



# Children, Education and Home Affairs Scrutiny Panel

## Quarterly Hearing

### Witness: The Minister for Children and Education

Monday, 8th March 2021

**Panel:**

Deputy R.J. Ward of St. Helier (Chair)

Deputy L.M.C. Doublet of St. Saviour (Vice-Chair)

Deputy M.R. Higgins of St. Helier

**Witnesses:**

Deputy J.M. Maçon of St. Saviour, The Minister for Children and Education

Deputy T. Pointon of St. John, Assistant Minister for Children and Education (1)

Deputy S.M. Wickenden of St. Helier, Assistant Minister for Children and Education (2)

Mr. M. Rogers, Director General, C.Y.P.E.S. (Children, Young People, Education and Skills)

Ms. S. Devlin, Group Director, Integrated Services and Commissioning

Mr. M. Owers, Director of Safeguarding and Care

Mr. A. Heaven, Head of Policy

Ms. M. Moffat, Senior Policy Officer

[10:00]

**Deputy R.J. Ward of St. Helier (Chair):**

Good morning, everybody, and welcome to the quarterly hearing of the Minister for Children and Education, a newly formed remit. We will go through some introductions first and I will start by saying I am Deputy Rob Ward and I chair the Children, Education and Home Affairs Scrutiny Panel.

**Deputy L.M.C. Doublet of St. Saviour (Vice-Chair):**

Good morning, everybody. I am Deputy Doublet of St. Saviour 2 and vice-chair of the panel.

**Deputy R.J. Ward:**

Minister, do you want to start your introductions?

**The Minister for Children and Education:**

Good morning, everyone. Deputy Jeremy Maçon of St. Saviour, Minister for Children and Education and with me I have my Assistant Ministers who will introduce themselves.

**Assistant Minister for Children and Education (1):**

Good morning, everyone. My name is Trevor Pointon and I am the Deputy of St. John and the Assistant Minister responsible for mental health.

**Assistant Minister for Children and Education (2):**

Good morning, everybody. Deputy Scott Wickenden, a Deputy of St. Helier District 1 and Assistant Minister for Children and Education.

**The Minister for Children and Education:**

Then the officers will now introduce themselves.

**Director General, C.Y.P.E.S.:**

Thank you, Minister. Mark Rogers, I am the director general for Children, Young People, Education and Skills.

**Group Director, Integrated Services and Commissioning:**

I am Susan Devlin, group director for Integrated Services and Commissioning.

**Director of Safeguarding and Care:**

I am Mark Owers, I am the director for Safeguarding and Care.

**Head of Policy:**

My name is Andrew Heaven, I am head of policy.

**Senior Policy Officer:**

My name is Michelle Moffat, I am a senior policy officer.

**Deputy R.J. Ward:**

I think that is just about everybody, so we will kick off. Minister, the new role of Minister for Children and Education, can you define how the new role will operate or how you see it as operating?

**The Minister for Children and Education:**

Thank you, Chair. I think that the role is now one to mimic kind of what is in the department, and we know it has been one of great discussion following the Care Inquiry where we did not have a Children's Minister or Children's Commissioner to a situation where we have both. Where exactly that fits obviously within the Assembly and within the Troy Rule, where should it be? After some discussion with the Chief Minister and consultation with individuals, such as the Children's Commissioner, the decision was to merge both Minister for Children and Minister for Education into one department and that is for a lot of kind of practical reasons. Obviously many of the officers are the same, it is just a practical way of dealing with a lot of the issues where they weave much more closely with one another than, say, they did with Housing. It is as much a practical thing as anything else and that is kind of how we ended up where we are. These situations, of course, are always under review to see what the best fit is but this is the latest incarnation.

**Deputy R.J. Ward:**

Are there any possible conflicts between the services under your remit? For example, the challenges that come from specific educational outcomes and the well-being of children in general, for example.

**The Minister for Children and Education:**

We spent a lot of time kind of thinking about this particular question, as we know that the former Minister for Children was also an Assistant Minister for Education. When I was Assistant Minister for Education I was also Assistant Minister for Children. In that time we did not perceive or come across any specific matters where there was a conflict of interest as such. We do not really anticipate any that will be insurmountable but of course if there are any specifics which are brought to our attention, of course we would have to consider them.

**Deputy R.J. Ward:**

Okay, and you will be looking out for those sorts of things with regards officers as well and they would raise, I suppose, with you any possible conflicts in advance.

**The Minister for Children and Education:**

Yes, I think that is part of the civil service code.

**Deputy R.J. Ward:**

The current priorities of need of children and young people in the Island, from your view as Minister taking on this new remit, what is your understanding of what those priorities of need are for our children and young people in the Island?

**The Minister for Children and Education:**

As we know, there are significant and there are many, some obviously more severe than others. We know a classic example which we have had at the moment due the situation of the pandemic, of course has been the rise in issues to do with mental health and well-being. We have obviously seen many more referrals to C.A.M.H.S. (Child and Adolescent Mental Health Service), which is something which is taking a lot of political focus. The C.A.M.H.S. now is a standing item on our ministerial agenda because of its importance. But of course there are other needs raised, for example, we know the Youth Service does a lot of work in referring matters to the ministerial attention. For example, we know issues around antisocial behaviour have been ones which of course have been flagged in recent weeks and we are working with our colleagues in Justice and Home Affairs and across the board to see how we can assist our young people in that way. But did you have any specifics that you were thinking of?

**Deputy R.J. Ward:**

I think it is the specifics that you are thinking of, as Ministers go. In terms of the common strategic priorities of income inequality and putting children first, how do you see that you can, in what is a relatively short time, a year or so before the next election, try to engage with those priorities to show outcomes from those?

**The Minister for Children and Education:**

Sure. I think our work programme from the last Government Plan is kind of quite clear, so we know that we have the education reform programme, which of course has the specific areas of well-being, of assisting children with English as an additional language. We also know that the inclusion review, which is something I am very keen to progress myself, being dyslexic and dyspraxic, is obviously something which I am very grateful that has received such high political attention at the moment. Also following on from the work that we did when Deputy Doublet was chair of the panel in the special education needs, which led to the parent carer forum. There is that and the other one, which of course I am very keen on, is of course the retraining strategy. We know the economic situation that is going to affect our community and how we support individuals in the short term but also in the longer term with automation happening, how we support people to transfer into sustainable jobs and of course going to be a big area, which is why I have put that as one of the priorities. But I think we are going to talk about priorities later on. I appreciate that that is largely in the education sphere. In the children's sphere of course we have got significant rafts of legislation which are coming forward, which the panel will be aware of. I think we have had briefings, have we not, as well as

looking at the C.A.M.H.S. redesign? There is a lot to do in not a lot of time but I inherit good work streams and budgets, more importantly, in order to progress that work.

**Deputy R.J. Ward:**

Okay. As Minister ... sorry, did you want to ask a question?

**Deputy L.M.C. Doublet:**

Sorry, I thought you had finished.

**Deputy R.J. Ward:**

I will just finish this one, sorry, Deputy. Minister, are you engaging with children and young people in order to better understand and act on their needs?

**The Minister for Children and Education:**

Yes, absolutely. There are various things that we have incorporated now and it has been a bit of a culture change. There will always be time lags and things to improve on. But we have done different things. For example, we know we are establishing things like the Youth Parliament. We have got the school councils. We did a joint serving with the Children's Commissioner last year. We know that we have been carrying out more C.R.I.A.s (Children's Rights Impact Assessments), and that is something which is going to become established, hopefully, if the Assembly support it and we do not anticipate them not to. We also know that the Comms Unit has been provided with specific guidance and training from the Children's Commissioner's office in order to get engaged with young people. We have been using that on things such as TikTok but we have been putting out surveys for young people to give their feedback in order to understand issues that affect them, as well as, of course, the engagement work that we did with the big education conversation as well where we specifically went into schools and other places for young people in order to get their feedback directly. I like to think that over this term we have really done a lot and changed the culture in getting kind of more engagement from young people and to give their feedback in a structured way.

**Deputy R.J. Ward:**

Will you be including visits to schools, such as Mont a l'Abbe, as Minister? Because I think there is perhaps a concern that sometimes some schools are not forgotten but perhaps not consulted with as much as they could be and now we have got this new approach, which you are talking about; it would be a really good opportunity to do that.

**The Minister for Children and Education:**

Diary allowing, I am very happy to visit any school on the Island in my time. As Acting Minister and existing Minister, I have been visiting various schools during the time of the pandemic as well. I

should say I have visited Mont a l'Abbe in the past, I have visited La Sente in the past; I had a warm welcome there and I am happy to go again of course. But as for directly consulting with any specific group of children, I think we do do that but if we need to refine that and finesse that, then of course we are happy for anyone to highlight to that and take that feedback on board.

**Deputy R.J. Ward:**

I think it is just as you talk about an inclusion review and we have had a lot of reviews and we have had a lot of consultations now and I think now is the time for actions. Sometimes there may be sections of our educational community that perhaps have not been consulted in the past and there is a real opportunity there as you build a new model of inclusion, I would hope to see.

**The Minister for Children and Education:**

Yes, we are happy to accept that point.

**Deputy R.J. Ward:**

Okay. Sorry, Deputy Doublet, do you want to ask your question there?

**Deputy L.M.C. Doublet:**

Thank you, yes, I would love to. I just wanted to focus in on engaging with children and young people. I wanted to ask the new Minister how specifically are you going to engage with very, very young children, so babies and children that perhaps are not of preschool age yet? Because I think you have a lot of things to juggle and given that there is a lot less statutory requirements from your department for that age, I can understand how that might be something that does not get focused on. But is that something that you think you could perhaps turn around and create more of a focus on during the time that you have got? How could you do that?

**The Minister for Children and Education:**

I think that is a multi-million-dollar question, is it not? While I am aware, sitting on the Early Years Policy Development Board, we did have a debate with our adviser, Dr. Hamer, about exactly how we would do that. Because in a sense, yes, the children of that age can indicate certain things, whether they can do the complex of, do you prefer 30 hours, do you prefer 20 hours? Of course it is perhaps something which is far more difficult to get a constructive response from that age year as well. Of course it is the other questions: would you like chocolate every day? Do you want vegetables? There is also that aspect of qualifying what a child might want and what might be in their best interests as well. But if the Deputy has any specific examples or strategies that we can use, of course I am more than happy to consider them in time. But do I have any specific ones today? I do not, I would imagine our Comms Unit though probably does have something in their back pocket.

**Deputy L.M.C. Doublet:**

I did wonder, when you mentioned the forum that emerged from the S.E.N. (Special Educational Needs) review that we did all those years ago and how useful that has been, would you perhaps look into creating a forum of parents and carers and experts around very young children or even just tapping into what is already there, like the Best Start Partnership and your own experts within your department? How can you make sure that you are hearing maybe not so much from the children themselves but obviously the people who care for them that can give those children a voice? Is that something you can prioritise and how could you do that?

**The Minister for Children and Education:**

Of course that is a different question you are asking me now, parents and carers is a different section. Yes, so we can, of course, use things like Brighter Futures, the voluntary sector, like we can use things such as the Jersey Child Care Trust. Those types of bodies are kind of out there and of course we can draw on their expertise, better informed kind of in policy and implementation of policy.

[10:15]

We do go out to stakeholders as much as we can. Obviously we know that and while this is more education but it is just as important. We know, for example, the Early Years Policy Development Board report, which is with the Chief Minister, that is something we would want to produce and under normal circumstances we would go out to consultation on those policy areas in order to have that stakeholder engagement and refine kind of those policy objectives and ideas, which is where those groups and individuals could come in in order to refine those policy ambitions.

**Deputy L.M.C. Doublet:**

Is that something you might consider then, is having a group like the special needs, I do not know what is called, the forum that you have got around special educational needs?

**The Minister for Children and Education:**

Parent carer forum.

**Deputy L.M.C. Doublet:**

Yes. Would you consider having such a forum of parents and carers of babies and young children so that you can be aware of those issues, rather than just on a case-by-case basis consulting but for people to bring things to you, so you are aware of them right from the beginning?

**The Minister for Children and Education:**

Sure. I think while we do have the various boards that inform the departments, we do have voluntary sector kind of leaders who do engage. For example, Mark Rogers, I believe on things like the Strategic Partnership Board we have people like Brighter Futures or other voluntary representatives who do come in and engage with us when we consider that kind of strategic overview. I think it will be those types of areas where perhaps we could consider how individuals or organisations could plug into those conversations because I am just conscious of we need to do it in a structured way. Because I think if you do things in an ad hoc way things just get lost.

**Deputy L.M.C. Doublet:**

That sounds great and we look forward to hearing more on how that structure will be put in place. I think that will be really valuable.

**The Minister for Children and Education:**

Yes. Sorry, Mark, did you want to come in there?

**Director General, C.Y.P.E.S.:**

I was just going to add, Deputy, that there is also this group called the Children's Cluster, so it is the coming together of the voluntary and community sector organisations, I think originally set up by Customer and Local Services as part of its wider efforts to bring community and charity groups together. But we have the cluster at the moment as well, which is another place we can go to for insight and, equally, it connects into the Children's Strategic Partnership that the Minister has mentioned.

**Deputy R.J. Ward:**

Can I ask a little question just to fit in there? We are going to talk about priority projects that might fit in there but it is a nice little segue in, I suppose. When we talk about an inclusion review we talk about particular conditions, particular situations but will that include the nature and inclusion in schools? Because at the moment inclusion, for example, in secondary schools is really inclusion within the 11 to 16 schools and, more than anything, which have minimal resources. Would that include severe behavioural issues, some of the challenges that teachers face day to day? Is it that wide-ranging, a review?

**The Minister for Children and Education:**

I think we have published the terms of reference but I am just conscious that this was more a children's meeting, rather than an educational one. Normally I would bring in Sean O'Regan to kind of go through the terms of reference of that.

**Deputy R.J. Ward:**

No, that is fair enough. I am forgetting my remits, that is fine, that is true. It was our idea to do the children, Minister, as a separate thing anyway. Yes, you are absolutely correct, so let us get back on that topic.

**The Minister for Children and Education:**

I am pleased, you can save that question for next time, yes.

**Deputy R.J. Ward:**

Yes, of course. It is very easy to do with new remits and that is why we asked about the new remit to begin with. Because if we are doing it, then it will be difficult for you as well, I would imagine. In terms of the priority projects within the Government Plan in regards to children's ministry, you said in your speech in the Assembly when you were offered the role that there were several projects within the Government that need to come to fruition. Could you elaborate on the projects you believe should be prioritised and the determining factors for placing that emphasis on these projects, in your view?

**The Minister for Children and Education:**

Sure. There are a lot of things which have already been done. For example, we know the children's legislation programme, things like the indirect incorporation of the U.N.C.R.C. (United Nations Convention on the Rights of the Child). We have been rolling out the training, the U.N.C.R.C. e-rolling out training that has been going on and I can confirm that I have completed it. We have had that as a priority because there is a duty to make the Island aware of children's rights and we have done it with our own workforce in that, and that is largely thanks to Michelle Moffat, who has worked incredibly hard in that area. We also know things such as early help development, including the establishment of the Family and Community Support Service is very important. I believe Deputy Higgins asked me a question about how do we support parents in an advocacy way when they engage with children's social care, for example. How can we better support that? That is also a kind of an area we developed in the bid. We also need to look at things such as ... I know it is a bit early but I still think it is important to responding to the Care Inquiry recommendations, as well as the follow-up report. I spoke specifically about ensuring that when there is the transition between one Children's Commissioner and another, that we have that in place. The reason why I raised them so early, while of course we know the Children's Commissioner has still got many more years in her term, again, is to have those processes and procedures in place, so that when they are triggered it is done because it is so easy for perhaps the next tranche of politicians to forget exactly what was said in that follow-up review. Therefore, if we have got at least something in a framework established, it is there before the next draft of political priorities come along. They may be forgotten because I think that role is so important that we have to make sure, as it is said within the report,

that we are able to attract high-calibre people to that position and we need to keep an eye on that. Those are a flavour of some of the priorities which I think need to happen within the children's area. There will be more but we cannot cover perhaps nearly everything.

**Deputy R.J. Ward:**

Okay. Is there anything that you think might be done differently to progress the work in each area? Obviously aside of not having COVID come about but there is nothing we can do about that; that is the reality of the world we are living in. Is there anything that you would do differently as Minister that has not been done before to progress work more quickly?

**The Minister for Children and Education:**

I think one which we have discussed about is perhaps taking a phased approach to things in order to kind of get them in train and get them going, again, with that consideration with the elections and the new political priorities, some of that work could be lost if we stage it all as one chunk; I am specifically talking about the legislation here. Bringing things in in a phased approach, not only is it more manageable for Members but I think once we have a direct trajectory to the Assembly that has been adopted, it makes it much more difficult to be destabilised when there is that political changeover.

**Deputy R.J. Ward:**

Yes, I think that is the concern I am getting to, to some extent. We know that a lot of these changes are over time and in that time is the next election. Do you have any concerns in your mind that even the Minister for Children's role may not exist in a future Government, for example? What do you think you could do to try and ensure that that continuity is built in; that continuity? I think it is a good concern we share there.

**The Minister for Children and Education:**

Sure. I cannot bind what is going to happen in the next Assembly. We could have a very different Assembly if there was a new party formed that wanted, say, to focus very heavily on the economy and other social areas may not be focused on as much. But what I do know is that in some of the work that we are bringing forward, and Andrew Heaven could talk about that in more detail, so things like getting a duty to co-operate between different Ministers. Even if the Minister in body or the title "Minister for Children" is not there, there is legislation underpinning the work, which will cause other Ministers to work in co-operation with the department in order to ensure that the service is around that, so that the legislative framework still exists, even if the title does not.

**Deputy R.J. Ward:**

Yes. Before I move on I will just ask you directly, would you want the Minister for Children role to continue?

**The Minister for Children and Education:**

Yes, but I think whether that is paired in another way or done in another form, for example, we know the title has moved across and maybe the next Minister might just want to really focus on early years, they might want a Minister for Children and Early Years but they might also want a Minister for Education. But I think having some flexibility in the political system where there will be priorities for various Governments to flex where they want the political authorities but, yes, I think there should be a Minister for Children now, and whether that is paired with something else I think that is doable as well.

**Deputy R.J. Ward:**

Okay, thanks. We are going to move on to some questions on the United Nations Convention on the Rights of the Child, the U.N.C.R.C. and the C.R.I.A. so that people will understand what the terms mean as well. Deputy Doublet, do you want to lead on that?

**Deputy L.M.C. Doublet:**

Yes, thank you. Minister, as a new Minister you have mentioned the U.N.C.R.C. as an area of priority and we were also discussing this with the previous Minister. I apologise if I missed some of this, my sound cut out for part of your last answer, so I may have missed some of what you said. The work was underway, although it was being delayed by COVID-19 but there was an expectation that the first quarter of 2021 would see some legislation lodged around the U.N.C.R.C. and the process to indirectly incorporate it. Could you update us, please, on this area?

**The Minister for Children and Education:**

Yes, thank you. As you can imagine, I have inherited this piece of work but I believe behind the scenes the cogs have still been turning and I know officers have been working on that. But I wonder if Andrew or Michelle could perhaps give a bit more detail to exactly where we are in that process, I think that would be helpful.

**Senior Policy Officer:**

Okay, I am happy to pick that up, Minister, and good morning, panel. Deputy, the legislation has been delayed a little further than we had initially anticipated, really due to staffing pressures on our department due to the ongoing need to respond to the COVID pandemic and the impact of the second wave. We are now confidently assured by the law drafting office that they believe our legislation, which is now in its first draft, instructions having been submitted at the beginning of this year, that we should be able to lodge that legislation by the beginning of October with a view for it

to being debated by the end of this year. We are a little further delayed but progress is now very much being made.

**Deputy L.M.C. Doublet:**

Thank you. Just on the staffing issues, could we have some more information on that? I wanted to ask the Minister, has the work around children been deprioritised because of the virus and, Minister, would you have liked to see rather than staff being taken from this important work, was that the right thing to do?

**The Minister for Children and Education:**

I think staffing levels across the Government have had to be shifted in order to achieve various things, which the pandemic of course was. We have to remember Jersey is a small state, we do have limited resource and by resource I mean manpower, not necessarily budgets, in order to achieve various policy objectives. I would say also some of the policy stuff has been around children. What do we do with children, for example, who are at boarding school? What do we do with university students? What do we do within the schools? In an ideal world, would I have wanted this work to continue at the pace it was set up? Yes. Do I think though there were practicalities across the board where we just had to react to the pandemic, which led to delays in other areas? I am very deeply upset when I was a Minister for Social Security that the work around work-based pensions, for example, has been delayed, completely off the radar but I am glad that within this area we still have work that can be delivered by the end of the year, so I take some comfort from that. But, ideally, yes, I would prefer this work not to have been delayed but I think the needs of the community were so great, given it was a pandemic, ultimately I think it regrettable but it was the right thing to do.

**Deputy L.M.C. Doublet:**

Do you have your full complement of staff back in place now?

**The Minister for Children and Education:**

I think from the policy area we do. Andrew, are your team back up to manpower in that area?

**Head of Policy:**

We are not up to full capacity yet, no. We still have colleagues or members of my team who are currently still working in the COVID space. But I am working with and talking to my Director General as to how best to ensure that we have got enough capacity to progress the children's policy that we are committed to, so it is a work in progress.

**Deputy L.M.C. Doublet:**

Thank you. Minister, would you ensure that you press for those staff to be returned to you as a priority perhaps over other areas, given that children is something that we are putting first and prioritising in Jersey?

[10:30]

**The Minister for Children and Education:**

Of course I am happy to support Andrew in his endeavours of course. I would need to know what the other workstreams are obviously to work on before I could really give that priority. But I absolutely take your point that we are supposed to be putting children first and it does have that, a need in impetus. But if it is about taking someone out of the vaccine programme, I am probably going to say, no, they should probably stay there and do that.

**Deputy L.M.C. Doublet:**

In terms of the draft legislation that is being worked on and that we can expect by early October, when could Scrutiny expect to see the draft legislation or any work leading up to it, please?

**The Minister for Children and Education:**

Yes, I think we have already given the Scrutiny Panel a confidential briefing about the plans and what will be involved. We have been involving Scrutiny already. Exactly when it is, I think that will be subject to when the law drafters' department have it ready for the go but of course we are more than happy to share that legislation as and when it comes through. We find it really helpful because when our Scrutiny colleagues do have a look at it, sometimes they do raise things which perhaps we have not necessarily thought about or perhaps were missed in the drafting. But it just means that the final product is much better than beforehand, so, yes.

**Deputy R.J. Ward:**

I would just say a couple of things on that, Deputy Doublet, sorry, just to step in, we had a briefing but it has more been about timings and, yes, I absolutely agree, I think the inclusion of Scrutiny. Can I just make one small point? I think today of all days perhaps we should use the phrase womanpower rather than manpower. It does include the word man and I think our language is important. I just think it is important, today of all days. Thank you.

**The Minister for Children and Education:**

Womanpower, manpower, non-gender specific power and person power, absolutely.

**Deputy R.J. Ward:**

Person power perhaps, yes. Deputy, carry on.

**Deputy L.M.C. Doublet:**

Thank you for your answers, Minister. In terms of the legislation and the impact it is going to have across government and departments, I think it is fair to say that the former Minister was unsure as to whether all of those departments and Ministers would be sufficiently prepared for this legislation and its impact and there was some apprehension there. I just wondered what your view is on this, please, and as things stand at the current time and as you think things will stand in October when this is lodged.

**The Minister for Children and Education:**

I have no doubt anything that curtails or changes a Minister's course of action is going to cause some natural tension within the system; we are politicians after all. I do think though that if there is that framework established by the Assembly, then that of course gives much more power to the services for children in order to give much more strength to their arm about providing those services to children and the priority to children. But I have no doubt that, yes, of course within the Council of Ministers and within the Assembly no doubt there will be challenges and tensions brought forward. But, ultimately, it does come down to the will of the Assembly. We signed up to putting children first and this raft of legislation with a duty to co-operate is of course going to be one which I would like to think I would have the majority of support for.

**Deputy L.M.C. Doublet:**

What are you doing and perhaps what are your officers doing to try and ease that transition and to ensure that the adequate knowledge of the legislation is there and that people are prepared, officers and Ministers?

**The Minister for Children and Education:**

Thank you very much. I think because I have inherited this particular area I have not really had an opportunity to progress that particular angle. But I wonder, Andrew, is there anything officer-wise which you are able to comment on that area?

**Head of Policy:**

Yes, I think there are a couple of things to say, and I can see Michelle in front of me as well who is working really hard in this area. In terms of preparing for indirect incorporation, there are a number of things that we are currently doing. As well as working with the law drafters in terms of the primary law, Deputy Doublet, we are also talking to our M. & D. (Modernisation and Digital) colleagues in relation to some of the digital architecture. The aspiration here is that we remain paperless and so any kind of Children's Rights Impact Assessment that is completed in phase one of the law is kept as a digital enterprise. We also want to make sure that any C.R.I.A. that is completed is published;

so public-facing. We want to develop a repository, so as we go forward there will be almost like a library of kind of previous C.R.I.A.s that both officers and Ministers and elected Members can review and dip into; that is just one aspect of the planning. The other thing I would mention is that pre-COVID, which feels a long time ago, we did some work, and you may have been involved. We ran a training needs assessment analysis with ... and I always forget their name, Michelle, say the name of the university.

**Senior Policy Officer:**

It is the University of Wales Trinity Saint David, it is quite a long name.

**Head of Policy:**

Thank you; that is the reason why I always forget. They ran a series of focus groups who had key stakeholders in, so whether that be policy officers, whether that be elected Members, whether that be community and voluntary sector, they looked at and tried to give us a baseline in terms of what our starting point was in terms of knowledge of the convention. I think it is fair to say at this point there will need to be more training done. Those are 2 particular areas, Deputy Doublet, that we are working on, as at the same time we are progressing the primary legislation.

**Deputy L.M.C. Doublet:**

Thank you for your answers there. Just to get back to the Minister. The training that is being rolled out to government staff, when I included that in my proposition in 2017, which was around the U.N.C.R.C., my intention was that the training would have the effect of changing the culture within the Government of Jersey. Have you seen any of this culture change yet? If not, are you expecting to see a culture change once everyone has completed the training? How will you measure that?

**The Minister for Children and Education:**

Those are very good questions. I think that always a place to start when you have more awareness, when you want to do culture change, and of course these things are happening, we do know that culturally things are changing, even in things like comms, have we made something child-friendly or have we involved children as a stakeholder? Those types of behaviour changes, which are already starting to become part of the normal governmental process, I think those are tangible examples where we are changing culture and where we do have evidence in order to support that. For example, I talked about the TikTok videos, 5 years ago we would not be using social media as much in order to engage with our young people but we have been using TikTok, we have been using Snapchat and that data that we do get back, again, does help inform policy decisions. I think that is an effective thing that we can point to, which is changing not only our engagement with young people but also it is affecting how policy and legislation look; that is something which we have been doing.

I think that the C.R.I.A. formula template when we have it will, again, also kind of inform that. But I might have missed the essence of your question.

**Deputy L.M.C. Doublet:**

For example, if a member of the public was to walk into Broad Street in a few months' time, once everybody has completed the training and you would hope that the culture had moved on a bit, what would you expect that member of the public to find from the staff in Broad Street? How would they feel that culture change? What is your hope on how they would feel that culture change?

**The Minister for Children and Education:**

It would be things like kind of asking those kind of questions, asking: does this service involve a child? If it does, is that child involved? Do we know what their views are? Some of the really basic type of stuff, which I think sometimes gets missed but I think it is those kind of practical changes is what we are reaching for or improving. I do not think across the board we are not doing it but I do think if you are saying 5 years' time, what would the difference be? It would be the practical differences, I suppose.

**Deputy L.M.C. Doublet:**

In terms of the training, I understand that it is all online for obvious reasons at the moment but how can you ensure that it is not just a box that people tick, that they do their online course and it is kind of a perfunctory exercise? Will there be in-person refresher training or opportunities for colleagues to reflect on the training in person somehow? How are you ensuring that it is not just a box-ticking exercise?

**The Minister for Children and Education:**

Yes, absolutely and I think this training is also going to be part of the induction process when individuals join the States. You are absolutely right, sometimes when you join an organisation you have so much information thrown at you at once, to retain it all is not necessarily the aspect. I am sure there will be refresher training. But, Michelle or Andrew, have we managed to get that far in discussions with Human Resources and things like that to start having that function as ongoing training?

**Senior Policy Officer:**

Shall I pick this up, Andrew? The e-learning training that was launched in the middle of last month, Deputy, was very much intended to be a consistent foundation for the entire public service. We have approached that as something for everyone to go through. That will give us a base level of knowledge, both of children's rights, the convention and the legislation that the Minister is bringing forward. As Andrew had already mentioned, the training needs analysis that we commissioned last

year from the university gives us much more insight into the specific needs of particular areas of service. We will need to be moving beyond that foundation to assist colleagues, perhaps in Treasury, who do something very different to those who work in infrastructure, for instance, about how it crosses children's rights and how that consideration needs to take place. What we were going to do in the coming months is to develop a business case for how we bring forward the next level of training, which needs to be more bespoke and much more responsive to an individual and sort of the needs of the particular disciplines across the public service and we would look for that to be rolled out nearer to the duties coming into force. What we are looking to do now is really to fulfil our Article 42 Right, about the Government needing to assist everybody to have knowledge and awareness and understanding of the convention and from that we can build forwards, so that is the vision right now. I am pleased to report that in the first 2 weeks of that course we have already had almost 1,300 members of staff complete it, which is really very significant progress, we believe.

**Deputy L.M.C. Doublet:**

That is great, thank you. I think the chair wants to come in with a couple of questions at this point.

**Deputy R.J. Ward:**

Yes. I was going to say I hope I have not stolen your question, Deputy Doublet, just asking a couple of things. The training is through virtual college, is it not?

**Senior Policy Officer:**

Yes.

**Deputy R.J. Ward:**

I suppose what I would say is I have undertaken training through virtual college when I was teaching, for example; it is called radicalisation training. I have to say that for somebody who is open-minded like myself, I am not entirely sure the purpose of it. I am concerned ... box-ticking is a terrible phrase but I think we have seen a real need for a depth and understanding and this is one, that horrible phrase, a journey that people may have to go through to understand. At what point are we going to address directly these things, for example, corporate parenting and understanding what that is, understanding things such as a gender-balanced panel, for example, and what that means? Because in the last States debate it was clear that there was real misunderstanding as to what these issues mean. I just wonder, at what point that bespoke training can be the beginning point, rather than the later point because it might be more efficient to get people thinking in different ways and then going into the training, rather than to try and address those unconscious biases that already exist?

**The Minister for Children and Education:**

As you say, it is a journey; we all come from these places from different points. I think it is important to create a divide in that what is expected from the civil service and how they go about and undertake their roles will be different from politicians who, of course, have the absolute right to express their views, even if they have been on training. They are allowed to disagree and express different opinions and I think in a democracy of course that is incredibly important.

[10:45]

But as for supporting staff to have an understanding of the U.N.C.R.C. and what that means for them to carry out the responsibilities within their job roles, that is something which I think we have already spoken about, about how that is going to be assessed on a regular basis.

**Deputy R.J. Ward:**

But do you think there should be more leadership from the Council of Ministers? For example, there was no C.R.I.A. on the migration policy and I cannot think of a government policy, apart from I would hope your own department, where C.R.I.A.s have been produced, Children's Rights Impacts Assessments have been produced on real key propositions? Do you think that is a mistake that has been made and that that should be addressed? That leads the way, does it not, that is the Government leading in this change in terms of commitment to U.N.C.R.C.?

**The Minister for Children and Education:**

I think it would be great if we had the resources today to put a C.R.I.A. on to absolutely everything we do. I do not think we are there yet and I think that is also why we are working to develop that legislation to put some of those processes in place. I think we also have to remember, in times of pandemic, just the pressures of the situation we have had to, by necessity, turn around quickly and therefore the normal processes that we would normally like to engage with, stakeholder engagement C.R.I.A.s or whatever it may be, really have not been able to happen simply because of how quickly things have been turned around. There is often a criticism that the wheels of government turn slowly but of course we do that in order to ensure that all the stakeholders that we need to engage with have proper time to be able to engage in those processes.

**Deputy R.J. Ward:**

Do you think it is a resource issue regards C.R.I.A.s and not one of intent? It is not a willingness to undertake them because that is important and it gives a different perspective. It is purely a resource issue.

**The Minister for Children and Education:**

At the moment, I do not really have any evidence to say either way. Andrew, has your department been contacted by other departments asking about C.R.I.A.s or the implication of C.R.I.A.s at this time?

**Head of Policy:**

We have had a couple of enquiries in terms of C.R.I.A.s but, Michelle, I do not think we have been inundated.

**Senior Policy Officer:**

I think that would be a fair assessment. To confirm and for a little bit of back history, last summer when the Council of Ministers approved the model for indirect incorporation, we suggested that it might be timely to begin piloting the C.R.I.A. format across the organisation and within the Assembly as well, and that has been an informal process. We have made our template available. It is a draft and of course, something that will become a statutory duty is currently something that is entirely voluntary for anyone taking it up. There have been a few notable C.R.I.A.s. Mark will be well aware obviously that, within his department, they developed both one about the return to schools and another regarding whether or not those schools should close or reopen at the end of last year in alignment with the second wave of COVID. Also, we know that we have some around the Government Plan, Chair, that you yourself are responsible for and have been lodged with the Assembly, so we are beginning to see really healthy green shoots. There are other colleagues across government departments who are asking for our template and are beginning to think about how they might use it and how they would think about their piece of work differently given that that is an entirely different approach to considering a rights-based model from the very beginning of either policy development or project development. I think that is something that, I would say, is beginning to show some of the culture change that you have spoken about and questioned the Minister on already. We are not rushing but we are seeing some really encouraging change.

**Deputy R.J. Ward:**

Could I ask one more quick question on that because it is really pertinent to your answer? I have found, by producing the C.R.I.A.s on everything that I am doing now in all the propositions, it opens up another chain of thought for me and widens the perspective to another area so it may improve the proposition itself. Do you think that, culturally, Ministers and the Chief Minister and the Council of Ministers are starting to see that because I can also see how it may be a bit of a threat? It is something extra that you have to do and you might not like what you get at the end of it because you may not agree with what was said. That is certainly the case for myself as well but that is okay. Do you think that culture, Minister, perhaps is part of the culture that needs to be addressed?

**The Minister for Children and Education:**

Yes, you raised that point because that is exactly what I wanted to say, which was if you just turn it into a tick-box exercise and this is something you have to do, then it just makes it cumbersome and people do not necessarily engage with the process. If we get to a stage - and I think that is where we want to be - where this is something which really adds value, it is something which brings a lot of credibility to your work and this is something which Members of the Assembly show interest in, then it becomes less of a burden and more something that Members, the wider society and the civil service will want to engage with. You are right. Sometimes, no matter what your political perspective is, the C.R.I.A. might come back and say: "Do not do it." At the same time, a C.R.I.A. has to be balanced against all the other needs of the community as well and I think, as politicians, that is also our role, is it not?

**Deputy R.J. Ward:**

Yes.

**The Minister for Children and Education:**

For example, we know in the Assembly, certain Members will of course raise the point: "Well, what about an elderly rights impact assessment? Why has that not been done?" We, as politicians, will have to balance the needs of the community but, again, at least if we have that thinking done in the first place, we are in a better position, are we not?

**Deputy L.M.C. Doublet:**

No, that is fine, thank you. Minister, on the C.R.I.A.s - and it was not called a "C.R.I.A." then - my intention by including something along these lines in my original proposition was culture change within the Council of Ministers and the States Assembly. Can I ask you the same question about culture change within those groups? Do you see that there is a culture change happening yet within the Council of Ministers? If not, what can you do personally to be a champion for C.R.I.A.s and for the intention behind them which is the culture change and can you be that driving force within the Council of Ministers?

**The Minister for Children and Education:**

Yes, I think so because myself and other Members have started those other questions. Just simple things such as: "Has the Children's Commissioner been consulted?" All those types of things because even if you are thinking about how various groups have been incorporated as a stakeholder, already you are showing a different way of thinking about things and I know that colleagues around the Council of Ministers' table have been asking those types of questions. How uniform that is and how well that is being based on each and every subject at the moment is variable, yes. Absolutely it is but I do see a change in the types of questions that Ministers are asking when

things come to call more in presentations or in the Assembly. I am not going to say there is not a journey to go. Of course there is but if we can take some comfort, we are definitely seeing change.

**Deputy L.M.C. Doublet:**

Thank you, and with the C.R.I.A.s, obviously they are about children and children's rights. Is there a way that, as that work progresses, you could make them more accessible to children themselves so that children can understand and access those C.R.I.A.s themselves?

**The Minister for Children and Education:**

Probably, but I am going to handover to Andrew to say: "What can we do?"

**Head of Policy:**

Yes, so it is a really important point. As part of any C.R.I.A., even in the pilot phase, which is where we are at the moment, there will be a section within the assessment which is all about children's voices. It is an opportunity to draw upon what we already know about and what children are telling us. That opportunity will be hardwired into any final approved C.R.I.A. so I think that is a real opportunity. Some of that will be an opportunity to sit in front of children and young people and sometimes it is also about looking back at what children have already told us. That is a continuing theme when you talk to children and young people. They say: "We have already spoken about this. We have already told you." It is about making more utility in some of those surveys and some of the conversations and discussions that are going on within the classroom and within a school council. It is drawing on that rich dialogue and plugging it into the decisions that are being made around policy and law. Children's voices have to be one important part of any C.R.I.A. going forward.

**Deputy L.M.C. Doublet:**

Thank you.

**Deputy R.J. Ward:**

Deputy Wickenden has just put in the chat that he wanted to add something. I do not know if you had finished.

**Deputy L.M.C. Doublet:**

Yes, go ahead.

**Assistant Minister for Children and Education (2):**

I just wanted to add, very interestingly on this point, towards the end of the summer, Deborah McMillan, the Children's Commissioner, came to the Council of Ministers. I have probably been on the Council of Ministers longer than most. When the commissioner turned up, she handed everyone

a piece of Jersey rock and she thanked the Council of Ministers for how they have dealt with children during the pandemic through a very difficult time. The poignant part about the rock was to say that Jersey rock has the word "Jersey" going all the way through it and she felt very strongly that, during this time, the Council of Ministers had really been putting Jersey all the way through what they are looking at in the way they are looking after children. I thought that was a really strong message that was sent to the Council of Ministers from the Children's Commissioner, who definitely always picks us up when we are doing something wrong, to come to the Council of Ministers and give us a positive message for how the Council of Ministers, as a whole, have been dealing with the issue of children during what was a very rough time. Is that okay to add, Chairman?

**Deputy R.J. Ward:**

Yes, of course. Are you saying that, again, picking up things like C.R.I.A.s is another way to demonstrate that, is it not?

**Assistant Minister for Children and Education (2):**

Yes, absolutely, and there definitely should be more.

**Deputy R.J. Ward:**

I think that is what the questions were around. Deputy Doublet, have you finished your question areas there?

**Deputy L.M.C. Doublet:**

I just have small area. I am aware of time and I am going to open up another can of worms I think here with the legislative gap analysis that was published. Minister, could you just give a brief update on the work in that area please? Has any work commenced, has there been progress to date and a timescale please?

**The Minister for Children and Education:**

Thank you. This is an area I have had a huge amount of time spent on myself but I see Andrew's head nodding so I am sure he is able to update us in that area so, Andrew, over to you,

**Head of Policy:**

Deputy Doublet, tell me if I have understood your question correctly? The previous Minister for Children and Education commissioned or asked the Children's Commissioner to progress this area of work on the Minister's behalf. That work was completed by Human Rights Observatory at Swansea University and has been published. As part of getting to that publication of work, a number of us in government and also the Law Officers' Department were working with academics in Swansea to ensure that the document was all it could be and the Children's Commissioner published

it and it is on her website now. In terms of how we are using it, which is I think what your question is leading to, it has been extremely useful in my area. We have used it in terms of thinking about the law drafting in relation to the new children and young people's law and I know there are colleagues who are using it in relation to the youth justice work. When I say "using it", using it as a reference document in terms of where are our gaps? That was the driver for that piece of work.

**Deputy L.M.C. Doublet:**

Can I clarify it for you?

**Head of Policy:**

Yes, go for it.

**Deputy L.M.C. Doublet:**

I wanted to know of the gaps that were identified, the work that is being undertaken obviously to address those gaps and progress on that work and a timescale for that work. Does that help?

**Head of Policy:**

At this moment in time, because I think the gap analysis was published in the middle of COVID, so as policy officers are coming back and picking up pieces of work, youth justice and children's law are examples, they are using that as a reference document. I think, in time, what we will be able to do is to have a broader consideration of where all of those gaps are and be able to, in a planned way, tick those gaps off and make sure that we are progressing our realisation to the convention as we start to reduce those gaps in relation to our domestic law and the aspirations set out.

[11:00]

**Deputy L.M.C. Doublet:**

Can I just check my understanding there from the Minister? The gap analysis has been published but work has not started yet to address the gaps that have been identified. Is that correct?'

**Head of Policy:**

What is happening is in the pieces of law that are happening in the drafting at the moment, we are using the gap analysis as a reference document to make sure that we are not missing any opportunity to close any gaps as we are progressing in different pieces of law but what we are not doing yet is using it systematically.

**Deputy L.M.C. Doublet:**

Yes, that was my question. Can I go back to the Minister now? Minister, is it your plan to address that gap analysis in a systematic way? If you have already got a timescale for that, when could we expect that to be updated and receive a timescale for a planned approach to addressing that gap analysis, please?

**The Minister for Children and Education:**

As I said, this is not an area I have been able to spend a lot of time looking at, so it is something I would need to consider further. I welcome the comments from the officer who has explained that, where they have been highlighted in the work they are doing and picking them up. As for a further audit and response to the specific recommendations, which is what I understand you are asking for, Deputy, it is something I would need to look into further. I have just not had the opportunity to look into that but I am happy to go away with officers further. I cannot give you a timeline today, to be honest.

**Deputy L.M.C. Doublet:**

Are you able to, at this point, identify any priorities in terms of that work?

**The Minister for Children and Education:**

I am not today but Andrew might be able to.

**Deputy L.M.C. Doublet:**

Well, I was thinking politically. So perhaps, Minister, if you could reflect on some of those questions, we would be grateful if you could get back to the panel in writing once you have had a chance to look at that area.

**The Minister for Children and Education:**

Okay, noted, yes.

**Deputy L.M.C. Doublet:**

Thanks very much. I think the chair wants to move on now.

**Deputy R.J. Ward:**

Thanks, that is a really important area of questioning. Just moving on, one of the things was the care memorial and the citizens' panel. You mentioned that it was your view that the recommendation by the citizens' panel to suggest a statue was not the right decision. Is this still your view and, if so, could you explain the rationale for taking that view? Thank you.

**The Minister for Children and Education:**

Yes, thank you. My view on this has been made very clear. This is from attending, obviously, the protest, which had other survivors who ... I think we just have to remember it is such a sensitive area. There are some survivors who really do not appreciate this subject being dragged up and raked over and over again. It does, unfortunately, make them relive their trauma and their experiences. That was the view many survivors expressed to me during the protest and also after I had made that statement in the Assembly. I am very conscious that we should not be in the situation where we are causing individuals to relive their trauma. Therefore, for me, I think an alternative of a training scheme for survivors, children in care, people who want to work with children, particularly in the therapeutic aspect, would be a much better memorial going forward, although I appreciate it is not my decision alone. That is why, as the Minister, I paused the process to allow other survivors to join the citizens' panel for making those other recommendations. I hope that the current citizens' panel will have taken the time to reflect on the process and other comments that have been made since and consider their views. I think that is where we are. Unfortunately COVID has meant that the facilitators who support these individuals have not been able to do their work, which has led to further delay, which I think is frustrating for all of us. That is the rationale because I am very conscious of making others relive trauma and I do not think that is something that any of us really want to do.

**Deputy R.J. Ward:**

Okay, so there will not be a statute, in your opinion. In terms of the discussions of the citizens' panel regarding how they came to their recommendations, have you been involved in any discussions so that you understand where the recommendations for a statute came from?

**The Minister for Children and Education:**

Yes. I think it goes back to the terms of reference that were devised quite some time ago, which the citizens' panel was working to. I think one of the key points - Michelle will know this off by heart - is something like having an existing public, ongoing feature, words to that effect. It might not be exactly that. I think that informed the outcome and I think we just need to reconsider that because I think that has led to the result, because if you want something that is very public that determines the outcome. I think that is where the process caused the outcome and obviously caused the upset for other survivors.

**Deputy R.J. Ward:**

You talked about an alternative approach where there is allocation of funds to a training scheme to help children and the allocation of plaques of some form. Could you elaborate on what you mean by that?

**The Minister for Children and Education:**

Well, of course, this is just me as Deputy Maçon offering an alternative. Of course I have not had the chance to drill down into the exact detail of that, but of course that would be in consultation with survivors, whether that would be appropriate. In the States Assembly we have other plaques and engravings to remind Members of historic events. They could be that or some at the Law Officers' Department. That is something that would need to be finessed. I do know that the department has considered that type of work as an option. Michelle, that is correct, is it not, that there were a variety of options that the citizens' panel considered?

**Senior Policy Officer:**

With regard to the recommendations that the citizens' panel made, their legacy project was formed of 4 parts, of which a memorial, a form of which was never defined, was one of 4 things that they wanted to do. That was obviously recommendations that came forward in 2018. When we supported them to put out an invitation to tender, which was published last February for the care memorial, that documentation did not define what it was that artists could bring a proposition towards. So when we opened the box of the tender process in the summer with the panel we did not know what we were going to find. It could have been playgrounds, it could have been parks, it could have been ... as you say, we have some hard landscaping and installation type pieces that were offered through that. The panel, initially when they very first published their recommendations for the Council of Ministers, said that their ambition was for the memorial to be in the Royal Square. Having gone through a process of discovery with colleagues from the planning area, we looked at our planning regulations and we looked at our listed buildings and listed places, and they came back and refined their recommendation such that they wanted to have a principal memorial in a prominent place that would be permanent, and with reference to the Minister's expression of what they would look to work towards and their criteria, and that it should be something that would be truth telling but also something that should not be upsetting. We know that that is a very difficult brief to achieve. They also said at that point, because the Royal Square was a difficult place to achieve something within, that they would like to have a secondary memorial close to the States Assembly and we were looking to scope that process as part of the tender process that has now been placed on pause. I hope that gives a bit more detail in support of the question area but I am happy to add more if that is useful.

**Deputy R.J. Ward:**

The money was signed off and that was signed off by Council of Ministers and the Minister for Treasury and Resources to build that memorial. Now that is not going to happen.

**The Minister for Children and Education:**

Wait a minute, there was a sum of money allocated to a memorial. The form of that memorial was never agreed, defined, put in place. So I just want to be very careful because the language around this is important. Memorial is not the same as statue.

**Deputy R.J. Ward:**

Okay. So in the current situation you will consult again with survivors in the form of another citizens' panel or another group or a mixture of the 2 or an extended citizens' panel in order to relook at what type of memorial that will be? What we are trying to do is gain some sort of insight into what will happen next. We did produce a Scrutiny report that said do whatever the citizens' panel suggests, go for it, basically. That has changed a little so we are just trying to get a picture around that as well.

**The Minister for Children and Education:**

Sure. So, Michelle, what is the established process?

**Senior Policy Officer:**

Okay. Chair, if you do not mind, I will go a little bit back to when we paused the process and the protest that took place that the Minister attended. The organisers of that protest were reached out to and they have made sustained contact with our facilitators who have been running the panel process since 2018, who you will have met when you have come to meet everybody before. Over the intervening months they have, therefore, put a number of other survivors from the community who were not part of the citizen's panel process in touch with our facilitators, who are based in the U.K. (United Kingdom), and that has been a process of listening and understanding and sharing of information. It is done in a very private, quiet, delicate way as is absolutely necessary. That work is coming to an end at this point in time in that everybody who wanted to get involved I think has now been spoken to. A readout from that discovery process occurred yesterday. The citizens' panel had a virtual meeting yesterday for half a day and some of the readout from that work of engagement with other survivors was provided to them. They are now considering what they have heard. The view is to work as far as possible to achieve a consensus position among survivors in Jersey. Once that work has been completed, we are then able to begin a much more structured form of engagement with the Minister, which is what we had been referencing in the statements that have been released in recent days. That probably will not begin until after Easter. The Minister will be able to understand how survivors have perhaps revisited the ambition and are able then to think about shaping it going forward to find a mutually agreeable solution to remembering the failures of the past. I am not sighted on what those discussions have covered at this period of time. We are considering it a little bit of a black box in terms that it needs to happen very carefully and quietly out of the public gaze until we get to a point where they have arrived at a position that the Minister can

be briefed on and then we will be able to pick up more formal government processes. I hope that provides an answer to what you are asking.

**Deputy R.J. Ward:**

It does and that is very helpful, thank you, because that is very detailed. To move on from that, because obviously we are waiting for an outcome, the funding will still be available for whatever is decided there because it was agreed before, so that has not been lost. That is good. When you talk about training schemes, is there not trauma-informed training that goes on there already, which perhaps will be useful in this area?

**Head of Policy:**

There is a piece of work, and you are quite right, Deputy, certainly in the adult space, and I know Susan might want to say something about children's space. But certainly in the adult space there is significant investment going into trauma-informed services and I know colleagues in the psychology assessment department in H.C.S. (Health and Community Services) are progressing that work. We are looking forward to the outcomes of that and that is very much picking up on the learning and the insights following the Care Inquiry and also following other significant events of equal experience during their lives and the requirement for health and social care services, among others, to be informed and aware about how trauma impacts on people. It will be remiss to say there is nothing. There is significant amounts of investment going into H.C.S. and I know in the services for children area there is also similar types of considering going on around how best to work with trauma.

**Deputy R.J. Ward:**

Okay, that is good. I am conscious we have about 15 minutes left and we still have a lot to do. We have some questions on regulation of social work and the progress of legislation. I think we can probably put them in writing to you because they are more factual about when that is going to happen, so we will do that. I will move on to ...

[11:15]

**The Minister for Children and Education:**

There was a little bit of confusion from officers in exactly what the panel meant in that area, so if you could just elaborate a bit more in your questions, I think that would be very helpful.

**Deputy R.J. Ward:**

That is what I was going to say, but they are quite long questions, which is why I was trying to save time, but we can do that in writing. It was about the regulation of social work as a key area of your

speech in the Assembly and the timescale for bringing that to the Assembly to have an independent inspection of the law within the first quarter of 2021. The consultation was due to take place for the final quarter of 2020. We just wanted to know about the update on that progress, but I think we can do that in writing because that is in the public domain anyway, so it might be clearer to do it that way, if that is okay.

**The Minister for Children and Education:**

Yes, that is fine. That was just taken from the Government Plan anyway so, yes, fine.

**Deputy R.J. Ward:**

Yes, exactly, so I think we can get that in detail. Regarding the mental health service regulation, the panel was informed it would be lodged in 2021 and was due first quarter of 2021. What is the progress of that legislation on mental health service regulation? I ask because of the integration of C.A.M.H.S. into C.Y.P.E.S. so that will obviously be very key.

**The Minister for Children and Education:**

Trevor, are you in the position to be able to respond to that?

**Assistant Minister for Children and Education (1):**

I am not in a position to respond to the legislative process. Perhaps Andrew will know more about that than I.

**Head of Policy:**

I can help if it would help.

**Assistant Minister for Children and Education (1):**

It would.

**Head of Policy:**

I will speak quickly, Deputy Ward, because I know that you are trying to progress things. They are actually part of the same piece of work, so that is under the next phase of the Care Commission regulations being developed for Children's Services. Those include adoption, fostering, social work services for children and young people. I will not go through the entire list but it also includes C.A.M.H.S. The work to bring forward those regulations is in train and those regulations are currently with the law draftspersons. The intention is to bring those draft regulations to debate in the Assembly in October 2021. The pattern or the process is that the regulations will be developed for inspection under each of these headings. Then the commission itself will develop the standards upon which they would inspect those services. We would consult on the regulations, given that the fundamental

principles are already agreed in the primary law. Once we have done that consultation it would end in a debate in the Assembly on those new regulations in the dates that I have described. I have got a briefing here from my colleague who has helped me prep for today and I am more than happy to pass it on because I think it will provide you with the detail that it sounds like you are looking for.

**Deputy R.J. Ward:**

Yes. I think we are just looking for our future work programme as much as anything.

**Head of Policy:**

I think this would be perfect.

**Deputy R.J. Ward:**

Okay, that is great. The next set of questions around Children's Services I was going to ask Deputy Higgins to do but he has had technical issues this morning, so this will be the first time I have spoken to him this morning. If he is there and he wants to take on section 6, otherwise I will continue because I know I have thrown him into it there a little. Deputy Higgins, I do not know if you are there or you want me to ...

**Deputy M.R. Higgins of St. Helier:**

I would ask you to carry on, Chair. Thank you.

**Deputy R.J. Ward:**

Yes, I do apologise. I did not want to drop you in there, Deputy. One of the things about the Children's Services, building confidence in the Children's Services has been an objective for some time now and it is not easy, particularly given the past. What is your view of this and how do you propose to tackle that challenge? What will you do differently to achieve building that confidence in Children's Services, Minister?

**The Minister for Children and Education:**

Mark Owers and Mark Rogers have been working in this particular area. As I highlighted, I think in the question to Deputy Higgins, something which if not for this year, we are going to be developing a business case for next year, will be to have that advocacy for families and parents who engage with the process, because it can be very daunting having to deal with a very legalistic experience, to have that support for families. That is something that I have highlighted as Minister, but the current work programmes in outlining the areas that you have touched on, I wonder if Mark Rogers or Mark Owers would be able to comment further.

**Director of Safeguarding and Care:**

Thank you, Deputy. I think one of the most important starting points is to recognise that the Government of Jersey now has a Children, Young People, Education and Skills Department, otherwise known as C.Y.P.E.S. Within that department we have a range of developing and existing services, which of course includes schools, the youth service, the developing early help offer within the family and community services, C.A.M.H.S., children in social care and early years. The reorganisation of the department is to enable us, together with our partners in the police, the health service and the third sector, for example, to ensure we have all of the right services for children. Children's Services per se has fundamentally been restructured over the last 2 years and is C.Y.P.E.S. What we are starting to do is to explain that better, both internally to our own staff in respect of the continuing need for the way in which we meet need through universal services, through delivering the right help at the right time under Susan's leadership as part of our early help work, and then making sure that children and young people and families that need very specialist help through child protection services and through C.A.M.H.S. services can access that at the right time. Certainly from my respect in relation to child protection services or safeguarding services, if you like, we are seeing our numbers fall as we become a smaller, more specialist service. In the past, members of the public of Jersey sought help from what they knew as the Children's Services but the thresholds for support were too high because we did not have early help services. Even schools in our own department now would make referrals to our services and would not always get the help they needed because we did not have the right early help services. What we need to do this year, which has been somewhat hampered but also accelerated by COVID, with the launch of a children and families hub back in April, is to ensure that Islanders understand where the front door is for C.Y.P.E.S. to get help that they would not necessarily get from universal settings such as schools and early years.

**Deputy R.J. Ward:**

So that sort of restructuring, you were saying, is the integral part of building that confidence in the Children's Services again. One of the things that we have had is regarding the complaints process. We have been made aware of instances where parents and children have found the complaint processes to be inadequate or not functional. Minister, what is your view of the complaints process for Children's Services and I suppose you would say for C.Y.P.E.S. in general now?

**The Minister for Children and Education:**

So we know that I think C.L.S. (Customer and Local Services) took the lead this year about rewriting the whole complaints process for the Government of Jersey, which of course C.Y.P.E.S. and the Children's Services will have to plug into. I know that there were certain extensions, for example responding to deadlines, from Health and from Education for various reasons. In a sense, we do have a newish complaints procedure and structure. I think we can all make the expected comment, which of course is all complaints are taken very seriously when they occur, so there is that. We

also, of course, have the complaints board, and something which we have progressed in the Assembly is also the Public Sector Ombudsman, which I think will be an important string to the bow in order to support the public where they do have a complaint against the States in general.

**Deputy R.J. Ward:**

The panel would support that because we brought the proposition to maintain the funding, which was successful and thankfully accepted. I think, Deputy Higgins, you have a question. You are in and technically functioning now. Would you like to ask a question, Mike?

**Deputy M.R. Higgins:**

Yes, I have 2 questions. One is I would like to know what is happening when members of the public who are dealing with the department have meetings, whether they are getting copies of meeting minutes and, secondly, whether they are getting access to their records and are records being corrected? I mention this, Minister, in particular because I am still waiting for the minutes of our last meeting and also, when you mentioned advocacy, Barbara Corbett still has not got her information. Thank you.

**The Minister for Children and Education:**

Yes, those types of issues I think have caused problems for the department in the past. I know that because, for example, we have used agency staff who have left, minutes have not been written up. I have expressed to the department that really is not acceptable in those circumstances. Of course, having proper records in this area is very important and should be done in a timely manner and, of course, I will take that away, Deputy Higgins, because you are right. But I wonder whether Mark Rogers or Mark Owers would like to comment further.

**Director of Safeguarding and Care:**

I do not think, Deputy Higgins, it is appropriate to talk about individual cases and, of course, the Minister's office was responsible for the minutes of the last meeting and I do not know whether you have received those. But in respect of all safeguarding meetings, child protection conferences and looked-after children reviews, minutes should be shared with parents and a responsibility on each and every occasion and families should be given the opportunity to correct those minutes. It has not always happened in the past and we are endeavouring to make sure that happens every time now. You talk about independent advocacy. It is fair to say that in Jersey at the moment, while we have independent advocacy services that we commissioned from Jersey Cares for children and young people, we do not have independent advocacy services for birth family members, which is something we are discussing with the Minister and I know the Minister is very keen to ensure that we can pilot something this year and seek to gain Government Plan funding in the future. It is an important part of a balanced child protection and safeguarding system. We have begun to provide

independent advocacy on an individual basis, and you are alluding to that in your question, and we have agreed to fund independent advocacy on behalf of a few parents.

**The Minister for Children and Education:**

I think it is important to be clear that advocacy is not the same as providing advocates, although an advocate may provide adequacy. Just to be clear about the terminology in this area.

**Deputy M.R. Higgins:**

I accept that but what I am saying is that documents still have not been, many months later, given to that advocate.

**The Minister for Children and Education:**

We can continue that discussion offline, Deputy, but we take that point, yes.

**Deputy R.J. Ward:**

Do you think that asking children to go through a general complaints process is appropriate? Does there not need to be a developmental process for complaints that is more child-friendly and accessible to children and young people? I, for one, would not want to go through the complaints process because it is incredibly convoluted. Could that not be putting children and families off making a complaint, so therefore you will not learn, even at the lowest levels, of issues in order to develop your service?

**The Minister for Children and Education:**

It is a good point. I do not think any of us like to complain because we all know the amount of time it usually takes up in our lives, complaints about anything. But as for making the process more child-friendly, it is an interesting point which we can take away and discuss with our C.L.S. colleagues who are the ones holding the complaints policy.

**Director of Safeguarding and Care:**

Minister, if I may just add, we know that the rollout of the One Government feedback process, which started last year, has yet to be further developed and it is right to say that one size does not fill all. We are trying to ensure that we follow the central government approach but it is fair to say that many of the complaints that we receive we are not able to keep to the government timescales because of the complexity and the number of partners involved. For example, I am responsible for complex needs services where some of the young people we work with are not able to speak and we obviously need to enable them to provide us with feedback and complaints in a way that they are able to so that they are heard in the very different ways that people are able to communicate in the Island. That is work that is ongoing.

[11:30]

**Deputy R.J. Ward:**

I think that is exactly the point, the system does not fit for those who have least access to it and it is an issue. I am conscious that it is 11.30 a.m. and we still have quite a few questions. Can I ask you quickly, please, the Independent Children's Homes Association report on Children's Services has not been published yet, I believe? If not, why has it not been published, particularly given, it seems, that operational decisions may have been made on the basis of the report?

**The Minister for Children and Education:**

Yes, I think that is one for officers.

**Director of Safeguarding and Care:**

Thank you, Deputy. The report has not been published yet. We received it before Christmas. We are writing a response which we want to publish alongside the report and also we were aware of the Jersey Care Commission's overview report, which was from all of their inspections of all of our children's homes in 2020. Mark Rogers, as the lead person, received that report from the chief inspector, Audrey Murphy, on Thursday last week. We have 4 weeks to respond to that and we want to be able to respond to both the regulator and the recommendations in the independent review all in the same space so the public are able to see what the recommendations were and our response, which we hope to do so ...

**Deputy R.J. Ward:**

What is the date when we can see that?

**Director of Safeguarding and Care:**

We hope to be able to do that in April.

**Deputy R.J. Ward:**

In April? So that is quite a delay. Have there been any operational decisions made on that report?

**Director of Safeguarding and Care:**

The independent report was commissioned by me, together with the previous Minister, to enable us to undertake operational changes. Yes, there have been some changes that we were doing anyway, which were also recommended as part of the way in which our services were reviewed, independent of the leadership team responsible for day-to-day operations.

**Deputy R.J. Ward:**

Okay. Perhaps we should have made this hearing 2 hours because we have still got a few questions. What we will do is we will put in writing some of the questions in regard to C.A.M.H.S. because I think it might be useful. They are in the public domain anyway so the responses will be there. Just a couple of final questions. The reports of children involved in antisocial behaviour are growing. As the Minister for Children and Education, what do you see as the wider issues that we face there that you would like to see addressed before we just simply punish more?

**The Minister for Children and Education:**

I think it is understanding the range of issues to do with young people. I have always strongly come from the political belief that facilities for young people and having a vibrant and well-supported youth service is a great way of tackling a lot of these issues. I think also, because I have had to deal with some constituency matters as well, just accept that unfortunately there are a minority, and I repeat a minority, of young people where stronger interventions are required and maybe into a criminal justice process. That is obviously something we try to steer our young people away from as much as possible but we cannot rule it out as something which for a small number of young people might be, unfortunately, the right thing for those particular individuals. I think on a wider scale it is about providing facilities for our young people in order to steer them away and have a more ... and realise young people are young people and they are not going to be perfect and they are going to make mistakes as well I think is also important to remember.

**Deputy R.J. Ward:**

Just to finish, and the final question, Minister. Today is International Women's Day, what message would you give to children today?

**The Minister for Children and Education:**

On International Women's Day, for me I would say to younger women, young people across the board, that they should pursue their skills and their talents, regardless of what that is, whether that is in engineering or maths or science for women or in other ... challenge the stereotype. If you have got a passion and you have got a skill in that particular area, that is something that you should pursue and the services, particularly the career service, are absolutely brilliant in supporting our young people to challenge those stereotypes going forward. I think that is a key message because so many people feel the pressure of conforming and what they should be focusing on is whatever talents they have as a unique individual.

**Deputy R.J. Ward:**

Deputy Doublet or Deputy Higgins, do you have any other questions that you want to ask? I know we are running over time and everyone has other ... the allocated time we have put to this.

**Deputy L.M.C. Doublet:**

Just to thank the Minister and the officers. Thank you for your time and for your answers.

**Deputy M.R. Higgins:**

I am happy, thank you, and I will catch up with everybody else. Thank you.

**Deputy R.J. Ward:**

I will just say as myself thank you to everyone for their time and for the discussions. We did have other questions. We have got quite a full ... it has been a while since we have had an opportunity to talk publicly. We will put them in writing and they are in the public domain anyway. So, with that, I would just like, unless there is anything you want to add, anybody on the call here ...

**The Minister for Children and Education:**

Just very quickly, Chairman, I know last time we spoke you said that the panel will be focusing a lot on the weight of issues coming from Home Affairs, but were there any particular areas in this round that we should be made aware of?

**Deputy R.J. Ward:**

There is the children's omnibus changes that are coming through, obviously, and it is all to do with timescales. To be quite frank, it is determined entirely by the timescales of what you bring forward. So if you bring legislation forward earlier, we will look at it earlier but we can only plan our timetable on the legislation that we know is there or that we push to see in advance. The earlier in advance we get anything the better job we can do and hopefully it will be better informed and we will have less problems when it comes to the Assembly in terms of whether it will work. So that is the line that we take, effectively.

**Deputy L.M.C. Doublet:**

Can I just flag the review that we are running as well, Chair, on the impact of the response to COVID-19 on children and young people? We are at the stage of accepting submissions at the moment but of course we will be coming out to for public hearings around that and we will keep you updated.

**Deputy R.J. Ward:**

Yes, absolutely. With that, I will just say thank you to everybody and call the hearing to an end. Thank you very much.

[11:37]