

# STATES OF JERSEY



## **DELIVERY OF THREE BILINGUAL PRIMARY SCHOOLS (P.45/2024) – CHILDREN’S RIGHTS IMPACT ASSESSMENT**

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**Presented to the States on 19th July 2024  
by Deputy Sir P.M. Bailhache of St. Clement**

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**STATES GREFFE**

## CHILDREN’S RIGHTS IMPACT ASSESSMENT (CRIA)

### PART 1: SCREENING

Name and title of Duty Bearer:	Deputy Sir P.M. Bailhache of St. Clement
Type of Duty Bearer: (Minister, Elected Member or States Assembly Body)	Elected Member
Assessment completed by (if not completed by duty bearer):	Members’ Resources Team
Date:	17 July 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>Delivery of three bilingual primary schools – the decision proposes the conversion of three existing primary schools into bilingual English-French schools with the conversion being progressively phased in beginning with Reception classes in 2025.</p> <p>The decision is trying to address the issue of increasing bilingualism in the Island and the associated positive advantages of bilingualism, aiming to increase French language use due to its economic, political and diplomatic advantages, and the cultural and heritage implications of the Island’s historical ties to France.</p> <p>Children as potential students at these proposed bilingual schools will be directly impacted by the decision.</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>All children beginning school from 2025 are potentially affected by this decision.</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> <li>• Best interests of the Child (<a href="#">Art 3</a>) to be a top priority</li> <li>• Goals of education (<a href="#">Art 29</a>) - Education must develop every child’s personality, talents and abilities to the full</li> </ul> <p>Children beginning school from 2025 will be the group most affected by this decision.</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>
<p>Yes, a full CRIA will be required.</p>

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

## Part 2: FULL CHILDREN’S RIGHTS IMPACT ASSESSMENT

<p>5) What will be the impacts (positive or negative) of the proposed decision on children’s rights?</p> <p>For each of the UNCRC articles described below, click to identify any that may be relevant <input checked="" type="checkbox"/></p>			
Category	UNCRC Article	Impact?	
		YES	NO
Guiding Principles	Non-discrimination ( <a href="#">Art 2</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Best interests of the Child ( <a href="#">Art 3</a> ) to be a top priority	<input checked="" type="checkbox"/>	<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> )	<input type="checkbox"/>	<input type="checkbox"/>
Education, Leisure and Cultural Activities	Right to education ( <a href="#">Art 28</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Goals of education ( <a href="#">Art 29</a> ) Education must develop every child's personality, talents and abilities to the full	<input checked="" type="checkbox"/>	<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="#">Jersey Premium</a>	The Jersey Premium has helped to facilitate several different programmes designed to meet the challenges of being taught in an unfamiliar language.	Jersey Premium is aimed at children for whom English is a second language.
<a href="#">Language Policy for Jersey Education</a>	The vision expressed in that policy is the achievement of high	

	<p>levels of attainment in English, as well as the development of proficiency in multiple other languages and broad cultural understandings. The policy seeks to “raise awareness of the benefits of cultural and linguistic diversity and champion its contribution to life in Jersey”. It reminds us that “before English became the language of instruction in 1912, multilingualism was commonplace, with Jèrriais, French and English prevalent in the Island.”</p>	
<p><a href="#">Jèrriais Language Strategy</a> (building on the <a href="#">Jèrriais Plan 2017-19</a>)</p>	<p>The Policy underlines that Jèrriais “is a part of our cultural identity as a small Island nation and has the ability to bring us together.”</p> <p>That there is a strong relationship between Jèrriais and French.</p>	<p>The Strategy focuses on the revitalisation of a unique native language rather than bilingual education in two well established languages.</p>
<p>Feasibility study into the creation of one or more bi-lingual and/or immersion learning schools in the Island.</p> <p><a href="#">Modern Language Teaching: review (P.166/2013) – response of the Minister for Education, Sport and Culture (gov.je)</a></p>	<p>Visits have taken place to bilingual French schools in London and a survey of parents of nursery age children was conducted in order to assess potential demand for a bilingual school in Jersey in future. 256 responses to the survey were received, and 66% of those who responded to a question about bilingual schools indicated that the second language (i.e. in addition to English) should be French rather than</p>	<p>A wider, more statistically relevant consultation or survey would be required if this issue is progressed.</p>

	another language. Also 60% of the respondents said that they would send their child to a bilingual French school, if one were to be made available.	
<p><i>A report was eventually taken by the Department of Education to the then Council of Ministers in the summer of 2016 seeking a steer on a project to establish “a French bilingual provision”.</i></p> <p>[A Final Draft of the report is available to view on request to Dep. Bailhache]</p>	<p>(1) the positive educational advantages of bilingualism;</p> <p>(2) the economic benefits both to individuals and to Jersey of an increasingly bilingual workforce;</p> <p>(3) the cultural and constitutional benefits of building upon the Island’s linguistic heritage; and</p> <p>(4) the diplomatic and political advantages of enabling closer working relationships with our nearest geographical neighbour just as our anglophone heritage facilitates close relationships with the United Kingdom.</p>	
<p><a href="#">Highlighting the Benefits of Being Bilingual in School   Edutopia</a></p>	<p>Bilingualism makes executive functioning skills stronger.</p> <p>Bilingualism makes people better at multitasking.</p> <p>Bilingualism can increase math and reading performance.</p> <p>Bilingualism increases earning potential and job opportunities.</p> <p>Bilingualism can prevent negative effects of disease and brain injury.</p>	<p>Focuses on the positives of being bilingual</p>

<p><a href="#">Early bilingual immersion school program and cognitive development in French-speaking children: Effect of the second language learned (English vs. Dutch) and exposition duration (2 vs. 5 years) - PMC (nih.gov)</a> (2021)</p> <p><a href="#">Cognitive Advantage in Children Enrolled in a Second-Language Immersion Elementary School Program for One Year - PMC (nih.gov)</a> (2019)</p> <p><a href="#">Cognitive advantages of immersion education after 1 year: Effects of amount of exposure - ScienceDirect</a> (2017)</p> <p><a href="#">Cognitive advantage in children enrolled in a second-language immersion elementary school program for three years</a> (2013)</p> <p><a href="#">Linguistic, Academic, and Cognitive Benefits of French Immersion   The Canadian Modern Language Review (utpjournals.press)</a> (2007)</p>	<p>Various cognitive advantages have been demonstrated in children enrolled in second-language immersion elementary programmes</p>	
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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?
No direct engagement at this time.		

<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?



Best interests of the Child ( <a href="#">Art 3</a> ) to be a top priority	Providing bilingual education facilities increases the options for how education is delivered to children.	Children beginning education from 2025
Goals of education ( <a href="#">Art 29</a> ) - Education must develop every child's personality, talents and abilities to the full	<p>French is an official language of Jersey and its acquisition connects children to the Island's history and traditions.</p> <p>Various cognitive advantages have been demonstrated in children enrolled in second-language immersion elementary programmes<sup>1, 2, 3, 4</sup>,</p>	Children beginning education from 2025
<p>9) Weighing positive and negative impacts</p> <ul style="list-style-type: none"> <li>• 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?</li> <li>• Could any positive impacts be enhanced?</li> </ul>		
<p>There is a possible negative impact on those that are unable to attend the proposed schools due to unavailability of spaces.</p> <ul style="list-style-type: none"> <li>- Mitigation – potential to convert/establish additional schools if there is high demand.</li> </ul> <p>Children attending these school who have additional needs may not fully benefit from bilingual education due to their particular learning requirements.</p> <ul style="list-style-type: none"> <li>- Mitigation – extra support for those with additional needs.</li> <li>- Mitigation – in certain cases children with additional needs could be offered the option of monolingual education.</li> </ul>		

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

<sup>1</sup> [Cognitive advantage in children enrolled in a second-language immersion elementary school program for three years](#) (2013)

<sup>2</sup> [Cognitive advantages of immersion education after 1 year: Effects of amount of exposure - ScienceDirect](#) (2017)

<sup>3</sup> [Cognitive Advantage in Children Enrolled in a Second-Language Immersion Elementary School Program for One Year - PMC \(nih.gov\)](#) (2019)

<sup>4</sup> [Early bilingual immersion school program and cognitive development in French-speaking children: Effect of the second language learned \(English vs. Dutch\) and exposition duration \(2 vs. 5 years\) - PMC \(nih.gov\)](#) (2021)

Access to the option of attending a bilingual English-French school will potentially confer a range of educational, economic, and cultural benefits on Jersey children.