

2020.06.02

6 Deputy L.M.C. Doublet of St Helier of the Minister for Children and Housing regarding Children's Rights Impact Assessments (OQ.145/2020):

Will the Minister outline to the Assembly the timeline proposed to introduce and implement child rights impact assessments or C.R.I.A.s throughout the Government of Jersey; and, will the Minister advise what level of priority this work will have?"

Senator S.Y. Mézec (The Minister for Children and Housing):

Prior to the outbreak of this pandemic, the plan was that I would lodge the draft legislation to indirectly incorporate the U.N.C.R.C. (United Nations Convention on the Rights of the Child) into Jersey law for debate before the end of this year and work had been going on recently to achieve that, including consultation. It is that piece of legislation that would have created the statutory requirement for children's rights impact assessments to be undertaken alongside the development of policy legislation and Propositions in this Assembly. Unfortunately, some of that work has had to be temporarily put on hold because there has been a massive movement of officers towards the pandemic response and preparing lots of the work that is urgently needed to be done on that. So I am expecting the work to bring forward that legislation to recommence within the coming weeks. But the point at which it comes before this Assembly for debate is probably going to be delayed until the beginning of 2021 rather than by the end of this year, as I would have hoped.

3.6.1 Deputy L.M.C. Doublet:

I thank the Minister for his answer and I do understand that the situation we are in has led to delays, although I am disappointed to hear that there will be a delay.

[10:30]

Can the Minister just affirm to the Assembly that this work will be given the highest priority over other pieces of work and would the Minister look into redirecting resources from other departments due to the fact that we have committed to put children first? Could the Minister please look into doing that to perhaps mitigate the delay?

Senator S.Y. Mézec:

That is a very welcome suggestion as far as I am concerned. I want to reassure her that this particular piece of work I think is a top priority, partly because that incorporation of the U.N.C.R.C. indirectly into Jersey law has so many positive repercussions, as a result of it, that will have an impact and an influence on all sorts of other pieces of work that go on that, for me, it has to be a priority. I am disappointed that it will inevitably be delayed, hopefully just by a couple of months or something like that. So it certainly has my full support as a priority. But what I will say to the Deputy is I do not think there should be a reason for not at least piloting children's rights impacts assessments before then. Within the department in which I have got responsibility for, that is happening already with the children's rights issues arising with the return to school. But I think we ought to be suggesting to other departments that they ought to start doing that as well. I think there have been a few incidents recently that have demonstrated that that is important. So over the weekend I had a brief discussion with the director general for C.Y.P.E.S. (Children, Young People, Education and Skills) and at some point this week we are going to have a discussion about how we can promote that for other departments as well.

3.6.2 Deputy I. Gardiner:

Can the Minister advise: has there been any impact assessment done without legislation?

Senator S.Y. Mézec:

I just mentioned that one is being piloted with the return to school and how that is being facilitated. That is what we are calling an ongoing children's rights impact assessment, which I think is an appropriate way of doing it. Rather than creating a document and then putting it on a shelf this will be an evolving thing. I know that the officers who were working on the Island Plan were also incorporating a children's rights impact assessment into it, partly because they anticipated that by the time the Island Plan comes around that the statutory requirement for children's rights impact assessments will be in place so they were going to have to do it anyway. Whether or not that is still the case, knowing that that work was going on with the Island Plan at such an advanced stage I think was a really good thing to see.

3.6.3 Deputy K.G. Pamplin:

Could the Minister for Children and Housing give his assessment as to whether this has got the backing and full support as he has outlined the obvious, which is putting a lot of pressure I would imagine on the Government and their resources and, as we have seen with some of the Propositions that have been put forward, that Scrutiny have raised issues about this? Is he getting a sense that this is just not supported?

Senator S.Y. Mézec:

I am not getting that impression, no. I am certainly getting the impression that throughout this very hectic period things have been overlooked that should not have been overlooked, which I have spoken strongly about to other colleagues to pressure them not to overlook these sorts of things. I find that disappointing but it is not something that I would say damages our prospects of getting this done at the end, purely because this has been such a hectic time and as is, I think, understandable mistakes have been made along the way that you would hope otherwise would not be made. That is why it is so important that we make this a statutory requirement and have it in place, so that it is just an automatic thing that every department does, rather than it being seen as needing to come from the Children, Young People, Education and Skills Department or the Ministers associated with that department. It should be all of our responsibility. I do not get the impression that it is not supported. I do get the impression that from time to time, through a really difficult period, some things have been a little bit clumsy, which has been frustrating, but I know that we will get through it in the end.

3.6.4 Deputy K.G. Pamplin:

I thank the Minister for his answer. I want to reiterate the point of this is going to come to the States Assembly for a debate. Has he got any concerns about bringing that debate if he is unsure that the culture and the climate is behind this, and will he still bring it?

Senator S.Y. Mézec:

I certainly will bring it. There is no force on heaven or earth that can stop me from bringing that. It is such an important piece of work that does need to happen. The point has to be made that when Deputy Doublet brought the original proposition to start us on this pathway of incorporation that was adopted overwhelmingly by the Assembly. I cannot remember if it was unanimous or not but it at least was very close to it. I think that the Assembly has bought into the principle. Some people may start to get nervous when they see some of the detail and what it means but I think this is the

inevitable pathway that we are on and that is why I am determined to bring it to the Assembly as soon as possible. I am disappointed that it is delayed a little bit but we will get there.

Deputy R.J. Ward:

My question was just answered right at the end of the previous bit, so no need for it, thank you, Sir.

3.6.5 Deputy K.F. Morel:

Sorry, I thought of a question at the very end. Given that the Council of Ministers or the Government as a whole have more than 100 items of work labelled as high priority, would the Minister be able to be a bit more specific in where in those more than 100 items of work he would expect this piece of work to sit?

Senator S.Y. Mézec:

It is a difficult question to answer. If everything is a priority then nothing is a priority. What I have said is that the work for this had already started. It had proceeded to a point where cancelling it is, I think, impossible, not just politically but practically as well. It would just be a really silly thing to do at this point. We have adjusted our timeline based on the fact that the officers who were working on it have had to redirect themselves to other areas and are now committing to have it brought about in the very early part of next year. I am confident that that is what is going to happen, and I am confident that others have bought into it, so there will not necessarily be any political speed bumps along the way, hopefully.

3.6.6 Deputy L.M.C. Doublet:

I thank the Minister for his answers and I am pleased to see that this will be a high priority and I thank Deputy Morel for his question. I wanted to ask the Minister what specific actions will he take in terms of encouraging and persuading other Ministers to pilot this, if that is indeed doable, before it is within our legislation? For example, will he commit to raising this in the Council of Ministers every time a new policy comes up and urging Ministers to take this into account and do this work as a matter of urgency?

Senator S.Y. Mézec:

I am happy to do that. It should not require me to do that, though, and I think that is the cultural thing we need to get to grips with, is that even though we have a Minister for Children we are all the corporate parents here. Every Minister should be doing this unilaterally without having to be pressured. I mentioned in response to an earlier question that I am due this week to have a discussion with my director general to talk about this, and that is a result of some of the concerns I have expressed leading up to this point. I guess from that conversation I will be a little bit clearer about what I have got to do and what can be done behind the scenes with other officers as well to start encouraging this work.