



# **Children, Education and Home Affairs Scrutiny Panel**

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

### **Witness: The Children's Commissioner for Jersey**

Monday, 17th January 2022

**Panel:**

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

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

**Witnesses:**

Ms. D. McMillan, Children's Commissioner for Jersey

Ms. A. Le Saint, Senior Practitioner, Office of the Children's Commissioner for Jersey

[10:31]

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

Good morning and welcome to the public hearing with the Children's Commissioner regarding the COVID-19 response and impact on children, from the Children, Education and Home Affairs Scrutiny Panel. Deputy Doublet and I are on this panel for the review, and Deputy Doublet is leading the review. I do not know if we want to introduce ourselves just briefly quickly at the start. I am Deputy Rob Ward and I chair the panel.

**Deputy L.M.C. Doublet of St. Saviour:**

Good morning, everybody, Deputy Louise Doublet, Vice Chair of the panel.

**Children's Commissioner for Jersey:**

Good morning. My name is Deborah McMillan and I am the commissioner for children and young people in Jersey.

**Deputy R.J. Ward:**

Is there anyone else who wants to introduce themselves who will speak, perhaps?

**Children's Commissioner for Jersey:**

Deputy Ward, may I also ask Andrea Le Saint to introduce herself, who is supporting me this morning?

**Deputy R.J. Ward:**

Of course.

**Senior Practitioner, Office of the Children's Commissioner for Jersey:**

Good morning. I am Andrea Le Saint. I work for the Office of the Children's Commissioner.

**Deputy R.J. Ward:**

Okay. Good morning, welcome. I will start with some general questions. You provided an overview of some of the key issues facing children and young people as a result of the pandemic in your submission to the panel. What issues would you say have had the greatest negative impact on children and young people?

**Children's Commissioner for Jersey:**

It is clear that the pandemic has had a huge impact on everybody, and particularly on Island life. Life has changed for all of us, but I think it is also clear that because of the measures introduced by the Government that has impacted more greatly on children and young people. We can talk about the reasons why later, but certainly what we have seen is children's mental health has really struggled during this period, children's physical health because they have not been able to access clubs and activities that they would normally do in school together. Their rights to education have been severely impacted during the time not just when schools closed formally but even today as children and young people are out of school because they are in isolation, either because they have COVID or they have been contact traced. Also, children's rights to play and leisure: as we know, a lot of play areas were closed down. Leisure activities did not open up for a long time; for example, swimming. We also know that children's right to an adequate standard of living has been severely impacted. In fact, the Jersey Government's own opinions and lifestyle research has shown a considerable amount of families have struggled financially during COVID and that has an impact on them being able to provide for their children. We have also seen violence against children increase, particularly in the area of domestic abuse, which has risen disproportionately to any other time. We

have also seen children being discriminated against. If I was to be asked which 3 main areas in which children have struggled most, it is their mental health and access to healthcare, their access to education, and juvenile justice and deprivation of liberty.

**Deputy R.J. Ward:**

Thank you. In your submission, you explained that a number of issues had been identified through your own casework on disability, basic health and welfare. What is the impact of these issues in particular, do you think, that you have seen through the casework that you undertake with individuals?

**Children's Commissioner for Jersey:**

Yes, and just to explain for those that might be listening, the Office of the Children's Commissioner has a role under the law to receive enquiries and complaints from children or adults that support children where they feel that their rights have not been upheld. What we saw, and Andrea can talk about this in a moment, is that we had a massive increase in the number of those received from children and parents about violations of their rights from the start of the pandemic. In fact, the scale of increase in our enquiries and complaints was around 24 per cent. In quarter 2 of 2020, and that is just when we went into lockdown, we saw the largest spike in enquiries. Those enquiries were mostly about education and the impact on restrictions of access for children. Now, that is not just about the digital divide but there are other issues as well. So, 43 per cent of our enquiries were about that, but others were about health, financial concerns, contact tracing, isolation and access to leisure and childcare. Andrea, I do not know if there is any more that you want to add to that?

**Deputy R.J. Ward:**

Are you ... please do if you want to, carry on.

**Senior Practitioner, Office of the Children's Commissioner for Jersey:**

At 2 years in I am still not au fait with the technology, sorry. I think as well it was particularly around access to equipment to be able to learn at home. We know that; that was put in the public domain as well. What we have also seen recently is around vaccine and the impact of not being able to uptake a vaccine and the requirements for isolation currently for children and young people. Those are the complaints that are coming through currently. Yes, on mental health, our survey certainly highlighted the detrimental impact on mental health of children and also indicated an increase in some safeguarding concerns for those children at home as well. Deborah has provided you with a pretty comprehensive list of the casework that has come through. We did see an exponential rise in the number of juvenile justice enquiries that came to us and increased deprivation of liberty. I think that is probably a brief overview Deborah has provided you quite comprehensively there.

**Deputy R.J. Ward:**

Can I ask in terms of the pandemic itself, some of these issues, were they already existing but were ... what is the word? Amplified, perhaps, by the pandemic? So, for example, in terms of welfare and basic welfare, I am thinking about facilities at home, whether there is space for children at home, given housing situations that we know exist. I am going to ask perhaps an impossible question to answer. Can you say in any way how much they were amplified? Could you put not a quantity but an effect on it? For example, it showed double the amount of children who suddenly were at real risk of ... that may not be a useful thing to do but perhaps it is just the way my mind works, but in some way to look at the size of the issue that has arisen, I suppose.

**Children's Commissioner for Jersey:**

If I start, Andrea, and then you can add in from casework. There are some areas where we know there were already issues and the pandemic has exacerbated those. So, for example, children's mental health, particularly access to services such as C.A.M.H.S. (Child and Adolescent Mental Health Services), it was difficult before the pandemic; it has become much, much worse. However, there are other areas which were not so much an issue before the pandemic but suddenly have been. One of those is the increase in children experiencing the impact of domestic abuse. Domestic abuse happened pre-pandemic and over the years the rate has been quite consistent, but what we saw is if you compared January to March 2019 to January to March 2020, domestic abuse rose by 49 per cent. That is huge. We estimate that that means about 3,500 children living in a Jersey household where domestic violence or abuse is present. If you imagine a typical classroom of 25 children that we have in Jersey, that means 6 of them on average will be witnessing domestic abuse. So that is one example where it was consistent up until the pandemic and has seen a massive rise. The other area is around juvenile justice. What we saw there was an incredible increase in the amount of children within the juvenile justice field. So what, for example, we saw was that since, I suppose, the last 10 years, up to 2019, the number of children being arrested year on year just fell and fell and fell and that was a good story. But during 2020 the rate of arrests of children and young people increased by 104 per cent, which again is massive. It is not necessarily related to the pandemic because they were not being arrested for pandemic-type crimes. So, we need to understand more about why there has been a spike in the number of children being arrested. Equally, we saw an increase in the number of children being stopped and searched by police. Again, over the past few years the rate of children and young people being stopped and searched has been reducing. In 2019 it was just 35 throughout the whole year. In 2020, it was 257. The police cannot tell us the exact reasons why these children were stopped because, although they have that data, they do not have it in a way that enables them to share it more easily. Again, that is a huge concern and we do know that during this period a child under the age of 18 was arrested, was detained and charged for breaching isolation regulation. So, as you can see, they are just some examples of existing conditions that were exacerbated and others that are new, and those new ones are where

we need to try and find out why and what has happened. Andrea, do you have more to add to those?

**Senior Practitioner, Office of the Children’s Commissioner for Jersey:**

I think as well what we saw in the pandemic was obviously we had the introduction of Meadow View. So we had an increase in the number of children who were detained for their mental health that we did not previously have. Also, we know that there were some under-18s who were placed at Orchard House last year as well. Yes, just to add that.

**Deputy R.J. Ward:**

Do you think that is again the lack of facility beforehand, the lack of provision beforehand, was just laid bare, so to speak, when the pandemic hit and we suddenly had this significant change to our lives, which none of us have encountered before? Therefore, it just exposed those inadequacies. Moving on, the next question I was going to ask was what the greatest positive impacts have been, if there have been any.

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

Sorry, Chair, before you move on, could I just ask a follow-up question to something that was being discussed?

**Deputy R.J. Ward:**

Yes, please do.

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

I was interested in the figures that, Deborah, you mentioned about the stop and search and the huge rise in children being stopped and searched. I wondered, given the fact that you have not been given the full data there, have you been able to do any analysis or do you have any insight into perhaps the culture within the police? I am just wondering about since the onset of the pandemic with a sudden influx of new powers, et cetera, being given to the police, is there anything about the culture within the police force and how they are interacting with young people that you have noticed is different since the start of the pandemic?

**Children’s Commissioner for Jersey:**

We have been working really closely with the States of Jersey Police and have been supported by their analysts to be able to scrutinise their data. I am really thankful for the Chief of Police to enable us to do that.

[10:45]

We have been able to offer some advice about where they should scrutinise their data because numbers are one thing, what you have to do is understand the story behind it. So they are now starting to look at the data in terms of, for example, ethnicity or heritage of the children being stopped, as well as their ages, as well as the reasons. Once that work has been completed we will have more of an idea about what might be going on but, of course, in terms of the culture, that is something that you would have to ask the Chief of Police. I think there is a difference between the States of Jersey Police and the Honorary Police because, of course, the Honorary Police do know our young people. They know where they go and hang out in their parishes. For example, I have spoken to Connétable Mike Jackson who has been able to talk to me about how his Honorary Police know the children, they find them on the beaches, they have a word and that seems to work quite well. So I think it is too early for us to say what has been happening except that it is a concern.

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

Thank you. Do you have any ideas of what you think could be done to perhaps improve the relationship between police and young people or improve that culture there?

**Children's Commissioner for Jersey:**

Yes. My team have been leading on a piece of work where we have been talking to young people who have been caught up in the justice system. We have asked them for their advice and some of that features in my recently published report on parish hall inquiries. Young people have been very insightful and they have said that first of all they need to be listened to and they need to be treated with respect and dignity, as we do with anybody who has been caught up in the justice system. They also talked about training, how they felt that police officers, whether they were Honorary Police or States of Jersey Police, needed more training to understand young people. You will understand, Deputy Doublet, the development of the child's brain and how that might impact in teenage years. So I am really pleased to hear that the States of Jersey Police and now the Probation Service have committed to training their officers on trauma-informed policing and practice, which is great news. Young people have also suggested that they learn about crime and punishment, particularly the process in Jersey which is unique and distinct, in school because they are saying: "We do not know what happens." There were a number of recommendations and I certainly would recommend having a read of those.

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

Thank you.

**Deputy R.J. Ward:**

The question I was going to ask leads on from that in terms of I suppose I can put it in the way of saying what positives could there have been from the pandemic, perhaps for children in some ways? I am guessing more time with families might have been one of them, but also in terms of learning. What positives could we take away in terms of the learning from what has been uncovered in our society that would be particular to children as we move forward and hopefully move out of this pandemic sooner rather than later? Let us be honest, we all want that.

**Children’s Commissioner for Jersey:**

I think there have been a number of positives for children and young people. One of them, for example, is children’s access to support when they are feeling that their mental health and well-being is poor. Pre-pandemic young people were telling us they did not want a face to face meeting with a counsellor. They did not like knocking on the school door to go and see the counsellor or walking down the “corridor of shame”, as they put it. They did not like having a telephone conversation. They were saying: “Can we just not text somebody and get some advice?” Pre-pandemic we were told that that was not possible, but what was really good to see is pretty much straight away after the pandemic struck the Jersey Youth Service transformed their youth enquiry service to be an online service and received massive numbers of calls. That is great because that is exactly what young people wanted. I am pleased to see that that is continuing, although it has moved back to predominantly a face to face service. That is something perhaps that we need to consider because that is what children are asking for. However, the Government of Jersey have also now put in place a new service called Kooth, K-double O-T-H, and this is an online service that young people can access, so that is a good thing. We also saw that for some young people ... and in a way it is desperately sad because in our survey we read young people telling us that at school they were bullied and their rights were violated and they were often upset at school and being home was nice because they were away from the bullies. I would not say that is a good thing. It highlighted an issue but it did give them a bit of respite. We have also seen, for example, the Jersey Child Care Trust have published data on early development goals for toddlers. What we have seen during the pandemic is because toddlers have been at home with mum and dad or whoever their carers are, that they have performed much better than previous years in the main in terms of language acquisition and some of those early development goals. But, of course, while some have done very, very well because they have had that closer connection to their parents and carers, others growing up in flats where there is multiple adults living there, where they have not had access to space, particularly outdoor space, we have seen their well-being struggle. So it has been a tale of 2 halves, really. Some children have thrived with online education and their schools have stepped up and been able to provide that content very well. Other schools struggled to provide that content and other pupils have felt that their education has suffered because they were not in school. So, again, it is a mixture, really. Andrea, do you have any more to add to that one?

**Senior Practitioner, Office of the Children’s Commissioner for Jersey:**

Yes. I was just thinking about “Life on the Rock”, Deborah. It is an interesting piece and I would recommend everybody go and read it. It has highlighted 10 areas across children’s lives and it is how children view childhood in Jersey, but it is an interesting piece in that the research for children and young people was done just on the cusp of going into the pandemic stage and the evaluation that we did with children was done during the pandemic. Children did in the main highlight lots of positives about growing up in Jersey, but what it does show is that kind of inequity of split for children. As Deborah mentioned, some schools pulled together an amazing offer, some other schools were a bit slower at pulling their offer together, and all children should have had the same equal, good, gold standard offer during that time. But what we also know is that children really welcomed going back to school and being in school because school is a place of safety, school is a place of socialisation. It is not just about rote learning. We know that education is an immersive experience, is it not, and it is about developing who you are and your peer group and, if you like, as a teenager your tribe as you move away from your family. So I do not think we can underestimate the importance of school for children and being in school.

**Deputy R.J. Ward:**

Okay, I think we will come back to some of those areas in a moment. Deputy Doublet, do you want to take on question 3 that I have you down for?

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

Yes, thank you. Given the actions taken to date, do you believe that the Government of Jersey has put children first throughout the pandemic?

**Children’s Commissioner for Jersey:**

As I have stated in my report, I do not believe that they have, but this is not unique. As my report explains, I am part of a European network of ombudspersons and children’s commissioners. It is a network of 42 countries across the world now - it is beyond European borders - and our work during the pandemic involved international research into how different countries have performed. I think it is clear to see that a number of countries have failed to protect and promote children’s rights during the pandemic, although some countries have done it very, very well. It is interesting in the research to read what it is that other countries did that was different. But what I saw here in Jersey is many times the excuse for either rushing through a proposition or a piece of emergency legislation was because we need to act quickly, but some of those propositions and some of the bits of legislation had not been properly debated. I know that there was a lot of comment in the Chamber at the time. On one occasion the then Minister for Children told me that a proposition in his name he had not even seen. I was told that the reason why there was less scrutiny around children’s rights during this period was because it all had to be rushed through. My argument was: when you were making

propositions and making changes in law that impacted on children, then you need to have extra scrutiny. Because if it is all in a rush, the Minister for Children has not seen it, the Chamber has not had the time to properly debate it, then that is when mistakes are made. We were able quite quickly as an office to get on top of most of the laws that were being lodged. One of the propositions being put forward was to make a substantial change to fostering arrangements. I refer to it in my report; you can read what I said. I made it clear that I totally did not support that because it may put children at risk of harm. As a result, that proposition was withdrawn. If we had missed that because they had not asked us for feedback on it, then that may well have gone through. So those are some of the ways in which I think the Government missed a trick. At the end of my report, what I have included are the 5 recommendations that E.N.O.C. (European Network of Ombudspersons for Children) have made to our European Governments as a whole. They all really do apply here. If we want to be better, they are the things that we have to do. What we have to do is put children's rights at the heart of decision-making, whether we are in a pandemic or not. That is the only way in which this Government can fulfil their obligations under the United Nations Convention on the Rights of the Child, which does say that this Government will protect, fulfil and realise all rights of children.

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

Thank you. You mentioned that putting children first should be something that is embedded within the culture. In terms of the decision-making culture of Government throughout the pandemic in relation to issues directly affecting children and young people, was it evident that that was embedded within the culture at all? Is it starting to be embedded in there? What kind of level would you say it was at and what level do you think it is at now?

**Children's Commissioner for Jersey:**

I think it could be much improved and I would say that it was weak from the beginning of the pandemic even to now. I have been to the Competent Authority Ministers' meeting just once and, to be honest, I invited myself because I am not an invitee to that meeting. I went because I was very concerned about the impact of measures for children returning to school. I wrote to the Chief Minister and set those out and requested an audience with C.A.M. (Competent Authority Ministers). What I will say is I do not believe that my attendance at that meeting was particularly welcomed by all members and that has to be something that has to be better improved. Equally, more recently I have requested an urgent meeting with the Council of Ministers to talk about children growing up in care and to share some very serious concerns that myself and my team have. Again, over the last 2 years I have been to the Council of Ministers once, I believe it is. The Council of Ministers have now, just in the last month, agreed for me to attend more regularly, but this should have happened right from the beginning. What we have seen is in countries who have managed to protect children's rights during this period they have totally involved their children's commissioner or their human rights commission in providing that advice, not making decisions but making sure that the decision-makers

have had that human rights advice right in front of them. That is the gap that I think we have seen over this period. It is what I would like to see improved. One of the problems with the pandemic is that it has delayed legislation that was planned. You will both know that in 2018 at the beginning of the start of the term of government, they promised that by the end of their term of government they will bring forward legislation to incorporate the U.N.C.R.C. (United Nations Convention on the Rights of the Child) into domestic law, as our human rights law does for the human rights convention. This has not happened. The Draft Children's Convention Law is still not lodged and just this week I have been told that the Council of Ministers have asked for last minute changes, so it has had to go back to the law draftsmen.

[11:00]

Deputy Doublet, you will be all over this because this was your recommendation back in 2017 under P.60. So I am deeply concerned that this piece of legislation that was promised is still not yet on the table and we might risk running out of time before the end of the Government to get this lodged and approved. That particular piece of legislation puts in statute a children's rights impact assessment. If we had had that at the beginning of the pandemic, some of the decisions would have been different and outcomes for children I do not doubt would have been better.

**Deputy R.J. Ward:**

Sorry, Deputy Doublet, I realise there is no hands up facility on this screen. I was thinking, oh, you did not put your hand up. I can see why now because I cannot. Can I just ask one quick question there? In terms of that sort of presence and that inclusion, if I can use that word, of your role within the Council of Ministers, do you have any idea as to why that may be the case? You may not be able to answer this, I do not know. Is it a misunderstanding of your role? Is it a fear? Is it a lack of interest, do you think, or of taking things seriously? I think it is important for us as a panel with this response as well in terms of children to get a feel for the culture around it and the view around these roles that have been, as you have said yourself, useful in other jurisdictions. Do you have any answer to that?

**Children's Commissioner for Jersey:**

Yes. I think it is a mixture of all of those things, Deputy Ward. Bearing in mind that the Commissioner for Children and Young People (Jersey) Law was passed in July 2019, so just pre-pandemic, I think we have all been getting used to having a national human rights institution for children on the Island. It is a massive change. It came in the aftermath of the care inquiry and I think people have not forgotten about the care inquiry but in some instances have quietly put it to one side. We must not lose sight of the recommendations that were made at that time. So I think it is about staff, so government officers as well as politicians, understanding the role of the commissioner and

understanding why we are here. We are here to promote and protect children's rights and have statutory duties. Those statutory duties involve reviewing how government services are provided, but it also involves giving advice to Ministers. You will note in my report that on a few occasions the Minister did not ask for advice when in law they are expected to do so. I think it is a mixture of not really understanding the role and it being new, plus the necessity to make urgent and quick decisions and perhaps officers sometimes under pressure, forgetting that they need to talk and communicate with us at an earlier stage. But there may well be something about the culture. It certainly has been a change. As you know, I was recruited by a previous Government in 2018 and it did seem to be a culture change with the new Government. Having a frequent change of Minister did not help either. With the changes in the Minister for Education and the Minister for Children it has made it difficult to strike up a rapport and to help support. Because one of the ways that we work is collaboratively in that we get in and among the issues that Government are dealing with. We provide advice and we on some occasions help to deliver some of the work. That is the place where we want to be rather than we wait, we are given something last minute to provide advice on, and then we say: "That is contrary to children's rights." It is much better to be involved at the beginning. So I do hope that with the new Government and also with new leadership in the civil service we might be able to better develop that relationship.

**Deputy R.J. Ward:**

So can I just ask ... sorry, Deputy Doublet, it is just that things come out of answers. Can I ask why that rapport perhaps is not there? Because surely the one consistency is your post and your office. So if you are walking in as a Minister that is there for your use. Do you think it is just viewed perhaps incorrectly? We are getting slightly off-target with the questioning here, but I think it is important to see in terms of children's response, given what you have said about the importance of these roles. Do you think perhaps there is some learning to be done from Government about using as a resource ... it sounds terrible to use it as a resource but that is the issue, is it not?

**Children's Commissioner for Jersey:**

I think so. I think part of the problem is a lack of understanding as to our role and what it is that we do. What we do not do is go around kissing babies and opening schools. What we do is we talk to children and young people all of the time and we represent their views. I think moving forward it would be better if I was able to attend the Council of Ministers regularly to give them that independent view as to what is happening. It is clear when I have been to C.O.M. (Council of Ministers) more recently that they were not informed about some of the key issues that were happening. I can see how that might happen, so the importance of having this independent role, which is a non-political role, is that I can come and say: "This is what is happening for our children." I think that is important moving forward. I think also the problem with the pandemic has been that we have not been able to deliver as many workshops as we would like to provide that training. We did do those pre-

pandemic and I hope that we might be able to do more of those again. I think moving forward we would hope to grow a better and stronger relationship. Certainly, I see my colleagues in Scotland, Northern Ireland and Wales having weekly conversations with their Chief Ministers or their equivalent and a whole range of Ministers. Now, that is starting to happen now in that I do have fortnightly meetings with the Minister for Children, but that did not used to happen before.

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

Have you finished your line of questioning, Chair?

**Deputy R.J. Ward:**

Yes.

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

Thank you, Deborah, for your answers. I just wanted to pick up on some things in terms of the culture. One of I suppose the more structural things rather than a cultural thing is that the Minister for Children and Education is not automatically a member of the Emergencies Council or the Competent Authority Ministers. What is your view on that? Also, if you could give your view on any other structural things, particularly whether there should be separate Ministers, whether it should be a children and education Minister or whether you think it should be separate, and any other structural improvements that you think could be made to improve in this area, given that we have an election coming up.

**Children's Commissioner for Jersey:**

I think one of the issues during the pandemic is that the Competent Authority Ministers did not have anybody around the table to advise on children's education specifically, bearing in mind that was the key area where children suffered. They did have people around the table to comment on children's mental health, but again it was not specifically linked to C.A.M.H.S. or other mental health and well-being services. I think that has been an issue and moving forward I would like to see in any future structure as the pandemic continues that somebody is there representing the breadth of children's rights. Because it is not as simple as it is just about their mental health and their education. It is much, much broader. We are seeing children becoming homeless because of what has been going on in the family home because of the pandemic. That is about an increase in domestic abuse but also the increase in families struggling financially. In terms of the Council of Ministers, I have already mentioned I think that there should be a standing agenda item where the Children's Commissioner can come and highlight the key issues of concern that need a joint response, but also there should be a standing agenda item on safeguarding. Any government meeting should be really focused on child protection and safeguarding and that does at the moment appear to be the Government's weakest point. There are some real issues in that area at the moment but, of course,

if it is not a standing agenda item it might get missed. I think moving forward what we would like to do when the new Government is in the Chamber is to provide some training on children's rights. We have a children's rights training package ready to give, and that will be a face to face as well as an e-learning package. We would love the opportunity to provide that to everybody. We are also going to be working with children and young people in the early part of this year to write a children's manifesto for children's rights that we would like to give to anybody who is thinking of standing. In that way, I hope that those that stand and eventually are chosen will truly understand what putting children's rights first means. So they are some of the structural changes. Among officers, I think there needs to be a greater acceptance that children's issues sit beyond C.Y.P.E.S., the Children, Young People, Education and Skills service. It seems that what has happened is that this silo working, despite the One.Gov plan, has not really made a difference within C.Y.P.E.S. because children live in homes, their parents have to go to work and sometimes need support through benefits. So it is really important that those children's issues are embedded in the remit of the Minister for Health, the Minister for Social Security and others. Now, to get to your question about whether or not you have one Minister for Children or 2 or 3 or 4, what I would say is the more Ministers around the Council of Ministers table whose portfolio has a responsibility for aspects of children the better. Because when you are making a vote then about children you are going to get more votes in terms of children's rights. But, of course, that might be difficult. We are just a small Island. We cannot have a Minister for every part of children's lives. But what we have seen is the reliance of a Minister for Children for everything has meant that everything is deputised, if you like, to that Minister delegated. That Minister does not necessarily have the remit to challenge some of the issues that children are facing. So, for example, we know one of the biggest issues at the moment is there are insufficient places for children to be in care. We do not have enough foster carers but also we do not have enough residential homes. We know that C.Y.P.E.S. and the Minister for Children have wanted to open another residential home or smaller unit, but they face problems. They face problems around planning. They face problems around some of the legal aspects and also problems around foster carers and income support. These are issues that sit outside of the Minister for Children's remit. So, whether it is one Minister or a group of Ministers, what is important is they work collaboratively around children's rights and they are able to get rid of those barriers that stop some of the practical progress that needs to be made.

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

Thank you for those answers. Shall we move on to the next question, Chair, or did you want to ... do you feel that that has been covered?

**Deputy R.J. Ward:**

Yes, I think we have covered a lot. The next question, although I think it is a particular question, is of areas of society you believe have been hardest hit by the pandemic and how those areas have

been affected as a result. Our advisers recommended that a review should be undertaken to assess the barriers to children in poverty on the Island. What is your view on that recommendation?

**Children’s Commissioner for Jersey:**

We will say that pre-pandemic we knew that a proportion of our children and young people growing up in Jersey are growing up in relative poverty. However, the data in that area is quite poor. We had to look to 2017 and 2018 data, which is the Jersey Opinions and Lifestyle Survey. But even then, pre-pandemic, we saw the extent of families going without fresh food and vegetables, going without new clothes and struggling to bring up their families. It was particularly bad for particular groups of families. We know in the more recent survey that this has been exacerbated for some families because of the pandemic, particularly those families working in hospitality and agriculture, for example. Pre-pandemic, our research estimated that around 30 per cent of our children and young people were growing up in poverty. Because of what we know and what we have heard, we can only assume that that has grown.

[11:15]

I do understand that there was a proposition that was passed that allowed work for, I think, Statistics Jersey to look into the extent of poverty, and that has to be crucial because if we do not know what we are looking at we cannot put forward solutions. Anecdotally, we are seeing more families at the foodbank. One foodbank alone sees on average about 30 families a week. On some occasions children are queuing up at the foodbank in their school uniform to take food home to mum or whoever it happens to be at home. So we know that poverty is having an impact on their access to food, but it is also having a massive impact on access to housing. Andrea will be able to talk about this in more detail but we have seen more families break up during the pandemic and we have seen more families in the women’s refuge. We have found women and children who have then found themselves homeless either because of the status of the caregiver in that they do not have qualifications or because they just cannot afford to rent on their own in the rental market, and what we have seen is that the Government’s response has been repatriation. So what they are saying to families is, rather than: “You are in a crisis, we are going to help you and your children who have been born here” they are saying: “We will put you on a plane back to the country that you came from 4 or 5 years ago.” Andrea, is there anything else from casework that you want to add to that?

**Senior Practitioner, Office of the Children’s Commissioner for Jersey:**

Yes. If I look at the issues that come to us, the biggest issue is around children’s social care and education, but housing comes next. We have seen a steady increase in the number of those, particularly through the pandemic, where somebody will flee a domestically abusive situation and go to the refuge but they are not entitled to any housing support. They go back to that relationship

because they have no other option. That is a real safeguarding and child protection concern and we should be having more support for those families in those situations. I know that there is some moves towards having a temporary licence that may be granted, but when you are leaving domestic violence you have to rebuild your entire life. It needs to be something more than just temporary, it is not fixable in, say, a 3-month or 6-month period. We have also, rather worryingly, heard anecdotally of people being advised to go to the women's refuge where there is not domestic abuse because that is how you might get support. That is a misuse of that and should not be happening. Also, families with very young children, new-born babies, where they are thrown into crisis and this puts more pressure on families that could lead to incidences of child protection concerns really because families are under such duress and stress. But what we have found is where we appeal - I hope you do not mind, Deborah - where we make application and support families in appeal, they are routinely rejected and we have raised the situation with the Minister and his position and then position on the Housing and Work Advisory Group and the conflict that that presents in him potentially overturning a decision that was made earlier. There was some policy advice that has gone out; I hope you have all been able to access that but I am happy to forward that on again.

**Deputy R.J. Ward:**

Sorry, are you referring there to the fact that the Minister for Housing and Communities, as it is now called, would be on H.W.A.G. (Housing and Work Advisory Group), they will have made a choice early on, and if an appeal was made to him he would have to effectively go against his own decision?

**Senior Practitioner, Office of the Children's Commissioner for Jersey:**

Yes.

**Deputy R.J. Ward:**

Yes, those things exist. That is something we highlighted in one of the reports on redress and accountability as to his making decisions, but that is an interesting area that you can see the implications of, yes, in a practical way.

**Senior Practitioner, Office of the Children's Commissioner for Jersey:**

Fundamentally, when decisions are made on hardship, there is no consideration of children within that. It is to do with the adult applicant and does not consider family members.

**Children's Commissioner for Jersey:**

One of the things we have seen directly, I think it is about 86 children and young people, Andrea, that have been affected in our casework, 86 children and young people are in housing crisis, seeking our support because of the impact of the pandemic. So poverty is the umbrella but underneath that we see a range of issues. What we saw with regards to children's access to health is that was made

worse as well during the pandemic. You will know that the urgent treatment centre was set up and initially there were 2 charges. If you were registered with a G.P. (general practitioner) it was £10. If you were not, it was £20. We were able to get that removed quite quickly, but parents still had to pay £10 for their child to be seen. I have been provided evidence of where children were turned away from doctors' surgeries because they did not have £10. In one case a mum just had 7 quid and was told she could not see the doctor. What happened on that occasion was a member of the doctor's surgery staff rushed out and gave her £3 to top it up to 10 so her child could be seen. That is just one example - I am sure there is plenty more - of where children's health has suffered because of parents in poverty, which has been exacerbated because of the pandemic. As you know, prices are now back to where they used to be pre-pandemic. It is really pleasing to see that the Minister has provided free access to G.P.s for families on income support, but of course that does not cover those families who have not lived here for 5 years, who are not entitled to family support. So we still have a whole group of children growing up in poverty who cannot do the simplest thing like going to the doctor and that is going to have a massive impact on their health growing up.

**Deputy R.J. Ward:**

Thank you. There is so much there, I am sure we are going to come back to some of these areas as we go through. I am conscious that we only have until 12 o'clock and we have so much to cover. It has been, I think, very, very useful. Deputy Doublet, do you want to lead on beginning the questions in section 5?

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

Yes, thank you. The decision to close schools was initially taken in March 2020 and schools returned in June 2020. They have been open since, apart from, I think, there was 2 or 3 days where they were closed at the beginning of term in January 2021. What is your assessment of the Government's response in relation to schools, please? Did they get it right?

**Children's Commissioner for Jersey:**

What we know for sure is that the emergency measures have impacted on the children's right to an education. Whether schools were open or not, it has had an impact. As you have quite rightly said, during lockdown schools were closed apart from access for children of key workers and also those children living in situations of vulnerability. So they might be on a child protection plan or be known to children's social care. What we did see, though, is even though schools were open for those groups of children, very few of secondary school-age children who were living in situations at risk actually went to school, so that did not particularly help. What we were told is that those children were having weekly face to face meetings in the family home, but I have not seen any data to back up how many children were seen alone in the family home to check that they were safe. Now, we have seen some pretty horrific outcomes of the impact of lockdown in other countries with some

very sad and tragic child deaths. We would not want that to happen here. But we do know that in terms of children's social care data there is still hidden harm. The Director General himself has referred to the hidden harm that has not yet been seen by our Island. If we look at numbers, for example, children who are looked after, so children in foster care, children growing up in children's homes, pre-pandemic in 2019 there were 83. That went down during 2020 to 76 and in 2021, the year just finished, just 68. So what we have seen is the number of children growing up in care has reduced considerably during a time that we know that families have really struggled. What we have seen in other countries is that the numbers of children in child protection has risen and also the number of children in care has risen, as well as the number of children on children in need plans. Of course, we do not have that category here in Jersey. So we have seen C.A.M.H.S. caseloads rise massively. Children's self-reporting of mental health is really poor - it is about 48 per cent - yet we are not seeing that in children's social care. So the impact of school closing and the mitigation measures by allowing these children to come into school has not worked and we still do have those hidden harms. The other impact on children is around public examinations. Deputy Ward, you are a teacher, as I used to be, and we always debate the role of teaching. Is it for children to pass exams or is it something else? Children's right to an education is not just about passing exams, it is about developing the whole of the child. Nevertheless, our system relies on children passing examinations. We saw that children were unable to take public examinations and 25 per cent of our pupils said they were really worried about that and they continue to be worried about that. One of the problems that we face are these summer examinations because we still do not know if they are going to go ahead or not, whether it will be safe for them to do so. If they do not, we have children who did not take examinations at G.C.S.E. (General Certificate of Secondary Education) level, nor A level, facing university when they have never taken a public examination. I have not yet seen any mitigation measures around that. I have called for the president of the Universities Committee in the U.K. (United Kingdom) to put in place some mitigations but we are yet to see any of that. Online learning, you will be well aware, was really inconsistent across the Island, children without digital devices, which until recently has still been an issue. Two years on from the pandemic and we still have had children not being able to access a digital device until quite recently when a charity has provided them to schools. We are in a digital age but it does seem that the pandemic has caught education out in terms of their ability to react quickly. Indeed, at the beginning of the pandemic teachers were not allowed to use Microsoft Teams. It was not part of their way of working. Now that has changed and that is a good thing, but we were caught out. But it is not just about having a device, it is also about being able to pay the bill for access to data. It is expensive. I am quite shocked about how expensive it is in Jersey. If you have unlimited data from one of the providers, you are looking at £50 or £60 a month. Some of our families in poverty just cannot afford that and, therefore, their children are missing out even today. The other part of accessing education at home is having somewhere to sit that is quiet and having access to simple things like pen and paper. A teacher showed me a child's homework that had literally been written on the back of an envelope

because the child did not have paper. They did not have technology but neither did they have paper to write their essay. It was completed on the back of an envelope. The parent photographed it and sent it to the teacher to be marked, and that is not acceptable. Our schools know our pupils. They should at least provide very simple packs that they can have when they are working from home. Even today we have children isolating at home. We need to make sure that they have everything that they need. So, I think the Government did take steps to mitigate the impact on education, putting in place lateral flow tests and other measures, but we know that the children's rights impact assessment was not completed until much later. That was about their return to school rather than their removal to school. I think moving forward children's impact assessments at any decision may well have allowed them to just highlight some of these issues and come up with some ideas about how to mitigate them first.

**Deputy R.J. Ward:**

Sorry, Deputy Doublet, can I just pop a question in here because I think it fits? Currently, when you talk about exams, I am sure you are aware there are exams that are happening now, in January, for both ...

**Children's Commissioner for Jersey:**

Yes, G.C.S.E.

**Deputy R.J. Ward:**

... and also BTEC exams and post-16 exams going on where particular year groups may not be in school. Do you think that ... I suppose this is a harsh question. Has anything been learned that has improved that situation that you can see or are we still in what one could say is a chaotic situation regarding young people and their exams and whether they are in school or whether they are not in school?

[11:30]

Being given a second chance to do it later in the year really does not fit because as a teacher I know the preparation you take for a specific exam at a specific time, but then to say: "Oh, do not worry, you can just do it later in the year", that is not the way young people work and it is not the best way to do it. Do you think anything has been learned or do you see similar mistakes being made or have there been improvements in that situation?

**Children's Commissioner for Jersey:**

I think what we are lacking is some consistency in approach. We saw that some pupils who were ill with COVID over Christmas or were isolating because of family members were still required to revise

for their examinations, not knowing if the examinations were going ahead or not. That uncertainty must play really heavily on their mental health. I think what we do need is some certainty. The problem there is, of course, that the examinations authority sit outside of Jersey so we are reliant on their decisions. But we should be doing everything that we can locally to make sure that our youngsters are properly prepared and that they are given opportunities to resit and that they are not put under pressure because of the pressure on schools to have results. So, as you know, we do not have league tables, but schools very much through the review process are looked at in terms of the percentage of pupils that pass examinations. I think there could be more support and for that conversation with head teachers to be open so that everybody can be involved in those discussions, to say, look, forget about the pressure on having so many pupils getting through 5 G.C.S.E.s or not, let us just concentrate on their mental health and well-being and make sure that when children are ready to take examinations they can and that there are other opportunities if need be. But from what I can see is in most of our schools there is still enormous pressure on teachers and on pupils.

**Deputy R.J. Ward:**

Yes, I think we are heading into a whole world of that discussion now but we will move on. Sorry, Deputy, go on, carry on, you have some questions.

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

No, thank you. I wanted to pick up on you mentioned hidden harms, Deborah, and there are highly likely to be problems that have not been picked up yet. How should the Government go about uncovering these and bringing them to light so that they know what the problem is, first of all?

**Children's Commissioner for Jersey:**

I think what we saw is during the pandemic, at a time where there should have been forensic scrutiny of children's services, really important meetings did not take place and you will be aware of some of this. The board that was set up to oversee the improvement of children in social care because pre-pandemic children in social care were seen to be failing, to be lacking and needing improvement; that board stopped meeting for nearly a year, for 9 months. The Corporate Parenting Board did not meet for over a year. These are areas where surely if these boards are there to keep our children safe and they stopped meeting, who is being held to account? There is no doubt that work was still going on behind the scenes, social workers were still doing their day job, et cetera, but who was there to hold the services to account but also to say to them: "What do you need? How can we work together as a board to make sure that you have the support that you need to tackle all the barriers? How can we work together to see the hidden harms?" That is the bit that is missing. We know that reliance on the U.K. for agency social workers has meant that staffing levels have really struggled. You will read that in the Greenfields report that was published by the Care Commission just last week. The problems there have been around issues about recruitment of staff. We know - because

the Government have said this in their own reports - that the children's service have struggled to maintain services to protect children who may be at risk of harm; that is what they have said. In September 2021 they stated: "We do not have sufficient on-Island care settings for children in the care of the Minister." That has meant that they had to establish care settings outside of the regulations and they have placed children in children's homes outside of their statement of purpose, so, essentially, breaking the law. It also said: "We are struggling to meet all of the assessed needs of children placed in Greenfields." You know that in Greenfields is the place where our most vulnerable children are held. These are not all children who have committed crimes; in fact, the majority of children there are there on secure accommodation orders, which means that they are there for their own protection and safety. They talk about challenges with staffing levels, the inexperience of staff, the mix, the number of the needs of young people. What we have seen is there are hidden harms, the data highlights that and children in social care have not yet seen the anticipated increase in need. Is that because we are not looking or is that because it has not happened? I think, Andrea, you and I would probably say that it is probably the former because of what we know about the increase in mental health and well-being, the increase in alcohol use among adults and parents and the increase in domestic violence, the sheer number of families who are struggling financially. That is why I am still concerned and that is why I went to the Council of Ministers about our children on the Island.

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

Did Andrea want to come in there at all?

**Senior Practitioner, Office of the Children's Commissioner for Jersey:**

My background is a social worker and it is a very difficult position for social workers here. We do not have the same set-up as we do in the U.K., so you are not a local authority, you have not got the separation in order for much to perhaps give some challenge where something is not working as it should and to bring in those measures that might then improve that. That is quite right, is it not, Deborah?

**Children's Commissioner for Jersey:**

Yes.

**Senior Practitioner, Office of the Children's Commissioner for Jersey:**

What I will say is we have seen our most vulnerable children in Greenfields. Greenfields has gone from a facility that has been relatively empty in previous years to one that is consistently full and a lot of social work attention has gone to that area. We have seen an increased use in secure accommodation orders. The legislation around secure accommodation is quite broad; if a child is going to abscond or they are a risk to themselves or others they are placed there. We have children

placed within Greenfields for mental health, secure accommodation, remand and sentence. All but one of those children who have been placed at Greenfields in the last 5 years have already been in the care of the Minister. I think we need to sit with that and think about that and what that means. When we say to a child: "You cannot stay with your family because the care provided is not good enough for you to thrive and grow, so we are going to place you in the care of the Minister and then we are going to place you in Greenfields", because the care of the Minister is not acceptable either. I think that is deeply, deeply concerning.

**Deputy R.J. Ward:**

Absolutely, yes. Sorry, Louise, do you have some more questions there?

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

I feel like perhaps we should follow up on that, rather than following the lines ...

**Deputy R.J. Ward:**

Yes, please do, please do, I agree.

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

It is hard to know what to ask, though. Have you ...

**Deputy R.J. Ward:**

I suppose I would say that you are absolutely right and that is a very good perspective. Let us ask a simple question: do you think that is understood by Government? Do you think Government have sat down and had that conversation to say all but one child that is in Greenfields has been in our care and so, therefore, I can say it, that care has failed because the child is in a similar place?

**Children's Commissioner for Jersey:**

I think they do not and I can say that because last month, again, I invited myself to the Council of Ministers because I was very worried about children growing up in care, particularly Greenfields. I went and spoke for an hour and a half, giving some examples of where that care just was simply not good enough. The Minister for Children and Education agreed with me, as did other Ministers around the table. Some of the other Ministers did not know and they said: "We just were not aware of this." They asked their own Chief Executive: "Why are we not aware of these issues?" They asked the same of the Director General, who was in the room, and I think that is part of the problem. Putting children first is a key priority in this Government's Plan. I would say that means putting children's rights first. But surely in the aftermath of the care inquiry the Council of Ministers, no matter what other pressures that they face, whether it is a pandemic or not, they should be totally forensically scrutinising those children who are most vulnerable and they are our children growing

up in care and needing other support. If they are saying to me: "We do not know what is going on" then that is a problem; that is a failing. Andrea is quite right, it is a shocking statistic, is it not? A parent has said that to us: "My child was taken away from me because I could not care for them and now the Minister cannot care for them and so they are locked up." I think we have to question that and in fact my team will be carrying out some work on that over this year. We need to look at our attitude towards children and young people who are in need of care, protection and support. We need to make sure that we give families all of the support that they need so we do not have to remove these children in the first place. But if we do have to remove those children, then it should be for a short period of time, so that they can go back to where they belong. But then, ultimately, if it is absolutely necessary and it is impossible for that child to go back, then they should be given the very best care that they can. We are not talking about a lot of children in Jersey, we are talking about 60, 70 children a year that this Government is their parent and right now they are failing those children. We were talking about this 4 years ago at the end of the care inquiry. We need to see rapid support, we need children's services to be given the support that they need across all of government so that they can make the changes. For example, one of the problems, as said, is recruitment of social workers. We know some of the barriers to social workers coming to the Island. We know that some people are recruited and then do not take up the post because of the cost of living, the cost of housing, the choice of schools for their children. They are all things that can be practically eliminated but we need a whole government approach to do that. It is only then when you get in staff on permanent contracts that stay consistent, then they could be supported with good quality training and then you can start to drive the change.

**Deputy R.J. Ward:**

Can I ask, do you think that a lot of time - and I think we have experienced this in the Assembly - the pandemics are being used as a reason for something not happening? Do you think that this could be better viewed as an opportunity, given the inadequacies, I would say, have been exposed to say there is never a better time to now address these issues? We should be seeing this as an opportunity. Do you think that is a trick that has been missed, if I can put it that way, during the response to COVID and with the children in particular? Do you think that was early on? I can perhaps forgive early on because nobody really knew what was happening but we do now.

**Children's Commissioner for Jersey:**

We do now and I think we must remember that this global pandemic caught out everybody and nobody has been through this before. People were working at pace to try and deal with the situation, which over the last 2 years it just keeps changing at every turn. You think you are there and then suddenly there is something else and that is going to continue, though. Let us be honest that that is not going away. We do have to learn from it. I was quite clear in my report to you that the Government could have done better in making sure children's rights were considered when they

were making decisions during the pandemic. It has been easier for the Government to use the excuse of the pandemic to ignore or marginalise children's rights, rather than placing them centre stage, but this is now our opportunity. One new law is being lodged, which is the new Draft Children and Families Law. That must be debated and it must be passed without amendments to make sure that in law children have the very best protections. We cannot risk that being delayed.

[11:45]

The second bit of legislation that will support this is the Draft Children's Convention Law, the one that brings in the due regard to Ministers and a children's rights impact assessment. That has not yet been lodged and is in danger of being delayed. Let us put what has happened behind us and make sure that moving forward children's rights are centre stage, by making sure that those 2 vital bits of legislation are in place, ready to go, so that when the new Government sits it is there and we can train staff on those new bits of legislation and make sure that the building blocks are in place as we move forward.

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

Could I follow up, Chair? I just wanted to reflect on that quite moving evidence that Deborah and Andrea gave about children not receiving the care from Government, who have, effectively, parental responsibility. I just wanted to know, on a kind of human level in terms of the day-to-day actions, a good corporate parent, what would that look like to you, Deborah or Andrea, whoever you think would be best to answer that? What would that look like and sound like to a child who is under the care of the Government as their corporate parent?

**Children's Commissioner for Jersey:**

Andrea can follow up but if I were a child growing up in care, I would never hear the term corporate parent, I would just know that the care that I received was loving and caring and kept me safe from harm and was the very best that all my friends were receiving, whether they live with their parents or not. Corporate parenting as a theme is complex and it has lots of aspects to it but for the child they should not see any different. What we are seeing is children growing up in care. We spoke to them at length this last year in preparation for a piece of work we were doing with the United Nations, the general discussion. They told us things like: "Why can we not go on holiday like normal kids? Why can we not have friends round and in our bedrooms like normal families?" Because when they are growing up in care they are not allowed to do that: "Why can we not have sleepovers?" They see their lives as being distinct and they are identified as being in care. If you read their notes it is all about their identity as being in care or a care leaver, it is not about their identity as a child or young person in need of care, support and protection. We still do have this culture of our attitudes

towards those children who need our greatest help. I am sure Andrea has much more she can say about what a good corporate parent looks like.

**Senior Practitioner, Office of the Children’s Commissioner for Jersey:**

Yes, I think Deborah is right. A child in care does not want the Minister to come and visit them, they are not interested in that. They just want you to do what you need to do and they do not need to have anything to do with that, they just want to go about their life. An example being seeing your family on Christmas Day if you live in care and how you are risk assessed, a risk assessment for you to go outside. But I do not apply a risk assessment per se as a document to my children about whether they can make a visit somewhere, the language that is used. We have had children tell us: “I do not know where I am going to live” because the home that they were living in another child has moved in. That does not happen normally, that is not the experience it should be. A corporate parent should make sure that the home of a child is a home, that they do not have to ask for a kitchen door to be unlocked and they do not have to ask to have access to pocket money. It should just be a given that they should be supported to see their friends, to maintain contact with their family. If they are, say, for example, placed at Greenfields, that they can still go to their school, that they can still go out and see people. The only thing Greenfields should be is a locked door on the outside, not on the inside. They should be able to move around freely. That currently does not happen. Sometimes their bedroom doors are locked and that should not be the case.

**Deputy R.J. Ward:**

Can I just ask you something there? Sorry to interrupt you, it’s just you have triggered something that somebody had said to me, which was that what we have are a lot of heroes who are saving but we do not want that. We just want the structures to be in place, so you do not need people to be heroes because there are rights and there are structures and there are places to live. Most parents do not call themselves heroes, they call themselves parents because that is what you do. Do you think that is a cultural change that is not recognised and there is a reality in that statement?

**Children’s Commissioner for Jersey:**

I think so, yes. I cannot remember, I think it is 2018 that the Government brought in some experts from Leeds, I believe it was, Nigel Richardson is the name, and provided workshops. I attended some of those workshops and some of those were with politicians and Ministers and we talked about what makes a good corporate parent. But it is very much about parenting and it is making sure that during the period that the child is in care that the ambition, where it can be, is that that child goes back to a family member. Because most do at the age of 18 anyway because that is their family. I think maybe there has been a culture in the past about removal from families rather than repairing families, and that is what has to be changed, is we have to accept that we need to repair families, rather than just keep removing children. But when we do remove children and they are in the care

of the Minister, not just the fact that they have a home and they can access food and they can see their friends and family where it is safe to do so but they have access to therapeutic care, and this is the bit that has been consistently missing. It is no good just having a meeting with a counsellor once a week and thinking that might do it. Children who have experienced all sorts of adversity growing up need to access evidence-based therapeutic care and we need to spend money to make sure that we are providing that and we are providing that in the right environment, so that children can learn not how to overcome but they can learn to live with the adversity that they have suffered. They can build resilience and they can then grow into healthy adults, and that is the bit that seems to be seriously lacking at the minute.

**Deputy R.J. Ward:**

Okay. Sorry, Deputy Doublet, do you mind if we ask a few things in question 11 onwards about post-COVID?

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

Yes, I think we have covered most of 8, have we not?

**Deputy R.J. Ward:**

Yes. Okay, thank you.

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

Perhaps a bit on question 10 just to zero in on some of the specific areas of therapeutic services but I am happy for you to cover that.

**Deputy R.J. Ward:**

Yes. Yes, let us do the 2 together. One of the things is do you think the Government should develop a comprehensive post-COVID strategy for children and young people and how would those accessing the therapeutic services fit into that? I will throw in another question while I am there. In terms of the unknowns, I note that paediatric inflammatory multisystem syndrome in a few young children in Guernsey has been identified. We hope that does not ... but that increased numbers in children who are not vaccinated happens. Do you think there is a post-COVID strategy that needs to be in place in case, that is not there, both in terms of mental and physical health with the children? What do you see that looking like, if I can ask?

**Children's Commissioner for Jersey:**

The Government at the moment have a strategy for children and it is set out in the Children's Plan. But what we saw during the last 2 years is there are very little changes to that plan in terms of we have had this plan, these were our priorities but they have changed because of the pandemic. One

of the other issues is that the group leading that plan - in fact it meets this afternoon - is the Children's Strategic Partnership Board. They themselves have not met regularly during the pandemic and they are the ones whose responsibility the plan is to deliver. We have seen great resource through the Government Plan put into areas such as children's mental health and well-being, and indeed aspects of education, but there just seems very little join-up. What I would have liked to have seen is a COVID recovery plan for children. COVID recovery or pandemic recovery is something that in the U.K. local authority officers are trained and I myself have been on training on. What does recovery look like post-pandemic? There always is a plan that joins it all together. We have not got that for children. There is a danger of all the different bits being delivered in isolation. We know that the Youth Service have got extra money to do bits, Education have money to do bits, C.A.M.H.S. have extra money to do bits, but what we have not got is that co-ordinated response. It is broader than the Children's Plan because it is about children's health, children's housing, parents with access to income support and other support. I think that that, moving forward, would be a real recommendation.

**Deputy R.J. Ward:**

Okay. I am conscious we have 5 minutes left. Deputy Doublet, do you want to add anything in there because I have précised that question and I might have missed a bit there? Is there anything you want to add or shall I ...?

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

Perhaps question 13. It does not have to be in isolation, I am happy for you to work it into your final remarks.

**Deputy R.J. Ward:**

Yes. Yes, in terms of your view on children and young people communicated to and with during the pandemic, how would you characterise that?

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

Can I just add to that and say not just communicating to them but how were they listened to and were their voices heard?

**Deputy R.J. Ward:**

Yes, I think when I said "with" that is what I meant but, yes, that is a much better way to put it, so that is fine.

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

Sorry, yes.

**Deputy R.J. Ward:**

No, no, you are right. Sorry, Deborah, go on.

**Children's Commissioner for Jersey:**

I think what we will say is that there was insufficient targeted messaging for children and young people. For example, more recently I took part in a Facebook live event with Dr. Ivan Muscat, the Director General, and others and it was a really successful event. The young people were properly supported by their schools to take part and young people reported that it was a good mechanism, but it has happened once in 2 years. As you know, I have a statutory Youth Advisory Panel. They wrote to the Chief Minister right at the beginning of the pandemic asking to meet with him and others to talk about their concerns; that was never granted. The Minister for Children and Education did, on one occasion I believe, take part in a radio interview but this was a Youth Service radio channel, so not open to all children and young people. I think there have been missed opportunities. Often the Chief Minister has spoken directly to children through social media outlets that children do not look at. For example, there was a Facebook session, which was also on Twitter, and children do not use those mediums; they were also at a time when they would have been in school. I remember a time when the Chief Minister was directly talking to teenagers in a really inappropriate way. I think the comment was around their grandparents dying if they share a vape because they might pass the disease. We have routinely, over the last 2 years, offered to support the Government in their communications to children. We have been involved in providing some written words that they can use. At the moment we are helping co-write child-friendly literature around vaccinations for younger children but that should have happened right from the beginning. I think children will say that the messaging to them was on occasions patronising and did not answer all of their questions. As we have said before, COVID is not going away in a hurry, so it is something that could be routinely addressed. One-off Instagram posts or TikTok posts from the central comms unit, they are great but it is not enough, you have to do it constantly. We have had opportunities where Ministers have gone into schools but that should have happened in lots of schools and we should be able to do more of that. Also, for example, Dr. Muscat has been into a school, I believe. Again, it would be good to do that in all schools and regularly so youngsters can ask questions of how they have been affected. Andrea, do you have any more on that?

**Senior Practitioner, Office of the Children's Commissioner for Jersey:**

I think there is an opportunity here around looking at participation and engagement across all of government and I am thinking of the strategy in-Island. It might be worth looking at the Irish Government of how engagement with children is embedded into their strategy across all departments, so you are not picking it up as an ad hoc, it is planned for. I think, as we move forward with an election and a new Government coming, that is potentially an opportunity to really be

engaging the voice of children across all areas so that it becomes a much more seamless thing, rather than a responsive thing.

[12:00]

**Children's Commissioner for Jersey:**

Yes. We still do not have a participation strategy, a national strategy for children. It is something that I was asking about 4 years ago but it still has not been concluded. A national participation strategy for Jersey would set out a set of principles around how you engage with children and young people and how you enable them to participate. It is fundamental moving forward. It is not a difficult thing to achieve. It is something that the Youth Parliament could lead on. But it is definitely required, so that when we do engage children it is not in a tokenistic way. We do not have children sat at some sort of event reading out a poem and then the adults just carry on with their whatever it is that they are going to talk about, so that is important too.

**Deputy R.J. Ward:**

Okay. I am conscious it is 12 o'clock and the time for the hearing has come around. I can finish by asking you the final question, which is what are the key messages you would like to put to children and young people about the pandemic and, hopefully, the road to recovery from it, that you would like to get across, both to young people, to Government, to us as a panel, and for our report?

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

Can I just add to that, Chair, before it is answered?

**Deputy R.J. Ward:**

Please do.

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

I would love to hear the answer to that but also on the flip side from your understanding, Deborah, of what children need and want, could you tell us what their key messages might be from the evidence that you have gathered from them?

**Children's Commissioner for Jersey:**

I will quote the recommendations at the back of the report. There are 5 and there are examples of how it can be done. But just for those who might be listening, it is really important that children's rights are embedded in our law, in our policy and any budgetary decision-making, so that children's rights are given a priority. That is what children first means. The second thing is making sure that when those decisions are made and when actions are taken that they do not adversely discriminate

against children or particular groups of children. What we have seen during the pandemic is that particular groups of children have been adversely affected, so children living in situations of vulnerability, for example, and children caught up in the justice system. The third is we must empower children. That means making sure children know and understand their rights through education but other information, so the Government must communicate with them. Because if children know their rights then they can exercise them and can take advantage of them, particularly during a public emergency. The fourth is making sure that if you do carry out a survey that those views are not just heard but they are given due weight in any decision-making process. There has been a joint Children's Commissioner and Government survey but there has been other surveys as well of children, but children are not seeing the join-up. The Government need to say: "We spoke to you and you said this and so this is what we are doing. We have listened to you and we have taken your views into account." That is really important because it gives children a sense of agency, it means that they are connected. They are more likely then to buy into things like taking up a vaccination or taking heed of other public health measures. The last one is about accountability. Our Government are accountable to children, so you must make sure that at all levels Government are complying with children's rights and, therefore, children's rights monitoring is really important. It would be good to see some children's rights benchmarked moving forward so that we can see when they have improved. That is what I would say, Deputy Doublet. In response to your second part of the question, have a read of "Life on the Rock". We have some printed-out copies and if you like we can get a couple to you because they are meaty; that is what children are saying, what life is like growing up in Jersey just now, and I think we should take heed to that.

**Deputy R.J. Ward:**

Okay. Thank you very much for your time today and for all the evidence. It is always difficult when you are ... you are not on your own, you have good backup from Andrea there, so that is great. I would just say thank you for all the information you have given us. We will be producing a report in due course and using all of the evidence that we have gained. Unless there is anything else you want to add, I will say thank you very much and we will call the hearing to an end. Thank you.

**Children's Commissioner for Jersey:**

Thank you, Deputy Ward and Deputy Doublet.

**Senior Practitioner, Office of the Children's Commissioner for Jersey:**

Thank you.

**Children's Commissioner for Jersey:**

Thank you, Andrea.

**Deputy R.J. Ward:**

Thank you very much, cheers.

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

Thank you everyone, really value your time, thank you.

[12:04]