



## **Children, Education and Home Affairs Scrutiny Panel**

What protection do children in Jersey have from  
online harms?

**Witness: The Minister for Children and Families**

Friday, 23rd May 2025

**Panel:**

Deputy C.D. Curtis of St. Helier Central (Chair)

Connétable M. Labey of Grouville (Vice-Chair)

Deputy B.B. de S.V.M. Porée of St. Helier South

Deputy H.M. Miles of St. Brelade

**Witnesses:**

Connétable R.P. Vibert of St. Peter, The Minister for Children and Families

Deputy M.R. Ferey of St. Saviour, Assistant Minister for Children and Families

Mr. K. Posner, Interim Chief Officer, C.Y.P.E.S.

Mr. A. Heaven, Assistant Director of Policy

Ms. A. Munn, Head of Governance and Digital, C.Y.P.E.S.

[14:29]

**Deputy C.D. Curtis of St. Helier Central (Chair):**

Welcome to this special hearing on online harms of the Children, Education and Home Affairs Scrutiny Panel. Today is 23rd May. I would like to draw everyone's attention to the following: this hearing will be filmed and streamed live. The recording and transcript will be published afterwards on the States Assembly website. All electronic devices, including mobile phones, should be switched to silent.

[14:30]

I would ask that any members of the public who have joined us in the room today do not interfere in the proceedings, and as soon as the hearing has closed, please leave quietly. So I am Deputy Catherine Curtis, the Chair of the panel.

**Connétable M. Labey of Grouville (Vice-Chair):**

Connétable Mark Labey, Vice-Chair.

**Deputy B.B. de S.V.M. Porée of St. Helier South:**

Deputy Porée, panel member.

**Deputy H.M. Miles of St. Brelade:**

Deputy Helen Miles, panel member.

**The Minister for Children and Families:**

Constable Richard Vibert, Minister for Children and Families.

**Assistant Minister for Children and Families:**

Deputy Malcolm Ferey, Assistant Minister for Children and Families.

**Interim Chief Officer, C.Y.P.E.S.:**

Keith Posner, Interim Chief Officer for C.Y.P.E.S. (Children, Young People, Education and Skills).

**Assistant Director of Policy:**

Andrew Heaven, Assistant Director of Policy.

**Head of Governance and Digital, C.Y.P.E.S.:**

Alexa Munn, Head of Governance and Digital, C.Y.P.E.S.

**Deputy C.D. Curtis:** Okay, thank you, everybody. We have got 1½ hours for this hearing, so I will start with questions. Quite a general question to start with: Minister, online harms refer to a range of negative experiences and risks that people can encounter while using the internet. Based on your understanding of the current legislation and policy, please can you share what you consider to be the top 3 protections that children in Jersey currently have from online harm? So it is not about what is in process, it is about what they already have.

**The Minister for Children and Families:**

So current protections, legally we have the Article 51 offence of improper use of a telecommunication system. That is used as a catch-all for all forms of abuse. Obviously it is a fairly old law, it is almost 20 years old now, but it is still there as a catch-all for many of the offences for which we are going to ... that we are going to enhance. You have got the Data Protection (Jersey) Law 2018. That grants people - and that is adults, children - a range of specific rights that they can exercise over their personal data, and of course a child must be 13 in order to consent for their data to be used. Under that age, then it must be a parent or guardian who would do that on their behalf. Then we have got another law that was introduced long before these harms were seen, the Computer Misuse (Jersey) Law 1995, and that protects children and establishes a legal framework to deter and penalise unauthorised malicious use of computer systems and data. So it was not specifically designed in its day for what it is used for, but it can ... it is effective again in dealing with many of the things we see today. Is there anything else that we want to ...

**Assistant Minister for Children and Families:**

Yes. I think in relation to data protection legislation, there are already quite robust features in the law that allow people to stop processing and ask for assessments to be made, so there is already a suite of tools among the data protection legislation that can serve to protect people from online harms.

**Deputy C.D. Curtis:**

So do you consider these to be sufficient? Because we just heard this morning that the police had had a 90 per cent increase in reports of online crimes involving young people last year compared to the year before.

**Assistant Minister for Children and Families:**

I think any increase is concerning. What we are looking at doing in the slightly longer term is to obviously enhance the legislation that is in place and perhaps look at the data protection framework and how that can be changed and maybe new legislation brought in to give individuals greater protection against online harms. So although the data protection legislation does provide a level of cover at the moment, I think if we look at the way that the U.K. (United Kingdom) has gone with their legislation, it is more of a controlling the platforms, whereas the vision that we would have would be to empower citizens to take a more proactive stance to ask platforms to take content down.

**Deputy C.D. Curtis:**

That vision, what evidence have you had to back up that vision?

**Assistant Minister for Children and Families:**

I think it is what is achievable in the sort of shorter term. I think if you look at the Online Safety Act, some of the first things that you notice are lots of ... 350 staff are needed to be taken on just to administer the legislation, so it is quite an expensive route to giving people those protections. The Minister and I attended a conference for the N.S.P.C.C. (National Society for the Prevention of Cruelty to Children) and the feeling at that conference was that the Online Safety Act in its current form was not really doing what it was designed to do, which was to protect people from online harms. I appreciate that it is only the first suite of the legislation. There will be further laws enacted in the U.K., but our approach of taking a sort of bottom up rather than a top down is probably the better way to go to empowering citizens.

**Deputy C.D. Curtis:**

So that was the N.S.P.C.C. believed that the Online Safety Act was not the best way to protect children from online harms?

**Assistant Minister for Children and Families:**

They did not believe that it was ... in its current form that it was achieving what it set out to originally achieve.

**The Minister for Children and Families:**

Or that it would achieve that. Ofcom themselves do not believe that they will be able to achieve successful prosecutions under that law, even though they have taken on 350 staff. The complexity of the law is such that I would imagine once you get defence lawyers for these large companies, they will be able to prolong any case for years. That is the problem with a complex law. It plays into the hands of the legal defence system.

**Deputy C.D. Curtis:**

That is quite interesting then. I did not know that N.S.P.C.C. did not believe that the Online Safety Act was the right way to go for protecting children from online harm.

**Assistant Minister for Children and Families:**

Yes. I think the feeling at the time was that they had not particularly been consulted, and if they had, they would have come up with a different solution.

**Deputy C.D. Curtis:**

That is interesting, because I did speak to them myself before at the start of this, but we will leave that for now then.

**Assistant Minister for Children and Families:**

Yes, sure.

**The Minister for Children and Families:**

Another thing about that legislation is that this is a constantly moving target, with new developments online all the time. If you have a complex law, changes to it will take longer.

**Deputy C.D. Curtis:**

So you would think that it would be more effective for Jersey to have its own suite of laws, which will require updating?

**The Minister for Children and Families:**

Yes, and relatively lighter legislation in that ... not as cumbersome, and something that is fairly agile to change as and when necessary.

**Deputy C.D. Curtis:**

When I asked about the evidence for that vision of not having it with so much legislation, the evidence was about what was achievable in the short term because otherwise it is expensive and lots of staff could be required. Do you think that is the right way to formulate policy?

**Assistant Minister for Children and Families:**

Yes. I think it is about empowering citizens rather than doing things to people. This is as much an education piece as anything else, so part of the work that is currently going on - of course this is an issue that affects all of us, but the solutions are also shared solutions - it is about educating parents and guardians, it is about educating children and it is about taking a collaborative approach to identify and solve the problems.

**Deputy C.D. Curtis:**

Seeing as this is concerning children, we have got some examples where children are protected by legislation, for example, from exposure to harm through tobacco, alcohol and so on, so do you think that protecting children from exposure to harm through the conduit of the internet is different from exposure to these other types of harm?

**Assistant Minister for Children and Families:**

I think it is harder to control, is it not? You can only get alcohol or tobacco from certain places, whereas virtually everybody has access to the internet in one form or another. That is why it is about that education piece and it is about teaching people how to use the internet safely and what to do when it goes wrong and who to alert when it goes wrong, and also to identify what going wrong looks like, because so many people who operate on the internet, they are very devious in the way that

they work and lure children and young people into activities that they do not even realise necessarily are harmful. By the time they do realise it is harmful, they are already so far into it they do not know who to turn to.

**Deputy C.D. Curtis:**

Do you think with these devious people on the internet targeting children that there should be more legislation to protect children?

**Assistant Minister for Children and Families:**

I think we need to raise awareness of what the issues are and how people can be controlled and coerced over the internet. That is as much as important as creating new legislation, but certainly if we look at the suite of legislation which is available through data protection, we can create and empower people to be able to at least take images off the internet in a short space of time. When we were at the N.S.P.C.C. conference, we heard a personal story of a young girl who had been basically bullied into sharing indecent images of herself. Once she had lost control of those images, the way that she was bullied and treated at school, she literally did not know who to turn to. It was really empowering to see that she had found a way through it and she was now sharing her story to help other people.

**Deputy C.D. Curtis:**

That is one example where legislation is going to come in too.

**The Minister for Children and Families:**

We already have legislation.

**Deputy C.D. Curtis:**

It is being strengthened.

**The Minister for Children and Families:**

Yes. The Sexual Offences (Jersey) Law 2018 already protects children regards sharing information, sharing images.

**Deputy C.D. Curtis:**

We know that there is new legislation coming in around some of these offences and strengthening of legislation, but you do not think further legislation is the way to go?

**Assistant Minister for Children and Families:**

I do not think ... we did not say further legislation is not the way to go, we said particularly maybe not the Online Safety Act the way it is currently drafted, but bolstering up the suite of legislation that we already have has to be looked at, and is that where we can start to move towards to give people protections?

**The Minister for Children and Families:**

Some of our existing laws already are a good basis for protection; they are already providing a level of protection, even though they were not designed for this specific purpose. They are protecting children as well as adults, and I think retaining that flexibility by enhancing existing legislation, which should be relatively quicker than a complete new suite of legislation, I would say that is the way forward.

**Deputy C.D. Curtis:**

Just generally, Minister, in your opinion, what is the role of the Government in protecting children from online harms?

**The Minister for Children and Families:**

Ultimately the Government have a responsibility to protect children and therefore must be there at the top of the tree, in effect, ensuring that that happens, but also providing support for parents and helping them to know how they can protect their children, and the children themselves. I went to a school only about a month ago for Question Time, and I was surprised that there was not a single question about mobile phones or online safety. I asked the teachers why that was and they said: "Well, you will not get any questions because the children already have a very good understanding of what they should be looking for and the issues on the internet." So they said they are already very well educated in what they should be looking for.

**Deputy C.D. Curtis:**

Minister, have you read the submissions to the panel?

**The Minister for Children and Families:**

I have, I have.

**Deputy C.D. Curtis:**

Does that concern you, the submissions and what is in the submissions?

**The Minister for Children and Families:**

Yes, yes. I mean, I have read the majority of the submissions and of course we cannot deny that there is a lot of ... an enormous amount of danger out there, but I do think that the efforts to educate children in Jersey have been working, and for a teacher to say that; I did not say it.

**Assistant Minister for Children and Families:**

On the positive side, there has been a lot of media interest around this recently, not just online harms but addiction to phones. I think the whole issue is being discussed more openly than perhaps it has been for a long time and that is a good positive conversation to have, about where we need to go.

**The Minister for Children and Families:**

I think the rise that we have seen in the number of cases reported to the police is part of that activity of getting people to report them. I think a lot of this has gone unreported in the past.

**Deputy C.D. Curtis:**

Yes, and it is something that definitely needs to be dealt with, is it not?

**Assistant Minister for Children and Families:**

Yes, yes.

**The Minister for Children and Families:**

But I do not think children are uneducated in totality about it. I think that education process is working.

**Assistant Minister for Children and Families:**

But we can always do more.

**The Minister for Children and Families:**

We can always do more, but I think it is a sign that children are listening.

**Deputy C.D. Curtis:**

Does the global reach of the internet change the parameters of risk, do you think, in the harms that they are experiencing?

[14:45]

**The Minister for Children and Families:**

Absolutely, because in a lot of these cases it is extremely difficult to tell where these images come from. They are pinged around various V.P.N.s (virtual private networks) and all around the world,



and finding out who is responsible is extremely difficult. In fact, taking down images that pop up, I can see that ... I think when you read the submission from Jersey Telecom saying how difficult it is to block specific sites and things of that nature because, yes, you might be able to get the I.P. (internet protocol) address and stop that, but if they are using an V.P.N., within minutes they can be coming from another I.P. address. So there is a lot of ... I think the technology needs to advance further so that they can, in effect, as the images are being posted, electronically scan images so that if they know that they are of a pornographic nature they can block them, because blocking the I.P. address is in some cases futile, very sadly. These people are experts in their field.

**Deputy C.D. Curtis:**

If I just add one more question before we move on to Deputy Porée's question, we looked at a particular case this morning where just recently in Jersey an offender - he had been convicted as well - had been contacting children through Snapchat, pretending he was a 16 year-old boy, and the result was some sexual assault offences. He managed to contact 382 girls in one week in Jersey and he ... I am just trying to think of the right words. So do you think that children perhaps who might be quite vulnerable children as well are going to be well enough educated to be able to understand that this person is not a 16 year-old boy who is contacting them? There might be some children with some learning disabilities, so how would you protect those children?

**The Minister for Children and Families:**

I think that part of that is the ... there is the platform. You have got the platform owners, who to some extent should be looking for trends in things like that. If somebody has suddenly contacted 380 children in a week, you would have thought that that is abnormal. I know that people use the internet a lot, but you would have thought that they can use ... just as they use algorithms to select our Netflix or whatever, they should be able to use algorithms to spot potential predators.

**Deputy C.D. Curtis:**

Is this not where legislation comes in, to define ...

**The Minister for Children and Families:**

Yes, that is where the legislation comes in, to force them to do that.

**Deputy C.D. Curtis:**

But you do not think that is necessary?

**The Minister for Children and Families:**

I do think that is necessary.

**Deputy C.D. Curtis:**

You do, for the ...

**The Minister for Children and Families:**

Yes. That is what I am explaining, so we should be able to force the owners of these platforms to do these things.

**Deputy C.D. Curtis:**

But that was the attempt of the Online Safety Act in the U.K.

**The Minister for Children and Families:**

But I would have thought our own legislation would be able to do that.

**Deputy C.D. Curtis:**

We do not have any legislation to ...

**The Minister for Children and Families:**

We have the computer misuse legislation already.

**Deputy C.D. Curtis:**

So you think that that would be sufficient?

**The Minister for Children and Families:**

It may or may not. I am not a lawyer, but it is certainly something that needs to be looked at.

**Deputy B.B. de S.V.M. Porée:**

Thank you, Minister. Yes, I do agree with you, there is a need to develop better systems so that we can get to people who are causing harm, but the legislation, as you both agreed just now, is also very important. My question to you, Minister, is with regards to our last public hearing in October ... sorry, in October last year, our public hearing, where you advised the panel that in relation to online safety, legislation is necessary as a tool, is useful as a tool and you also did say that you were wholly supportive of a new local law. In your opinion, should Jersey have a dedicated online safety law or should protections be woven into the already existing laws?

**The Minister for Children and Families:**

It is a mixture of both that they are intending, that they will have a law which enhances people's ability to have information taken down, but we will also enhance existing legislation. I mean, existing legislation is quite good. We have already had a prosecution, as you probably know, for A.I. (artificial

intelligence) created images, and the fact that that law was created some years ago, before A.I. generated images, I think just shows how well drafted those laws were in the first place.

**Deputy B.B. de S.V.M. Porée:**

Thank you. Have you been presented with any other sort of evidence that allows you to form those sorts of opinions, apart from the case you have just highlighted?

**The Minister for Children and Families:**

Well, there have been a number. We have successful prosecutions for images, sadly. We have successful prosecutions for images relatively frequently, showing that we do have that legislation. The Information Commissioner I believe can already take down or request platforms to take down images or content, so yes, there is other evidence out there. Anyone else want to ...

**Assistant Director of Policy:**

Just for the sake of completeness, the Children and Young People (Jersey) Law 2022 talks about and gives Ministers and also named accountable officers responsibilities and duties around safeguarding children and young people. That law does not discriminate around online and offline; it applies to both. Just to complement what the Minister and Assistant Minister have said, there has been a lot of work done by safeguarding leads to bring forward arrangements and look at operational policy that is keeping up with and reflects some of the harms on those online platforms. That work is ongoing and you can see from the submission from the safeguarding partnership and N.S.P.C.C. some of the joint work that is ongoing. I think that might be helpful for the panel to hear that.

**Deputy B.B. de S.V.M. Porée:**

Thank you. Would you say this particular approach you are taking, does it present any specific challenges, in your view, or do you feel ... are you confident that the challenges are minimal and this is the right approach to take moving forward, to have that combination?

**The Minister for Children and Families:**

I think it is a flexible combination. I think that is the advantage of the approach Jersey is taking ...

**Deputy B.B. de S.V.M. Porée:**

Does the flexibility ...

**The Minister for Children and Families:**

... because in 6 months, in a year's time, we will be looking at yet another version of what we are seeing today and the legislation has to be able to keep up with that.

**Deputy B.B. de S.V.M. Porée:**

So the flexibility, you talked about the benefits. Any challenges though on that sort of flexibility?

**The Minister for Children and Families:**

Well, we would have to ...

**Deputy B.B. de S.V.M. Porée:**

Because obviously you would be very ...

**The Minister for Children and Families:**

We do not know what is going to appear next, do we? So there could be a problem, in which case we will have to deal with that, but once again, we are not the law drafters. We can only tell them what the dangers are and ask them to deal with those, but I would say that the Jersey approach does allow that flexibility. It is interesting that while the Isle of Man and Guernsey initially asked for a P.E.C. (permissive extent clause), neither of those has activated it. You do wonder if they are waiting to see how effective the law is before they do that.

**Deputy C.D. Curtis:**

I think that is why they accepted it, so they had that backup ready in case they needed it.

**The Minister for Children and Families:**

Yes. I do not know the reasoning behind it, but I have not heard anything about them doing their own legislation, in which case if they find the P.E.C. is not effective, they will be behind where we are.

**Deputy B.B. de S.V.M. Porée:**

So flexibility is a must, in your view?

**The Minister for Children and Families:**

Yes.

**Deputy B.B. de S.V.M. Porée:**

Okay. Thank you for your ...

**The Connétable of Grouville:**

Sorry, just one second. Can I say ... for members of the public who might be listening, could you explain what a P.E.C. is, Minister, for the public?

**The Minister for Children and Families:**

Permissive extent clause, so it allows us to be part of U.K. legislation. Of course the other downside is while you are part of the legislation, you cannot change it.

**The Connétable of Grouville:**

Yes, just for the public. Thank you.

**Deputy B.B. de S.V.M. Porée:**

Thank you. So could you, Minister, now discuss how the protection of children and young people should be taken into consideration during the development of the new legislation, resulting from when you take into consideration the work that is being done with the V.A.W.G. (violence against women and girls) report?

**The Minister for Children and Families:**

Well, of course the 2 things are connected. It is very often images of women or young girls that are on these sites and so, I mean, that is a major consideration in looking at legislation. Of course that is covered to the greatest extent possible. Again, the legislation is ... we already have, as I said before, the Protection of Children (Jersey) Law 1994, so that goes back even further, but it does ... it is effective in many of the offences that we are looking at. You have got online stalking. In effect, that Protection of Children (Jersey) Law 1994 would cover you for that. Images, requests for images, that is a bit of legislation that is effective when we are looking at violence against women and girls.

**Deputy B.B. de S.V.M. Porée:**

Thank you for giving just generic information, but yourself as the Minister, will you be having a direct input on the development of that legislation as the Minister for Children?

**The Minister for Children and Families:**

I will have some input. I have the advantage of being the Assistant Minister for Home Affairs as well, so relatively close to that.

**Assistant Director of Policy:**

So we have the safeguarding partnership. You have got the 2 levels, have you not? You have the Ministerial Safeguarding Group feeding into that, you have got the ... do we call it the partnership board? The executive ...

**Assistant Director of Policy:**

You have the safeguarding accountable officers, who are named under the law, and the Ministers have oversight of that group. The importance of those groups is they span across Government, so

they are able to, as part of a ... because you would expect a consultation in and around those laws that we have been talking about that are being developed, so there is an opportunity to comment there for Ministers. I think the other thing that may be good to point out is that we have, under the children's rights law, a requirement that any law being progressed by Government and/or Back-benchers requires consultation with the Children's Commissioner and also needs to bring forward a child rights impact assessment. I think those mechanisms are important in terms of capturing - if that is the right word - the children's rights components of those laws. There is opportunities then to understand what some of those impacts may be, both positive and negative. So we are fortunate we have those things in place.

**Deputy B.B. de S.V.M. Porée:**

That is what you will be bringing from the Minister's department, okay.

**The Minister for Children and Families:**

I think when you are looking at this, you are looking at the most vulnerable children being the ones who are likely to be pulled into this type of activity. You know, if you look at grooming and abuse, vulnerable children, perhaps children that are in care, children that may have other specific needs can easily be targeted.

[15:00]

I think that is an area that we need to focus on because I think it is where 80 per cent of the children - or 90 per cent even - will be listening to the education and become aware, but you have got those vulnerable children, that specific group that are more vulnerable than others that will get pulled into this. That is where we need to concentrate our efforts.

**Deputy B.B. de S.V.M. Porée:**

Thank you, Minister. Could you please tell us of your understanding of any overlap between the digital economy work to make amendments to the data protection framework for Jersey and online safety protection for children and young people on digital spaces? What is your overall understanding of the overlap?

**The Minister for Children and Families:**

I did not quite understand that.

**Deputy B.B. de S.V.M. Porée:**

So we have got the data protection framework of Jersey; we have got the online safety protection for children and young people in the digital world. What is your understanding of those 3 different ...

**Assistant Minister for Children and Families:**

I can answer that, if you want.

**The Minister for Children and Families:**

Yes. Do you want to?

**Deputy C.D. Curtis:**

With the digital economy work.

**Assistant Minister for Children and Families:**

Yes, they will all work together, but the ...

**Deputy B.B. de S.V.M. Porée:**

They will. Any overlaps, in your view?

**Assistant Minister for Children and Families:**

Yes, there will be overlaps, but the whole thing is about ... there is 2 pieces here. First, it is about changing our legislation to make it more robust and fit for future, fit for now and fit for the future, and part of that is looking at the data protection framework, also considering any unintended consequences, because there are reporting mechanisms in the E.U. (European Union) and they have been inundated with requests. So we need to make sure, firstly, that what we have got is able to cope with the potential for those requests and equally that the platforms are going to respond to those requests. Of course there is already lots of mechanisms in place, reporting mechanisms, on all of these sites, where if you see something which is disturbing or is fraudulent activity or whatever you can self-report, and 9 times out of 10 that content will be taken down.

**Deputy C.D. Curtis:**

Does it?

**Assistant Minister for Children and Families:**

Yes, it does get taken down on a regular basis. Yes, a lot of the time people do not think it does, but if you speak to the platforms, they regularly take content down every day, so a lot of it is there for a very short time and then it disappears. So there is already good, robust mechanisms in place, but we do need to make that better.

**The Minister for Children and Families:**

Was it 10.8 billion requests had been recorded by the E.U.?

**Assistant Minister for Children and Families:**

Yes, by the E.U. in 6 months.

**The Minister for Children and Families:**

In 6 months.

**Deputy C.D. Curtis:**

There is an awful lot of bad material there.

**Assistant Minister for Children and Families:**

Yes, so there is a lot of content that gets taken down, but combined with that, we also need to reach out to parents and caregivers, because yes, the most vulnerable children particularly do need to have good advice and good education. So what we are developing as part of the gov.je website is: "Keeping your child safe online" which is about open communication between parents and children, setting rules and boundaries, having good healthy screen time and allowing people to understand what harmful content is and speak to someone else about it.

**Deputy C.D. Curtis:**

That is good, but I think Deputy Porée's question was about work being done by the Minister with the Digital Economy Team as well, so ...

**Head of Governance and Digital, C.Y.P.E.S.:**

Can I just add that it is a collaborative approach that is being taken? The departments are working together to make sure that the areas are aligned.

**Deputy B.B. de S.V.M. Porée:**

Do you feel there could possibly be there a conflict of interest between the interests of businesses, the developing of the new technology, as well as protecting children and users?

**Head of Governance and Digital, C.Y.P.E.S.:**

I think there are lots of different parties around the table and therefore there is a wide enough scope, enough people to be able to make sure that there is no conflict of interest.

**Deputy B.B. de S.V.M. Porée:**



So you agree that there will possibly be conflicts of interest?

**Head of Governance and Digital, C.Y.P.E.S.:**

Potentially, but I do not think that there will be any difficulties with that.

**The Minister for Children and Families:**

We have got these new groups that we have brought together ...

**Head of Governance and Digital, C.Y.P.E.S.:**

Yes, absolutely.

**The Minister for Children and Families:**

... of the 4 Ministers, so it has met twice.

**Deputy C.D. Curtis:**

Who chairs that group?

**Head of Governance and Digital, C.Y.P.E.S.:**

Digital economy.

**The Minister for Children and Families:**

Digital economy, yes.

**Deputy C.D. Curtis:**

So who is the chair then?

**The Minister for Children and Families:**

Well, on the occasion it was Moz, was it not? Because Kirsten was not there at the last one.

**Head of Governance and Digital, C.Y.P.E.S.:**

That is correct.

**The Minister for Children and Families:**

Yes, Deputy Scott.

**Deputy H.M. Miles:**

Okay, thank you. I think it is over to me now. Just some questions around public engagement and a little bit more about the legislation. The 2024 Children and Young People's Survey results have

recently been published. How are Government using the information that has been collected about online behaviour and e-safety and bullying and so on?

**Head of Governance and Digital, C.Y.P.E.S.:**

I can start with that. So the information that we have collected is helping to support local policies and procedures, so the online safety policy, which is not just for schools, it is across C.Y.P.E.S., so that includes obviously the Minister for Children's remit as well - and the voice of the child is captured within that - and the online harms guidance as well.

**Deputy H.M. Miles:**

So this is a useful tool?

**Head of Governance and Digital, C.Y.P.E.S.:**

Absolutely it is useful. Particularly interesting is then to compare the results over the years to make sure then that guidance is really robust going forward.

**Deputy H.M. Miles:**

One of the things that we do know is that survey has been dropped to every other year, when for donkey's years it has been every year. Do you think that is going to cause a particular problem in terms of your kind of longitudinal study stuff?

**Head of Governance and Digital, C.Y.P.E.S.:**

No, I do not think so, not for every other year.

**Deputy H.M. Miles:**

But if it went to more than that, it might cause more of a problem. Thank you. Some of the results were quite interesting and quite concerning. One of the results that certainly we picked up is around the main source of information, and the survey said that the main source of information about sex for 15 per cent of males surveyed was from pornography, compared to 2 per cent of females. The question is really what role do you think there is for Government in age verification and age suitability for effectively children who are accessing material that they should not be seeing?

**The Minister for Children and Families:**

I think it comes back to ensuring ... I mean, the platform owners have online age verification. My understanding is that currently it is not particularly good. But there are concerns, as they try to enhance it, that in fact young people are then sharing personal data with the platforms, which again you might not want them to do, you know, passports with all the information on, and exactly who is holding that information. But there do need to be more robust means of doing that age verification.

I am certainly not an expert in the field, so how that is developed, I do not know. Are you able to help at all or ...

**Head of Governance and Digital, C.Y.P.E.S.:**

So that would sit firmly with the providers in terms of the age verification.

**The Minister for Children and Families:**

It would do, yes. I mean, governments can put pressure on them in one means or another to do that, but at the end of the day it is the platform owners who have to step up.

**Deputy H.M. Miles:**

What role do you think there is for things like P.S.H.E. (personal, social, health and economic education) to be getting involved with the results of the Jersey Opinions and Lifestyles Survey? Because if we know that 15 per cent of boys in particular are accessing this material, we know from what everybody is saying that we cannot prevent the platforms, the age verification is not working, so what else should Government be doing, given that we know age verification is not working?

**The Minister for Children and Families:**

I think we have to adapt the curriculum, what you are teaching, particularly if we know that boys ... when we are most seriously deficient in that area, then you have to look at the P.S.H.E. curriculum and how you adapt that and what is more effective and teaching them that that really is not the way to sort of get sex education.

**Deputy H.M. Miles:**

What role do you think the Minister for Children and Families has in supporting parents with supporting their children to avoid accessing these sites?

**The Minister for Children and Families:**

I think the online material that we produce is our primary tool there. Obviously working with the Minister of Education, and obviously I cannot speak for him, but obviously we work quite closely together, so therefore you have got the ... you can go through the schools, the parents. As I say, we already have information online. I think the Government are looking at enhancing that and therefore the results of these surveys help in how we do that.

**Deputy H.M. Miles:**

Thank you. I think you talked last week in a different forum, but I guess the same about the online safety policy, which will be forthcoming, and you have said it applied across ...

**Head of Governance and Digital, C.Y.P.E.S.:**

Schools act in a dynamic way to respond to things like the questionnaire and will enhance assemblies in information that they provide to children and their parents and the local communities to support them.

**Deputy H.M. Miles:**

Are schools able to get down into the granular detail from the survey? So is it done by school as well, if necessary?

**Assistant Director of Policy:**

They can split the school out.

**Deputy H.M. Miles:**

They can, so you can compare school against school with particular issues. Yes, that is really good.

**Assistant Director of Policy:**

If I could just build on your point, as well as providing insight for policy development, I think there is a strategic piece here. The Children and Young People's Plan uses and draws upon the survey and uses it to understand where some of those trends are. You make a particular reference to a particular question. There are a number of trends that you can spot and see, and it is important to us to be thinking strategically about how to do that as far as ...

**Deputy H.M. Miles:**

Is the plan still using an outcomes-based accountability framework?

**Assistant Director of Policy:**

So that was my next statement.

**Deputy H.M. Miles:**

Sorry.

**Assistant Director of Policy:**

So because of the O.B.A. (outcomes-based accountability) ...

**Deputy H.M. Miles:**

Yes, that we can monitor the curves, yes.

**Assistant Director of Policy:**

... so that we can have an understanding.

**Deputy H.M. Miles:**

Okay, thank you.

**The Minister for Children and Families:**

Then we can monitor that through the Children's Outcomes ...

**Deputy H.M. Miles:**

Executive Committee.

**The Minister for Children and Families:**

... Executive Committee.

**Assistant Director of Policy:**

An important part of that work is not only looking at the numbers, although they tell part of a story, is to talk to young people themselves. I know that as part of the children's plan, we have - the royal we - a continuing dialogue with children and young people in the school council network. I know that in November ... and we have already planned to be theming that around e-safety. That will be done with colleagues and partners from the Information Commissioner and also schools and what have you. We will be asking questions and exploring some of that data and asking young people what their interpretation is of it ...

**Deputy H.M. Miles:**

That is good, thank you.

**Assistant Director of Policy:**

... as a way of understanding.

**Deputy H.M. Miles:**

Minister, in 2017 the Independent Jersey Care Inquiry highlighted that Jersey had historically lagged behind other jurisdictions in updating its child protection laws. How are you going to ensure that our online safety legislation is not similarly delayed?

**The Minister for Children and Families:**

We are not responsible for updating the legislation specifically for online harms, but as I say, we have got a ministerial committee now that is meeting together and I certainly would not want to see delays. It is vital bits of legislation. We must improve on where we are. I would say obviously since

the Independent Jersey Care Inquiry we have introduced other legislation and I would hope that where we are now is sufficiently better than where we were before. There have been a number of children's laws introduced and some of them give protection in these areas. As I say, some of the older laws need enhancing, but I would not want to see delays.

**Deputy H.M. Miles:**

Because part of the lessons learned from the care inquiry included that the welfare and interests of children are paramount and trump all other considerations. As the Minister with responsibility for children, do you believe that that principle is being properly applied to our modern challenges?

**The Minister for Children and Families:**

I think that is the case. I do not think there are any States Members or departments that believe that this is something that can be left and not dealt with. I think any matters regarding children have to be given priority, so that is absolutely paramount.

**Deputy H.M. Miles:**

Thank you.

[15:15]

**The Connétable of Grouville:**

Minister, in a letter you wrote to the panel on 10th March, you advised that: "The Corporate Parenting Board" which we have already mentioned: "the Children's Outcomes Executive Committee" which you have also already mentioned: "and the Safeguarding Ministerial Group" again, already mentioned: "are the bodies that have oversight of the key considerations that are relevant to the policy and practice regarding online harm." So I was wondering if you could tell us a bit more about the different areas of responsibility and key considerations for each of these bodies so that the public have a better understanding.

**The Minister for Children and Families:**

The Corporate Parenting Board specifically is responsible for children in care, so that is that group and that group only. There we would be looking at our controls over the use of the internet in our children's homes, where all but 2 of the homes have filtering software. Now, the 2 homes that do not are those where there is respite care and ... I am trying to think of the word.

**Head of Governance and Digital, C.Y.P.E.S.:**

Short breaks.

**The Minister for Children and Families:**

Short breaks. The children there are with staff 24/7, so there is not the opportunity for them to use ...

**Deputy C.D. Curtis:**

Sorry, do they not ... they would not be with staff when they are going to bed and they would not be overseen, what they are doing then, would they?

**The Minister for Children and Families:**

Possibly not. I am told that we are looking at the cover for those, are we not? But I think it is one that is possibly ... I was not aware of that when I last came here. I have only recently become aware of that and I have been assured that the 24/7 cover is sufficient at this stage, but we are about to bring in filtering software. The problem that we have in all these locations is that children have smartphones and switch on to 4G and completely bypass any controls that we put in place. So the filtering that we put in only achieves something when they are on our network and there is very little we can do when they have switched on to another network; that is the 4G network.

**The Connétable of Grouville:**

So the next committee we want a definition on is the Children's Outcomes Executive Committee. Can you enlighten us?

**The Minister for Children and Families:**

Yes. The Children's Outcomes Executive Committee, one of its main purposes is in effect monitoring the children's plan. Within that, there are sections within the children's plan that deal with safeguarding, so that is what ensures that we are following our plan.

**The Connétable of Grouville:**

The Safeguarding Ministerial Group has a similar role?

**The Minister for Children and Families:**

The Safeguarding Partnership Board, there is in effect 2 levels of that. There is a ministerial board and then there is the executive board. They have got a wider remit over safeguarding, covering any type of activity.

**Assistant Director of Policy:**

If I may, Minister, one of the priorities that the accountable officers and professional leads are working on at the moment is updating some of the child protection procedures and policies and escalations. What is very important, as we have come to realise in this space today, is about when

you do suspect there is harm going on and there are children who are at risk, you want to be able to understand that very quickly, and where it is appropriate, you want to be able to escalate that. Those processes should be the same whether you are working in a school, working in the police, working in a children's home or just working in a youth club. So that is a priority for this year and I know that colleagues are working hard in terms of updating those. Again, those policies and procedures are blind to online and offline.

**The Minister for Children and Families:**

On the safeguarding partnership we have people from outside the Government on that, do we not?

**Assistant Director of Policy:**

Yes, we have.

**The Minister for Children and Families:**

So in fact any concerns, concerns come to us ...

**Assistant Director of Policy:**

That is right.

**The Minister for Children and Families:**

... but concerns go out to them as well.

**Assistant Director of Policy:**

It is multiagency in its gaze, so ...

**Deputy C.D. Curtis:**

Can I just ask, so children who are staying in children's homes, especially if it is known that they have been targeted or may be targeted by some people into criminal activity or anything like that, do they keep their mobile phones in their rooms or are they not allowed to have them because of possible safeguarding concerns, so their mobile phone is only kept with them when they are being supervised?

**The Minister for Children and Families:**

I am not 100, but I think you would have issues if you deprived them of their phone and took it away from them.

**Deputy C.D. Curtis:**

But if it is known that they may have been targeted ...



**The Minister for Children and Families:**

Police might be able to do that.

**Interim Chief Officer, C.Y.P.E.S.:**

I think if there was a particular concern about a child, then that will be risk assessed by ...

**The Minister for Children and Families:**

Yes, there would be a risk assessment.

**Deputy C.D. Curtis:**

Because they often are targeted, are they not?

**Interim Chief Officer, C.Y.P.E.S.:**

If it is known, then there will be a risk assessment put in place around that young person.

**The Minister for Children and Families:**

Yes. There are cases where the police have removed their phones.

**Deputy B.B. de S.V.M. Porée:**

Is that due to suspicion of criminal ...

**The Minister for Children and Families:**

Oh, I cannot ... yes, it is probably best that I cannot comment on why the police might deprive them. There could be a number of reasons why they would remove the phone from them, but I think the phone is an instrument which is obviously good and bad. We saw a case recently where 43 children, in one way or another, were involved in criminal activity and people say: "Oh, that is nothing to do with online" but how were they controlled?

**Deputy C.D. Curtis:**

Through their phones, yes.

**The Minister for Children and Families:**

Through their phones probably.

**Assistant Director of Policy:**

I think if the panel wanted further details about the specific operational procedures around a residential home ...

**The Minister for Children and Families:**

We can get that.

**Assistant Director of Policy:**

... we do not have that on the panel now. I am sure ...

**Deputy C.D. Curtis:**

Perhaps if you could get it, yes.

**Assistant Director of Policy:**

Perhaps we could provide that after the meeting, after the panel meeting.

**Deputy C.D. Curtis:**

Yes, thank you.

**Assistant Director of Policy:**

Because there will be detail and there will be procedures. It is just that we do not have that detail in the room.

**Deputy C.D. Curtis:**

Yes, okay.

**The Connétable of Grouville:**

Minister, what discussions about online safety have any of those named groups made and have they fed those back to you and your officers?

**The Minister for Children and Families:**

Oh, now I have got to trawl through what we have ...

**Assistant Minister for Children and Families:**

Safeguarding partnership.

**The Minister for Children and Families:**

Safeguarding will absolutely have raised safeguarding issues with us, which we will have taken forward. I need to remember. The other was the ...

**The Connétable of Grouville:**

The Children's Outcomes Executive Committee.

**The Minister for Children and Families:**

Well, the Children's Outcomes Executive Committee, the main purpose is in effect to monitor our ...

**Assistant Director of Policy:**

Have oversight, and it meets twice a year, so the next time it meets will be in November. We are scheduled to be talking about the big picture outcome, which is about being safe and loved, and reviewing some of those programmes in due course, so ...

**The Connétable of Grouville:**

Yes, and the Safeguarding Ministerial Group, which is fairly obvious. Okay, thank you. Now I am going to ask you a question about Children's Services. Could you tell us about work that Children's Services have undertaken with the Safeguarding Partnership Board in relation to protections from online harms?

**The Minister for Children and Families:**

Right. Well, I suppose one of the things is the education of our staff, all staff, and the level to which they receive education on online harms will depend on their job, but that will originally have come through safeguarding. So, for instance, if you are a social worker or a residential worker, where you have got a lot of face-to-face contact with children and may well have things reported to you or you may notice a change, you would get a different level of education in safeguarding to perhaps someone who is doing an administration role, but I think all staff receive ...

**Head of Governance and Digital, C.Y.P.E.S.:**

Yes.

**The Minister for Children and Families:**

Safeguarding, yes, education in one form or another.

**Assistant Minister for Children and Families:**

So that would include data protection training, cyber bullying training and how to identify and report any aspects that they see online that are giving them any cause for concern.

**The Minister for Children and Families:**

Am I right we have done some through the N.S.P.C.C.?

**Assistant Director of Policy:**

Yes, so some of those trainings ...

**The Minister for Children and Families:**

Some of those training courses are through the N.S.P.C.C.

**Assistant Director of Policy:**

... are mandatory, and then we have on top of that profession-specific training and then multiagency training through the safeguarding partnership and we have also got specific training that has been sponsored and led by safeguarding and N.S.P.C.C.

**The Connétable of Grouville:**

Just as a general aside, we get reports of ... if cuts are being made that sometimes those end up being on the training budget. Are you comfortable and confident that that training is going ahead?

**The Minister for Children and Families:**

Yes. Safeguarding training would not be on any cuts.

**The Connétable of Grouville:**

Okay. Thank you, Minister. Can you provide examples of how any existing Government policies or strategies have been updated or changed to make considerations for online safety? That is now any changes that have recently been made, because most of these laws and legislations go back quite a few years.

**The Minister for Children and Families:**

They remain unchanged, yet they are effective as of today. Changes that we made, I think some of the changes would be we have looked at the software in the children's homes.

**Head of Governance and Digital, C.Y.P.E.S.:**

Yes, we have. We are obviously making local policy changes in procedures, which I have already mentioned before, around the online safety policy. It is going to be quite a large document. Then subsequently, the online harms guidance, and that is again for staff ... so there are 2 versions, one for staff and one for parents and children. That also encapsulates the voice of social workers to make sure that they have consultation and feed into that as well. I think that is important.

**The Connétable of Grouville:**

Finally from me, Minister, the panel heard last week - and we have heard this after and throughout our consultations with other Ministers - that this cross-ministerial group has been established to

focus on online harms. What can you tell us about the terms of reference for that group and its plans going forward? I know there have been 2 meetings, but what is the terms of reference?

**The Minister for Children and Families:**

The terms of reference? I am not convinced we have written a terms of reference as yet.

**Assistant Director of Policy:**

If I can help, there is not a terms of reference written. I think the initial piece of work was about mapping all of the different connections in terms of the legislative programme and connecting the key Ministers and officers together. I think the intention is to complete and finish that and meet regularly as those different bits of legislation proceed for the reasons we have been talking about here today, but no explicit terms of reference have been pulled together as yet.

**The Connétable of Grouville:**

Well, if there are, I am sure the panel ...

**The Minister for Children and Families:**

Work in progress, but at least, to be honest ...

**The Connétable of Grouville:**

... would be most grateful for any terms of reference that that ministerial group comes up with. Thank you very much, Minister. That is all from me.

**Deputy C.D. Curtis:**

I will skip the next couple of questions as they could be better answered in writing, I think, so the next one from me is about the U.N.C.R.C. (United Nations Convention on the Rights of the Child), so can you describe how the Government of Jersey reviews its compliance with the U.N.C.R.C. rights of the child?

**The Minister for Children and Families:**

Right, I think Article 19 is one of the crucial ones.

**Assistant Director of Policy:**

Did you say review its compliance?

**Deputy C.D. Curtis:**

Compliance, yes. So, for example, general comment number 25 ...

**The Minister for Children and Families:**

Oh yes, general comments number 25.

**Deputy C.D. Curtis:**

... also it is about the digital environment, that children's rights apply fully online and should ensure their protection.

**The Minister for Children and Families:**

So our Children and Young People (Jersey) Law 2022 has set out senior officer and ministerial responsibilities for safeguarding children and that is in line with general comment number 25. So in effect the legal arrangements in that law do not distinguish between online and offline harms, but the responsibilities are the same. We have multiagency safeguarding policies on children exploitation. How we monitor those, again it comes to the Children's Outcomes Executive Committee, which oversees our Children, Young People and Families' Plan. Within that we have material that is in line with the U.N.C.R.C., and in fact each of the sections within the plan has the relevant areas of the U.N.C.R.C. highlighted and how they tie back to it.

[15:30]

**Deputy C.D. Curtis:**

One of the highlighted key areas in comment number 25 is ensuring access to reliable and age-appropriate online content. How is Jersey complying with that age-appropriate online content?

**The Minister for Children and Families:**

I mean, are we back looking at age verification or ...

**Deputy C.D. Curtis:**

I do not know; you tell me.

**The Minister for Children and Families:**

No, because we have covered age verification and clearly we want to ensure that everything that a child views is appropriate. Within our own children's homes of course the filtering there would try to ensure that everything is age appropriate. The material we have for parents, and helping parents to ensure that their children are looking at age-appropriate material, is another way in which we achieve that. There is a certain element of parents at home that will have a responsibility for monitoring what their children are looking at. The Government can assist them in that, but they are ultimately the people who are there with their children. But within our children's homes we have the

appropriate software there. Once again, of course they can switch to 4G and of course that is going to be an ongoing issue throughout.

**Assistant Director of Policy:**

If I may, the approach is one of a multiplicity of different approaches and layers. We have talked about supporting parents to play their part and understanding what they can do to help with age appropriateness, and as a parent I know that is not easy sometimes. We have talked about technical fixes and solutions in order to keep young people safe, and we have also referenced changes in the legislation that are going on. Your question is about rights and what sits above all of that is Jersey is part of the U.K. party in terms of the signatory to the U.N.C.R.C. We take that very seriously and play our part in the rolling 7-year review of our commitment to the U.N.C.R.C. and we continue to do that. We are doing more than one thing. I think it is also tied into the conversations and discussions with young people is a constant ear for should we be doing more, and the nature and the extent of that risk, balanced with the nature and extent of some of the opportunities offered by the online environment.

**The Minister for Children and Families:**

We use the Y.E.S. (Youth Enquiry Services) Project as well, do we not, through the youth service? That is another place where young people can go. You probably know more about that, Malcolm, but ...

**Assistant Minister for Children and Families:**

Yes, we can get on to that.

**The Minister for Children and Families:**

... they are another source of education, particularly for young people, and young people who may have been exposed to online harms who perhaps do not want to tell their parents, but they can go into the Y.E.S. Project and talk confidentially.

**Assistant Minister for Children and Families:**

Yes, so the Youth Enquiry Service gives advice on all matters, and obviously online harms being just one, so they can advise people what they can do to mitigate the risk, or indeed give them advice or guidance if they are a victim of online bullying or inappropriate content online. That is one of the safety nets which is available for all young people in Jersey.

**Deputy C.D. Curtis:**

Okay, because I was going to ask next about how children can be involved in shaping digital policies that affect them. That can go 2 ways presumably in some of the projects and I know you have already discussed the surveys as well. Is there anything else you wanted to add about that?

**The Minister for Children and Families:**

I think things that are raised in the Y.E.S. Project will filter through to policies via the youth service, so increases in certain requests from children, certain matters raised will filter through to our policies. In fact, it is quite a good source of sort of knowing what might be troubling children on a less formal basis than the survey.

**Assistant Minister for Children and Families:**

Of course children's rights impact assessments are really important to see how any legislative changes are going to affect children's rights as well as their responsibilities.

**Deputy C.D. Curtis:**

Okay, thank you.

**Deputy B.B. de S.V.M. Porée:**

Minister, how much data do you have about the prevalence of different types of online harm to children, and are there any areas that cause you specific concern?

**The Minister for Children and Families:**

Well, we have the latest information from the survey. You look at the data from the survey ... and I am probably more interested in the next one that comes out than current information, because if you look at the current information, what we have got: "Have you ever received a sexual video or photo?" This is between years 8 and 12. Let us look at 2021: that was 36 per cent and it has dropped to 27 per cent in 2024. But is that a real drop? Data can get skewed for all sorts of reasons. Likewise: "Have you ever sent a sexual video or photo of yourself?" Well, that has dropped from 11 per cent to 6 per cent in 2024. Whether that is really our education of children and highlighting the risks of these activities is getting through or is there another reason for those having dropped? Data is very useful, but in this case I am not saying that there is necessarily a success story here until we see the next one.

**Assistant Minister for Children and Families:**

But to put it into context, I have got some numbers. In relation to cyber bullying, approximately 19 per cent of children aged 10 to 15 have experienced online bullying. Self-generated sexual content: a concerning 12-fold increase has been observed in the sharing of that sort of data. Online grooming and exploitation: there is a significant risk of online grooming or sexual exploitation with platforms



like Snapchat, which is very prevalent among young people, and of course digital addiction and mental health we recognise as being areas of significant concern.

**The Minister for Children and Families:**

We have got data and it is the best data ... but data that shows percentages are falling. When you hear this, you think to yourself: "Has it really fallen or is there some other reason behind that?" Now, we have only relatively recently had this information, so there is a lot of work to go into establishing why some of the results are as they are.

**Deputy B.B. de S.V.M. Porée:**

But is it fair to say that data gathering is very important?

**The Minister for Children and Families:**

It is very important.

**Deputy B.B. de S.V.M. Porée:**

Based on the example of the survey you mentioned just before, will the data specific to children and young people be captured in the centralised database that is being developed as part of the violence against women and girls network? Because those are data specific to children. Will they be added?

**The Minister for Children and Families:**

I would have to get back to you on that. I do not know the answer to that.

**Deputy B.B. de S.V.M. Porée:**

Okay, thank you. Do you think more data should be collected then to capture the extent of any problem for children and young people; further data?

**The Minister for Children and Families:**

I think we are looking at changes or adding new questions into the survey. As a result of the importance of safeguarding, I think we are looking at the next version having some changes, some specific questions around safeguarding that are different to those we currently have. As I say, I am not convinced that the drop-off here is necessarily a true reflection of what has happened.

**Deputy B.B. de S.V.M. Porée:**

Fair comment. So where, for instance, incidents of online harm do occur, do you believe that there are protections or procedures in place right now for those eventualities? Or do the children tend to receive ...

**The Minister for Children and Families:**

Yes, there are protections there for those children that report them. Those can be the police, they can be that they can get help through the Y.E.S. Project and counselling. Those protections are there, so I am not concerned that we have not got protections.

**Deputy B.B. de S.V.M. Porée:**

Okay. So in that sense then, do you believe that available protection is swiftly available for cases like that where children come to harm?

**The Minister for Children and Families:**

Yes.

**Deputy B.B. de S.V.M. Porée:**

Are you confident with that?

**The Minister for Children and Families:**

I am confident, yes. I mean, you could find cases where it is perhaps the most serious, where a child could come into care as a result. That would be very swift. The director has an emergency 72-hour request that they can put in place where a child ... and then it would be looked at at the court within those 72 hours. So if it got to that extreme area, there is, yes.

**Deputy B.B. de S.V.M. Porée:**

Okay, thank you. Can you possibly give us some examples of what protection is there for children in Jersey who are subject to privacy violations? How are they protected?

**The Minister for Children and Families:**

Well, we have covered some of the legal protections with the ...

**Assistant Minister for Children and Families:**

Data protection.

**The Minister for Children and Families:**

... data protection, the Commissioner. As I say, if we go on to the non-legal, which we have just covered, if it is something particularly concerning they can go to the Y.E.S. Project, they can go to their schools, where people are trained to deal with safeguarding matters. Yes, there are definitely resources out there.

**Deputy B.B. de S.V.M. Porée:**

Are you at this moment in time making the most of the A.I. tools already available that can be put in place to ensure that children's pictures are not exploited?

**The Minister for Children and Families:**

I do not know what tools have been have been put in place. It is not my area. Are you able to help us with that?

**Head of Governance and Digital, C.Y.P.E.S.:**

Yes. So the tools I mentioned last week are available across some of our children's homes as well. There are different types of tools, but they are filtering contents. No tool is infallible; it is probably important to highlight that. But the tools are also adaptable, so once it is been highlighted that that type of image, for example ... because the tools can pick out images as well and block them, and they can identify to an extent deep fakes, not necessarily in its entirety and not always. Again, as technology moves on and it looks more realistic, it is harder for the software to develop, but the software is also always developing. It is always a little bit of a catch-up, but ...

**Deputy B.B. de S.V.M. Porée:**

Yes, we understand that is not an easy task at all, but it is one that we, as a society, have to get to grips with it because it is about the safety of the children really, is it not? But thank you for that. So what protection is there for children who experience cyber bullying in Jersey? So if we were to make an awareness to the public, what would you say are the protections available?

**Head of Governance and Digital, C.Y.P.E.S.:**

As you are aware, the online digital harms guidance is being developed to encapsulate the voice of all of those different parties to address the most prevalent digital harms that children are experiencing, and then provide guidance for parents to support those children in the event that they experience any of those, or even better, safeguard them from experiencing those online to begin with.

[15:45]

**Deputy B.B. de S.V.M. Porée:**

Thank you for that. Minister, how should we address risks of children accessing or sharing self-harm and suicidal-related content online?

**The Minister for Children and Families:**

That is a very serious area, the promotion of suicide and that type of thing. I know that, for instance, you cannot have a .je address that in any way is connected to that, and it would be taken down, I believe, if it was. But again ...

**Deputy B.B. de S.V.M. Porée:**

It will be on the platforms.

**The Minister for Children and Families:**

... a lot of that has to be, yes, via the platforms by filtering certain words and education as well. Once again, education to try to get children not to be influenced by these, and it is difficult. You have got images, and with images at least you have got something that you can take down or whatever, but these chat rooms which promote suicide are perhaps even more difficult to deal with.

**Deputy B.B. de S.V.M. Porée:**

It is the promoting it.

**The Minister for Children and Families:**

Yes.

**Deputy B.B. de S.V.M. Porée:**

Okay, maybe that is something that you could come back to us on if you could be more specific about how to address that.

**The Minister for Children and Families:**

Yes, how to address.

**Head of Governance and Digital, C.Y.P.E.S.:**

It is being addressed to some extent, obviously in schools - I have already identified that - but across children's homes as well. So with areas like mobile phones that children have, part of the redevelopment of the online safety policy is looking at those mobile phones and, while in care, enrolling them into a mobile device management platform to give further and greater insight and safeguarding those children. So it is to some extent being addressed.

**Deputy B.B. de S.V.M. Porée:**

Is being addressed, thank you. Are there any plans to introduce or update legislation to address legal but harmful online content, say for instance extreme violence or extreme harm, which is legal but it is highly harmful to the children who are exposed to those sorts of platforms? Have you got any plans to date to introduce legislation to address those specific areas?

**The Minister for Children and Families:**

I know this was part of ...

**Assistant Minister for Children and Families:**

The Online Safety Act.

**The Minister for Children and Families:**

... the Online Safety Act. I may or may not be right here that they had such difficulty with it that they removed the term “legal but harmful” because it was so difficult to define.

**Assistant Minister for Children and Families:**

Exactly.

**The Minister for Children and Families:**

The problem is you can have ... and this again is one area where age verification is vital because you could have a scene from ... for instance, there are various conflicts in the world and something that an adult might view could be very harmful for a child. I do not know that our legislation specifically covers online, legal but harmful.

**Assistant Minister for Children and Families:**

It is a tough one.

**Deputy B.B. de S.V.M. Porée:**

Do you feel there is ...

**The Minister for Children and Families:**

It is a very tough one because for one group of people it is legal but for a child it is harmful.

**Deputy B.B. de S.V.M. Porée:**

Children need protection, I suppose, do they not?

**The Minister for Children and Families:**

It does come back to a large extent to age verification on sites that would have that type of material.

**Head of Governance and Digital, C.Y.P.E.S.:**

I think it is also about the education, and I know that is not legislation, but in the work that we are trying to do around educating parents and young people, as well as the training for staff, is to provide

awareness of those online harms so there is a way to be able to deal with any of those situations should they occur. Because as the Minister rightly said, it is much harder to deal with the images and so on; they are already there online.

**Deputy B.B. de S.V.M. Porée:**

I do appreciate that education is really important, but I am asking about possible legislation as a way to reinforcing. I am not sure, Minister, would you be considering ...

**The Minister for Children and Families:**

It would not be me, it would be the Minister for Economic Development.

**Deputy B.B. de S.V.M. Porée:**

As the Minister for Children, would you have an input on that?

**Assistant Director of Policy:**

It is a conversation that you would have with him.

**The Minister for Children and Families:**

Yes, but it is a conversation I would have with him, but I think that falls within his area. The problem with online, legal but harmful, is that I think it does very much come back to age verification. The law that says this is legal for an adult to view, but not for a child, and enforcing that through the platforms is quite difficult. It is complex, and of course that is where the Online Harms Bill ... that difficulty resulted in them removing that term.

**Deputy B.B. de S.V.M. Porée:**

The panel does agree with you, it is a difficult task to put it in place, but do you believe it is necessary and it is worth you looking into that?

**The Minister for Children and Families:**

It is necessary to protect children from that. How we do that ...

**Assistant Minister for Children and Families:**

Enforcement is the difficult thing.

**The Minister for Children and Families:**

... is enforcement. I think there is some of our existing legislation that probably does cover it, but I am happy if we take that up and come back. The Minister for Economic Development is currently looking at the legislation, so therefore now would be the time to incorporate it.

**Deputy C.D. Curtis:**

I just quickly wonder if you could follow up in writing with which legislation you think covers that.

**The Minister for Children and Families:**

I had a feeling that I had seen one of our bits of legislation covered it at some point. I would have to go back through and try and find that. If I cannot find that, we can obviously highlight that we are going to the Minister for Sustainable Economic Development ...

**Deputy B.B. de S.V.M. Porée:**

That would be good. We look forward to get feedback on that.

**The Minister for Children and Families:**

... to say that we are doing that.

**Deputy B.B. de S.V.M. Porée:**

Thank you.

**The Minister for Children and Families:**

Can you make a note of that, Andrew, that we are going to go back? But I am sure one of our Acts does already cover that.

**Assistant Director of Policy:**

We will have to look.

**Deputy C.D. Curtis:**

We will follow up in writing perhaps.

**The Minister for Children and Families:**

Yes, we will have a look.

**The Connétable of Grouville:**

Minister, as always, this panel has received input from members of the public, and parents in particular. We have received concerns, for example, about the impact of screen time on children and addictive behaviours resulting from digital device use. Where does the responsibility, in your opinion, sit for access to screens, particularly through mobile devices?

**The Minister for Children and Families:**

Once again, like much of this, it is a combination of doing this through education, but also educating parents as well, who have a responsibility in this area, because the vast majority of the time that they are on these devices is not necessarily when those children are in our care. There is a big education piece there. Post-COVID of course young people are spending more and more time on devices. I looked at the report that was produced post-COVID at the request of the then Chief Minister, and as yet I do not think that it really recognised the downside of ... at that point it was very much about: "A lot of this is good, we must retain it." I do not think it recognised the danger is twofold, obviously the safeguarding, but also the amount of time spent on devices.

**The Connétable of Grouville:**

The other question of course is about the content. We all know about algorithms and you have just explained exactly what we are concerned about - algorithms that choose our Netflix selections and so on - so where does the responsibility for that content sit?

**The Minister for Children and Families:**

I have lost the thread here now.

**Assistant Minister for Children and Families:**

It is probably bigger than our reach, a lot of it, is it not? That is the reality.

**The Minister for Children and Families:**

Yes. I will tell you one thing that fascinated me, that there was 10.8 billion requests in to the E.U., of which 50 per cent had been dealt with by some form of A.I.-generated response.

**Assistant Minister for Children and Families:**

It just takes it down automatic.

**The Minister for Children and Families:**

So A.I. was being used to deal with some of the things created by A.I.

**The Connétable of Grouville:**

Machine fighting machine.

**The Minister for Children and Families:**

It is a very difficult world.

**The Connétable of Grouville:**



Briefly, what is your response to parents who might say: “I need more help to protect my child from accessing certain content on the internet”?

**The Minister for Children and Families:**

We have got that education for parents; we are enhancing that. The N.S.P.C.C., who we obviously work with as well, they have some extremely good material on there for parents. I have been looking at that and also we have a meeting with them in the next few weeks, do we not, Malcolm?

**Assistant Minister for Children and Families:**

Yes.

**The Minister for Children and Families:**

So we are working with other providers to help parents. I can understand it from a parent’s point of view, things that we have found difficult in this discussion today and saying: “It is a big world out there and this is a big problem.” To a parent who has got concerns, it can be overwhelming in some cases.

**Assistant Minister for Children and Families:**

We want to give more parents and guardians more tools to do the job because we recognise that there are problems and they do need solving.

**The Connétable of Grouville:**

My youngest child, Minister, is now 30 years old, and I am very grateful for that, being that they are all of a certain age. But one final clarification, do you think that another layer of protection from online harms could be provided through policies or legislation?

**The Minister for Children and Families:**

I do not think another layer. I think where we came back to is constantly looking at legislation to try and keep up with what is happening. It is a bit like vaccines, your legislation is only as good as the harms you know about today.

**The Connétable of Grouville:**

That is a good analogy.

**The Minister for Children and Families:**

But I do not think another layer would help, but I think the key thing is to keep on top of it.

**The Connétable of Grouville:**

Another vaccine would help. Yes, I think we have run out of time, Chair.

**Deputy C.D. Curtis:**

Okay. I have one last question then, which just comes up following something you said a moment ago about the possible addictive behaviours around screens, rather than the content. I think you said that the sort of answer to that is education and parental responsibility. In that case when children are in care, as the corporate parent, how are you monitoring the children that you are looking after and their screen-use time?

**The Minister for Children and Families:**

I will have to get back to you, but I do think we have things in place that restrict the amount of time that they can be on screens. The trouble is some of them bring their own phones with them and that gets to be the ...

**Deputy C.D. Curtis:**

I was going to say, at what age are children in the care of the Minister allowed to have a smartphone?

**Assistant Director of Policy:**

I think there is a handbook that helps with the residential.

**The Minister for Children and Families:**

There is a handbook, is there not? I think we need to look at that, but we do have those rules.

**Deputy C.D. Curtis:**

Could you follow up in writing with that then?

**The Minister for Children and Families:**

Yes, we can follow up on that, but there are rules in place about that. I had an interesting conversation last weekend with a teacher - and there were a number of us there - and he said that he has now got children that find it difficult to communicate. Somebody said: "These are young children, are they not, at primary school?" He said: "No, no, no, these are 17 year-old boys." I think that sort of says it all. The consequence of being online means that they cannot communicate well with each other almost without a device. We have lost the ability to talk to each other.

**Deputy C.D. Curtis:**

We have also heard recently from every head teacher we have spoken to that also small children coming into nursery are often having problems with communication.

**The Minister for Children and Families:**

I have heard about small children coming into preschool with a toy phone, which I think unfortunately is where we are, even a child of 3 wanting a toy phone because they see adults with one.

**Deputy C.D. Curtis:**

Okay. Well, thank you very much, everybody. I think that is it for us for today.

[16:00]