

2020.06.30

11 Deputy I. Gardiner of St. Helier of the Minister for Children and Housing regarding the lack of free healthcare for children and the inequalities facing children in housing and education in Jersey: (OQ.174/2020)

Following the recent concerns expressed by the Children's Commissioner regarding the lack of free healthcare for children, and the housing and education inequalities in Jersey, will the Minister explain what actions, if any, he will take between now and the end of 2020 to address these issues?

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

Can I start by saying that I welcome recent comments from the Children's Commissioner that have been helpful on shining a light on some of the issues we need to get to grips with? The commissioner was asked at the end of last year to conduct an analysis of the compliance of Jersey's legislation with the United Nations Convention on the Rights of the Child, which is work that is ongoing alongside people from the University of Swansea, and that is also going to help identify some of the systemic issues in our legislation that we are going to have to change. On the 3 areas raised in the question itself, in terms of education inequalities there is an ongoing education funding review led by the Minister for Education, and I have seen a draft report, and the Minister for Education will be able to give more detail about timeline for pursuing that, but that will be very important in helping us understand how funding and education can help address some of those inequalities. In terms of housing inequalities, I will be pushing, as she knows, for the introduction of a landlord register, which I believe will enhance the quality of housing that children live in. I have asked that a children's rights impact assessment be done for those regulations, even though there is currently no requirement for us to do that it is worth doing. In terms of healthcare inequality, the first step I would suggest would be to support the proposition from Deputy Alves to make primary care access cheaper for children.

4.11.1 Deputy I. Gardiner:

I would like the Minister to address a bit more the legislation plan as the children's rights impact assessment has been raised during the recent debates around various propositions. Would the Minister confirm that he has and will ensure children's rights impact assessments are used when considering every proposition and legislation will come to the States?

Senator S.Y. Mézec:

Yes, I want that to be a requirement in legislation that we have to do that and work is ongoing to put that legislation together. Very soon I am going to be asked to approve some law drafting instructions. I still have to go through the consultation that we did on this earlier this year. Then it will be down to the Assembly whether it adopts that legislation, and of course I hope it will and then it will just become a normal thing that we do. But there is no point in waiting for that to happen before asking departments, on important issues, to at least consider some sort of children's rights impact assessment. I mentioned that I have asked for one to be done for the landlord licensing scheme; that is a good opportunity to do that. I know that is already being done in the work that has been happening with the development of the Island Plan and my officers are in discussions with officers from other departments to try to give them assistance to be able to proactively do that sooner rather than later, even though it is not technically a requirement yet.

4.11.2 Deputy L.M.C. Doublet:

Does the Minister agree with me that, in order to address the significant inequalities that would have arisen for children as a result of the COVID crisis, we will need to invest financially in children going forward and beyond just demographic increases in budgets? Does the Minister agree with me that is something that is going to be necessary so that we can halt the disadvantage and stop it echoing down the generations?

Senator S.Y. Mézec:

I wholeheartedly endorse that and my view is that the Common Strategic Policy and the Government Plan accepted that point as well and set the path for really much-needed investment particularly in Children's Services, but also one of those headlines was about reducing income inequality and of course that has a fundamental impact on children's well-being and their opportunities in life and, as we look towards the end of the COVID crisis and inevitably have to deal with the economic crisis that goes alongside it, there will need to be a strong focus on people's standards of living and the impact that has on children. I believe that if we make mistakes on that or do not deal with some of these issues adequately in the short term then we will pay long-term consequences for it, so that is one of the messages I am trying to get as strongly as possible around the Council of Ministers table.

4.11.3 Deputy L.M.C. Doublet:

Does the Minister have any views at this point on where exactly that increased funding might go? For example, does he agree that Pupil Premium should be given increased funding?

Senator S.Y. Mézec:

That is a very good idea. Pupil Premium is relatively new in Jersey, it has been in operation for a few years, and I know that the education funding review has looked at Pupil Premium to see if that can be enhanced and how that would be enhanced, if there are any changes in targeting to make it more effective and that sort of thing. So that will be made public at some point in the future. You will have to ask the Minister for Education exactly for the details on that but I know that as part of that review that subject has been considered.

4.11.4 Connétable S.A. Le Sueur-Rennard of St. Saviour:

In the recent interview on television the Children's Commissioner announced that a child needed to go back to school because this child was sharing a house with 18 adults. Could the Minister tell me how he is dealing with this as he has the job of looking after children and also housing?

Senator S.Y. Mézec:

That is obviously a worrying thing to hear and we know that overcrowding in housing in Jersey is a problem and it is particularly a problem for those where the parents or guardians do not have housing qualifications, and that gives rise to some of the issues of children's rights where the basis of that home is not on the child's situation but by the parents or guardians. So there is a lot that we need to do to improve the quality and accessibility of housing. There is work that I am undertaking as part of the funding that was given to me in the Government Plan on strengthening tenants' rights, on providing a housing advice service, but I am also pleased that Andium have been able to fast track some of the work they were doing on delivering new housing because the more new homes that we can get available to people means the fairer and more effective distribution of those there can be so that children are not living in overcrowded situations.

4.11.5 The Connétable of St. Saviour:

Eighteen people in one home sounds to me like it is overcrowding. If we are paying private landlords a supplement to house these people, or if they are being housed by Andium, surely something should flag up something in your department. I appreciate your answer and I have to be honest that, as you know I am on a Scrutiny Panel, and I will be following this through because I am not happy with 18 people in one home unless it is Government House.

Senator S.Y. Mézec:

I confess to not being exactly aware of that specific case so I would have to look into it. It may be the case that my department already is aware of it and taking action because I do not get updated on the fine details of every single case that comes to the department. But I can raise it with officers and see if it is one that they are aware of and if there are things being done to resolve that. But the Constable is right to point out the importance and helpfulness of the fact that my 2 remits of children and housing go together at the moment because that has meant that I have been able to get officers from the housing side and the children's side working together in what I think has been quite an effective way, particularly over the last few months, in dealing with emergency cases. I would like to enshrine that in some sort of way so that carries on into the future as well.

The Connétable of St. Saviour:

Thank you for your answer but I will watch you on Scrutiny, Senator, thank you.

4.11.6 Deputy M. Tadier:

My question covers both housing and children. The commissioner's comments highlighted that inequality still exists in terms of housing. So, despite the fact that the Assembly in March 2018 passed an in-principle decision to ban children being discriminated against in terms of renting with their families in the rental market, nothing has yet been done to effect that change. Does the Minister share my frustration of that and what steps will he be taking, urgent steps, to make sure that this is rectified?

Senator S.Y. Mézec:

I absolutely share that frustration and there will be officers who will be able to corroborate the terms under which I have expressed that frustration to them. Dealing with that is in phase 2 of the children's legislative transformation programme. I am due to have a meeting in the next week I think with one of the new officers providing support on housing issues where I will be making it clear that I am really unhappy at how long it has taken to deal with this and how it has been difficult to find space in the schedule. That is not acceptable. The Assembly made a democratic decision and it is not right that it has not been carried out up until this point. It is ultimately meant to be a matter for the Discrimination Law, which does not fall within my ministerial remit, but I will still be pushing very strong for that to be pushed higher up on the agenda and dealt with quicker, because I am not happy at how long it has taken.

4.11.7 Deputy M. Tadier:

Is one of the issues that, even though we have a Minister for Children and Housing, many of the levers that would empower a Minister for Children and Housing to take action in such areas fall either to the Environment Department, when it comes to enforcement and minimum standards, or to the Minister for Social Security in terms of this piece of legislation? Would it not be better for the Minister for Children and Housing to ask for some of that area of responsibility to be given to him so that he can enact such legislation much more quickly than these apparently overburdened Ministers?

Senator S.Y. Mézec:

Honestly that may not necessarily be helpful in this particular instance because I do not think it is other Ministers that are the issue; it is timetabling behind the scenes and having those who put pen to paper to draft the law that is proving problematic in getting that time. So whether it was strictly under my remit or another Minister would not necessarily be an issue. It is the case though that we do need enhanced provision for support on housing delivery in G.H.E. and there are discussions at the moment going on about how that can be enhanced so that there can be better working on delivering sites for affordable housing and supporting the agencies that will be on the ground delivering that, which I have recognised for a while now has not been adequate but that progress is, I hope, now being made on that.

[11:00]

4.11.8 Deputy R.J. Ward:

I refer back to the question regards educational inequalities. Is it not simply the case that education inequalities arise as much as anything because of the inequalities of funding per pupil and did we not miss an opportunity 2 years ago in not increasing headroom funding at the very beginning of this term of office in the Common Strategic Policy?

Senator S.Y. Mézec:

The Deputy will remember that I supported his amendment at the time to deliver that and it is not a secret that there is inequality in funding per pupil in Jersey. That is a consequence of the unique, some might say strange, situation we have in our education model having some comprehensive schools, a grammar school, and a mixture of public and private fee-paying as well, leads to some of those inequalities. That is recognised and that has been part of the terms of reference of the education funding review to look at. As chair of the Education Scrutiny Panel, he may wish to ask the Minister for Education for a further update on that so he can understand how that work is progressing but he is right to raise the issue, it is recognised by us in Government that it is an issue and that a review has been going on to see what progress can be made in addressing that inequality.

4.11.9 Deputy R.J. Ward:

Would the Minister not agree that having free healthcare for children is one huge step towards reducing the inequalities and improving the health outcomes for all of the children on this Island long term?

Senator S.Y. Mézec:

It is my assessment, and it is the same assessment of the Commissioner for Children, that having access to healthcare for children being determined by their parents' ability to pay for it rather than their need for that healthcare is probably not compliant with the U.N.C.R.C. (United Nations Convention on the Rights of the Child) and I have been pushing for some time to say that access for children should be ideally made free and certainly cheaper and that is why I will support the proposition from Deputy Alves. This is important, not just in a children's rights frame, but understanding that children's healthcare and their access to healthcare should not be based on their parents' ability to pay. There are other things that go alongside that in terms of children's privacy or particularly teenagers going through particular stages in their lives having privacy and the ability to access healthcare independently that we currently do not have because of that and that does need to be addressed.

The Deputy Bailiff:

Deputy Gardiner, do you have a final supplementary question for the Minister?

Deputy I. Gardiner:

No, thank you.