the French territorial organization. They strengthen the autonomy of local authorities and put an end to the direct administrative supervision of the State over local decisions. Before that, the decisions of local authorities could be controlled or validated by the prefect, the representative of the State in the territories. The reforms of 1982-1983 put an end to this system by granting greater decision-making autonomy to local authorities.

It was the law of 7 January 1983 that entrusted the departments with responsibility for social assistance. The President of the Departmental Council thus becomes the administrative authority of the ASE. The logic behind this law was to bring public decision-making closer to the field in order to adapt social policies to local realities.

This law is part of the broader decentralisation movement initiated in the early 1980s, which aims to redistribute powers between the State and local authorities. In the area of child welfare, it therefore gives the departments a central legal and administrative role in the implementation of child protection policies. In concrete terms, the departments become responsible for the organisation, management and financing of a large part of the schemes under the ASE. The general legal framework for child protection remains set at the national level, but its practical implementation is now largely a matter for the departmental level.

1.2. Effects on child welfare (ASE)

Decentralisation restructures ESA at several levels:

- The departments ensure the financing and organisation of the schemes;
- They become responsible for the administrative protection of minors;
- The services are integrated into a territorial logic, the organization and implementation of child protection systems are now established at the departmental level, in order to better take into account local specificities.

This development strengthens local adaptability, but it also introduces significant territorial disparities. The financial resources available, local political priorities, the organisation of services and professional practices may vary from one department to another. Some territories have greater resources, more developed mechanisms or denser support, while others encounter more budgetary or organisational constraints. These gaps can have concrete consequences on access to services, on the modalities of care for children and on the ability of institutions to intervene upstream and in a coordinated manner. Thus, while decentralization allows for better consideration of local realities, it also raises the question of equal treatment between children according to their territory of residence. Today, these

disparities are one of the major challenges in the functioning of the decentralized child protection system. They directly question the ability of the decentralized model to guarantee effective equality of protection throughout the territory.

2. The creation of the CRIP: towards a centralisation of reports at the departmental level

2.1. Why create the CRIP?

In the 1990s and 2000s, several high-profile disasters highlighted the failures of the child welfare system. Reports are fragmented between institutions and services, there is a lack of coordination in the flow of information and some situations are not properly assessed.

The law of 5 March 2007 reforming child protection introduced the Units for the Collection of Worrying Information (CRIP) in each department. The aim is to centralise information on minors in danger or at risk of being so, in order to improve the coordination and responsiveness of the system.

2.2. What is a CRIP?

The CRIP is a departmental system responsible for:

- to receive information of concern;
- to assess the child's situation;
- to direct them to an administrative or judicial measure if necessary.

It is a single point of entry for reports. This centralization aims to avoid the dispersion of information and to guarantee better traceability of decisions. The creation of the CRIP allows for a professionalization of the treatment of risk situations and a desire to harmonize practices within the departments.

3. Departmental observatories and the ONPE: institutionalization of observation

3.1. Departmental observatories

The 2007 reform is not limited to dealing with individual situations. It also introduces a dimension of observation and evaluation of public policies. The mission of the departmental observatories for child protection (ODPE) is to:

- collect data on children being monitored;
- to analyse the needs of the territory;
- evaluate existing systems;
- make recommendations.

They contribute to structuring a data culture in a field historically marked by a mainly social and administrative approach.

3.2. The National Observatory for Child Protection (ONPE)

At the national level, the ONPE plays a central role in monitoring and analysing the child protection system. It collects and analyses the data transmitted by the departments in order to produce an overall view of the children monitored by the ASE and the measures put in place. The ONPE also publishes reports and studies that contribute to a better understanding of the evolution of practices and to the dissemination of common indicators. However, in a decentralized system, the quality and methods of data collection can vary from department to department, sometimes making it difficult to compare data.

4. Evolution of reporting practices

The implementation of the CRIP modifies professional practices with:

- an amplified formalization of procedures;
- a clearer distinction between information of concern and judicial reporting;

- better coordination between actors (national education, health, justice, social services).

This evolution orients the system towards a logic of prevention, aiming to identify risk situations upstream, rather than intervening only in the most serious cases. Through this transformation, child protection is structured around evaluation, inter-institutional coordination, and data production.

5. The rise of data in child protection

The development of departmental observatories and the National Observatory for Child Protection is part of a broader development: the growing importance given to the production and analysis of data in child protection policies.

For a long time, this field has been marked by a lack of reliable and harmonized data. Information about the children followed by child welfare, the types of measures put in place or the trajectories of the children was often dispersed between different institutions and difficult to compare from one territory to another. This lack of structured data made it more difficult to evaluate the arrangements and to have an overall understanding of child protection situations.

The collection of data first makes it possible to better understand the profiles and situations of the children concerned. It offers a more precise view of the number of children monitored, the forms of care (placement, educational support, judicial measures) and the duration of the pathways in the protection systems. This statistical knowledge is an essential tool for identifying needs and adapting public policies.

It also plays an important role in the evaluation of professional practices and existing mechanisms. By analysing the data collected, the institutions can observe changes in the system, identify certain territorial difficulties or inequalities, and identify areas where reforms or adjustments are needed. Finally, the production of data contributes to strengthening the transparency and analytical capacity of child protection policies.

It provides public authorities, researchers and industry stakeholders with more reliable information to understand the dynamics of the system and guide public decisions. It is now a structuring lever for steering public policies for child protection.

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