

STATES OF JERSEY



THE DRAFT CRIME (PUBLIC ORDER) (JERSEY) AMENDMENT LAW 202- (P.8/2025) – CHILDREN’S RIGHTS IMPACT ASSESSMENT

**Presented to the States on 5th February 2025
by the Minister for Justice and Home Affairs**

STATES GREFFE

CHILDREN’S RIGHTS IMPACT ASSESSMENT (CRIA)

PART 1: SCREENING

Name and title of Duty Bearer:	Mary Le Hegarat, Minister for Justice and Home Affairs
Type of Duty Bearer: (Minister, Elected Member or States Assembly Body)	Elected Member
Assessment completed by (if not completed by duty bearer):	Associate Director, Justice
Date:	4 February 2025

<p>1) Name and brief description of the proposed decision The subject of your CRIA may be a proposed law, policy or proposition and in accordance with the Law is referred to in this template as the ‘decision’</p> <ul style="list-style-type: none"> • What is the problem or issue the decision is trying to address? • Do children experience this problem differently from adults? <p>Questions have been raised over the interaction between restraining orders made under the former Crime (Disorderly Conduct and Harassment) (Jersey) Law 2008 and the current Crime (Public Order) (Jersey) Law 2024, and there are concerns that this might complicate enforcement of orders made under the 2008 Law.</p> <p>Children should not experience this problem different from adults.</p>
<p>2) Which groups of children and young people are likely to be affected? Groups of children could include early years, primary or secondary education; young adults; children with additional learning needs; disabled children; children living in poverty; children from particular ethnic backgrounds; migrants; refugees; care experienced children and LGBTQ+ children</p> <p>Potentially, children who are, or whose family are, protected by a restraining order will be affected, as this amendment will end any uncertainty about how the older variant of the orders will be enforced.</p>
<p>3) What is the likely impact of the proposed decision on children and on their rights?</p> <ul style="list-style-type: none"> • Identify any potential positive OR negative impacts and include indirect impacts on children and their rights as described in the UNCRC • Will different groups of children be affected differently by this decision? <p>Functionally, the net effect on children will be zero, as there will be no real change to the outcome of breaches of restraining orders. There is a chance that the additional certainty created by closing any questions around enforcement of restraining orders will have a benefit on their mental wellbeing.</p>
<p>4) Is a full Children’s Rights Impact Assessment required? If you have identified impacts on children and their rights, a full CRIA should be completed. If no impacts are identified then a Full CRIA is not required, but please explain your rationale and how you reached this conclusion</p> <p>As above, there are no material impacts on children’s rights and therefore a full CRIA is not considered to be required.</p>