

# STATES OF JERSEY



## FUNDING FOR CULTURE, ARTS, AND HERITAGE (P.69/2024) – CHILDREN’S RIGHTS IMPACT ASSESSMENT

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Presented to the States on 8th October 2024  
by Deputy M. Tadier of St. Brelade

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STATES GREFFE

## CHILDREN'S RIGHTS IMPACT ASSESSMENT (CRIA)

### PART 1: SCREENING

Name and title of Duty Bearer:	Deputy M. Tadier of St. Brelade
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:	

<p>1) Name and brief description of the proposed decision 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"> <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 decision aims to maintain the commitment to invest 1% of overall Government expenditure in Arts, Culture and Heritage, in reference to the removal of such a commitment in the draft Budget 2025-2028.</p> <p>Should the decision not be upheld, children will largely experience the problem in the same way as adults, although they may have additional impacts in terms of their long-term learning, mental and physical stimulation.</p>
<p>2) Which groups of children and young people are likely to be affected? 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 and young people on the island 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> </ul>
<p>Positive impacts on the following rights described in the UNCRC:</p> <ul style="list-style-type: none"> <li>• Best interests of the Child (Art 3)</li> <li>• Freedom of expression (Art 13)</li> <li>• Freedom of association (Art 15)</li> <li>• 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)</li> <li>• Right to education (Art 28)</li> <li>• Leisure, play and culture (Art 31)</li> </ul>

These positive impacts could bring added benefits to groups of children who might have additional need of, and/or less access to, such resources, including children with additional learning needs, children living in poverty, or disabled children.
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 <input checked="" type="checkbox"/>			
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 checked="" 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 checked="" 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> )	<input type="checkbox"/>	<input type="checkbox"/>

	Right to access reliable information from a variety of sources, in a format that children can understand		
	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 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 ( <a href="#">Art 5</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	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 checked="" 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	Right to education ( <a href="#">Art 28</a> )	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Goals of education ( <a href="#">Art 29</a> )	<input type="checkbox"/>	<input type="checkbox"/>

Cultural Activities	Education must develop every child's personality, talents and abilities to the full		
	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 checked="" type="checkbox"/>	<input type="checkbox"/>
Special Protection Measures	Special protection for refugee children ( <a href="#">Art 22</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	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?

<p>Jersey set out an Arts Strategy in “<i>Art and culture are essential to Jersey.</i>”</p> <p><i>They are at the heart of Jersey's identity as an island with a very distinctive cultural and heritage landscape – with its own minority language and aesthetics, drawn from influences across the world.”</i></p>	<p>Demonstrates the Island’s commitment to Art – demonstrates their commitment to payment of the full funding -</p> <p>“The strategy comes at a pivotal time for Jersey. The Government of Jersey has committed to investing in 1% of overall Government expenditure in Arts, Culture and Heritage from 2022. This represents a positive endorsement of the vital role arts and culture play for the Island. Moreover, it signals a commitment to increasing the capacity of arts and culture to deliver even more for an Island that has so many distinctive assets and qualities to build from.”</p> <p><a href="#">Arts Strategy (gov.je)</a></p>	<p>N/A</p>
<p>“The voice and perspectives of young people are not driving arts development as they should. This is an outcome of a still piecemeal approach to arts and creative education and the dominance of an older demographic in the voluntary sector. The lack of consistently excellent arts and creative education across every part of a child's education presents a serious barrier to long-term personal development, social vitality and wellbeing”</p>	<p>Arts Strategy for Jersey <a href="#">Arts Strategy (gov.je)</a></p>	
<p>“There is a large disparity in the quality of life and opportunities for children - including access to extra-curricular activities in the arts.”</p>	<p>Need to level the playing field – can only be done through funding assistance.</p> <p><a href="#">Arts Strategy (gov.je)</a></p> <p>“In Jersey there is insufficient intercultural</p>	

	<p>arts development – connecting Jersey’s diverse communities. The diversity of the Island is an asset – to develop new types of cultural practice based on exchange and mutual understanding. Currently the diversity of Islanders is not positioned as a focus area in arts education.”</p>	
<p>Arts in relation to the UN’s SDGs Education (SDG 4); Reduced Inequalities (SDG 10); Sustainable Cities and Communities (SDG 11) <a href="#">The United Nations Sustainable Development Goals   How the Arts are building a transformative bridge to 2030   Global Leaders Institute</a></p>	<p>“Artistic expression fosters XXIc skills, essential for quality education. Integrating arts into the curriculum can make education more engaging and effective, and art can help raise awareness and inspire action towards sustainable living. Art can challenge societal norms, promote social justice, and give voice to the marginalized, fostering empathy and contributing to the reduction of inequalities. The arts can contribute to the protection and preservation of cultural heritage, an important aspect of sustainable development and the identity of cities and communities”</p>	N/A
<p><a href="#">An unequal playing field: extra-curricular activities, soft skills and social mobility - GOV.UK (www.gov.uk)</a></p>	<p>There is a significant gap in the quality of life and opportunities available to children in the UK, particularly regarding access to extracurricular activities in the arts.</p>	Data relating to UK, not Jersey
<p>The Arts in Schools, Foundations for the Future <a href="#">(anewdirection.org.uk)</a></p>	<p>The inconsistency in high-quality arts and creative education throughout a child's</p>	N/A

	learning journey poses a significant obstacle to long-term personal growth, social engagement, and overall wellbeing.	
61% of children in deprived areas of England spend time outside at least once a week compared to 8% of children from affluent areas. ( <a href="#">UK Commissioner – Children’s Insights</a> )	Access to safe and accessible outdoor spaces is a high priority for children in deprived socio-economic situations	Data relating to UK, not Jersey
<p>“I think there should be more to do for children on this island, especially my age, something that doesn’t cost a lot. I would also love it if more children lived in my area or I got to know the children who live in my area better.”</p> <p>“We could have more places for children to meet with their friends and other children without their parents there but where they are still safe and still have responsible adults to make sure they are alright.”</p> <p>“More things to do- young people resort to alcohol and drugs very early in Jersey because there is nothing to do.”</p> <p><a href="#">island-wide-consultation-findings-full-report.pdf</a> (<a href="#">childcomjersey.org.je</a>)</p>	Local children have expressed their desire for more things to do outside of the house, that are safe and affordable	Small sample of survey responses

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?		
Groups consulted	How they were involved	What were the findings?
No direct engagement was undertaken.		



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<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> )	The best interests of the child will be maintained by the continued access to this funding, through the provision of safe, social, educational and equitable facilities within the cultural, art and heritage sectors.	All groups – particularly children in deprived socio-economic situations.
Freedom of expression ( <a href="#">Art 13</a> )	Children will have additional access to different ideas and information through various media, in school and community settings	All groups – particularly children in deprived socio-economic situations.
Freedom of association ( <a href="#">Art 15</a> )	Funding from this source provides spaces in the public realm that can act as meeting points for children	All groups – particularly children in deprived socio-economic situations.
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> )	Cultural facilities can provide children with a higher overall quality of living, stimulating their mental and social development through various activities, exhibitions, and educational spaces in the public realm	All groups – particularly children in deprived socio-economic situations.

<p>Right to education (<a href="#">Art 28</a>)</p>	<p>Heritage and cultural funding encourages the development of different forms of education, and connects children to the history and traditions of Jersey</p>	<p>All groups – particularly children in deprived socio-economic situations.</p>
<p>Leisure, play and culture (<a href="#">Art 31</a>)</p>	<p>The funding provides extra opportunities for children to access cultural and artistic life, including the provision of activities that are more accessible to different groups. More inclusive affordable arts opportunities will be available</p>	<p>All groups – particularly children in deprived socio-economic situations.</p>
<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 are no negative impacts foreseen as this decision would maintain the status quo; there would only be negative impacts in the absence of this decision.</p> <p>Continued funding through this scheme can be invested in continuous improvement of the island’s cultural facilities, investing for the benefit of current and future generations of young people. These positive impacts could be enhanced by instead increasing the proportion of Government spending on culture, arts and heritage, however that would not be within the remit of this proposition.</p>		
<p>10) Conclusions</p> <p>In summary, what are your key findings on the impact of the proposed decision on the rights of Jersey children?</p>		
<p>The proposed decision would increase the access of children in Jersey to opportunities that would benefit their social and educational wellbeing, and would be expected to have only positive impacts on their quality of life.</p>		