



The Gower Centre, 42–44 Stopford Road, St Helier, Jersey JE2 4LZ
01534 760 800 | nspcc.org.uk

Introduction

NSPCC Jersey welcomes the opportunity to provide comments on the proposals of the Council of Ministers in relation to the recommendations of the Independent Jersey Care Inquiry (IJCI).

Following the IJCI, we have been very encouraged both by the initial steps taken, and the longer-term approaches set out. We are keen to support the States Assembly and the Council of Ministers in delivering on the recommendations of the ICJI and delivering transformative change to improve the lives of children in Jersey.

Below are some suggestions in terms of how the proposals might be developed, or points to bear in mind as work is taken forward. We would welcome the opportunity to discuss these points in more detail with the Review Panel, should that be helpful.

Recommendation one: Children’s Commissioner

We very much welcome the imminent appointment of a Children’s Commissioner to act as an independent ombudsman for children and young people. This will be an extremely important role in shifting values and culture on the island towards the recognition of, and respect for, children’s rights.

In creating the statutory framework for the role, to ensure they act ‘without fear or favour’ of government, it is vital that the Commissioner is separate from Government. We would advise that the office should report to the States Assembly, rather than to the Chief Minister or Council of Ministers.

Similarly, we are extremely supportive of attempts to recognize and incorporate the United Nations Convention on the Rights of the Child (UNCRC) into legislation. This would be a progressive step, putting Jersey ahead of other jurisdictions of the British Isles, and would send a clear signal to children and young people, their families and wider civic society about how valued children are.

Further, in respect of the headline action ensuring every States of Jersey employee is familiar with the UNCRC, it is of vital importance that children themselves are conversant with the UNCRC and familiar with their own rights. Therefore, more consideration should be given to how to promote the UNCRC with children and young people.

Recommendation two: Giving Young People a Voice

We support efforts to encourage children and young people’s participation in decisions which affect them. At the NSPCC Gower Centre in Stopford Road we have our own active and committed young peoples’ participation group, ‘United Voices’ who we consult with on a wide range of issues.

In developing models to seek young people’s participation, it is important to ensure a focus on the whole of childhood, and ensure that the needs and experiences of young children are included. While of course traditional methods of participation better suit older children whose views are able to be canvassed, this should not exclude work to meet the needs of young children, particularly in the development of advocacy services for children in care. Evidence tells us that abuse and adversity in the early years can have a devastating, long-

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term impact on children's mental and physical health and wellbeing. The more we can do to ensure we provide stable, sensitive and nurturing care, the better the chance of supporting children to overcome their experiences and support recovery. Therefore, it is vital that their needs are not overlooked in developing mechanisms to advocate for and listen to the views and experiences of children and young people.

We also welcome to proposal of a Children's Rights Office to embed children's rights in care planning and delivery. We also believe it would be useful to the Council of Ministers to develop a model for conducting Children's Rights Impact Assessments, to ensure that future measures are underpinned by a thorough examination of how proposals might impact on children and young people.

Recommendation three: Inspection of Services

We welcome proposals for the inspection of children's services. Such inspections should apply to all children's services including, but not limited to, residential provision. We would welcome clarity on specifically what services will be included within planned independent inspection.

In terms of the criteria for inspections, rather than begin from the premise of looking at processes, we suggest that the model starts from the point of view of respecting children's rights, meeting their identified outcomes and welfare needs, and then develop the specific indicators from there.

Effective, high-quality children's services rely wholly on relationships: relationships between practitioner and child (and their family), but also support for the professionals working with children. It is important that any inspection considers the support available to professionals to enable them to effectively support children, e.g. their caseloads, regularity and quality of supervision, provision of training, mentoring, peer support, etc.

Recommendation four: Building a Sustainable Workforce

It is unclear from the proposals what specifically is meant by the 'children's workforce'. While this tends to focus predominantly on social workers, we would advocate a more multi-disciplinary understanding of the children's workforce, including, for example health visitors, early years workers, psychologists and psychiatrists, all of whom may play a vital role in supporting children's wellbeing.

In terms of a Jersey Foster Care Model, it is vital to ensure any model is developmentally informed so that foster care matches children's developmental needs. Foster care is a significant intervention, which can offer children an opportunity to recover from abuse. It must be high quality and should be designed in such a way that it gives children the commitment, stability and nurture they require. In Glasgow and London, the NSPCC is currently testing an attachment, infant mental health model of support to infants in foster care. We would be happy to share our experiences with you to inform the development of this model.

We have been involved in discussions about providing a social work qualification on the Island at Highlands College as currently no-one can be trained locally. These discussions are progressing well. NSPCC is happy to provide practice placements and would really encourage this development of qualification on-Island.

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Recommendation five: Legislation

We agree that children's legislation in Jersey needs a fundamental overhaul to ensure it meets the needs of all children on the Island, not just those with additional vulnerabilities. This is why the incorporation of the UNCRC is such a fundamental step. During the review of children's legislation, it would also be helpful to provide clarity around statutory duties as they apply to children in need.

We welcome the proposal to establish a dedicated Policy Unit to undertake a wholesale review of children's legislation and propose changes. The NSPCC has a policy function which works across the four jurisdictions of the United Kingdom and so we are well-placed to contribute to this work, highlighting what works well elsewhere.

In terms of youth justice, it may be worth considering the operation of the Children's Hearings system in Scotland¹. The fundamental principle behind the system, established in the 1970s, was the recognition that children with welfare needs and those displaying offending behaviour often have the same needs and so should be dealt with in the same system.

Further to this, we hope that the Policy Unit would give consideration to the emerging agenda of Adverse Childhood Experiences. Originating from a healthcare study in the US in the 1990s², it has been shown that adversity in childhood (e.g. abuse, neglect and dysfunctional home environments) has a long-term impact on individuals' life chances and is linked to a range of health-harming behaviours including substance misuse, violence and crime.

In redesigning the legislative, policy and practice landscape, it is vital to understand the underlying causes behind children's welfare needs or their offending behaviour and develop an approach and an ethos which places its emphasis on prevention and early intervention.

Recommendation six: Corporate Parenting

We would welcome further articulation of the role of a corporate parent, and the agencies to whom this applies. We agree that this should be underpinned by legislation.

In terms of developing a children's plan, in consultation with children and families, as above this will rely on the development of accessible children's advocacy. We are aware that Barnardo's offer advocacy services for care leavers, but we strongly believe that advocacy should be available for all children subject to child protection plans and all children in care.

Recommendation seven: The 'Jersey Way'

We welcome efforts to address the negative impact of 'the Jersey Way', to improve scrutiny of decision-making and enhance transparency. However, our expertise lies in child protection and not in constitutional and legal affairs and so we are unable to provide detailed comment on this aspect of the proposals. Nevertheless we are keen to support the States Assembly and the Council of Ministers in any way possible to take forward the

¹ See <http://www.chscotland.gov.uk/the-childrens-hearings-system/>

² Felitti MD, Anda RF, Nordenberg MD, et al. Relationship of childhood abuse and household dysfunction to many of the leading causes of death in adults: the Adverse Childhood Experiences (ACE) Study. *American Journal of Preventive Medicine* 1998; 14: 245-258.

recommendations of the ICJI which relate specifically to child protection and children's services.

Recommendation eight: Legacy Issues

We welcome steps to consider steps to address issues highlighted by the ICJI in the longer-term. In particular, we welcome the explicit commitment to continued support for abuse survivors, according to their own particular needs. This may go beyond therapeutic support, and involve support with other aspects, such as education or employment support or opportunities.

We also appreciate the Council of Ministers' investment in our *Baby Steps* programme to provide universal antenatal education to expectant parents and our *Letting the Future In* programme, which will support children who have been the victims of child sexual abuse. Investment in such evidence-based services will go some way to improving the lives of children growing up in Jersey.

For more information, please contact:

Jacky Moon
Service Manager, NSPCC Jersey