

4th June 2020

Deputy R. Ward
Chairman, Education and Home Affairs Scrutiny Panel
By email: C/O A.Harris5@gov.je

Dear Deputy Ward,

I would like to thank you for your letter and for following up on the concerns about P.26/2020 Draft Regulation of Care (Standards and Requirements) (Covid-19 Temporary Amendment) (Jersey) Regulations 202-.

In your letter you mention communication with the Minister and his officers. I have had communication with the Minister by email and a phone conversation with Francis Walker, who I believe led on the drafting of the legislation. I have also spoken with Mark Owers, Director of Children's Services.

You requested information about outcomes of these dialogues. These are:

- A willingness from all involved to meet with people with experience of care to discuss the impact of the emergency legislation and;
- A commitment from Mark Owers, Director of Children's Service, to not use the emergency powers, because his priority is the safeguarding of children.

None of the specific concerns we raised about P.26/2020 have been tackled or addressed.

We have spoken to a range of children's rights organisations. They expressed strong concern that Jersey has chosen to give up aspects of safeguarding of children 'at the first hurdle'. They also stress that this does not pass the human rights test of being 'necessary': meaning 'pressing need' rather than a 'future possibility'.

We are in the early stages of work with a group of care experienced young adults around the emergency legislation and its impact on them, their peers, and young people currently in care.

They made the point that in the past the Government may have failed to safeguard children out of some ignorance. They point out that now however this is an informed choice. They also request data on:

T 01534 496307
E info@jerseycares.je

Jersey Cares, c/o Salvation Army,
Minden Street, St Helier, JE2 4WQ

 JerseyCares.Cl  jersey_cares  cares_jersey

www.jerseycares.je



- How often the emergency legislation on the Regulation of Care has been used?
- What has been its impact?
- Who measures this and how?
- What plans are in place to ensure that this legislation is stood down on 30th September 2020? They fear that without this, it could simply become the 'new normal'.

Finally, they wished to highlight that some of the group have experience of living in unregulated residential homes and can vouch for how awful it was.

Yours faithfully,

Carly Glover,
CEO, Jersey Cares





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Carly Glover
Chief Executive
Jersey Cares
By email: carly@jerseycares.je

29th May 2020

Dear Carly,

Further to your submission to the Education and Home Affairs Panel in relation to P.26/2020 Draft Regulation of Care (Standards and Requirements) (Covid-19 Temporary Amendment) (Jersey) Regulations 202-, I would like to request some additional information from you.

As you may have seen, the Panel held a [public hearing](#) with the Minister for Children and Housing on Friday 22nd May and questioned him further on the impact of the legislation in relation to children's residential homes. It was explained that both the Minister and his Officers had met with you further to your initial concerns to assist in addressing them. I would be grateful if you could update the Panel on the outcome of these discussions, and also whether you feel your concerns have been adequately addressed by the Minister and his Officers at this time. We would also be interested to hear whether you have any continuing concerns in relation to any other matters arising from this legislation.

I would be grateful of a response in writing in the first instance, however, if you would like to speak to the Panel, please let our Committee and Panel Officer (Andy Harris a.harris5@gov.je) know and he will make the necessary arrangements for a meeting via Microsoft Teams.

If you have any questions please direct them to Andy and I look forward to hearing from you in due course.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'R. Ward'.

Deputy R. Ward
Chairman, Education and Home Affairs Scrutiny Panel