

STATES OF JERSEY



INDEPENDENT JERSEY CARE INQUIRY REPORT: IMPLEMENTATION OF RECOMMENDATIONS (P.108/2017) – COMMENTS

Presented to the States on 26th January 2018
by the Chairmen's Committee

STATES GREFFE

COMMENTS

Introduction and Background

1. In September 2017, the Chairman’s Committee established a Review Panel to examine the policies, legislation and actions of the Council of Ministers as a result of the recommendations made in the Independent Jersey Care Inquiry (“IJCI”). The Care of Children in Jersey Review Panel (the Review Panel) currently consists of Deputy S.Y. Mézec of St. Helier (*Chairman*), Deputy T.A. Vallois of St. John (*Vice-Chairman*), Senator S.C. Ferguson and Deputy M.R. Higgins of St. Helier. Deputy J.A. Hilton of St. Helier was also a member of the Panel from its creation until January 2018.¹
2. The report by the IJCI Panel into the abuse of children in the Island’s care system over many years was presented on 3rd July 2017.
3. The Inquiry’s 15 Terms of Reference dealt with matters between 1945 and the present day. As relayed on the Inquiry website, evidence was heard from more than 450 people who had lived in the care system or were otherwise connected to it. The IJCI held 149 days of public hearings, and saw more than 200 witnesses. In total, it considered more than 136,000 documents. The experience of children within the care system was at the heart of the Inquiry's work.
4. The final report identified individual and systemic failings, and made 8 core recommendations for the future management and operation of Jersey’s residential and foster homes, to ensure that the Island provides a safe and secure environment for the children in its care. Furthermore, it relayed (and backed) 659 recommendations put forward by individuals or stakeholder organisations in Jersey, which it grouped into 11 themed categories.
5. The Review Panel has been established to make sure that these recommendations are implemented correctly, and that any proposals put forward to achieve them are adequately examined.
6. The Review Panel’s Terms of Reference are as follows –
 - i To examine the policy of the Council of Ministers in relation to the 8 core recommendations made by the Independent Jersey Care Inquiry Panel (IJCI).
 - ii. To consider the recommendations contributed to the IJCI by members of the Public and stakeholder organisations in Jersey (659 individual recommendations grouped into 11 categories by the IJCI Panel), and examine the policy of the Council of Ministers to those matters.
 - iii. To scrutinise all legislation arising from the recommendations made by the Independent Jersey Care Inquiry.

¹ [Care of Children in Jersey Review Panel Minutes – 5 September 2017](#)

Work of the Review Panel

7. The Review Panel has held 2 public hearings with the Chief Minister to discuss the implementation of the IJCI recommendations. The first was held on Monday 9th October 2017, with the second taking place on 8th December 2017. It is the intention of the Review Panel to hold 2 further hearings with the Chief Minister prior to the election.
8. On 31st October 2017 the Council of Ministers lodged the proposition '*Independent Jersey Care Inquiry Report: implementation of recommendations*' ([P.108/2017](#)). The Review Panel questioned why this had been lodged as a proposition during a meeting with the Chief Minister on 29th November 2017.² It was the view of Panel that debating the Proposition 'in-committee' would allow for more constructive comments and debate amongst States Members. The Review Panel is pleased that the Chief Minister has agreed to this course of action.
9. The Review Panel has undertaken an examination of the proposals contained within P.108/2017, and has collected evidence from a wide range of stakeholders to help inform Members in advance of the debate. What follows is an outline of the work the Review Panel has undertaken in respect of each recommendation in the IJCI and the associated response within P.108/2017.

Recommendation One: A Commissioner for Children

10. Contingency funding was allocated by the Chief Minister on 6th July 2017 to allow for the appointment of a Children's Commissioner in Jersey.³ An allocation of £283,000 in 2017 and up to £590,000 in each of the years 2018 and 2019 was transferred from the central contingencies to the Community and Constitutional Affairs Department, to allow for the appointment of a Children's Commissioner.
11. Whilst still reviewing the headline actions contained within P.108/2017, the intention of the Chief Minister was for the Children's Commissioner and their officers to be in post by January 2018. The Children's Commissioner was duly appointed, following an interview process involving young people, on 15th December 2017. From correspondence with the Chief Minister, the Review Panel has learned that the office of the Children's Commissioner will be established in shadow form during the first year of operation in order for a statutory framework to be developed.⁴
12. It is noted that the Children's Commissioner will report directly to the Chief Minister, not the States Assembly. In the Executive Summary of the IJCI, it was stated clearly that –

*“The Independence of a Commissioner is essential if there is to be confidence in the post”.*⁵

² [Care of Children in Jersey Review Panel minute – 29 November 2017](#)

³ [Ministerial Decision - MD-C-2017-0095](#)

⁴ [Letter from Chief Minister - Children's Commissioner – 24th November 2017](#)

⁵ [Independent Jersey Care Inquiry – Executive Summary – p57](#)

The Review Panel questioned the Chief Minister on how the office of the Children’s Commissioner would be established and operate and whether or not it could be truly independent, to which it received the following answer –

“This arrangement has worked well to date and is similar to the arrangements for the Care Commission, the Safeguarding Partnership Board and a number of other independent arms-length bodies concerned with the criminal justice system. In each case, full functional and operational independence rests with the Commissioner or equivalent, as enshrined in the relevant legislation.”⁶

13. The Review Panel would like to highlight this issue for Members, as further discussion may be required as to whether a different approach could be taken for this important post. Proper independence should require reporting directly to the States Assembly, especially taking into account the corporate parent issues experienced historically. It is the view of the Review Panel that the role should be carried out without fear or favour, and this should be reflected appropriately in the legislation that is brought forward to underpin the role.
14. From the submissions received by the Review Panel from local organisations involved in the care of children, there has been a general feeling of support for the appointment of a Children’s Commissioner, as well as support for the headline actions for this recommendation as stated in P.108/2017.

Recommendation Two: Giving Children and Young People a Voice

15. Recommendation Two of the IJCI deals with the implementation of actions that endeavour to increase the voice of children and young people within the services that they access. The appointment of a Children’s Commissioner is one step to providing a voice for children and young people; however, the Inquiry report outlines further steps that must be taken to ensure this.
16. The headline actions for Recommendation Two within P.108/2017 focus on creating structures that will enable the voice of children and young people to be heard at a strategic level, namely –
 - the creation of Youth Councils
 - a school-based participation strategy
 - establishment of a Children’s Rights Officer
 - creating a looked-after children advocacy service.
17. The Review Panel has met with the Jersey Youth Service (“JYS”) and has been updated on the actions that have been undertaken in respect of forming a youth council. The Community and Constitutional Affairs Department has commissioned Contact Consulting to assist the JYS and other departments, with the input of young people in identifying and creating appropriate vehicles to capture the voice of children and young people. The Review Panel has heard that the JYS will be undertaking training to develop this with young people during the February half-term.⁷ It is worth noting that work has been undertaken

⁶ [Letter from Chief Minister - Children’s Commissioner – 24th November 2017](#)

⁷ [Care of Children in Jersey Review Panel Minutes – 22 November 2017](#)

by the States Greffe to create a youth parliament; however, there is no mention of any involvement or discussion within the headline actions. The Review Panel would like to emphasize the absolute importance that the JYS play in the role of young people in the Island, and how they are a vital part in how the Island moves forward. However, the certainty of the entirety of their funding is of concern to the Review Panel.

18. In order to inform its own work better, the Review Panel is in the process of planning a meeting with the group of young people who interviewed the candidates for the role of Children's Commissioner. It should be noted that this group of young people have now been appointed as a Youth Advisory Board to the Children's Commissioner.
19. One of the main changes that will be initiated through P.108/2017 is the establishment of a Children's Rights Officer that will report to the Managing Director of Community and Social Services. Whilst some submissions have generally agreed with the creation of this role, the submission from [Barnardo's](#) highlighted concern about the reporting path for the Children's Rights Officer –

“We note the Children's Right Officer will be in-house. In our experience, this is much less robust and should be independent.”⁸

The Review Panel has been provided with a copy of the Children's Rights Officer job description, and intends to follow up the proposed appointment timeline as laid out within the headline actions for Recommendation Two. Further questioning will be undertaken at upcoming hearings with the Chief Minister.

Recommendation Three: Inspection of Services

20. Within the headline actions in P.108/2017 for this recommendation, the Jersey Care Commission is identified as the lead agency with responsibility for implementation.
21. The Review Panel met with the Chair of the Care Commission in November 2017 to discuss the role it would play in relation to the independent inspection of services. It was reported to the Panel that the Care Commission would be working in partnership with Ofsted to carry out the inspection. It was noted during this meeting that the project brief and Terms of Reference for the inspection were due to be finalised during a meeting in December 2017, with preparatory work for the inspection being undertaken in January and February 2018. It is planned for the inspection to be carried out during April and May 2018, with a final report being published in September 2018.⁹
22. From the submissions received by the Review Panel, there has been a mixed response to the headline actions contained within Recommendation Three. Whilst there has been a great deal of positive feedback in relation to the proposals (see submissions from [Barnardo's](#) and the [NSPCC](#)), concerns have been raised at the phasing-out of the Independent Visitors for Young People

⁸ [Written Submission – Barnardo's](#)

⁹ [Care of Children in Jersey Review Panel Minutes – 21 November 2017](#)

(IVYP). The Review Panel received one such submission from a member of the IVYP, which stated –

“The IVYP are a group of extremely experienced, knowledgeable and like-minded independent volunteers that visit the young people and their carers on a monthly basis. We follow up any concerns and issues and report these (if necessary) via our Chair, to a representative from Children’s Services. We have a deep-rooted passion for the welfare of these youngsters and cannot understand how an annual inspection and the odd visit by appointed individuals can be any more effective than the fabulous work done by our independent members.”¹⁰

23. The Panel intends to meet with representatives of the IVYP; however, due to the proximity of the meeting to the in-committee debate, it is not possible for the outcome of the meeting to be reflected in this Comments Paper. The Review Panel will continue to explore these concerns after the debate.

Recommendation Four: Building a Sustainable Workforce

24. The Review Panel has undertaken substantial work within this recommendation, with concerns relating to the narrow scope of the headline actions being a fundamental issue.

25. Whilst it is pleasing to see steps being taken to address the workforce concerns in Health and Social Services, it is the view of the Review Panel that a wider review of the States of Jersey Human Resources (“HR”) function is required. Correspondence between the Review Panel and the Chairman of the States Employment Board (“SEB”) has been ongoing around this issue¹¹. As a result of the Review Panel’s feedback, the headline action in Recommendation Four relating to an independent review of bullying and harassment, was added. It is the opinion of the Review Panel that this addition does not go far enough, and an in-depth review of the States of Jersey HR function is necessary. The Review Panel has met with the new Chief Executive Officer of the States and understands that a review is currently underway that will look to address concerns that have been raised on this issue. The Review Panel was informed that recommendations will be put forward in due course and, as such, it will be monitoring these developments closely in relation to the IJCI response.

26. A key headline action for this recommendation is the introduction of the ‘Jersey Practice Model’ which will act as an agreed process, across a continuum of need, for all services supporting children in the Island. The Review Panel has received an update from the Managing Director of Community and Social Services as to the progress made in introducing this model and its associated training framework –

“Work on the Practice model continues at pace. The model processes and documentation has been agreed and signed off. It has been

¹⁰ [Written Submission - Independent Visitors for Young People](#)

¹¹ [Letters from Chairman of the States’ Employment Board – 27th October and 24th November 2017](#)

developed and agreed by a representative group of stakeholders including a parent representative.

Interviews took place for the officer to lead training and workforce development of the model. This was a successful process and an appointment was made. The successful candidate is due to commence in post shortly. The training programme which will include all services working with children will run across 2018 and have additional support from all the main services.”¹²

27. The Review Panel has also questioned what action was being taken to encourage on-Island social worker training to meet the workforce needs of the sector. It has been provided with the following update –

“There is work ongoing with States’ Departments, Highlands College and colleagues in Guernsey to develop an on island social work degree. Work has been undertaken with potential partner universities in the UK to develop a course that will meet accreditation standards. There has been a third potential partner university identified which is currently involved in scoping elements of a future course. It is likely the course will provide places for 12 students. The financial cost implication and other support require to be fully scoped.

One component required prior to an on island course commencing is to ensure there are sufficient practice educators in place and training is arranged for the early part of 2018 in this regard.”¹³

28. Providing adequate key worker accommodation is fundamental to addressing issues of workforce retention. During a public hearing with the Chief Minister on 8th December 2017, the Review Panel discussed the headline action in relation the future use of property holdings stock –

“The Deputy of St. John:
Recommendation 4 suggested that there were certain actions that you were going to take with regards to building a sustainable workforce and one of them was with regards to the future use of Jersey Property Holdings’ existing stock. When is a decision likely to be made on this?

Director, Social Policy:
We are doing a lot of work with Jersey Property Holdings at the moment around how we better use the stock that we have. This is obviously tied into the future hospital and the decamps of staff that need to be done around the future hospital. It is a complex and ever-moving jigsaw, as I am sure that you can imagine, and we have a certain number of plans or provisional plans in place, which we are just testing. We do need time to finalise that, but I would anticipate that we will be able to come back to the special scrutiny group in the early New Year with some more definite plans.”

¹² [Letter from Managing Director of Community and Social Services – 19th January 2018](#)

¹³ [Letter from Managing Director Community and Social Services – 19th January 2018](#)

29. Submissions received from key stakeholders have highlighted the need for the headline actions to be widened, to include all agencies working with children and young people. Submissions from [Family Nursing and Home Care](#)¹⁴, [Barnardo's](#)¹⁵, [Brighter Futures](#)¹⁶ and [NSPCC](#)¹⁷ all highlighted the need for a multi-disciplinary approach to workforce development. The Review Panel notes that the headline actions for Recommendation Four have focussed predominately on the recruitment and retention of social work staff. Bearing in mind the clear feedback from agencies working with children and young people, it may be more appropriate to consider how the wider children's workforce will be developed.

Recommendation Five: Legislation

30. The headline actions for Recommendation Five propose a schedule of children's policy and a legislative programme to support the revised Children's Plan by June 2018. It is clear that in order for any children's plan to be implemented effectively, a schedule for updating policy is crucial. The NSPCC stated in their submission that –

*We agree that children's legislation in Jersey needs a fundamental overhaul to ensure it meets the needs of all children on the Island, not just those with additional vulnerabilities. This is why the incorporation of the UNCRC is such a fundamental step. During the review of children's legislation, it would also be helpful to provide clarity around statutory duties as they apply to children in need.*¹⁸

31. The Review Panel will continue to monitor the development of this schedule.

Recommendation Six: Corporate Parent

32. The Review Panel notes that a revised Children's Plan is due to be developed and consulted upon by March 2018. The Review Panel notes that the consultation will take place with children and families, which is fundamentally important to creating a plan which is fit for purpose and meets the needs of those it affects.

33. The Review Panel has received submissions which highlight possible actions that should be undertaken as part of this consultation –

*"We would encourage the engagement of children and young people in the development of this area, particularly in the drafting of a dedicated strategy and specific pledges that can be upheld for children in care."*¹⁹

In terms of developing a children's plan, in consultation with children and families, as above this will rely on the development of accessible children's advocacy. We are aware that Barnardo's offer advocacy

¹⁴ [Written Submission – Family Nursing and Home Care](#)

¹⁵ [Written Submission – Barnardo's](#)

¹⁶ [Written Submission – Brighter Futures](#)

¹⁷ [Written Submission – NSPCC](#)

¹⁸ [Written Submission – NSPCC](#)

¹⁹ [Written Submission – Barnardo's](#)

*services for care leavers, but we strongly believe that advocacy should be available for all children subject to child protection plans and all children in care.*²⁰

34. The Review Panel would encourage these comments to be explored further in order to strengthen the consultation process.
35. The Review Panel has undertaken correspondence with the Privileges and Procedures Committee (“PPC”) about the proposals it intends to bring forward clarifying the roles and responsibilities of States Members. One recommendation put forward in the IJCI was that –

“There should be mandatory briefing for all States Members as to their responsibilities as corporate parents for looked after children, and that new States Members would be unable to take their seat until this had been undertaken.”

36. The Panel received the following information from PPC in respect of this recommendation –

“We have agreed that the States Greffe, working with colleagues in the Department for Community and Constitutional Affairs, will organise a briefing session for States Members on corporate parenting responsibilities immediately after the election and we will offer more than one date, in order to ensure that all States Members can attend.

All Members will be expected to attend a briefing before they are sworn in before the Royal Court. This will meet the spirit of the Inquiry’s recommendation, but there are significant difficulties in going further and mandating attendance before a Member can take their seat. It is possible to conceive of a situation where a Member refuses to attend a briefing because it is provided by the States, perhaps arguing that States staff should not be involved to avoid any connection with the events the Inquiry investigated. The Member may have promised to act in this way in their election manifesto. It would be contrary to the democratic process to deny such a Member the opportunity to take their seat. In our view, the approach we envisage will achieve the outcome envisaged by the Care Inquiry without causing any constitutional difficulties.”²¹

37. The Review Panel has sought the legal context of the role of States Members as corporate parents, the answer to which was given by Her Majesty’s Attorney General in response to a question from Deputy T.A. Vallois of St. John –

“The concept of the corporate parent is not one currently recognised under Jersey law. Individual States Members, other than the Minister for Health and Social Services, do not have any specific responsibility towards children in care, rather for children generally. In England and Wales a care order is made in favour of the local authority. In Jersey a

²⁰ [Written Submission - NSPCC](#)

²¹ [Letter from Chairman of PPC – 28 November 2017](#)

*care order is made for the Minister who assumes parental responsibility for the child, as well as other duties set out under the Children Law 2002.*²²

38. The Review Panel will continue to review the headline actions for this recommendation, with consideration being given to the consultation process on the Children's Plan. An engagement day is planned for Wednesday 14th March, where further discussion will take place in respect of the role of the States as corporate parent, and consultation will be undertaken with professionals and young people in relation to the Children and Youth People's Plan.

Recommendation Seven: The Jersey Way

39. The Review Panel notes that some of the headline actions for this recommendation are long-term targets, especially the projects that are due to be established to increase public engagement, openness and transparency, checks and balances, accountability and confidence in the governance of the States. At present the Review Panel has yet to undertake any substantial work in this area, although as work progresses it is likely that specific reviews will be established to examine any proposals that are brought forward. Few comments have been received from stakeholders on this particular recommendation, and of those received, the only points raised were that issues needed to be resolved at senior positions before any meaningful changes could be introduced across the States.
40. The Review Panel also notes that the Chief Minister has provided an initial response to the Law Commission's Report on administrative redress.²³ The Panel will review this response in due course and undertake further questioning at its upcoming public hearings with the Chief Minister.
41. It is worth recalling that on 16th November 2017 the Assembly adopted [P.84/2017](#) 'Elected Speaker and Deputy Speaker of the States Assembly: selection and appointment', as amended. The Assembly has agreed in principle that the Bailiff should cease to hold the office of President of the States, subject to a positive result of a referendum. PPC are currently bringing forward proposals, although the timing of the referendum has yet to be decided. The Referendum Commission has advised that it would be difficult to hold this in parallel with the general election in May 2018.
42. The Review Panel notes that the Chief Minister has lodged [P.1/2018](#) 'Draft Machinery of Government (Miscellaneous Amendments) (Jersey) Law 201-', which is due to be debated on 20th February 2018. Throughout the report there is reference to the IJCI, and changes are suggested that look to address the issue of the silo mentality that was highlighted in the IJCI report.

²² [Oral Question \[1\(648\)\] – Deputy T.A. Vallois of St. John to HM Attorney General – 11 December 2017](#)

²³ [R.1/2018 'Jersey Law Commission Topic Report 'Improving administrative redress in Jersey': Initial Response](#)

Recommendation Eight: Legacy Issues

43. The first phase of the archiving process for the IJCI began in November 2017, and it has been widely reported that it will take 2 people 2 years to complete. The Review Panel questioned the Chief Minister at a public hearing on 8th December 2017 as to the reason for this length of time –

“Senator S.C. Ferguson:

But the overall archiving seems apparently to be taking 2 years, the total archiving. Why is it taking so long?

Director, Children’s Policy:

The archiving piece of work is 2 years. Jersey Archive, they have received 250,000 individual pages in digital form. It is the biggest archived piece of work that they have ever done, so I think the reason for its length is the amount of material that was gathered.

The Chief Minister:

It is going to take 2 people 2 years to do it all so it is a useful, searchable format. The archivist is the expert. They have taken advice. I do not know if they are still having support from the British archive.”²⁴

44. A particularly emotive subject within the headline actions for Recommendation Eight is the consultation that is proposed on the future of Haut de la Garenne. The Review Panel has questioned what form this will take –

“Deputy M.R. Higgins:

Although people can express their view, what sort of things are you planning on consulting on? What are your main objectives? What are the options?

Director, Children’s Policy:

The Care Inquiry talked about demolishing Haut de la Garenne, so our consultation will be very close to that particular question. The Care Inquiry also talked about if it was going to be used, to be extended as an outdoor centre, which is what it is being used for at the moment – I am not directly quoting, but paraphrasing – that the building should be unrecognisable, it should be bespoke. We will be looking at that demolition/not demolition piece and at the same time we will be offering some opportunity for people to give an idea of what it may be used for. That is the kind of tenor that is the kind of outline of what that consultation would look for.”

45. In the wake of the IJCI report being released, investment was set aside for the provision of a 24-hour confidential telephone support line. The Review Panel has questioned the Health and Social Services Department on the range of services and what has been done to support victims in the wake of the IJCI report. It received the following update –

²⁴ [Care of Children in Jersey Review Panel – Public Hearing with the Chief Minister – 8th December 2017 – p14](#)

“Jersey Community Support

A 24 hour telephone helpline was set up for two weeks following the release of the IJCI report. This was responded to by either a Psychologist/Psychological Therapist who had specialist skills in psychological trauma. One telephone call was made to the helpline during this two week period. As the request for support during this two week period was minimal the 24 hour helpline then became available during day time business hours (8am to 5pm). No additional phone calls were made to the helpline.

A dedicated email address that was monitored during working hours was set up. Two contacts were made via email for psychological support. The email address has remained open since the IJCI report and no further contacts have been made.

A leaflet specifically related to the IJCI (attached) was distributed to a range of services and agencies.

Samaritans and Victim Support were also identified as providers of support.

States of Jersey staff support

Community & Social Services operational and management staff were trained the week prior to the release of the IJCI report by UK facilitators in an evidence based trauma focussed support system called Trauma Risk Management (TRiM).”

46. The issue of therapeutic services was noted in submissions received by the Panel, with further recommendations being made by stakeholders. One such submission from Barnardo’s highlighted the following –

“14.10 makes reference to care for witnesses and the further development of accessible services that meet the needs of survivors. One of the most emotive and important issues for survivors of abuse is being able to access their file material in a therapeutic environment with on-going support. This should be a key component to any service provision now and in the future. There is currently no mention of an access to records provision within the recommendations.”²⁵

47. The Review Panel notes that work has begun on creating a Citizens’ Panel to put in place a lasting memorial, which will ensure that survivors can be respected and honoured in decades to come. Further questioning will be undertaken on this matter in upcoming hearings.
48. Further work will need to be undertaken by the relevant Departments in order to deal with the large number of legacy issues that come from the IJCI.

²⁵ [Written Submission – Barnardo’s](#)

Conclusion

49. From the work it has undertaken so far and from the evidence received, the Review Panel has come to the following conclusions at this time:
- i. It is clear that work has started on a considerable number of the headline actions, with some already having been completed in the timescale set out in P.108/2017. This is to be commended. It is also worth noting that significant movement has been made in comparison to previous States' projects. The dashboard at the attached **Appendix** shows the progress made thus far on the headline actions.
 - ii. The communication between the Review Panel and those involved in responding to the IJCI has been positive, with constructive discussions and actions having taken place.
 - iii. Some of the deadlines for the headline actions have been met in a timely fashion, specifically from the Chief Minister's Department. Other departments, however, have yet to show the same level of prioritisation, and some actions which were due to be completed by a set date are still outstanding. The Review Panel is concerned that the upcoming election poses a significant risk to the progress that is being made in response to the IJCI. It is vital that the work is not affected by the election and the period of uncertainty that both precedes and follows it.
 - iv. One of the main concerns highlighted to the Review Panel during its work is that the response to the IJCI must be funded properly. The previous Children and Young People's Framework was never given the appropriate funding, and this cannot be repeated under any circumstances. It is vital that sustainable funding is identified to allow the response to the IJCI to be implemented correctly. It is also important that this funding is not identified by cutting the budgets of other services for vulnerable people.
 - v. The Review Panel notes the excellent work done by the Jersey Youth Service in respect of giving children and young people a voice. However, it also holds concerns that a great deal of dependence has been placed on a service which is only partly States-funded to deliver this key action. It is the opinion of the Review Panel that the States must provide greater certainty to the JYS in respect of its funding.
 - vi. There is support for the majority of the proposals among the stakeholders who wrote to the Panel, although areas for improvements to the proposals have also been suggested. The Review Panel notes that the States Assembly adopted Deputy L.M.C. Doublet of St. Saviour's proposition [P.63/2017](#) '*United Nations Convention on the Rights of the Child: compliance of draft Laws and training of States of Jersey employees*', on 26th September 2017, but has yet to see any evidence (with the exception of a headline action in Recommendation One) that the United Nations Convention on the Rights of the Child is being considered when draft legislation is put forward to the Assembly.

- vii. The Review Panel holds serious concerns about the ability of the Human Resources Department to fully perform their function of supporting staff. The Review Panel is of the opinion that the headline actions within Recommendation Four are very narrow in scope and should be widened to include the whole States of Jersey HR function, as opposed to simply addressing workforce concerns in the Health and Social Services Department. The recommendations made in the IJCI make reference to the overall working of the public sector and the fact that Jersey cannot continue to work in the way it is.
- viii. The following pieces of legislation or policies referring to the IJCI recommendations have been, or are being, examined by the other Scrutiny Panels –
- [P.84/2017](#) *'Elected Speaker and Deputy Speaker of the States Assembly: selection and appointment'*
 - [P.1/2018](#) *'Draft Machinery of Government (Miscellaneous Amendments) (Jersey) Law 201-'*
A Review Panel has been set up by the Chairmen's Committee to review these proposals.
 - [P.120/2017](#) *'Social housing in Jersey: introduction of a regulatory framework'*
The Environment, Housing and Infrastructure Scrutiny Panel are reviewing this proposition.
 - [P.66/2017](#) *'Draft Public Health and Safety (Rented Dwellings) (Jersey) Law 201-'*
The Environment, Housing and Infrastructure Scrutiny Panel reviewed this draft Law and published [comments](#) ahead of the debate, which took place on 13th December 2017.
 - [P.118/2017](#) *'Draft Criminal Procedure (Jersey) Law 201-'*
The Education and Home Affairs Scrutiny Panel has set up a Sub-Panel to review this draft Law and published its [comments](#) on 15th January 2018.
 - [P.18/2018](#) *'Draft Sexual Offences (Jersey) Law 201-'*
The Education and Home Affairs Scrutiny Panel will be undertaking a review of this Law.
 - It is worth noting that, on 17th January 2018, the States adopted [P.113/2017](#) *'Income Support: reinstatement of single parent component'*, lodged by the Health and Social Security Scrutiny Panel on 15th November 2017. It is the opinion of the Review Panel that the issue of poverty must be considered in relation to the recommendations made in the IJCI.

APPENDIX

**Responding to Care Inquiry – January 2018 Progress Report
(provided by Community and Constitutional Affairs)**

Actions by progress

Total Number of Actions	43
Actions completed	5 (3)
Actions started	27 (19)
Actions pending	11 (22)

() = previous month's performance

Actions by recommendation and progress

	Pending	Started	Completed
Recommendation 1	0	5	1
Recommendation 2	2	4	0
Recommendation 3	1	2	0
Recommendation 4	5	6	0
Recommendation 5	1	2	0
Recommendation 6	0	3	0
Recommendation 7	2	1	3
Recommendation 8	0	4	1
Total	11	27	5

Progress on actions for each recommendation

R = Behind target date

C = Completed

Recommendation 1: Children's Commissioner					
	Proposed Action	Pending	Started	Completed	Officer Contact
1.1(c)	Children's Commissioner and officers in post by January 2018			✓	Community and Constitutional Affairs
1.2	Explore inter-Island collaboration with Guernsey counterparts by December 2018		✓		Children's Commissioner
1.3	Children's Commissioner to report to the States Assembly on the desirability of incorporation of UNCRC into domestic and necessary legislative changes by April 2018		✓		Children's Commissioner

	Proposed Action	Pending	Started	Completed	Officer Contact
1.4	Children's Commissioner Regulations lodged by December 2018		✓		Children's Commissioner
1.5	Children's Commissioner to identify a plan to ensure every States of Jersey employee receives a copy of the UNCRC and is familiar with it – by December 2018		✓		Children's Commissioner
1.6	Establish links with the British and Irish Network of Children Commissioners by December 2018		✓		Children's Commissioner
Recommendation 2: Children's Voice					
	Proposed Actions	Pending	Started	Completed	Officer Contact
2.1	Establish a Young Person Panel to explore approaches to Youth Councils by November 2017		✓		Jersey Youth Service/CCA
2.2	Develop a plan to deliver a school-based participation strategy by January 2018		✓		Education Department
2.3	Establish a Children's Rights Officer Role by February 2018		✓		Community and Social Services
2.4	Children's Rights Officer to begin work with children in care to review the complaints system available to looked-after children by March 2018	✓			Community and Social Services
2.5	Children's Rights Officer to start developing a programme of regular contact between children in care and the Chief Minister by March 2018	✓			Community and Social Services
2.6	Establish a looked-after children advocacy service by March 2018		✓		Community and Social Services

Recommendation 3: Inspection					
	Proposed Actions	Pending	Started	Completed	Officer Contact
3.1 (R)	Agree terms of reference for an Independent Review of Children's Service by December 2017		✓		Care Commissioner/ CCA
3.2	Develop a plan to phase out the Independent Visitors for Young People	✓			Community and Constitutional Affairs
3.3	Start annual Inspection of Children's Residential Services by June 2018		✓		Care Commissioner/ CCA
Recommendation 4: Sustainable Workforce					
	Proposed Actions	Pending	Started	Completed	Officer Contact
4.1 (R)	Council of Ministers' decision on future use of Jersey Property Holdings existing stock by December 2017	✓			Strategic Housing Unit
4.2 (R)	Policy decision from Housing Minister on future use of existing Andium stock for key worker accommodation and assisted purchase scheme by December 2017		✓		Strategic Housing Unit /CCA
4.3	Establish a recruitment and retention plan for Children's Social Work by January 2018		✓		Health and Social Services
4.4	Establish an accredited training programme for front line social work staff by January 2018		✓		Community and Social Services
4.5	Deliver more training sessions on specialist safeguarding by January 2018		✓		Health and Social Services
4.6	Establish training programme to support delivery of Jersey Practice Model which incorporates key learning from 'Hackney' experience of service transformation by January 2018		✓		Education/ Health and Social Services

	Proposed Actions	Pending	Started	Completed	Officer Contact
4.7	Commission and publish Strategic Housing Market Assessment (objectively assessed housing needs) Report by December 2018		✓		Strategic Housing Unit
4.8	Complete Ministerial Decision to transfer JPH housing stock to Andium Homes for key worker accommodation by December 2018	✓			Strategic Housing Unit
4.9	Publish review as part of migration policy, exploring impact of public policies on treatment of migrants in Jersey, by December 2018	✓			Chief Minister's Department
4.10	Complete refurbishment of Andium stock for use by key workers completed by December 2019	✓			Andium Homes
4.11	Limes site redevelopment commenced for affordable and key worker accommodation by December 2020	✓			Andium Homes
Recommendation 5: Legislation					
	Proposed Actions	Pending	Started	Completed	Officer Contact
5.1 (R)	Agree scope and identify a suitable provider for an independent review of Youth Justice by December 2017		✓		Probation and After-Care Service
5.2	Establish a schedule of children's policy and legislation to support the revised Children's Plan by June 2018		✓		Community and Constitutional Affairs
5.3	Review operating model of Greenfields Secure Residential Service by December 2018	✓			Health and Social Services

Recommendation 6: Corporate Parent					
	Proposed Actions	Pending	Started	Completed	Officer Contact
6.1	Develop and consult the public on a revised Children's Plan by March 2018		✓		Community and Constitutional Affairs
6.2	Privileges & Procedures Committee to bring forward proposals on roles and responsibilities of States Members in January 2018		✓		States Greffe (Privileges and Procedures Committee)
6.3	Scope and progress policy development to better describe the role of the Corporate Parent in Jersey by December 2018		✓		Community and Constitutional Affairs
Recommendation 7: The Jersey Way					
	Proposed Actions	Pending	Started	Completed	Officer Contact
7.1	Start Chief Minister Advisory Group on the Separation of Powers by August 2017			✓	Community and Constitutional Affairs
7.2	States Assembly debate on P.84/2017 ' <i>Elected Speaker and Deputy Speaker of the States Assembly: selection and appointment</i> '			✓	Community and Constitutional Affairs
7.3	Complete scoping exercise and planning for projects on: (i) public engagement; (ii) openness, transparency, checks and balances, accountability and confidence in our system of governance; (iii) administrative redress and the administrative justice system by September 2018		✓		Community and Constitutional Affairs
7.4	Initial response to the Jersey Law Commission Report on Improving Administrative Redress in Jersey by December 2017			✓	Community and Constitutional Affairs
7.5	Obtain Ministerial approval for project implementation by December 2018	✓			Community and Constitutional Affairs

	Proposed Actions	Pending	Started	Completed	Officer Contact
7.6	Begin phased project implementation by January 2019	✓			Community and Constitutional Affairs
Recommendation 8: Legacy					
	Proposed Actions	Pending	Started	Completed	Officer Contact
8.1	Begin first phase of the archiving by November 2017			✓	Jersey Archive
8.2	Start a Public Consultation on Haut de la Garenne by February 2018		✓		Community and Constitutional Affairs
8.3	Convene a Citizens Panel to consider and identify recommendations for a lasting memorial with recommendations presented to Council of Ministers by June 2018		✓		Community and Constitutional Affairs
8.4	Further develop accessible services that meet the different recovery needs of survivors. Review services annually with statutory and community voluntary sector service providers		✓		Health and Social Services
8.5	Further develop the range of services that work with children who have disclosed experiences of sexual abuse, to ensure timely therapeutic support to achieve recovery		✓		Health and Social Services

Remedial Actions

Ref. Number	Remedial Actions for those Actions Identified as '(R)'	Revised Date
3.1	OFSTED now identified by Care Commission as preferred provider. Terms of Reference agreed. Final details regarding legal basis for inspection being worked through with Law Officers' Department.	End of January 2018
4.1	A review of Jersey Property Holding stock for potential transfer has been produced. Further understanding of the identified stock is required between Strategic Housing, Andium Homes, Jersey Property Holdings and Health Department ahead of any Ministerial Decision being made.	April 2018
4.2	Officers from Strategic Housing Unit, Jersey Property Holdings, Future Hospital Board and Andium Homes have identified immediate opportunities re new stock for key worker accommodation. Final decision scheduled for February. Assisted purchase scheme has been developed and scheduled for CoM consideration on 24th January for debate in Assembly in March and going live in June.	March 2018 June 2018
5.1	Project group established. Visit from Her Majesty's Inspectorate of Probation Services has taken place, and they are assisting in scoping the review. Final decision on scope and timing is in abeyance until terms of reference for OFSTED inspection of children's service is confirmed.	February 2018