

STATES OF JERSEY



MODERN LANGUAGES IN SCHOOLS (P.74/2024) – CHILDREN’S RIGHTS IMPACT ASSESSMENT

Presented to the States on 21st October 2024
by Deputy M. Tadier of St. Brelade

STATES GREFFE

CHILDREN’S RIGHTS IMPACT ASSESSMENT (CRIA)

PART 1: SCREENING

Name and title of Duty Bearer:	Deputy M. Tadier of St. Brelade
Type of Duty Bearer: (Minister, Elected Member or States Assembly Body)	Elected Member
Assessment completed by (if not completed by duty bearer):	Members’ Resources
Date:	09/10/2024

<p>1) Name and brief description of the proposed decision</p> <p>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>The decision aims to ensure that students have access to education in a variety of Modern Foreign Languages (MFL) with particular focus on those relevant to Jersey’s heritage, as well as its current population, and further guarantee that students must study at least one MFL up to key stage 4.</p> <p>This decision relates specifically to children and their education so inherently they will experience this problem differently to adults.</p>
<p>2) Which groups of children and young people are likely to be affected?</p> <p>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>Children in primary or secondary education will be directly affected.</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? • Non-discrimination (Art 2) • Best interests of the Child (Art 3) to be a top priority • Goals of education (Art 29) • Children belonging to a minority or an indigenous group (Art 30) • Leisure, play and culture (Art 31) <p>Children living in poverty, children from particular ethnic backgrounds, migrants, and refugees may experience increased impacts.</p>
<p>4) Is a full Children’s Rights Impact Assessment required?</p> <p>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>

Yes

If screening determines that a full CRIA is needed, complete Part 2

Part 2: FULL CHILDREN’S RIGHTS IMPACT ASSESSMENT

5) What will be the impacts (positive or negative) of the proposed decision on children’s rights?			
For each of the UNCRC articles described below, click to identify any that may be relevant <input checked="" type="checkbox"/>			
Category	UNCRC Article	Impact? YES NO	
Guiding Principles	Non-discrimination (Art 2)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Best interests of the Child (Art 3) to be a top priority	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Right to Life survival and development (Art 6)	<input type="checkbox"/>	<input type="checkbox"/>
	Respect for the child’s views (Art 12)	<input type="checkbox"/>	<input type="checkbox"/>
Civil Rights & Freedoms	Right to birth registration, name and nationality (Art 7)	<input type="checkbox"/>	<input type="checkbox"/>
	Right to an identity (Art 8)	<input type="checkbox"/>	<input type="checkbox"/>
	Freedom of expression (Art 13)	<input type="checkbox"/>	<input type="checkbox"/>
	Freedom of thought, conscience, and religion (Art 14) Every child has the right to think and believe what they choose	<input type="checkbox"/>	<input type="checkbox"/>
	Freedom of association (Art 15) Every child has the right to meet with other children and to join groups and organisations	<input type="checkbox"/>	<input type="checkbox"/>
	Right to Privacy (Art 16) including family and home life	<input type="checkbox"/>	<input type="checkbox"/>
	Access to information from the media (Art 17) Right to access reliable information from a variety of sources, in a format that children can understand	<input type="checkbox"/>	<input type="checkbox"/>
	Protection against torture or other cruel, degrading or inhumane treatment or punishment (Art 37(a))	<input type="checkbox"/>	<input type="checkbox"/>
Family Environment and Alternative Care	Respect for the responsibilities, rights and duties of parents (or where applicable, extended family or community) to guide their child as they grow up (Art 5)	<input type="checkbox"/>	<input type="checkbox"/>
	Responsibilities of both parents in the upbringing and development of their child (Art 18)	<input type="checkbox"/>	<input type="checkbox"/>

	Children must not be separated from their parents against their will unless it is in their best interests (Art 9)	<input type="checkbox"/>	<input type="checkbox"/>
	Family reunification (Art 10)	<input type="checkbox"/>	<input type="checkbox"/>
	Abduction and non-return of children abroad (Art 11)	<input type="checkbox"/>	<input type="checkbox"/>
	Right to a standard of living that is good enough to meet the child's physical and social needs and support their development (Art 27)	<input type="checkbox"/>	<input type="checkbox"/>
	Special protection for children unable to live with their family (Art 20)	<input type="checkbox"/>	<input type="checkbox"/>
	Best interests of the child in the context of Adoption (Art 21)	<input type="checkbox"/>	<input type="checkbox"/>
	Review of treatment whilst in care (Art 25) If a child has been placed away from home for the purpose of care or protection (for example, with a foster family or in hospital), they have the right to a regular review of their treatment, the way they are cared for and their wider circumstances.	<input type="checkbox"/>	<input type="checkbox"/>
	Protection from violence, abuse or neglect (Art 19)	<input type="checkbox"/>	<input type="checkbox"/>
	Recovery from trauma and reintegration (Art 39) Children who have experienced neglect, abuse, exploitation, torture or who are victims of war must receive special support to help them recover their health, dignity, self-respect and social life.	<input type="checkbox"/>	<input type="checkbox"/>
Basic Health and Welfare	Rights of disabled children (Art 23)	<input type="checkbox"/>	<input type="checkbox"/>
	Right to health and health services (Art 24)	<input type="checkbox"/>	<input type="checkbox"/>
	Right to social security (Art 26)	<input type="checkbox"/>	<input type="checkbox"/>
	Right to adequate standard of living (Art 27)	<input type="checkbox"/>	<input type="checkbox"/>
Education, Leisure and Cultural Activities	Right to education (Art 28)	<input type="checkbox"/>	<input type="checkbox"/>
	Goals of education (Art 29) Education must develop every child's personality, talents and abilities to the full	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Leisure, play and culture (Art 31) Every child has the right to relax, play and take part in cultural and artistic activities	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Special Protection Measures	Special protection for refugee children (Art 22)	<input type="checkbox"/>	<input type="checkbox"/>
	Children and armed conflict (Art 38 and Optional Protocol #1)	<input type="checkbox"/>	<input type="checkbox"/>

	Governments must do everything they can to protect and care for children affected by war and armed conflict.		
	Children and juvenile justice (Art 40) Right to be treated with dignity and respect, right to legal assistance and a fair trial that takes account of age.	<input type="checkbox"/>	<input type="checkbox"/>
	Inhumane treatment and detention (Art 37 (b)-(d)) Children should be arrested, detained or imprisoned only as a last resort and for the shortest time possible.	<input type="checkbox"/>	<input type="checkbox"/>
	Recovery from trauma and reintegration (Art 39) Children who have experienced neglect, abuse, exploitation, torture or who are victims of war must receive special support to help them recover their health, dignity, self-respect and social life	<input type="checkbox"/>	<input type="checkbox"/>
	Child labour and right to be protected from economic exploitation (Art 32)	<input type="checkbox"/>	<input type="checkbox"/>
	Drug abuse (Art 33)	<input type="checkbox"/>	<input type="checkbox"/>
	Sexual exploitation (Art 34)	<input type="checkbox"/>	<input type="checkbox"/>
	Abduction, sale and trafficking of children (Art 35)	<input type="checkbox"/>	<input type="checkbox"/>
	Protection from other forms of exploitation including for political activities, by the media or for medical research (Art 36)	<input type="checkbox"/>	<input type="checkbox"/>
	Children belonging to a minority or an indigenous group (Art 30)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Optional Protocol on the sale of children, child prostitution and child pornography	<input type="checkbox"/>	<input type="checkbox"/>
	Optional protocol on the involvement of children in armed conflict	<input type="checkbox"/>	<input type="checkbox"/>

6) Information and research What evidence has been used to inform your assessment?		
Evidence collected (include links to relevant publications)	What did the evidence tell you?	What are the data gaps, if any?
Jersey Premium (gov.je) Extra funding for schools and colleges to support children	Some children don't go on to achieve at the levels that would normally be expected for their ability, including those who learn English as Another Language	This is not directly evidenced in the publicly available report
Language Policy for Jersey Education (gov.je)	Language learning has been highlighted by the Government of Jersey as essential to identity and inclusion, as well as	N/A

	<p>contributing the diversity of Jersey society.</p> <p>Non-traditional modern languages are also an important learning area to support and encourage.</p> <p>All students benefit from opportunities to learn languages spoken in their communities and internationally.</p>	
<p>Jèrriais Language Strategy 2022 to 2025 (gov.je)</p>	<p>Enhancing the teaching of Jèrriais could allow children and young people to earn recognized qualifications while also gaining insights into Jersey's history and culture. Additionally, this approach could provide a vocational program that aligns with the Island's economy and its economic needs.</p>	<p>N/A</p>
<p>Modern Language Teaching: review (P.166/2013) – response of the Minister for Education, Sport and Culture (gov.je)</p>	<p>It is important that the communities of speakers of other languages in Jersey are supported.</p> <p>The curriculum in Jersey should reflect its history, culture and economy, with languages of central importance to this.</p>	<p>N/A</p>
<p>‘The cognitive benefits of learning a language’ in two minutes The British Academy</p>	<p>The evidence for the impact of language learning on academic achievement is somewhat clearer. Around 90% of studies looking at the effect learning a language has on achievement in other subjects of the school curriculum report a positive impact, across English language learning, literacy, maths and science. This seems to be the case for language learners from a variety of</p>	<p>Replicative research on Island</p>

	countries, with different language combinations, and from varied socio-economic backgrounds.	
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7) Engagement with children What groups of children and young people (or those who speak on their behalf, such as social workers, teachers or youth workers) have been directly or indirectly involved in developing the decision?		
Groups consulted	How they were involved	What were the findings?
No direct engagement has been undertaken		

8) Assessing Impact on children's rights Based on the information collected and analysed above, what likely impact will the proposed decision have on the specific children's rights identified in question 5)?		
Relevant UNCRC Articles (rights) identified in Q5	Describe the positive or negative impacts on these rights	Which group(s) of children are likely to be affected?
Non-discrimination (Art 2)	Increasing the opportunities of children, from a minority background or otherwise, to engage with their native culture and language, where they may not have previously been able to do so	Children living in poverty, children from particular ethnic backgrounds, migrants, and refugees
Best interests of the Child (Art 3) to be a top priority	This decision aims at directly benefitting children by increasing their educational possibilities, and developing their interpersonal skills	Children in primary and secondary education
Goals of education (Art 29)	Increased opportunities for language learning can help students develop associated study and personal skills, as well as lower the barrier to engagement with the cultures in which those languages are spoken	Children in primary and secondary education

<p>Children belonging to a minority or an indigenous group (Art 30)</p>	<p>This decision would support children with a mother tongue other than English to use their own language, exploring aspects of their heritage and culture</p>	<p>Learners who speak English as an Additional Language</p>
<p>Leisure, play and culture (Art 31)</p>	<p>Moving certain language options to the core curriculum instead of extra-curricular activities would allow children more time to take other opportunities outside of school time.</p>	<p>Children in primary and secondary education</p>
<p>9) Weighing positive and negative impacts</p> <ul style="list-style-type: none"> • If a negative impact is identified for any area of rights <u>or</u> any group of children and young people, what options are there to modify the proposed decision to mitigate the impact? • Could any positive impacts be enhanced? 		
<p>Negative impacts are largely not foreseen, so long as other educational opportunities are maintained accordingly. Mandating the learning of a language up to key stage 4 could however prevent the learning of a different preferred subject.</p> <p>Positive impacts could potentially be enhanced through the provision of extra support for children with additional learning needs.</p>		
<p>10) Conclusions</p> <p>In summary, what are your key findings on the impact of the proposed decision on the rights of Jersey children?</p>		
<p>Access to increased opportunities for learning MFL would be expected to improve the rights of children in Jersey, in particular their rights to education and culture.</p>		