

2.15 Deputy K.C. Lewis of the Minister for Home Affairs regarding changes in legislation to make parents more responsible for their children's behaviour:

Does the Minister consider that a change in legislation is required to make parents more responsible for their children's behaviour?

Senator B.I. Le Marquand (The Minister for Home Affairs):

No, I do not. The courts already have considerable powers under Articles 9 and 18 of the Criminal Justice Young Offenders (Jersey) Law 1994. It is up to the courts as to how they choose to utilise those powers.

2.15.1 Deputy K.C. Lewis:

May I just briefly repeat that I seek to protect children, not criminalize them. There are reports of children being able to walk out of care homes any time day or nights and putting themselves in danger. Some parents have even tried to remove the children from gangs at Snow Hill and have been prevented from doing so by the police who are merely upholding the law. Does the Minister think that in this respect the law relating to children in Jersey needs to be completely redrawn?

Senator B.I. Le Marquand:

There are problems. It is very well known that I have highlighted problems for a very long time. The problems relate partly to the fact that we have no secure Children's Homes and therefore that Greenfields has to seek to fulfil a number of different functions. There are difficulties; there is a particularly difficult issue as to whether the courts should have powers to sentence youngsters aged under 15 to some sort of order by virtue of a criminal conviction. I personally favour that and while that lacuna by which we continue to have no effective enforceable sentencing powers for those under 15, while that continues, we will continue to have the existing situation in which we have youngsters who are untouchable and know themselves to be untouchable. My concern, like the Deputy's, is for the welfare of the children as well as for public safety.