



**Covid-19 Response: Impact on Children
and Young People**

The Children's Commissioner for Jersey

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Purpose

This report has been prepared for submission to the Children, Education and Home Affairs Scrutiny Panel (CEHA). The Panel are conducting a Scrutiny review in respect of the Covid-19 response and its impact on children and young people.

The Panel have invited the Commissioner for Children and Young People to submit views in several key areas:

- The main challenges/negative experiences for children, young people and their families during the pandemic
- The main successes/positive experiences for children, young people and their families during the pandemic
- The impact of the ‘stay at home’ order/ working from home on children, young people and their families
- Whether the physical, emotional and mental wellbeing of children and young people has been at the heart of Government decision-making, in line with the priority to put children first
- What impact the response to the pandemic had on existing inequalities for children and young people and their families

- How the needs of children, young people and their families were addressed at different stages of the pandemic response
- Understanding of the work that is ongoing, in order to protect the wellbeing of children, young people and their families as the pandemic response progresses
- How children, young people and their families were communicated with by the Government about the response to pandemic

Background

The Covid-19 pandemic provided very real challenges for the Island's children and young people. For the Office of the Children's Commissioner this meant adapting very quickly and – most of all – listening to what the children and young people of our Island were telling us. The role of the Children's Commissioner has been to ensure that the rights of our children and young people were being, and continue to be, upheld. Whilst I acknowledge the steps that the Government of Jersey took to put in place emergency legislation as the Covid-19 situation developed, it was vital that their response was grounded in children's human rights. My advice to Government was to ensure that all decisions were made in the best interests of children, and any interference in children's rights must be strictly necessary, proportionate and non-discriminatory.

Rights under the United Nations Convention on the Rights of the Child (UNCRC) are universal international minimums, and not optional. Rights are there to protect children and are just as necessary, if not more so, in times of crisis. My advice has been that all guidance is grounded in and based on children's rights to ensure that, where balances are struck, they are informed by proportionality assessments that take full account of rights protections as laid out in the UNCRC.

I will therefore be referring to specific articles of the UNCRC, where applicable, as I address the various areas of our response to this Scrutiny review. I shall also be including some of the direct comments and submissions we have received from children and young people, as well as data gathered through relevant research and surveys. Also, where appropriate, I will be highlighting certain key points for Government to consider in the form of questions to which I believe we have not yet been given adequate answers.

Disability, basic health and welfare

Children and young people have the right to the highest attainable standard of health under international law, which explicitly includes access to healthcare. Article 24 of the United Nations Convention on the Rights of the Child (UNCRC), is clear that no child should be deprived of their right to access healthcare services, placing a proactive duty on States to fulfil this obligation and remove any barriers to children accessing it.

In Jersey, access to GPs is subject to a charge or is offered free of charge at the discretion of the healthcare provider. During the Covid-19 pandemic, GP rates were set at £10 for those aged five years or older, or free if the child was aged four or younger¹. In May 2020, the Government announced charges for children to attend the Urgent Treatment Centre (UTC) to reduce the burden on the Emergency Department during the pandemic. Charges were £20 if a child was not registered with a GP and £10 if a child was registered with a GP. Following criticism from the Children's Commissioner, the Government reversed this decision.

The community Dental Department closed in March 2020 to non-emergency dental treatment, meaning that no children could access this service or be screened for oral health.

Other issues that we identified through our casework were:

- Restricted access to non-emergency paediatric care
- Diversion from Emergency Department to out-of-hours doctor service, with the resultant charges being incurred
- No access to GP for a physical examination when required
- Off-Island hospital appointments (day return) requiring isolation on return, further impacting school attendance
- Children with health issues expected to attend school if parents are essential workers
- Changes in zone classification while on holiday requiring unplanned isolation on return, again impacting school attendance

Healthy weight and lifestyles

In the academic year 2018/2019, "two in ten children in reception year at school (21%) and around three in ten children in Year 6 (30%) were overweight or obese"². Food bank usage rose during 2020 and many families have faced financial difficulty through loss of employment.

Children have told us that they would like to be able to access opportunities to keep them healthy and well, but that cost and transport can often be barriers. In my office's Covid-19 survey³, which was carried out jointly with the Government of Jersey last year, children told us:

"i'm kinda fine i get annoyed with my dad more often because he gets stressed with his work which puts stress on me. also i think i have been putting lots of weight on and i am very conscious but don't know who to speak to as i'm scared."

¹ See <https://www.gov.je/Health/DoctorDentist/Doctors/Pages/HealthCard.aspx>

² Jersey Child Measurement Programme 2018/2019, Statistics Jersey
<https://www.gov.je/SiteCollectionDocuments/Government%20and%20administration/R%20JerseyChildMeasurementReport2018-2019%2020191211%20SJ.pdf>

³ https://www.childcomjersey.org.je/media/1345/jersey-covid-19-survey-27_5.pdf

What action will the Government take to tackle food insecurity and promote access to healthy food in their Covid-19 recovery planning?

Mental Health

Clear data on the numbers of children and young people in Jersey with mental health issues is not accessible.

In our survey to look at the impact of coronavirus, we asked children if they were worried about anything: around 48% of them said they were, with this response being more prevalent for the youngest (5-7 year olds) and oldest (16+) groups.

Mental health was specifically cited by 37 young people as a key concern in relation to social/physical distancing. One young person stated that:

“In all honesty the Stay at Home order has had an extremely negative impact on my mental health. I suffer from [mental health condition] so not being able to see my long-term boyfriend or friends to distract me has made my symptoms worse and my mood low constantly.”

These are, of course, just two of the comments on this topic – to see the entire range of qualitative data, as well as further information on children and young peoples’ mental health during the pandemic, please refer to the survey results document⁴.

Also, it may be of interest to note that recent data (supplied in March 2021) from Jersey’s Child and Adolescent Mental Health Service (CAMHS) showed that the caseload increased from 721 in 2019 to 800 in 2020. In March this year, it had further risen to 841. Of these cases, 29 children are still waiting for assessment (with a waiting time of around seven weeks), 74 children have been assessed but are still waiting to access therapy, and 61 children are still waiting for an ADHD assessment.

Further to these figures are the thematic issues that have come to light through our own through casework during 2020. These include:

- Reduced access to mental health services (child and adult) and rapid redesign of provision
- Withdrawal of key workers who were moved to ‘crisis’ response or liaison team
- Home visits replaced with telephone contact
- Home visits not with a consistent professional

How will the Government support children and young people in dealing with the negative impact that the pandemic has had on children’s mental health in Jersey?

Poverty

Article 27 of the UNCRC states that all children and young people have the right to a proper house, food and clothing.

Despite being a wealthy island, Jersey still has children and young people who are growing up in poverty.

During 2020 more than one third (36%) of households reported that their finances had deteriorated due to the COVID-19 pandemic, with half (50%) of the households in non-qualified rental

⁴ https://www.childcomjersey.org.je/media/1345/jersey-covid-19-survey-27_5.pdf

accommodation reporting a deterioration in their household finances. Further, when asked, more than a quarter (27%) of households expected their financial situation to get worse over the next 12 months.⁵

Families that rely on seasonal jobs in the hospitality sector have to eke out income accrued over the summer in order to cover bills during the winter months. The pandemic has had a significant impact on tourism and hospitality, which will, in turn, have a direct impact on the financial security of those families in Jersey. Again, quotes from our joint survey with the Government of Jersey bore this out:

"My family is struggling for money and they cannot claim..."

"I am worried that my dad is going to lose his business because the states dont seem to be giving him money to keep it running."

"I am also worried about the effect of coronavirus on my future looking towards university places and student finance. Also I am worried about the potential financial effect of the virus as this will have an effect on my future employment and ability to pay for education, housing etc."

"Worried about vulnerable friends in poverty with no work, or in abusive households with no escape."

"Surely everyone should be concerned and worried for those are struggling and losing loved ones."

What action is the Government taking to tackle poverty and to support families who do not qualify for Income Support but who have been severely impacted by the Covid-19 pandemic?

Will the Government prioritise funds for people living in poverty as part of their Covid-19 recovery planning, and if so, will support be offered to those who do not qualify for Income Support?

Food bank usage

As a matter of public record, and through our own direct experience in working with local young people, we know that a number of NGOs provide access to food for families.

While we are not aware of a comprehensive report on food bank usage Island-wide, we are aware of reports that food bank usage has risen during the Covid-19 pandemic. For example, a collection of food banks in Jersey made more than 3,000 deliveries to 600 people between March and August last year.⁶ Further, £5,000 of food/electricity vouchers were given out last year by one charity alone to support families. These are usually given in the amount of £20 at any one time, and are typically used to support families over a weekend or until they can access a food bank. Therefore, support for families to access their right to health and for children to have nutritious food is still required, and the Government has a duty to provide this support.

⁵ Page 7, Jersey Opinions and Lifestyle Survey Report 2020, Statistics Jersey available at <https://www.gov.je/SiteCollectionDocuments/Government%20and%20administration/R%20Opinions%20and%20Lifestyle%20Survey%202020%20Report%20200903%20SJ.pdf>

⁶ <https://www.itv.com/news/channel/2020-08-30/jersey-food-bank-supported-600-people-per-week-during-the-pandemic>

One memorably stark response to our Covid-19 survey stated simply:

"Running out of food. "

Housing

Access to safe, affordable housing has been a key issue for many families in Jersey. As set out in the Control of Housing and Work legislation, access to 'qualified' housing is dependent on length of residence in Jersey.

During the pandemic, rents rose and the availability of properties reduced, which prompted the Jersey Homes Trust to freeze rents (a measure that has persisted into 2021) which, to some degree, has helped to protect some of the Island's most vulnerable tenants. However, we continued to see the following themes emerge during our 2020 casework:

- Reported significant increases in private rental costs
- Decreased availability in private rental stock due to properties being sold or reclaimed by owners
- Increased demand on Housing Gateway with no current availability of 3 & 4 bed homes

And while the Jersey Women's Refuge charity was set up to offer support for mothers and children by providing accommodation in emergency situations, we saw such a rise in demand during Covid-19 that the charity had to open a further premises in order to cope.

Article 19 of the UNCRC states that children have a right to be protected from violence, yet the aforementioned increase in demand at the Women's Refuge, along with direct evidence from children and young people themselves, indicates that the pandemic exacerbated the risk of this right not being upheld.

Insecurity of tenancy was also an issue. During the pandemic, there were examples of parents contacting my office because they had lost their employment, and consequently their residential status, and were discovering at this most difficult of times that they were not entitled to support from the Government. These families were relying on charities to provide food and money to meet their basic needs.

As a snapshot of just how strained and crowded unregulated accommodation can be in Jersey, consider this response to our Covid-19 survey:

"I live in a house with about 15 + others. "

What support is available for families where the caregivers have lost their employment and/or housing due to the pandemic but are not entitled to receive Income Support or other Government help?

Education, Leisure and Cultural Activities

Articles 28 and 29 of the UNCRC encompass children's right to an education, and what that education should include.

Some of the issues that we saw in our casework during the pandemic included:

- Inconsistent Special Educational Needs support during school closure (depending on the school attended). Home learning not adapted to suit all learning needs
- Autism and Social Inclusion Team (ASCIT) and Social, Emotional and Mental Health Inclusion Team (SEMHit) not available for any direct work
- Inconsistent transition support for those students at the end of Year 6 preparing to start Year 7 induction
- Inconsistent expectations of learning/completion of work set
- Inconsistent availability of online learning
- Inconsistent contact time with subject teachers/pastoral support
- Inconsistent Covid-19 screening among Year 11 and sixth-form groups
- Inconsistent responses from contact tracing, resulting in inconsistent messages about isolating, which impacted school attendance and student morale
- Health-related concerns about wearing of masks all day at school
- A lack of available digital devices or internet access in order for all students to be able to complete schoolwork at home during lockdown or during periods of isolation
- Regular periods of isolation due to contact tracing, with children having to live in their bedroom for long periods of time

Survey responses that reflect these issues can be found on our website⁷. Typical examples might be:

"Understanding from school that there is a gap in our education now. More focus on wellbeing and positive mental health than learning."

"Primary School age children have their 'teacher' at home with them. Senior school age pupils don't have that luxury and appear to be the forgotten members of the education spectrum."

Play, rest and leisure

Article 31 of the UNCRC states that children and young people have the right to have fun in the way they want to, whether by playing sports, watching films, or doing something else entirely. However, the pandemic meant that children's options for play, rest and leisure were severely restricted. Restrictions included, the closure of youth clubs, drama and singing groups, extra-curricular activities and clubs, despite schools being open. This will have been a difficult logic for many children to understand, and the impact on wellbeing will have been universal.

However, resilience and resourcefulness was apparent. In our Covid-19 survey, 85% of children said they had something fun to do – for a breakdown of some of the activities they cited, see page 19 of our 2020 Annual Report⁸. This was mostly made up of technology, arts and crafts and toys, although exercise also featured in more than 450 responses. When asked 'do you get physical exercise', 56% said every day, 38% said sometimes and 6% said no. The percentage of young people who answered

⁷ https://www.childcomjersey.org.je/media/1345/jersey-covid-19-survey-27_5.pdf

⁸ <https://www.childcomjersey.org.je/media/1486/cco-annual-report-2020.pdf>

every day was highest among the youngest age group: 67% of 5-7 year olds, as opposed to 39% of those aged 16 and over.

This survey was administered digitally, so it is important to note that there will be a demographic who did not have access to digital technology and were therefore unable to share their views.

Family Environment and Alternative Care

Article 18 of the UNCRC relates to the shared responsibility of both parents in raising a child.

Under Article 20 children have the right to special protection and help if they cannot live with their own family.

Issues that were evident from our 2020 casework included:

- Track and trace text messages sent to children under 16, and not to a parent/carer
- Impact of school closure on childcare for essential workers, with children left unsupervised for periods of time
- Impact of school closure on childcare resulting in job loss
- Discrimination when attempting to access the food bank (reports of refusal to those who were not “entitled”)
- Deterioration in mental health of parents, impacting on their ability to care for their children

Where parental separations involve court proceedings, often there are contact arrangements made through Milli’s Child Contact Centre. During the pandemic, however, that centre was closed, which meant that were unable to see the parent or parents in question.

Children’s Social Care

Government data (Children’s Social Care Monthly Report February 2021) states that the volume of referrals to Children’s Social Care has remained low since April 2020. In March 2020 at the start of the ‘stay at home’ order, there were 72 referrals. This is in contrast to March 2019 at 142, with just 50 referrals in February 2021.

In addition, the number of children on Child Protection Plans (CPP) has reduced to the lowest number since October 2018. There are now 47 children on CPP. There has also been a reduction in the number of Children Looked After (CLA) – 70 in February 2021 compared to 81 in February 2020.

At the same time the number of children looked after who were reported missing increased.

It is not a surprise that referrals to children’s social care reduced when children were not attending school, however it is a surprise that the rate of referrals, CPP and CLA have all remained low during a time when we are hearing just how much families are struggling due to the pandemic.

Violence Against Children

Domestic Abuse

It is estimated that there are more than 3,500 children living in a Jersey household where domestic violence or abuse is present: this equates to 6 children in a typical class of 25⁹.

Police figures show that the number of children exposed to high-risk domestic abuse has risen by 49% when comparing January-March 2019 with January-March 2020.¹⁰ There has been an increase in rates of domestic abuse around the world during the Covid-19 pandemic, and we have concerns that this could be reflected in Jersey.

School closures could lead to fewer referrals due to a decrease in time that professionals are spending with children and their families, thereby weakening protective measures. In our Covid-19 survey, one young person expressed that they were *“worried about people in abusive households with no escape”*. Others spoke of concern over relationships at home, including parental ‘anger’ or ‘temper’.

“Because Umm mummy and daddy shout sometimes”

“alcohol abuse and arguments in the household”

⁹ Our Life in Numbers <https://www.childcomjersey.org.je/media/1414/summary-table.pdf>

¹⁰ States of Jersey Police Performance Briefing January –March 2020, available at <https://jersey.police.uk/media/582534/2020-q2-annual-performance-statistics.pdf>

Special Protection Measures

Arrest and Detention

We have ongoing concerns regarding the arrest and detention of young people – particular relevance to this review would be the sharp rise in arrests made last year for what are termed ‘process offences’, which would include those related to breaking Covid restrictions.

Our research into this area is ongoing, and will soon be complete. However, we are not yet at a stage where we can draw fully evidenced conclusions.

What we do know, however, is that 282 young people (viz, aged 10 to 17 years old) were arrested by the Jersey police last year. This constitutes a rise of more than 100% from the equivalent 2019 figure.

Through our casework, we are also aware of an increasing number of cases of children being deprived of their liberty in circumstances where detention has not been (as it should be) used as a measure of last resort. We are aware of children being arrested as a result of breaches of covid-19 emergency legislation.

How is the Government monitoring the use of detention, and specifically its use solely as a measure of last resort?

How many children were arrested for offences under emergency legislation?