

# STATES OF JERSEY



## **THE SEASIDE CAFÉ SITE AT GREVE DE LECQ - ACQUISITION BY THE PUBLIC AND TRANSFER TO THE NATIONAL TRUST FOR JERSEY (P.5/2024) – CHILDREN’S RIGHTS IMPACT ASSESSMENT**

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**Presented to the States on 15th January 2024  
by Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter**

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**STATES GREFFE**

## CHILDREN'S RIGHTS IMPACT ASSESSMENT (CRIA)

### PART 1: SCREENING

Name and title of Duty Bearer:	Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter
Type of Duty Bearer: (Minister, Elected Member or States Assembly Body)	Elected Member
Assessment completed by (if not completed by duty bearer):	Members' Resources Team
Date:	11/01/2024

1) Name and brief description of the proposed decision The subject of your CRIA may be a proposed law, policy or proposition and in accordance with the Law is referred to in this template as the ' <b>decision</b> '
<ul style="list-style-type: none"> <li>• What is the problem or issue the decision is trying to address?</li> <li>• Do children experience this problem differently from adults?</li> </ul>
<p>The Seaside Café site at Greve De Lecq – Acquisition by the Public and Sale to the National Trust for Jersey. The decision is aimed at purchasing the Seaside Café site in order gift the site to the National Trust for Jersey with the provision that the land be used for environmental, cultural and social benefit to the public.</p> <ul style="list-style-type: none"> <li>• The problem the decision is trying to address is the current lack of public access and ownership of a key coastal access point at Greve De Lecq.</li> <li>• No, children will experience the problem in the same way as adults.</li> </ul>
2) Which groups of children and young people are likely to be affected? Groups of children could include early years, primary or secondary education; young adults; children with additional learning needs; disabled children; children living in poverty; children from particular ethnic backgrounds; migrants; refugees; care experienced children and LGBTQ+ children
<p>All children and young people on the Island are potentially affected by this decision, though access to free outdoor spaces has been shown to have more impact on children living in poverty.</p>
3) What is the likely impact of the proposed decision on children and on their rights?
<ul style="list-style-type: none"> <li>• Identify any potential positive OR negative impacts and include indirect impacts on children and their rights as described in the UNCRC</li> <li>• Will different groups of children be affected differently by this decision?</li> </ul>
<ul style="list-style-type: none"> <li>• Right to a standard of living that is good enough to meet the child's physical and social needs and support their development (<a href="#">Art 27</a>)</li> <li>• Right to health and health services (<a href="#">Art 24</a>)</li> <li>• Leisure, play and culture (<a href="#">Art 31</a>)             <ul style="list-style-type: none"> <li>○ Every child has the right to relax, play and take part in cultural and artistic activities</li> </ul> </li> </ul>

4) Is a full Child Rights Impact Assessment required? If you have identified impacts on children and their rights, a full CRIA should be completed. If no impacts are identified then a Full CRIA is not required, but please explain your rationale and how you reached this conclusion
Yes.

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

## Part 2: FULL CHILD RIGHTS IMPACT ASSESSMENT

5) What will be the impacts (positive or negative) of the proposed decision on children's rights?  For each of the UNCRC articles described below, click to identify any that may be relevant			
Category	UNCRC Article	Impact? YES NO	
Guiding Principles	Non-discrimination ( <a href="#">Art 2</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Best interests of the Child ( <a href="#">Art 3</a> ) to be a top priority	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Right to Life survival and development ( <a href="#">Art 6</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Respect for the child's views ( <a href="#">Art 12</a> )	<input type="checkbox"/>	<input type="checkbox"/>
Civil Rights & Freedoms	Right to birth registration, name and nationality ( <a href="#">Art 7</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Right to an identity ( <a href="#">Art 8</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Freedom of expression ( <a href="#">Art 13</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Freedom of thought, conscience, and religion ( <a href="#">Art 14</a> ) Every child has the right to think and believe what they choose	<input type="checkbox"/>	<input type="checkbox"/>
	Freedom of association ( <a href="#">Art 15</a> ) Every child has the right to meet with other children and to join groups and organisations	<input type="checkbox"/>	<input type="checkbox"/>
	Right to Privacy ( <a href="#">Art 16</a> ) including family and home life	<input type="checkbox"/>	<input type="checkbox"/>
	Access to information from the media ( <a href="#">Art 17</a> )	<input type="checkbox"/>	<input type="checkbox"/>

	Right to access reliable information from a variety of sources, in a format that children can understand		
	Protection against torture or other cruel, degrading or inhumane treatment or punishment ( <a href="#">Art 37(a)</a> )	<input type="checkbox"/>	<input type="checkbox"/>
Family Environment and Alternative Care	Respect for the responsibilities, rights and duties of parents (or where applicable, extended family or community) to guide their child as they grow up ( <a href="#">Art 5</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Responsibilities of both parents in the upbringing and development of their child ( <a href="#">Art 18</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Children must not be separated from their parents against their will unless it is in their best interests ( <a href="#">Art 9</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Family reunification ( <a href="#">Art 10</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Abduction and non-return of children abroad ( <a href="#">Art 11</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Right to a standard of living that is good enough to meet the child's physical and social needs and support their development ( <a href="#">Art 27</a> )	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Special protection for children unable to live with their family ( <a href="#">Art 20</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Best interests of the child in the context of Adoption ( <a href="#">Art 21</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Review of treatment whilst in care ( <a href="#">Art 25</a> ) If a child has been placed away from home for the purpose of care or protection (for example, with a foster family or in hospital), they have the right to a regular review of their treatment, the way they are cared for and their wider circumstances.	<input type="checkbox"/>	<input type="checkbox"/>
	Protection from violence, abuse or neglect ( <a href="#">Art 19</a> )	<input type="checkbox"/>	<input type="checkbox"/>
Recovery from trauma and reintegration ( <a href="#">Art 39</a> ) Children who have experienced neglect, abuse, exploitation, torture or who are victims of war must receive special support to help them recover their health, dignity, self-respect and social life.	<input type="checkbox"/>	<input type="checkbox"/>	
Basic Health and Welfare	Rights of disabled children ( <a href="#">Art 23</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Right to health and health services ( <a href="#">Art 24</a> )	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Right to social security ( <a href="#">Art 26</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Right to adequate standard of living ( <a href="#">Art 27</a> )	<input type="checkbox"/>	<input type="checkbox"/>
Education, Leisure and	Right to education ( <a href="#">Art 28</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Goals of education ( <a href="#">Art 29</a> )	<input type="checkbox"/>	<input type="checkbox"/>

Cultural Activities	Education must develop every child's personality, talents and abilities to the full		
	Leisure, play and culture ( <a href="#">Art 31</a> ) Every child has the right to relax, play and take part in cultural and artistic activities	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Special Protection Measures	Special protection for refugee children ( <a href="#">Art 22</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Children and armed conflict ( <a href="#">Art 38</a> and <a href="#">Optional Protocol #1</a> ) Governments must do everything they can to protect and care for children affected by war and armed conflict.	<input type="checkbox"/>	<input type="checkbox"/>
	Children and juvenile justice ( <a href="#">Art 40</a> ) Right to be treated with dignity and respect, right to legal assistance and a fair trial that takes account of age.	<input type="checkbox"/>	<input type="checkbox"/>
	Inhumane treatment and detention ( <a href="#">Art 37 (b)-(d)</a> ) Children should be arrested, detained or imprisoned only as a last resort and for the shortest time possible.	<input type="checkbox"/>	<input type="checkbox"/>
	Recovery from trauma and reintegration ( <a href="#">Art 39</a> ) Children who have experienced neglect, abuse, exploitation, torture or who are victims of war must receive special support to help them recover their health, dignity, self-respect and social life	<input type="checkbox"/>	<input type="checkbox"/>
	Child labour and right to be protected from economic exploitation ( <a href="#">Art 32</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Drug abuse ( <a href="#">Art 33</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Sexual exploitation ( <a href="#">Art 34</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Abduction, sale and trafficking of children ( <a href="#">Art 35</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Protection from other forms of exploitation including for political activities, by the media or for medical research ( <a href="#">Art 36</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	Children belonging to a minority or an indigenous group ( <a href="#">Art 30</a> )	<input type="checkbox"/>	<input type="checkbox"/>
	<a href="#">Optional Protocol</a> on the sale of children, child prostitution and child pornography	<input type="checkbox"/>	<input type="checkbox"/>
<a href="#">Optional protocol</a> on the involvement of children in armed conflict	<input type="checkbox"/>	<input type="checkbox"/>	

6) Information and research What evidence has been used to inform your assessment?		
Evidence collected (include links to relevant publications)	What did the evidence tell you?	What are the data gaps, if any?
50% of 3-7 year and 51% of 7-11 year olds said that a priority should be more places to play ( <a href="#">Children's Commissioner's Survey 2018</a> )	Access to open space is important for Children's development	Rationalisation of data – that is how high a priority the children considered this.
81% of all children surveyed did not meet the recommended daily level of physical exercise ( <a href="#">School Survey 2019</a> )	Opportunities for daily physical exercise should be maximised where possible.	
Jersey children's 'Health Related Quality of Life' score is slightly lower than European average ( <a href="#">Children and Young People's Plan 2019-2023</a> )	Jersey 48.4 – increasing the opportunities to access the benefits of the outdoors is critical to improving this score.	
61% of children in deprived areas of England spend time outside at least once a week compared to 8% of children from affluent areas. ( <a href="#">UK Commissioner – Children's Insights</a> )	The importance of access to safe and stimulating outdoor play is particularly important to economically deprived children.	
<p>"I would like to make play activities and outdoor activities something that all children can do without worrying if their family can afford it."</p> <p>"Lots of outdoor activities but not costing lots of money as people in Jersey don't have much money because it is really expensive."</p>	Children have identified the importance of free spaces for play and activities.	

(7-11 year olds – <a href="#">Children’s Commissioner’s Survey 2018</a> , p. 22)		
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7) Engagement with children What groups of children and young people (or those who speak on their behalf, such as social workers, teachers or youth workers) have been directly or indirectly involved in developing the decision?		
Groups consulted	How they were involved	What were the findings?
No direct engagement was undertaken.		

8) Assessing Impact on children’s rights Based on the information collected and analysed above, what likely impact will the proposed decision have on the specific children’s rights identified in question 5)?		
Relevant UNCRC Articles (rights) identified in Q5	Describe the positive or negative impacts on these rights	Which group(s) of children are likely to be affected?
Right to a standard of living that is good enough to meet the child’s physical and social needs and support their development ( <a href="#">Art 27</a> )	<p>The decision’s aim to have the Seaside Café site gifted to the National Trust for Jersey to utilise “for environmental, cultural and social benefit” will have a positive impact on children’s physical and social needs by providing space for outdoor play and opportunities to spend time with family and friends in a safe, stimulating, and free environment.</p> <p>The decision’s aim to have the Seaside Café site gifted to the National Trust for Jersey to utilise “for environmental, cultural and social benefit” would lead to the protection of a piece of the Island’s environment so improving children’s</p>	All groups – particularly children in deprived socio-economic situations.

	standard of living in terms of environmental benefits.	
Right to health and health services ( <a href="#">Art 24</a> )	The decision would have a positive impact on increasing access to outdoor spaces and therefore opportunities increasing exercise for children, without costing money, so enhancing health outcomes.	All groups – particularly children in deprived socio-economic situations.
Leisure, play and culture ( <a href="#">Art 31</a> ) - Every child has the right to relax, play and take part in cultural and artistic activities.	The decision’s aim to have the Seaside Café site gifted to the National Trust for Jersey to utilise “for environmental, cultural and social benefit” will result in additional space for relaxation and play in a safe, stimulating, and free environment.	All groups – particularly children in deprived socio-economic situations.
9) Weighing positive and negative impacts		
<ul style="list-style-type: none"> <li>• If a negative impact is identified for any area of rights <u>or</u> any group of children and young people, what options are there to modify the proposed decision to mitigate the impact?</li> <li>• Could any positive impacts be enhanced?</li> </ul>		
<p>Positive impacts could be enhanced by the provision of a children’s play area and regular cultural and artistic activities aimed at children and young people. However, this is beyond the remit of this decision and sits instead with the National Trust for Jersey or groups interested in supporting these types of enhancements.</p>		

10) Conclusions
In summary, what are your key findings on the impact of the proposed decision on the rights of Jersey children?
The decision would increase access to space for play and activities, protect an important part of Jersey’s environment, and increase opportunities for social interactions for children. These developments would positively impact on children’s health, quality of life, and ability to relax and play.