

STATES OF JERSEY



YOUTH SERVICES STATUTORY PROVISION (P.28/2024): AMENDMENT (P.28/2024 AMD.) – CHILDREN’S RIGHTS IMPACT ASSESSMENT

Presented to the States on 4th June 2024
by the Minister for Children and Families

STATES GREFFE

CHILDREN'S RIGHTS IMPACT ASSESSMENT (CRIA)

PART 1: SCREENING

Name and title of Duty Bearer:	Deputy Malcolm Ferey
Type of Duty Bearer: (Minister, Elected Member or States Assembly Body)	Elected Member
Assessment completed by (if not completed by duty bearer):	CYPES Officers
Date:	29th May 2024

1) Name and brief description of the proposed decision	<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>This amendment to Deputy R Kovacs of St Saviour proposition (P.28) will allow Officers from the department of Children, Young People, Education and Skills (CYPES) to undertake an evaluation on the advantages and disadvantages of whether the Jersey Youth Services would benefit from becoming a Government of Jersey statutory requirement and the Minister wants to act in the best interests of the children and young people.</p>
2) Which groups of children and young people are likely to be affected?	<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>This amendment could affect all children and young people who access services that are delivered by the Jersey Youth Service.</p> <p>The Youth Service provides a range of services to children and young people between the ages of 8 to 25yrs of age. Some service delivered are targeted at various groups of young people such as young carers, LGBTQ, young people from ethnic backgrounds, young people with additional needs etc and every child has the right to meet with other children and join groups and organisations</p>
3) What is the likely impact of the proposed decision on children and on their rights?	<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>The reason for the Minister for Children and Families brining this amendment is to gain a deeper understanding of the advantages and disadvantages of the original proposition.</p> <p>The Youth Service provides every child / young person with the right to relax, play, take part in cultural and artistic activities in their leisure time and anything that may have a negative impact on this, needs careful consideration and evaluated so the Government of Jersey meets its obligations under the UNCRC.</p>

To accept Deputy R Kovacs of St. Saviour proposition as is, may have a negative impact on the above on how, where and when the Youth Service operates, as well as financial implication on the external funding the service generates.

A full evaluation of the proposition will allow us to understand the full implication on children and young people and the service they receive from the Youth Service.

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

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

Category	UNCRC Article	Impact?	
		YES	NO
Guiding Principles	Non-discrimination (Art 2)	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>
	Respect for the child’s views (Art 12)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Civil Rights & Freedoms	Right to birth registration, name and nationality (Art 7)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Right to an identity (Art 8)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Freedom of expression (Art 13)	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>
	Freedom of association (Art 15) Every child has the right to meet with other children and to join groups and organisations	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Right to Privacy (Art 16) including family and home life	<input type="checkbox"/>	X
	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"/>	X
	Protection against torture or other cruel, degrading or inhumane treatment or punishment (Art 37(a))	<input type="checkbox"/>	X
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"/>	X
	Responsibilities of both parents in the upbringing and development of their child (Art 18)	<input type="checkbox"/>	X
	Children must not be separated from their parents against their will unless it is in their best interests (Art 9)	<input type="checkbox"/>	X
	Family reunification (Art 10)	<input type="checkbox"/>	X
	Abduction and non-return of children abroad (Art 11)	<input type="checkbox"/>	X
	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)		X
	Special protection for children unable to live with their family (Art 20)	<input type="checkbox"/>	X
	Best interests of the child in the context of Adoption (Art 21)	<input type="checkbox"/>	X
	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"/>	X
	Protection from violence, abuse or neglect (Art 19)	<input type="checkbox"/>	X
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"/>	X	
Basic Health and Welfare	Rights of disabled children (Art 23)	<input type="checkbox"/>	X
	Right to health and health services (Art 24)	<input type="checkbox"/>	X
	Right to social security (Art 26)	<input type="checkbox"/>	X
	Right to adequate standard of living (Art 27)	<input type="checkbox"/>	X

Education, Leisure and Cultural Activities	Right to education (Art 28)	X	<input type="checkbox"/>
	Goals of education (Art 29) Education must develop every child's personality, talents and abilities to the full	X	<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	X	<input type="checkbox"/>
Special Protection Measures	Special protection for refugee children (Art 22)	<input type="checkbox"/>	X
	Children and armed conflict (Art 38 and Optional Protocol #1) Governments must do everything they can to protect and care for children affected by war and armed conflict.	<input type="checkbox"/>	X
	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"/>	X
	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"/>	X
	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"/>	X
	Child labour and right to be protected from economic exploitation (Art 32)	<input type="checkbox"/>	X
	Drug abuse (Art 33)	X	<input type="checkbox"/>
	Sexual exploitation (Art 34)	<input type="checkbox"/>	X
	Abduction, sale and trafficking of children (Art 35)	<input type="checkbox"/>	X
	Protection from other forms of exploitation including for political activities, by the media or for medical research (Art 36)	<input type="checkbox"/>	X
	Children belonging to a minority or an indigenous group (Art 30)	<input type="checkbox"/>	X
	Optional Protocol on the sale of children, child prostitution and child pornography	<input type="checkbox"/>	X
	Optional protocol on the involvement of children in armed conflict	<input type="checkbox"/>	X

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?
<p>The Children and Young People Plan 2019 to 2023 (gov.je) outlined four outcomes: Outcome 1: All children in Jersey Grow up Safely. Outcome 2: All children in Jersey Learn and Achieve Outcome 3: All children in Jersey Live Healthy Lives</p>	<p>The Youth Service is currently delivering on all Government of Jersey policy and guidance</p>	

<p>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?</p>		
Groups consulted	How they were involved	What were the findings?

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?

- 9) Weighing positive and negative impacts
- If a negative impact is identified for any area of rights or 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?

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10) Conclusions
 In summary, what are your key findings on the impact of the proposed decision on the rights of Jersey children?

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