



# Children's Commissioner for Jersey

Promoting and Protecting Children's Rights

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## MINUTES

**Meeting of:** Adult Advisory Panel  
**Venue:** Brunel House, Old Street, St Helier  
**Date:** 23 January 2020  
**Time:** 09.30

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**Present:**

Deborah McMillan  
Sam Le Quesne  
Sally Johnson  
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Sarah McDermott  
Maggie Atkinson

Mike Graham  
Dragan Nastic  
Philip Gower  
Simon Hoffman (via skype)  
Gailina Liew

**Apologies:**

Peter Green  
Warwick Long  
Andrea Le Saint

Deborah McMillan opened the meeting, welcoming the Panel for the first meeting of the year.

**1. Minutes from meeting held 10 October 2019**

The minutes from the meeting held 10 October 2019 were agreed as a true and accurate record.

**2. Actions from meeting held 10 October 2019**

- a. **Operational Plan (Action 8)** – Operational plan timeline to be shared.
- b. **MOU (Action 9)** Draft MOU with Care Commissioner and Safeguarding Partnership Board. These are with those organisations to be approved.

October minutes Item 8 bullet point 4 – update is that the Appointments Commission have decided that the office will not fall within their remit. Thanks to [REDACTED] for drafting submission.

### **3. Case Study relating to Housing & Work Law presented by Deborah:**

The Commissioner presented a case study to the panel relating to the Housing and Work Law. The panel discussed the children's rights issues relating to this case. [REDACTED] explained the English process for serious case reviews and will send a template from rapid review to the office.

**Action (10): [REDACTED] please send rapid review template to Deborah**

### **4. Children out of the Classroom**

A roundtable discussion was hosted by the Commissioner to discuss and bring attention to the subject of children out of the classroom.

The group consisted of a range of professionals including: headteachers, police, children's services together with the Education Minister-Tracy Vallois and Sean O'Regan (Children's Service). There has been a huge a concerning rise in school exclusions, the data was shared with the panel. These figures are too high, and the Commissioner is keen to find out why so many children are out of the classroom, and what needs to happen to keep these children at school.

The panel agreed that further work needs to be undertaken to hear the voices of children.

**Action (11): Issue will be discussed with the Youth Advisory Panel**

### **5. Rights Respecting School Update**

The panel were informed the new Participation Officer had been recruited and will be trained as a Rights Respecting assessor when he starts to continue with the work on children knowing their rights.

We have 37 schools registered with the Unicef Rights Respecting School Award.

- 1 school at Gold
- 8 schools at Silver
- 18 schools at Bronze
- 10 at registration

This has been a tremendous achievement and we will continue to support schools to embed children's rights.

### **6. Audit & Risk Advisory update**

The discussion covered business risk and that the Commission was commended for good practice which will be recommended to Government by the Controller. The Director General will speak at our next meeting on how the TOR will be managed.

The Commission's annual report is to be created in a child friendly format. We are awaiting formal notification of the budget in writing.

## 7. Child Friendly Justice Project Update

The Independent Jersey Care Inquiry (IJCI) recommendation was to review the Youth Justice System and this review was commissioned by the Probation Service. The Commissioner has reviewed their report and submitted recommendations. The panel had a discussion on deprivation of liberty and minimum age of responsibility. There was discussion on the UNCRC General Comment No. 24. The UN recommend that the age of criminal responsibility increases to at least 14 years old. In Jersey it is 10.

The IJCI recommended that there be an independent review of the Parish Hall Enquiry (PHE) system. This was also a recommendation of the Government's own Youth Justice Review. The panel discussed the rationale to review PHE where they relate to children. It was agreed that the Commissioner would formally review PHEs focussing on building on the strengths of the system but ensuring that it is based on welfare and rights principles.

## 8. Incorporation

### Legislative Gap Analysis Research

██████████ provided further information on the framework of the project. He gave an update on:

- Basic Health & Welfare – rights of the child
- Education
- Family

There will be an on-island meeting in May with Government Policy officials to present the next phase of the research.

The draft report on basic health and welfare is near completion.

Continued discussion took place on rights of child in respect of housing, healthcare and welfare benefits. It was agreed the Commissioner will make recommendations following publication of this research. This research will be valuable in supporting the Commissioner to submit her report to the UNCRC Committee in November.

The panel discussed the Government's consultation on incorporation and were concerned that the consultation documents were not child friendly. The panel agreed that the Commissioner should support children to be able to respond to the consultation.

**Action (12): ██████████ please share methodology and draft Basic Health & Welfare report with panel**

**Action (13): ██████ chase ██████████ ██████████ for May workshop dates**

**Here is the link to the consultation document:**

<https://www.gov.je/Government/Consultations/Pages/UNCRCIndirectIncorporation.aspx>

## 9. Children's Lives in Jersey Project

Queens University Belfast are progressing well with this project. 17 interviews have taken place with more over the February half-term week.

**Action (14): ██████████ please send written briefing to panel**

## **10. Participation**

The Commissioner became a member of the European Network of Ombudspersons for Children (ENOC) in December 2019 and therefore our Youth Advisory Panel will automatically become a member of European Network of Youth Advisors (ENYA). This year up to 15 children will have the opportunity to take part in a project to look at children's rights and diversity. Two young people will be chosen to travel to Sweden with their findings and one young person will travel with us to ENOC in September only 15 countries have been selected to take part and therefore a fantastic opportunity to have been chosen. The United Nations holds a bi-annual Day of General Discussion (DGD) in Geneva each September. This year the theme is Children in Care. The Commissioner would like the opportunity to take the children to this event to represent Jersey on the world stage. However, we do not have the resources and would need an extra Participation worker from now until September in order to do this. This will be discussed further with the Bosdet Foundation, Deborah thanked [REDACTED] for the helpful advice.

## **10. Periodic reporting**

The panel discussed the requirements of the UNCRC periodic report. The Commissioner will send her report to the UN by 1 November 2020. The Commissioner will invite the UNCRC member taskforce to visit Jersey approximately between June 2020 and February 2021. Visits to places such as Orchard House and the Greenfields could take place. [REDACTED] and Deborah explained the timeline.

[REDACTED] and Deborah will work with civil society to help them engage with this process.

**Action (15): [REDACTED] send periodic reporting slides to panel**

**AOB:**

### **Budget**

The panel received a copy of the budget for 2020. The Audit & Risk panel will monitor the budget.

### **Annual Report**

[REDACTED] led a discussion on the annual report and sought agreement regarding format. It will be published during February.

**There being no other business the meeting concluded at 15.05**  
**Date of Next Meeting – 22 April 2020**