

STATES OF JERSEY



DRAFT CHILDREN AND YOUNG PEOPLE (AMENDMENT) (JERSEY) LAW (P.96/2022): COMMENTS

**Presented to the States on 3rd November 2022
by the Children, Education and Home Affairs Scrutiny Panel**

STATES GREFFE

COMMENTS

The Children, Education and Home Affairs Panel (hereafter ‘the Panel’) welcomes the amendments proposed within the Draft Children and Young People (Amendment) (Jersey) Law 202- (hereafter ‘the draft Law’) which has been lodged by the Minister for Children and Education.

The Panel extends its thanks to Deputy Louise Doublet, Assistant Minister for Children and Education, Connétable Richard Vibert, Assistant Minister for Children and Education and Government Officers, who provided a briefing to the Panel on the draft Law on the 7th September 2022.

At the briefing, the Panel was provided with some contextual background to the draft Law and the need for an amendment to be made to the Children and Young People (Jersey) Law 2022 (hereafter ‘the Law’), which was approved by the States Assembly on 8th February 2022.

When the Law was approved by the States Assembly, a drafting error within Article 5 (relating to the sharing of information) had been identified. Under the original wording of Article 5(4) of the Law, the disclosure of certain information in relation to the *arrangements to safeguard the welfare of children and young people* would not be allowed. It was confirmed at the time that this was not the intent with regards to information sharing (see [Hansard](#) from 8th February 2022 for details).

As the Law has not yet received Royal Ascent, the error has had no practical effect and will be resolved through the proposed amendment to Article 5, as detailed in the draft Law.

At the briefing on 7th September 2022 the Panel was also advised that, in addition to the amendments required to Article 5 of the Law to correct the drafting error, following a review, it was considered that the opportunity could be used to improve and standardise the wording within some articles of the Law. This has resulted in the draft Law including proposed changes to Article 4 and Article 28 of the Law (which relate to the cooperation between Ministers and collaborative working between corporate parents, respectively) to provide consistency across the draft Law.

Conclusion

The Panel is supportive of the draft Law and is content that the proposed changes do not affect the original intent of the Law, which was originally scrutinised in detail (in [P.107/2021 Com.\(2\)](#)) by the former Panel.