

# STATES OF JERSEY



## **PROPOSED BUDGET (GOVERNMENT PLAN) 2025-2028 (P.51/2024): FIFTH AMENDMENT (P.51/2024 AMD.(5)) – CHILDREN’S RIGHTS IMPACT ASSESSMENT**

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**Presented to the States on 8th November 2024  
by the Children, Education and Home Affairs Scrutiny Panel**

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**STATES GREFFE**

**CHILDREN’S RIGHTS IMPACT ASSESSMENT (CRIA)**

**PART 1: SCREENING**

Name and title of Duty Bearer:	Children, Education and Home Affairs Scrutiny Panel
Type of Duty Bearer: (Minister, Elected Member or States Assembly Body)	States Assembly Body
Assessment completed by (if not completed by duty bearer):	Committee and Panel Officer, States Greffe
Date:	30 <sup>th</sup> October 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 ‘<b>decision</b>’</p> <ul style="list-style-type: none"> <li>• What is the problem or issue the decision is trying to address?</li> <li>• Do children experience this problem differently from adults?</li> </ul>
<p>The amendment requests that the Government review the scheme available for apprenticeships and increase the funding and support available.</p> <p>It is arguable whether children will experience this problem differently from adults. It is possible that any individual, including young people aged 16-18, could be impacted by the support provided to apprenticeships in Jersey.</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 / Young Adults aged 16-18 who seek to continue a practical or technical education through an apprenticeship route.</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"> <li>• Identify any potential positive OR negative impacts and include indirect impacts on children and their rights as described in the UNCRC</li> <li>• Will different groups of children be affected differently by this decision?</li> </ul>
<p>If approved this amendment would have a positive impact on the children and young people who wish to pursue a practical or technical education through an apprenticeship.</p> <p>Arguably also an indirect impact on children having an adequate standard of living, for any child living in a family where a parent, or householder, decided to retrain and gain skills for a new profession.</p>
<p>4) Is a full Children’s Rights Impact Assessment required?</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
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 ( <a href="#">Art 2</a> )	X	<input type="checkbox"/>
	Best interests of the Child ( <a href="#">Art 3</a> ) to be a top priority	X	<input type="checkbox"/>
	Right to Life survival and development ( <a href="#">Art 6</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Respect for the child’s views ( <a href="#">Art 12</a> )	<input type="checkbox"/>	<input type="checkbox"/>
Civil Rights & Freedoms	Right to birth registration, name and nationality ( <a href="#">Art 7</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Right to an identity ( <a href="#">Art 8</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Freedom of expression ( <a href="#">Art 13</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Freedom of thought, conscience, and religion ( <a href="#">Art 14</a> ) Every child has the right to think and believe what they choose	<input type="checkbox"/>	<input type="checkbox"/>
	Freedom of association ( <a href="#">Art 15</a> ) 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 ( <a href="#">Art 16</a> ) including family and home life	<input type="checkbox"/>	<input type="checkbox"/>
	Access to information from the media ( <a href="#">Art 17</a> ) 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 ( <a href="#">Art 37(a)</a> )	<input type="checkbox"/>	<input type="checkbox"/>
Family Environment and	Respect for the responsibilities, rights and duties of parents (or where applicable, extended family or community) to guide their child as they grow up ( <a href="#">Art 5</a> )	<input type="checkbox"/>	<input type="checkbox"/>

Alternative Care	Responsibilities of both parents in the upbringing and development of their child ( <a href="#">Art 18</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Children must not be separated from their parents against their will unless it is in their best interests ( <a href="#">Art 9</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Family reunification ( <a href="#">Art 10</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Abduction and non-return of children abroad ( <a href="#">Art 11</a> )	<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 ( <a href="#">Art 27</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Special protection for children unable to live with their family ( <a href="#">Art 20</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Best interests of the child in the context of Adoption ( <a href="#">Art 21</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Review of treatment whilst in care ( <a href="#">Art 25</a> ) 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 ( <a href="#">Art 19</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Recovery from trauma and reintegration ( <a href="#">Art 39</a> ) 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 ( <a href="#">Art 23</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Right to health and health services ( <a href="#">Art 24</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Right to social security ( <a href="#">Art 26</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Right to adequate standard of living ( <a href="#">Art 27</a> )	X	<input type="checkbox"/>
Education, Leisure and Cultural Activities	Right to education ( <a href="#">Art 28</a> )	X	<input type="checkbox"/>
	Goals of education ( <a href="#">Art 29</a> ) Education must develop every child's personality, talents and abilities to the full	X	<input type="checkbox"/>
	Leisure, play and culture ( <a href="#">Art 31</a> ) Every child has the right to relax, play and take part in cultural and artistic activities	<input type="checkbox"/>	<input type="checkbox"/>
	Special protection for refugee children ( <a href="#">Art 22</a> )	<input type="checkbox"/>	<input type="checkbox"/>

Special Protection Measures	Children and armed conflict ( <a href="#">Art 38</a> and <a href="#">Optional Protocol #1</a> ) Governments must do everything they can to protect and care for children affected by war and armed conflict.	<input type="checkbox"/>	<input type="checkbox"/>
	Children and juvenile justice ( <a href="#">Art 40</a> ) 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 ( <a href="#">Art 37 (b)-(d)</a> ) 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 ( <a href="#">Art 39</a> ) 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 ( <a href="#">Art 32</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Drug abuse ( <a href="#">Art 33</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Sexual exploitation ( <a href="#">Art 34</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Abduction, sale and trafficking of children ( <a href="#">Art 35</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Protection from other forms of exploitation including for political activities, by the media or for medical research ( <a href="#">Art 36</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Children belonging to a minority or an indigenous group ( <a href="#">Art 30</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	<a href="#">Optional Protocol</a> on the sale of children, child prostitution and child pornography	<input type="checkbox"/>	<input type="checkbox"/>
	<a href="#">Optional protocol</a> 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?
<a href="#">Further Education and Skills Actionable Agenda</a> , Government of Jersey, December 2022	<ul style="list-style-type: none"> <li>Raise the participation age to age 18, with a corresponding entitlement and requirement for all young people to be in full-time education, or</li> </ul>	

	<p>employment with training.</p> <ul style="list-style-type: none"> <li>• Funding to follow the learner for all 16–19-year-olds (and up to age 25 for SEND), based upon a transparent formula.</li> <li>• The costs of apprenticeship delivery to be reviewed and adjusted to realistic levels.</li> </ul>	
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<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?
Due to the timescale involved in lodging this amendment, the Panel has not directly consulted with any groups about this decision.		

<p>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)?</p>		
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?
2, 3, 27, 28, 29	It would start to address any real or perceived barriers between technical and academic educational options.	<p>Children, or young adults aged 16-18 who seek to continue a practical or technical education through an apprenticeship route.</p> <p>Children living in families where a parent or provider wants to retrain in a skilled profession.</p>

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?

The Panel acknowledges that this amendment would only start to address any inequality or barriers between technical skills education and academic routes. The positive impact could be enhanced by further Government action following the completion of any review and further commitment to transparency of the funding to ensure non-discrimination.

10) Conclusions

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

The proposed amendment would have a positive impact on any young person aged 16-18 who sought to pursue a practical or technical education through an apprenticeship and ensure that there were sufficient places and funding available to do this.

Arguable also an impact on Article 27 (adequate standard of living) for any children living in families whose parent, or person in their household, decided to retrain and gain skills for a new profession.