

STATES OF JERSEY



YOUTH SERVICE STATUTORY PROVISION

Lodged au Greffe on 1st May 2024
by Deputy R.S. Kovacs of St. Saviour
Earliest date for debate: 11th June 2024

STATES GREFFE

PROPOSITION

THE STATES are asked to decide whether they are of opinion –

to request the Minister for Children and Families, to prepare and issue law drafting instructions, with input from the Youth Service and Parishes, to make the Youth Service a statutory service under the Minister, or his successor in title, and enshrined in the Education (Jersey) Law 1999; and to take the necessary steps to ensure that its inclusion in the Law is brought into effect by January 2026.

DEPUTY R.S. KOVACS OF ST. SAVIOUR

REPORT

Summary

This proposal aims to establish the Jersey Youth Service as a legal requirement and ensure its protection through legislation. The legislation will provide additional safeguards to ensure that the Youth Services provision continues to operate even if future Governments have different priorities and interests.

It is important to note that this proposal does not seek to change the current ownership or the operational model of Youth Services. It also does not seek to establish the Youth Service as a separate entity or modify the current network of Youth Clubs in the parishes. Its sole purpose is to provide additional protection to these essential services, preventing future leaders from undervaluing their importance and cutting or removing them, as has happened in other jurisdictions.

[The Reform Jersey Manifesto 2022](#) states –

“Jersey’s Youth Service provides an amazing provision for children and young people across the Island. However, the service is not enshrined in law. Previous reviews have recommended making the Youth Service a statutory provision, which would include protecting its funding. Reform Jersey supports this.”

With this proposition, I also seek to uphold this manifesto promise.

Background

[The Children and Young People Plan 2019 to 2023 \(gov.je\)](#) outlined four outcomes:

- Outcome 1: All children in Jersey Grow up Safely.
- Outcome 2: All children in Jersey Learn and Achieve
- Outcome 3: All children in Jersey Live Healthy Lives
- Outcome 4: All children in Jersey are Valued and Involved

Making the Youth Service a legal requirement is in line with each of these four desired outcomes. It would also provide structure and safe spaces for children and young people.

Political support in previous years for Youth Service to be made statutory

In [P.42-2021.pdf \(gov.je\)](#) Senator Vallois produced a report to make the Youth Service statutory but withdrew it due to lack of time to have it enacted before the end of her political term. Below is a summary of it, together with my thoughts.

Understanding the difference between statutory and non-statutory services in Jersey's political sphere is essential. Since 2005, the legislature's power has shifted to executive/non-executive positions. The parliament must ensure appropriate governance and alignment of financial/staffing aptitudes to legislation and any policy that comes before the States for debate. In an ideal world, statutory functions would have legal responsibilities to perform their service on behalf of the public they serve.

The [Youth Service in Jersey](#) is a hidden gem, and the recently published Annual Review of 2023 highlights its many invaluable contributions and positive impact on many of the Island's population. The statistics outlined in the Review demonstrate considerable

dedication, achievement, and commitment of staff, translating to positive engagement of the Island's young people in various imaginative ways, giving them broader life experiences during a formative time.

Jersey's Youth Service empowers young people also through the [Jersey Youth Parliament](#) and Jersey Youth Assembly. These initiatives provide a platform for children to voice their opinions and play a crucial role in policy development. It is vital that they continue to operate effectively to ensure the voices of our youth are heard.

Young people can access free, confidential information, advice, and counselling through the Youth Service's [Youth Enquiry Service \(YES\)](#), which is essential.

The Youth Service has robust support and positive engagement from the Parishes with funds, premises, and lots of community engagement and support. The budgets allocated for it by each Parish are as per [WQ.115-2024.pdf \(gov.je\)](#).

The proposition calls for those who represent the Island to recognise the importance of youth service in our children's and young people's lives. This service can be provided through youth clubs, after-school activities, information, advice and counselling, LGBTQ support, young carers, young people with additional needs, outdoor learning, PSHE educational support to schools, street work, and so on. This vital work has proven to be effective in guiding young people away from troubles, in some cases preventing the need for more complex services to be involved in the future.

Tracey Vallois, former Senator and Education Minister, was impressed with the National Youth Agency's collaboration with the UK government to make Youth Services mandatory for all local authorities. The NYA pointed out that youth services had been shut down in the UK to save money, and some local authorities and decision-makers did not consider youth clubs and other services valuable enough.

We can't know that this could not also happen in Jersey. Therefore, providing legal protection for these services can effectively safeguard against such an outcome.

[Guidance](#) published by the [National Youth Agency \(NYA\)](#), the professional, statutory, and regulatory body (PSRB) for youth work and youth services in England, was intended to provide greater clarity and consistency in understanding local authorities' statutory duty to secure and support access to youth services.

Senator Tracey Vallois proposed that the government introduce a clear statutory duty and guidance defining a minimum and protected level of Youth Service. This could also include a definition of a sufficient or minimum level of youth services on a per-head-of-youth population basis and a funding formula similar to school funding arrangements.

[Chapter 13](#) of The Independent Jersey Care Inquiry report recommends the introduction of legislation to protect vulnerable children and young people. The chapter states -

“Recommendation 5: Legislation

13.31 During the Inquiry, we heard that legislation for children in Jersey was almost invariably lagging behind positive developments in the UK and beyond. To a large extent, this seemed to be related to the fact that there is no separate policy division to deal with this within the Civil Service, with the result that the development of new

legislation is dependent on Children's Services managers, whose primary responsibilities are operational, being able to devote time to the task. In addition, priority is given within the States to legislation related to the island's economy, with the result that children's legislation can take a considerable time to be agreed. It was accepted by the States of Jersey in its closing submissions that "in the area of legislation and policy, there is still a significant amount of work required".

13.32 While we recognise that resources to support the legislative process are limited in the small jurisdiction of Jersey, it is unacceptable for the island's vulnerable children and young people not to have their wellbeing looked after. The principle of the paramountcy of the child's welfare is long established in children's legislation, and lip service seems to be given to this by the States of Jersey. If the failings of the past are to be avoided, it is essential that these matters are given a prominent position in the legislative process, to ensure that the interests, safety and wellbeing of children have the most modern legislative backing."

Conclusion

To summarise, the proposition asks that we acknowledge the importance of the youth service and ensure its future through legal means, with parliament's involvement, rather than engaging in an ongoing budget battle in the name of efficiency.

All of us in this chamber have had some involvement with the Youth Service, whether by attending a youth project or being part of a parish youth project committee, investing in children and young people through your local youth club, or having children or grandchildren who attend.

Therefore, we can't negate how significant this work is for our youth, and we should take all the measures needed to protect its continuation by making the Youth Service statutory in law.

Financial and staffing implications

The work to draw up law drafting instructions and the law drafting itself should be capable of being accommodated within existing budgets. The proposition intends to protect the Youth Service's funding by making it a statutory service, but the proposition in itself does not have any direct funding implications; these would arise in future Government Plans.

*For Members' information, I have attached the Jersey Youth Service (JYS) budget for the years 2019 to 2023, as per the answer to [WQ.111-2024.pdf \(gov.je\)](#)

Year	JYS Budget (rounded to £100s)
2019	£2,434,900
2020	£2,767,000
2021	£2,898,100
2022	£2,887,600
2023	£3,420,800

Children's Rights Impact Assessment

A Children's Rights Impact Assessment (CRIA) has been prepared regarding this proposition and is available on the States Assembly website.

Re-issue Note

This projet has been re-issued due to a previous version of the report being published in error.
