



UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD

and

Optional Protocol on the involvement of children in armed conflict

**Optional protocol on the sale of children, child prostitution and
child pornography**

Preliminary report prepared by the Government of Jersey

September 2013

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Introduction

The following report is prepared to support the request by the Government of Jersey (also known as the States of Jersey) to have the United Kingdom's ratification of the United Nations Convention on the Rights of the Child (UNCRC) extended to Jersey.

This is a preliminary report for the United Kingdom government which clearly sets out that the Bailiwick of Jersey is currently compliant with the majority of UNCRC Articles. This report would be followed, within two years of entry into force of the Convention in respect of Jersey, by a comprehensive initial report to the UN Committee on the Rights of the Child. This would be in accordance with Article 44 (1) of the Convention and would provide further information on the measures that have been adopted which give effect to the rights recognised in the UNCRC and the progress made on the enjoyment of those rights in Jersey.

Thereafter a periodic report shall be prepared every five years.

Organisation of the report

The structure is in accordance with the General Guidance regarding the form and content of periodic reports to be submitted by State Parties under article 44 (1), and covers 'clusters' of articles under the following headings:

1. General measures of implementation (Articles 4, 42 and 44 para.6 of the Convention)
2. Definition of the child (Article 1)
3. General principles (Articles 2, 3, 6, and 12)
4. Civil rights and freedoms (Articles 7, 8, 13-17 and 37(a))
5. Family environment and alternative care (Articles 5, 9-11, 18 paras. 1 and 2, 19-21, 25, 27 para. 4, and 39)
6. Basic health and welfare (Articles 6, 18 para. 3, 23, 24, 26 and 27 paras. 1-3)
7. Education, leisure and cultural activities (Articles 28, 29 and 31)
8. Special protection measures (Articles 22, 30, 32-36, 37(b)-(d), 38, 39 and 40)
9. Optional protocols to the Convention on the Rights of the Child
10. Annex – statistical information.

CHAPTER 1: GENERAL MEASURES OF IMPLEMENTATION

A. Overview, concluding observations and follow-ups

This is a preliminary report to the United Kingdom government in respect of Jersey. As such there are no follow-ups to previous Committee observations.

This report sets out that the Bailiwick of Jersey is compliant with the majority of UNCRC Articles and provides information on the few areas where compliance is to be given further consideration.

The Government of Jersey is not seeking any reservations with regard to the UNCRC.

B. Measures to harmonize national law and policy with the provisions of the Convention

1. Legislation

Whilst Jersey is compliant with the majority of the Articles, the Government of Jersey will be bringing forward, or is considering bringing forward, draft legislation and/or new regulations over the next 5 year period which will serve to further enhance the jurisdiction's compliance. This includes:

- A. an updated Children (Regulation of Employment) (Jersey) Order 2011 will be brought forward extending controls to children aged 17 and over, as the current Order only applies to children aged up to 16 years
- B. consideration will be given to updating the Shipping (Employment of Young People) (Jersey) Order 2007 to ensure children are not placed in a potentially harmful environment on shipping boats
- C. an amendment to the Employment (Jersey) Law 2003 will be brought forward introducing legislation related to maternity, paternity and adoption leave
- D. Consideration is being given to extending the European Convention on the Adoption of Children 2008 to Jersey. This would require amendments to the Adoption (Jersey) Law 1961 to provide for greater access to information about an adopted person's origins
- E. The Regulation of Care (Jersey) Law 201- which is currently being developed will provide for increased regulation of care settings and put in place a legal requirement for Disclosure and Barring Service checks (DBS)
- F. it is anticipated that during 2014 Jersey will seek to have the UK's Safeguarding Vulnerable Groups Act 2006 extend to it by Order, thus ensuring that UK best practice with regard to vetting and barring is adopted in Jersey
- G. consideration is being given to amending the Criminal Justice (Young Offenders) (Jersey) Law 1994 in order to raise the age of criminal responsibility to 12 years

Amendments to the Criminal Justice (Young Offenders) (Jersey) Law 201- have been drafted, pending consideration by the Government of Jersey, which would allow a person who has attained the age of 15 but who is not 18 to serve custodial or remand sentences in the secure welfare unit, as opposed to the Prison or the Young Offenders Institute, where it is deemed in the best interests of the child alongside considered of the needs of other resident children.

2. International Conventions

The Human Rights (Jersey) Law 2000 gives effect in domestic law to rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) by requiring all legislation to be interpreted, as far as possible, in a way which is compatible with the Convention rights; and by requiring public authorities not to act in a way which is incompatible with the ECHR Convention rights.

In addition to rights and freedoms under the European Convention on Human Rights and those provided for in domestic legislation, Jersey is a signatory to the following international conventions, all of which have relevance to, and help ensure compliance with, the UNCRC:

- A. ICCPR – International Covenant on Civil and Political Rights – extended to Jersey – refers to, amongst other matters, right to life, freedom of religion, freedom of speech, freedom of assembly etc.
- B. ICESCR – International Covenant on Economic, Social, Cultural Rights – extended to Jersey – labour rights, right to health, right to education, right to an adequate standard of living etc.
- C. UNCAT – United Nations Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment – extended to Jersey (Jersey submitted its contribution to the UK's 5th periodic review – UK examined by UN in May 2013).
- D. ILO – International Labour Organisation (Nos. 29 and 105 on forced labour are extended) (Nos. 138, 182 and 183 are not extended) 138 applies to the minimum age convention.
- E. UNCATOC – United Nations Convention against Transnational Crime – extended to Jersey (very much a police/customs issue).
- F. Geneva – The Four principle Conventions – armed struggle and warfare – extended to Jersey (no further comment)

3. Goals and objectives

A. The Government of Jersey has set out its vision for children and young people in its Children and Young People's Strategic Framework (2011). The Government's vision is for *all children and young people to grow up in a safe, supportive Island community in which they achieve their full potential and lead happy, healthy lives.* The six key outcomes are for all children and young people to:

- i) Be healthy
 - ii) Be safe
 - iii) Achieve and do
 - iv) Grow confidently
 - v) Be responsible and respected
 - vi) Have a voice and be heard.
- B. The delivery of these outcomes are underpinned by five core principles

- i) the welfare of all children is a principal consideration
- i) we will “think family” – supporting families is critical to supporting children
- ii) early intervention is key - we must invest upfront to prevent problems developing in the first place
- iii) services must be designed and commissioned based on need, impact, effectiveness, efficiency and value for money
- iv) we must work in partnership to ensure best use of knowledge, expertise and resources.

4. Strategic coordination

- A. In 2010 the Government of Jersey formed the Children’s Policy Group in order to ensure the effective, coordinated development of all policies and services related to children and young people. The Children’s Policy Group includes the Ministers for Home Affairs, Health & Social Services, Education, Sport & Culture plus the Assistant Chief Minister responsible for co-ordinating social policy across government. It is also attended by the Chief Executive Officers of those Departments together with the Chief Probation Officer and the Chair of the Jersey Children’s Safeguarding Partnership Board.
- B. The Children’s Policy Group will take the lead for the strategic coordination and monitoring of all activity and development related to ensuring compliance with the Convention. It will achieve this by working at Ministerial level, through the Council of Ministers.

5. Effectiveness analysis

- A. The Children’s Policy Group will, by the next periodic report, put into place a system for monitoring application of the Convention and compliance with the 40 Articles. This will include ensuring that the relevant information is appropriately disseminated in order that children and others can judge the extent to which their rights, as set out in the Convention, are being observed.
- B. This monitoring will include independent oversight but will not take the form of a Commissioner for Children which is not perceived to be a proportionate or cost effective response in a small Island community.

6. Implementation programmes and action plans

- A. The Health and Social Services Department is the department of the Government of Jersey (also known as the States of Jersey) which has principle responsibility for the welfare of children. This includes through the provision of health care services and children’s social services function.
- B. The health care services delivered and/or funded by the Health and Social Services Department do not include primary care services such as GP’s or opticians which operate as private business in Jersey, albeit the Social Security Department do provide some element of subsidisation for all GP consultations after a person has lived in Jersey for 6 months or more.
- C. The Children’s Social Services function is comparable to the children’s social services function delivered by UK authorities and includes; assessment and child

protection teams; childcare team; home finding team; residential services and family centres / family support services.

- D. Departmental staff work in multi-disciplinary teams both across and within the Department and other Departments such as the police; family court services and voluntary and community sector organisations.
- E. The Health and Social Services Department has a business plan setting out its priorities over the coming year in relation to business as usual. In addition, the Department is currently undertaking a major programme of change in order to redesign its current service provision. This will see additional investment in community based services and early intervention services designed to support children and families.
- F. The Education, Sport and Culture Department has responsibility for the education of children and the provision of government funded sporting, leisure and cultural activities. This includes the provision of free school places for children of compulsory school age; the provision of a comprehensive youth service and the provision of sporting, cultural and leisure activities that support a child's development.
- G. The Education, Sport and Culture Department has a business plan setting out its priorities and in addition has key strategies in the following areas: education inclusion; early years; sport and information technology.

7. Resources

- A. Jersey's investment in children is substantial and wide ranging. It is not however possible to provide an accurate single figure or to provide an assessment of the percentage of GDP spend on children because of the way Departmental budgets are structured, for example, the Health and Social Services budget the amount spent on the care and treatment of under 18 year olds cannot be extrapolated from the amount spent on over 18 year olds.
- B. Departmental budgets in 2013 include:

Children's social services	£15.5m
Women and children's hospital service	£10.7m
(non-fee paying schools):	
Pre-school education	£3.6m
Primary education	£24.8m
Secondary education	£24.2m
Special education needs and special schools	£7.9m
Other	
Fee paying schools	£10.3m
Youth Service	£1.4m
Further and higher education	£20.2m

8. Statistical data

- A. Currently it is the responsibility of individual departments to collect monitoring and statistical data to inform the development of policy and services related to children.

This data is not centrally collated although it is proposed that a central data set should be developed.

- B. A Memorandum of Understanding is however being developed by the Children's Safeguarding Partnership Board and this will place an obligation on all partners to provide information that enables monitoring of the effectiveness of what is done to safeguard and protect children. This will be based on the UK's Working Together 2013 guidance.

C. Publication and consultation on this report

- A. Copies of this report will be made publically available at the point at which the UK Government extends ratification of the Convention to Jersey. The report will be distributed to all government departments and voluntary and community organisations concerned with the welfare of children.
- B. Children friendly information, promoting the Convention and the rights enshrined within it, will be circulated via schools, youth groups and voluntary and community organisations for onward dissemination to children. This will be translated into Portuguese and Polish, which are the two key community languages in addition to English and also into Jèrriais, the historic native language of Jersey.
- C. Information about the Convention will be disseminated to press and other media. A public facing bespoke section of the Government of Jersey website will be developed with the purpose of promoting the Convention.

CHAPTER 2: DEFINITION OF THE CHILD

A. Definition of the child (Article 1)

1. In Jersey a person shall attain full age on attaining the age of 18 years regardless of whether they are male or female: Age of Majority (Jersey) Law 1999
2. Full time education is compulsory for all children from the first day of the academic year in which their fifth birthday falls, until the 30th June in the school year in which their 16th birthday falls: Education (Jersey) Law 1999
3. The minimum age of criminal responsibility is 10 years, as it also is in England and Wales. The Children’s Policy Group notes however that the UNCRC Committee does not consider a minimum age below 12 years to be acceptable and will be considering during 2016 whether to raise this to 12 years. Criminal Justice (Young Offenders) (Jersey) Law 1994
4. A court cannot impose a sentence of imprisonment or Borstal training on a person under aged 21, nor can a Court impose a youth detention sentence on a child under the age of 15 except where the offence is a grave crime, which if committed by an adult would carry a penalty of 14 years or more, or the offence is so serious that no other sentence could be imposed or if previous community penalties have failed: Criminal Justice (Young Offenders) (Jersey) Law 1994
5. Code C of the Police Procedures and Criminal Evidence (Codes of Practice) (Jersey) Order 2004 was amended in February 2013 in order to ensure that all young people under the age of 18 are accompanied by an Appropriate Adult when being dealt with formally by the police.
6. A revision to the Mental Health (Jersey) Law 1969 came into effect on 1 January 2013 in Jersey recognizing that a “child” means a person who has not attained the age of majority.
7. From the age of 16 years a child can give effective consent to surgical, medical or dental treatment without their parents’ consent: Consent to Medical Treatment (Jersey) Law 1973.
8. Children can vote in public elections from aged 16 years: Public Elections (Jersey) Law 2002.
9. Age of sexual consent for both heterosexual and homosexual activity is 16 years: Sexual Offences (Jersey) Law 2007.
10. People aged 16 years can marry with the consent of their parents/legal guardians or age 18 years without consent of parents/legal guardians: Marriage and Civil Status (Jersey) Law 2001.
11. A child under 18 may not buy alcohol and may not consume alcohol in licensed premises: Licensing (Jersey) Law 1974
12. The United Kingdom has made a declaration that it “interprets the Convention as applicable only following a live birth”. (CRC/C/2/Rev.8, p.42.). The Government of Jersey makes the same declaration.

CHAPTER 3: GENERAL PRINCIPLES

D. Legislation

1. Principle provisions concerning the protection, care and welfare of children are contained in the Children (Jersey) Law 2002 and associated regulations and orders. The main provisions include:
 - a) welfare of the child
 - b) parental responsibility for children
 - c) children in family proceedings
 - d) ministerial support for children and families needing protection
 - e) use of secure accommodation
 - f) care and supervision of children
 - g) protection of children
 - h) abduction of children
 - i) employment of children
 - j) voluntary residential care homes
 - k) private arrangement for fostering children
 - l) rules of court
 - m) representation and assistance for children

2. Other matters relating to children are governed by:
 - a) The Adoption (Jersey) Law 1961 and the Adoption (Jersey) Rules 1962 which provide the steps to be taken by all parties in adoption proceedings, and through subsequent amendments, the establishment of an Adoption service and panel, arrangements for overseas adoptions and compliance with international conventions
 - b) The Protection of Children (Jersey) Law 1994 which prohibits taking of indecent photographs and makes provision to regulate the sale of goods seen as potentially harmful to children
 - c) Criminal Justice (Young Offenders) (Jersey) Law 1994 which sets out procedures for dealing with young offenders below the age of 21 years
 - d) Criminal Justice (Evidence of Children) (Jersey) Law 2002 which concerns the giving of evidence by children
 - e) Education (Jersey) Law 1999
 - f) Day Care of Children (Jersey) Law 2002

E. Non-discrimination (Article 2)

1. The Human Rights (Jersey) Law 2000 gives effect in domestic law to rights and freedoms guaranteed under the European Convention on Human Rights by requiring all legislation to be interpreted as far as possible in a way which is compatible with the Convention rights; and by requiring public authorities not to act in a way which is incompatible with the ECHR Convention rights

2. The Discrimination (Jersey) Law 201- was approved by the Government of Jersey in May 2013 and is awaiting Royal assent. This law is an overarching law that provides a framework for protection against discrimination and it includes “race” as the first protected characteristic; subsequent parts to be introduced will deal with sex, age and disability. It is intended that sex discrimination and family friendly legislation will be prepared in 2014 and enacted in 2015; age discrimination

regulations will be prepared during 2015 and enacted in 2016. A measured approach to the introduction of discrimination legislation is required in order to allow appropriate consultation to be undertaken and to give the community time to adapt.

3. In March 2010, the States of Jersey adopted an amendment to the Wills and Successions (Jersey) Law 1993, to confer on an illegitimate child the same rights of succession as if he or she were legitimate. Similarly, the rules as to succession to the estate of an illegitimate child are replaced with a rule that the succession is the same as if the child were legitimate, and any right of succession that is traced through an illegitimate child is to be traced as if the child were legitimate. The amendment came into force on 29 January 2011.
4. The Government of Jersey in its practices, policies and procedures ensures that no child is discriminated against due to his or her parents or guardian's, race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property or birth. The Control of Housing and Work (Jersey) Law 2012 does, however, make provision for residential status categories which place proportionate and legitimate controls on access to work and housing and, by doing so, protect a proportion of the Island's housing stock for long established residents whilst also ensuring that housing is also available for newly arrived migrants. The Control of Housing and Work (Jersey) Law 2012 is Human Rights compliant.

F. Best interest of the Child (Article 3)

1. In 2010 the Government of Jersey formed the Children's Policy Group (CPG) consisting of: the Ministers of Home Affairs, Health & Social Services, and Education, Sport & Culture; the Assistant Chief Minister; the Chief Probation Officer and the Chair of the Jersey Children's Safeguarding Partnership Board. The CPG has been set up to ensure that services for children are coordinated and effective. The CPG's 'Statement of Purpose' sets out the requirement to uphold the aspirations of the UNCRC, in particular that the best interests of the child are a primary consideration.
2. Children (Jersey) Law 2002 sets out that when the Court determines any question with respect to the upbringing of a child, or the administration of its property, the child's welfare shall be the court's paramount consideration.
3. Children (Jersey) Law 2002 allows for decisions to be made in the best interest of the child, for example decisions pertaining to taking a child into care. Similarly the Criminal Justice (Young Offenders) (Jersey) Law 1994 provides for the prison governor to transfer young offenders in certain circumstances where it is in young offender's interest to do so. Transfer would be to facilities prescribed in the law, for example a hospital or medical facility.
4. The Government of Jersey works to ensure all institutions, services and facilities responsible for the care or protection of children shall conform with the standards in the following ways:
 - a) The Health and Social Services Department is resourced with professionally qualified staff, such as social workers; psychologists and therapists, who provide a range of services relating to the care and protection of children Those

professionally qualified staff have to be members of the relevant UK professional body as a prerequisite for local registration.

- b) The Education (Jersey) Law 1999 provides for the regulation and inspection of all schools, colleges and educational provision, including the registration and inspection of private schools. Educational standards, safeguarding and children's welfare are all subject to regulation and quality assurance measures.
- c) The Daycare Registration (Jersey) Law 2002 lays out the framework for the regulation of all child care provision (over 2 hours per day) relating to: early years (day nursery, pre-school, family day carers); and all after-school, holiday and play provision from 5-12 years. Staff qualifications; DBS checks; accommodation; child; adult ratios and activities are subject to annual registration checks and continuous quality assurance.
- d) Legislation is in place to regulate a range of care services including nursing and residential homes and nursing agencies. Existing legislation will be strengthened through the Regulation of Care (Jersey) Law 201- which is currently being developed and will be implemented, with regard to long term care facilities, domiciliary care and nursing agencies in 2014/15. It is envisaged that regulations will then be extended to acute care, social services, primary care and dental care in 2020.
- e) The Government of Jersey has made financial provision for an independently chaired Children's Safeguarding Partnership Board which has the powers to investigate failures to protect children from harm, undertake Serious Case Reviews and ensure robust multi-agency working and standards of safeguarding across all services.
- f) HMP La Moye has a child protection policy compiled in accordance with a protocol agreed by the Jersey Children's Safeguarding Partnership Board. The policy is designed to ensure both the safety of children in custody and other children who come into contact with prisoners.

G. Right to life; survival and development (Article 6)

1. The right to life of all persons including children is recognised by the Human Rights (Jersey) Law 2000 which gave effect to European Convention on Human Rights.
2. As set out in Chapter 1 above, the Government of Jersey enters the same declaration as the UK in that it also "interprets the Convention as applicable only following a live birth". (CRC/C/2/Rev.8, p.42.) The Government of Jersey enters the same declaration.
3. For the purposes of the Termination of Pregnancy (Jersey) Law 1997, protection is given to the life of a foetus, except in circumstances when in the opinion of a medical practitioner termination is necessary to save the life of the pregnant woman or to prevent grave permanent injury to her physical or mental health, from the end of the twelfth week of pregnancy; or if in the opinion of two medical practitioners there is a substantial risk that, if the child were born, it would suffer from such physical or mental abnormalities as to be seriously handicapped, from the end of the twenty-fourth week of pregnancy.

4. The Government of Jersey makes considerable investment in services to ensure the survival and development of children. These are comparable to services elsewhere in the British Isles. In Jersey the infant mortality rate is very low (3.6 per 1,000 live births) and primary immunisation levels are very high (95-98% of children). Chapter 6 sets out details relating to health care provision.
5. Where a child is taken into care, a personalized care plan will be developed with the primary aim of ensuring that the care provided both protects the child and ensures their development, in order that they can reach their potential in life.
6. The Education (Jersey) Law 1999 places a requirement on the Minister of Education to provide all children of school age with a curriculum that supports their development.

H. Respect for the views of the child (Article 12)

1. The law requires all courts, in resolving disputes concerning a child to have regard for his/her wishes to the extent that these can be considered in light of their age and understanding. Furthermore, Article 75 of the Children (Jersey) Law 2002 provides the Court with the power to appoint a Guardian, and if deemed appropriate, a legal advocate to independently represent a child in care proceedings in order that their views may be heard.
2. Consent to Medical Treatment (Jersey) Law 1973 recognises effective consent to surgical, medical or dental treatment from the age of 16 years, unless it can be demonstrated that the individual is not competent to give consent. Where a child is under the age of 16, it is practice amongst health professionals to nevertheless seek the child's consent where that child has sufficient understanding to enable him/her to understand fully what is proposed
3. The Jersey Family Court Advisory Service, who provide Guardians in care proceedings and legal representation, ensure that children are heard in judicial and administrative proceedings
4. The Department for Education, Sport and Culture makes provision in guidance related to management of suspension and exclusions from school, and other similar administrative processes, for parents/legal guardians to represent the child and the rights of the child, in addition to making provision to ensure the child's participation wherever appropriate.
5. Jersey schools operate school councils providing opportunities for children's views to be known on issues pertaining to individual schools. Children are elected to school councils by their peers.
6. The Department for Education, Sport and Culture's Youth Service is working with charities on the Island to develop an advocacy project for children subject to a safeguarding issue.
7. The Health and Social Services Department launched a new advocacy service for children in July 2013. This service, commissioned from the NSPCC provides a voice for Looked After Children and children on the Child Protection Register.
8. An independent Board of Visitors provides oversight of Jersey's Children's Residential Homes helping ensure that all children in residential care have access to someone independent from their social worker and the staff managing and running the homes, who can help represent their issues and concerns. A different Board of

Visitors provides the same support with HMP La Moye including to all children and young people who may be detained.

CHAPTER 4: CIVIL RIGHTS AND FREEDOMS

F. Name; nationality; preservation of identity (Article 7 and 8)

1. Under Part 5 of the Marriage and Civil Status (Jersey) Law 2001 it is a legal requirement to register all births in Jersey. Where the child has been given a name at birth this can be registered at birth although a new or additional name may be given and registered at baptism.
2. Nationality is conferred in accordance with the British Nationality Act 1981 which applies in Jersey. A child born in Jersey to a parent who is a British Citizen acquires British citizenship automatically. A child born in Jersey who does not become a British citizen at birth is entitled to register as per the British Nationality Act 1981.
3. Jersey has adopted the common format passport, as per the UK. The Lieutenant Governor acts as the issuing authority for passports in the Island.
4. Under UK legislation a child who acquired British Citizenship at birth or adoption cannot be deprived of it. A child who acquires British Citizenship by registration can only be deprived of it in exceptional circumstances, for example if acquired fraudulently, or it is deemed in the public interest and in doing so the child would not be made stateless.
5. The same rules to reduce statelessness apply in Jersey as in the UK.
6. The Children (Jersey) Law 2002 sets out that no person may cause a child to be known by a new surname without the written consent of every person who has parental responsibility for the child or the leave of the court.
7. The Adoption (Jersey) Law 1961 makes some provision with regard to access to birth records and to facilitate contact between adopted persons and their family of origin. However, it does not make specific provision with regard to the disclosure of information held by Jersey's Adoption Service about children who are put up for adoption, unlike the provision made in UK Adoption and Children Act 2002. In practice however, the Jersey Adoption Service does support the child's right to know their birth parents, where possible, by sharing information about the birth family, with their consent, at the time the adoption is arranged. Consideration is to be given to amending the 1961 Law.

G. Freedom of expression, association, thought, conscience and religion (Article 13, 14 and 15)

1. The Human Rights (Jersey) Law 2000 gives effect in domestic Jersey law to certain rights and freedoms in European Convention on Human Rights by requiring that all legislation in Jersey is to be interpreted, as far as possible, in a way which is compatible with that ECHR rights, and that public authorities should not act in a way which is incompatible with the Convention rights. This provides in law for freedom of expressions, thought, conscience and religion.
2. It is a fundamental principle of Jersey Law that anything is permitted which is not expressly forbidden, therefore a person, including a child, has freedoms set out in the Convention, subject to laws and restrictions necessary to secure their welfare and protect others, for example; criminal justice and data protection legislation.
3. In Jersey there are no blanket curfew provisions or measures which specifically prevent young people gathering together. In addition Jersey law does not make provision for Anti-Social Behaviour Orders as per the UK's Crime and Disorder Act 1999.
4. In Jersey there is no compulsory state religion. There is complete freedom of religious worship and no restrictions on the right of any person to change religion.
5. The Education (Jersey) Law 1999 provides for the right of parents/legal guardians to remove their child from a mainstream school and to home tutor instead and to withdraw their children from religious education or worship. The law establishes the Religious Education Advisory Council which advises the Minister on the religious education in schools.

H. Right to privacy (Article 16)

1. The Human Rights (Jersey) Law 2000 also gives effect to Article 8 of the ECHR thus provides a legal right to all persons, including children, to his/her privacy, family life, home and correspondence.

I. Access to appropriate information (Article 17)

1. All children have access to filtered internet resources and interactive ICT materials, and to children's books within their schools and public and mobile libraries. These services are free of charge. School holiday reading programmes and other activities are provided. Research shows that 25.3% of all public library loans during 2012 were to borrowers under the age of 18 years.
2. The school curriculum includes all teachers being trained in promoting the use of children's books, ICT and mass media from nursery education upwards.
3. The Day Care of Children (Jersey) Law 2002 provides for children's right of access to developmentally appropriate experiences in day care settings which will include access to materials which promote their development in accordance with Article 17 and Article 29 of the Convention.

4. Television and national radio programming provided from the UK is subject to control by the United Kingdom Government, including the requirement in relation to sufficient provision for programming for children. This also applies to cinema broadcasting and the associated system of classification based on an age related determination of suitability of content.

J. Torture, cruel, inhuman or degrading treatment (Article 37.a)

1. Protection against torture and cruel, inhuman or degrading treatment is provided through extension of ratification of the International Covenant on Civil and Political Rights; the ECHR; the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the European Convention against Torture and Inhuman or Degrading Treatment or Punishment and the Torture (Jersey) Law 1990
2. No person, adult or child, may be subject to these behaviours in Jersey. This includes no capital punishment in Jersey and, under the Island's criminal justice system no person, adult or child, can be sentenced to any form of corporal punishment
3. By way of an Act issued by the Government of Jersey Education Committee in 1986, the use of corporal punishment by teachers in all government provided schools and private schools in Jersey is prohibited. Secondary schools have nominated staff who act as lead behaviour managers promoting and supporting positive behaviour amongst pupils.
4. Corporal punishment of a child is treated as a criminal assault, however under Article 79 of the Children (Jersey) Law 2002 the defense that corporal punishment was reasonable can be raised by a parent or a relative, or someone else with care of the child who has permission of the parent, and where no more than a hand is used. The Government of Jersey, in a position broadly comparable to the UK Government, takes the view that it would be inappropriate to potentially criminalize responsible parents who use reasonable corporal punishment. The Government of Jersey ensures investment in parenting support programs that provide advice on positive ways of dealing with behaviour and avoiding smacking.
5. The Criminal Justice (Young Offenders) (Jersey) Law 1994 establishes that the minimum age of criminal responsibility is 10 years, as it also is in England and Wales. Sentences of life imprisonment or detention are possible where a child has committed an offence which could be punished in the case of an adult by life imprisonment they shall be detained at Her Majesty's pleasure. During 2016 consideration will be given as to whether to raise age of criminal responsibility to 12 years.
6. Children's residential care services and the Department for Education, Sport and Culture both have restraints policies putting in place measures to protect children by ensuring physical restraint is only used in exceptional circumstances. The policies focus on de-escalation and resolution in the first instance, with physical restraint as a last resort. The Policy includes therapeutic crisis intervention which is designed to help children and young people learn constructive ways to handle crisis. Positive behavior support policies are also in place across special needs services.

CHAPTER 5: FAMILY ENVIRONMENT AND ALTERNATIVE CARE

A. Parental responsibility and guidance (Article 5 and Article 18.1 and 18.2)

1. The Government of Jersey interprets the references in the Convention to 'parents' to mean only those persons who, as a matter of Jersey law, are treated as parents. This includes cases where the law regards a child as having only one parent, for example where a child has been adopted by one person only and in certain cases where a child is conceived other than as a result of sexual intercourse by the woman who gives birth to it and she is treated as the only parent. This is in accordance with the declaration entered by the UK
2. The Government of Jersey believes that all children should grow up in a safe, supportive home and Island community. As set out in the Children and Young People's Framework a core principle that underpins the government's approach is to "think family".
3. The Children (Jersey) Law 2002 recognises the right of parents to bring up their children and interprets "parental responsibility" to include all the rights, duties, powers and responsibility of the parent. The Law only confers on the Court the power to make an order that affects the right of parents to bring up their children when it considers that making that order is better for the child than not making an order.
4. Under the Children (Jersey) Law 2002 parental responsibility is vested in the parents where they were married at the time of birth. Where they were not married the mother has parental responsibility for the child although the father can acquire it in accordance with the Law.
5. The Education (Jersey) Law 1999 recognises the rights of parents in relation to all matters pertaining to a child's education and the duties of parents in relation to ensuring regular attendance at school. It also recognizes the principle that both parents have common responsibilities. This is recognised in all associated policies, for example where parents live separately, whether through divorce or for any other reason, both will receive communication about their child and both will be afforded opportunities to make their view known.
6. The Department for Education, Sport and Culture ensures that it clearly identifies those people who hold parental responsibility for all children admitted into school during the school year or transferring between schools.
7. The government provides assistance to parents in multiple ways including provision of; income support and social housing for low income families; parenting support classes; family centred early intervention support and respite care.

B. Separation from parents (Article 9)

1. Children (Jersey) Law 2002 does not permit a child to be separated from his/her parent/s except with the parent/s decision, or by a decision of the Court where it is in the best interests of the child. Any separation must be in accordance with the Law and associated policies.

2. The Health and Social Services Department may apply to the Court for a child to be placed under the care or supervision of the Department where the Court is satisfied that the child is suffering, or likely to suffer, significant harm.
3. Article 75 of the Children (Jersey) Law 2002 provides the Court with the power to appoint a Guardian, and if deemed appropriate, a legal advocate to independently represent a child in care proceedings in order that their views may be heard.
4. The Family Court Advisory Service reports to the Court independently in any matters brought by the Health and Social Services Department to remove a child from its parents.
5. The Family Court Advisory Service also provides assistance to the child and the Court in private law matters and promotes direct contact with both parents on a regular basis unless it's contrary to the child's best interests. Where parents live apart, whether divorced or otherwise, the law allows them to determine who the child will live with, but in the case of dispute, the Court will make a Residence Order stating where the child shall live and a Contact Order stating what contact the other parent shall have with the child.
6. Whether in public or private family proceedings the Court will provide for all interested parties to have an opportunity to participate in proceedings and, for any child, who is separated from his/her parents to maintain contact with those parents, except where it is not in the child's best interests. The Children (Contact in Care) (Jersey) Regulations 2005 set out the circumstances in which contact and/or information can be withheld from parents or others.
7. When a parent is in custody in Jersey, children have the right to visit their parent and facilities are made available.

C. Family reunification (Article 10)

1. Whilst a child has no absolute right of entry to Jersey for the purposes of family reunification it is usually provided for. The Immigration Order (Jersey) 1993 provides for the Lieutenant-Governor of Jersey to set out Directions as to the practice to be followed when regulating the entry into and stay in Jersey of foreign nationals who do not have the absolute right to live in Jersey. Under these Directions, subject to certain conditions, foreign nationals can usually exercise rights of access to a child resident in Jersey. The Directions also allow children of foreign nationals, who are settled in Jersey, to enter and remain in Jersey provided they meet the requirements of the Directions.
2. Jersey Customs and Immigration ensures that whenever a child is subject to immigration control, the welfare of children is safeguarded.

D. Illicit transfer and non-return (Article 11)

1. The Hague Convention on the Civil Aspects on International Child Abduction and the European Convention on Recognition and Enforcement of Decisions concerning Custody of Children and on the Restoration of Custody of Children are both enabled in Jersey through the Child Abduction and Custody (Jersey) Law 2005. These two

international Conventions relate respectively to the civil aspects of international child abduction and to the recognition and enforcement of custody decisions to be extended to Jersey.

2. In addition, a range of domestic legislation is in place to ensure protection for children including the Criminal Law (Child Abduction) (Jersey) Law 2005, which amends criminal law relating to the abduction of children and the Child Custody (Jurisdiction) (Jersey) Law 2005, which provides for the enforcement of child custody orders made in the UK or Jersey, plus restrictions on the removal of children from Jersey or any part of the U.K.

E. Abuse and neglect (Article 19)

1. The Children (Jersey) Law 2002 provides a legal framework to protect children by imposing penalties for cruelty, abuse and neglect. The police have special powers to arrest suspected offenders. In addition, the law protects children against common law offences such as indecent assault and rape.
2. A new Multi-Agency Safeguarding Hub will be put in place from August 2013. It will provide co-ordinated referral management for all children at risk harm. It includes representatives of the police, children's social services, education welfare and other agencies at the front-line of child protection issues.
3. The Police's Public Protection Unit has a dedicated child protection team, dealing with concerns; investigating and prosecuting offenders; a domestic violence unit working to prevent and reduce domestic abuse and an offender management unit, dedicated to the identification, assessment and management of sex offenders who pose a risk to all members of the community including children.
4. The Health and Social Services Department holds a register of all children who are considered at risk of abuse (known as the Child Protection Register). An inter-agency plan is prepared with a view to protecting each child on that register. A child is entered onto the register as a result of a child protection conference. All entries are reviewed every three months. If deemed necessary for the protection of a child, the Health and Social Services Department may apply to the Court for an order to take that child into the care of the department.
5. The Department for Education, Sport and Culture has policies in place to identify and respond to potential neglect or abuse. This includes ensuring every member of staff working with children has a responsibility for child protection; every school having a Designated Teacher for Child Protection and a Deputy and all Senior Youth Workers having a designated role in child protection. This role includes responsibility for adherence child protection policy and procedures; coordinating the response for any incident of suspected or actual child abuse; maintaining factual records; ensuring children on the Child Protection Register are monitored; ensuring training for all school / youth service staff is continually updated – initial child protection training is delivered to all teaching and non-teaching staff.
6. The Department for Education, Sport and Culture facilitates child protection courses for those working with young people in sporting clubs and activities to ensure safeguarding. Where these clubs meet the requirements of the 2002 Day Care (Jersey) Law these are regulated by ESC's Childcare Registration team.
7. Multi-agency support teams operate in four Jersey secondary schools. Membership of these teams include: Senior school manager; Social worker; Counsellor;

- Attendance Officer; Behaviour Support Manager; Learning Support Coordinator and Educational Psychologist.
8. The Department of Education also has an E-safety Officer in place with a designated co-ordinator in each school.
 9. The Government of Jersey has made financial provision for an independently chaired Children's Safeguarding Partnership Board which has the powers to investigate failures to protect children from harm, undertake Serious Case Reviews and ensure robust multi-agency working in order to safeguard children. Pending development of legislation to place the Board on a statutory basis, a Memorandum of Understanding will be developed during 2013 committing all signatories to participate in the activities of the Board.
 10. A Committee of Inquiry into historical child abuse in Jersey has been established to ascertain the facts relating to failings in Jersey's historical residential child care system in which some children suffered abuse and neglect. The Committee is to be led by a Chairperson with a legal/judicial background who is independent of Jersey and of all interested parties. The Government of Jersey, acknowledging the abuse that some children were subjected too in past years, have already delivered a Historic Abuse Redress Scheme for those who were in full-time residential care between 9th May 1945 and 31st December 1994. A number of reviews have also been undertaken with a view to understanding the conditions which allowed the abuse to happen and ensure all possible steps are taken to protect children in future including:
 - a. Williamson Report: An Inquiry into Child Protection in Jersey – June 2008
 - b. The Howard League for Penal Reform – Jersey Review: November 2008
 - c. Williamson Report: Implementation Plan – January 2009
 - d. Health, Social Security and Housing Scrutiny Panel Review – July 2009
 - e. Report by the European Committee for the Prevention of Torture or Inhuman or Degrading Treatment or Punishment – July 2010
 - f. Youth Justice in Jersey: Options for Change – August 2010
 - g. Care Inspectorate Inspection of Children's Services - January 2012
 - h. Action for Children – Review of Services for Children and Young People with Complex and Additional Needs – September 2012
 - i. Voice of the Child Report – July 2012.
 11. The Government of Jersey has apologized to those children who suffered harm and has acknowledged the historical failings.
 12. The Government of Jersey supports a Domestic Violence Forum which co-ordinates a strategic multi-agency approach to address domestic violence. The Government also provides financial support to the Women's Refuge which provides a secure place for victims and their children, plus training and awareness-raising in schools and other environments.
 13. A Multi-Agency Risk Assessment Conference system is currently being set up to support high risk victims of domestic abuse.
 14. Rehabilitation of Offenders (Jersey) Regulations 2002 enables Disclosure and Barring Service checks (DBS) to be undertaken on individuals who work with children and/or vulnerable adults.
 15. Existing legislation, including the Nursing and Residential Homes (Jersey) Law 1994 and the Nursing Agencies (Jersey) Law 1978, place statutory requirements on

organisations covered by the legislation to ensure people working with children, or coming into contact with children, in those environments are fit to do so. This includes requiring such organisations to undertake DBS checks on their staff. This “fitness” requirement will be replaced by an explicit requirement for DBS checks under the new Regulation of Care (Jersey) Law 201- which is currently being developed and will be implemented, with regard to long term care facilities, domiciliary care and nursing agencies in 2014/15. It is envisaged that regulations will then be extended to actual care, social services, primary care and dental care in 2020.

16. The Children (Jersey) Law 2002 sets out which people may be disqualified from caring for children as foster carers or in voluntary homes (residential care homes). This includes those who, for example, have committed offences which makes them unfit to care for children and parents whose own children have been subject to a care order. Teachers are subject to vetting and criminal records checks. The Day Care of Children (Jersey) Law 2002 extends those disqualifications to people looking after children in day care settings.
17. It is anticipated that during 2014 Jersey will seek to have the UK’s Safeguarding Vulnerable Groups Act 2006 extend to it by Order, thus ensuring that UK best practice with regard to vetting and barring is adopted in Jersey.

F. Child deprived of family environment (Article 20)

1. Where no person has parental responsibility for a child, or the child is lost or has been abandoned, or the person who has been caring for the child is prevented from doing so, or the child is at risk of harm the Children (Jersey) Law 2002 places a duty on Health and Social Services Minister to take the child into their care.
2. Where a child is in the care of the Minister (a Looked After Child) qualified social workers from the Children’s Social Services Department make suitable arrangements for the care and accommodation of that child. This could include being placed with other family members or friends (approx. 30% of Looked After Children), foster care (approx. 40%) or placed in one of the five residential children’s homes in Jersey. A very small number may also be placed in specialist facilities in the UK in order to provide them with specialist support that is not available in a small Island community. Reviews of children in care are held every three months in the first year and every six months thereafter.
3. The Children (Voluntary Homes) (Jersey) Order 2005 makes provision in relation to the placement of children in residential care homes operated in the private sector and sets out the standards associated with the running of those homes.
4. In 2012 there were 83 Looked After Children in Jersey, this includes a significant proportion who are older teenagers and who will be leaving care in the next few years. The average number of Looked After Children per year from 2005 to 2012 is 81.75
5. When giving consideration to the temporary or permanent removal of children from their parents the law determines that the Court must give regard to the wishes and feelings of the child, the child’s physical, emotional and educational needs plus their background and any characteristics which the court considers relevant. This would therefore include consideration of ethnic, religious, cultural or linguistic matters.

6. Where a child is deprived of their liberty by the Court following a criminal conviction the child will be facilitated to remain in Jersey wherever possible. Depending on the age and sex of the child they may be accommodated in the Young Offenders Institution or the adult prison, subject to safeguards, or in Jersey's secure welfare unit. In very rare circumstance they may be placed in a UK facility up until the point at which their needs can be met and they can return to Jersey (only one young offender has been placed in a facility outside Jersey in the previous 5 years).
7. Provision is made for the independent inspection of services for Looked After Children or children who are detained in a secure unit including periodic inspection by competent external agencies (the Scottish Care Inspectorate); an Independent Board of Visitors to provide oversight of Jersey's Children's Residential Services; a Board of Visitors providing visiting to people detained in HMP La Moye, including in the Young Offenders Institution.
8. Provision is made to support Looked After Children in the school environment. Every school in Jersey has a Designated Teacher for Looked After Children who is responsible for tracking the wellbeing, academic progress, attendance and social interaction of Looked After Children. This includes the development of a Personal Education Plan for each child and the teacher participating in Looked After Children reviews.

G. Adoption (Article 21)

1. The adoption of a child is provided for in the Adoption (Jersey) Law 1961 and subsequent amendments. The law provides that only the Court can make an adoption order which transfers parental responsibility from a child's parents to adoptive parents. Prior to making an adoption order the Court would need to have regard to all the circumstances and its primary consideration would be to safeguard and promote the welfare of the child, whilst having regard to the child's wishes where the child's age and understanding allow for that.
2. The extension of the European Convention on the Adoption of Children 2008 to Jersey is currently under consideration by the Health and Social Services Department. In order for the obligations in that Convention to be extended some amendments would need to be made to the Adoption (Jersey) Law 1961. Those amendments would, as minimum, need to provide for greater access to information about an adopted person's origins and strengthen the existing mechanism for ascertaining the wishes of the child with respect to a proposed adoption.

H. Period review of placements (Article 25)

1. The Children (Jersey) Law 2002, the Children (Secure Accommodation) (Jersey) Order 2005 and the Criminal Justice (Young Offenders) (Jersey) Law 1994 all provide for periodic review of the treatment and circumstances of the child. The child's parents will be involved in that review meeting, except in exceptional circumstances.
2. If a child were to be detained in Jersey for treatment for a mental disorder, they would be managed in accordance with procedures that apply to Looked After Children with reviews held every three months in the first year and every six months thereafter (note: no child has been held in Jersey for over 28 days in the last 15 years).

3. In addition, the Mental Health (Jersey) Law 1969 allows for any person detained under the law for observation or treatment to make an appeal to the Mental Health Review Tribunal. In the case of a child who has insufficient mental capacity the application shall be made on their behalf by either the Health and Social Services Minister or the Attorney General.

I. Recovery of maintenance (Article 27.4)

1. Schedule 1 of the the Children (Jersey) Law 2002 provides the Court with the powers to secure financial support for the child from the parent/s or others with financial responsibility, this includes where the child lives in another jurisdiction.
2. The Maintenance Orders (Enforcement) (Jersey) Law 1999 make additional provision for the enforcement of maintenance orders made under the Matrimonial Causes (Jersey) Law 1949 and Children (Jersey) Law 2002.
3. Maintenance can be recovered from the parent/s or others with financial responsibility for the child who live in another jurisdiction through the United Nations Convention on the Recovery Abroad of Maintenance and the Hague Convention on the Recognition and Enforcement of Decisions relating to Maintenance Obligations. This Convention has been effective in Jersey since 2003.

J. Physical and psychological recovery and re-integration (Article 39)

1. The Health and Social Services Department, and associated children's social work service, provides for the physical and psychological recovery of children who have been victims of any form of abuse.
2. Jersey's specialist Child and Adolescent Mental Health Service (CAMHS) provides a range of interventions delivered by specialist children's psychologists and psychiatrists; multi-agency support teams operate in schools; the Youth Enquiry Service (YES) offers counseling support to young people aged 14 – 25 and a Pathway Plan is in place to support children who self-harm. A child who requires highly specialised support to manage emotional trauma may be provided with a placement in a specialist UK facility.
3. The physical health of Looked After Children is supported through a new multi-agency liaison group specifically established to help improve their health, a Paediatric Liaison Health Visitor together with a dedicated Nurse and Medical Adviser for Looked After Children.

CHAPTER 6: BASIC HEALTH AND WELFARE

A. Right to life, survival and development (Article 6)

1. The Human Rights (Jersey) Law 2000 gives effect in domestic law to rights and freedoms guaranteed under the European Convention on Human Rights, thus recognizing the right to life.
2. As set out in Chapter 1 above the Government of Jersey intends to enter the same declaration as the UK Government in that it “interprets the Convention as applicable only following a live birth”. (CRC/C/2/Rev.8, p.42.).
3. As set out below in Section D below the Government of Jersey works to support the survival and development of the child.

B. Childcare services and facilities (Article 18.3)

1. The Government of Jersey funds nursery care for 20 hours a week, 38 weeks of the year, for all children in the year before they reach compulsory school age. There is currently no statutory right to maternity, paternity or adoption leave in Jersey. There is however provision in the Social Security (Jersey) Law 1974 for maternity and adoption benefits, including up to 18 weeks maternity allowance.
2. The Social Security Department intends to introduce legislation relating to maternity, paternity and adoption leave, in tandem with sex discrimination legislation, in 2015. Pending approval by the Government of Jersey, family friendly rights will be introduced via amendment to the Employment (Jersey) Law 2003 and protection against sex discrimination would be introduced via Regulations made under the draft Discrimination (Jersey) Law 201- which was approved by the Government of Jersey in May 2013 and is awaiting Royal Assent.
3. The Jersey Advisory and Conciliation Service advises that whilst there is currently no statutory provision many employers do already give contractual rights to maternity and paternity leave. In part because many Jersey based companies reflect the employment policies of their UK head offices.

C. Disabled children (Article 23)

1. Children with a disability and/or complex needs receive targeted support from a range of services and organisations including, but not limited to: the paediatric health team; the multi-disciplinary child development service; the social work team for children with a disability; sensory needs services including for deaf and hard of hearing; respite services; third sector organisations including Jersey Mencap, Autism Jersey, Headway and the Youth Service’s Youth Inclusion Project.
2. The Health and Social Services Department are currently progressing 2 key areas of working including improvements in respite care provision for children with a special need and improvements in paediatric palliative care.
3. Article 4 and 28 of the Education (Jersey) Law 1999 place a duty on the Minister for Education, Sport and Culture to make available appropriate, free provision for all children with special educational need. This provision is further underpinned by the Department’s Special Educational Needs Code of Practice and Criteria for

Assessment, both of which provide detailed guidance of the processes to be followed by the Educational Support Team and schools. These policies make further provision especially in respect parental rights and alternatives.

4. The legislation includes a preference that children who have special educational needs will be educated in a school which is not a special school, if the parent, or child if over 16 years, wishes and subject to compatibility criteria.
5. A Record of Need is issued for every child who has special educational needs requiring additional arrangements above and beyond what should be 'ordinarily available' within school to be put in place. There are approximately 311 children in Jersey with a Record of Need. Approximately 74 of these are placed in special educational settings, with the others receiving education in mainstream schools with additional support.
6. Children with special needs are supported by a dedicated Educational Psychology team.
7. The Department for Education, Sport and Culture currently compiles a register of all children in state schools from nursery age, who have defined and moderated inclusion needs. This register does not however currently capture children in private nurseries or of pre-nursery age. The Children's Policy Group recognise the need for comprehensive data about the number of children and young people with disabilities or special needs in Jersey, and work is currently being developed.
8. Children with disabilities can make their own Income Support claim when they reach school leaving age. This ensures that they can receive financial support in their own right, regardless of their parental circumstances.

D. Heath and health services (Article 24)

1. All children have access to healthcare in Jersey. Primary healthcare, which is provided by private practice GP's, is subsidised through the Social Security Department. Secondary healthcare, plus social services provision is provided free by the Health and Social Services Department. Families in receipt of income support and benefits receive a contribution towards the costs of accessing primary healthcare.
2. The Government of Jersey makes considerable investment in services to ensure the survival and development children. These are comparable to services elsewhere in the British Isles and include universal health services such as general practice, midwifery services, health visiting, and access to secondary care health services such as hospital, community paediatric services, children's social services, children's development centre and children and adolescent mental health services. There are a range of complimentary and integrated services for children which are provided for by the voluntary and community sector under contract to the Health and Social Services Department. A school dental service is provided for all primary school children and a Dental Fitness scheme provides support for dental costs for children aged 11 and above.
3. The Health and Social Services Department is currently redesigning existing services including those provided to children. The focus for this work is informed by the evidence and research in early intervention and providing the child with the right familial, social and community environment which will promote health and wellbeing.

The programme of redesign will see less children with complex needs placed off island and more children being assessed as school ready as they enter their primary school reception class

4. Children with English as a second language are supported to access services through a translation service. In addition the Speech and Language Therapy Service fund bilingual co-workers to support assessment and provide programmes in a child's first language when this is their stronger language.
5. In Jersey the infant mortality rate is very low (3.6 per 1,000 live births) and primary immunisation levels are very high (95-98% of children)
6. All children in Jersey are provided, free of cost, with routine childhood immunisations as recommended by the UK Joint Committee on Vaccination and Immunisation. These include: diphtheria, tetanus, pertussis (whooping cough), polio, *Haemophilus influenzae* type B, pneumococcal disease, meningococcal disease, measles, mumps and rubella. Girls are also offered protection against cervical cancer caused by human papillomavirus types 16 and 18.
7. Teenage pregnancy rates for under 16's are much lower than in England and Wales (2.3 per 1,000 compared to 7.8 per 1,000) and the rate of under 18 conceptions is low in Jersey (16/1000) compared with UK (40/1000).
8. A specialist Child and Adolescent Mental Health Service (CAMHS) provides a range of services for children delivered by specialist children's psychologists and psychiatrists. Specialist interventions are in place for children with particular difficulties such as eating disorders or self-harming.
9. The education curriculum in schools provides children with information on health issues including nutrition, exercise, sexual health, smoking, alcohol and drugs.
10. In March 2010, the States of Jersey voted in favour of introducing new legislation making it a requirement for all under 18 year olds to wear cycle helmets. This legislation is currently being drafted; it will apply to children under 14 years old when cycling or riding on a public road. In addition existing road traffic legislation, the Road Traffic (Jersey) Law 1956 and the Motor Vehicles (Wearing of Seat Belts by Children) (Jersey) Order 1998, makes the use of seat belts or appropriate restraints compulsory for all children below the age of 14 travelling in the front or back seats of a car, small goods vehicle or minibus and legislation is being developed to make use of appropriate child seats and restraints compulsory for specific heights and weights of children under 12.
11. The multi-agency Child Accident Prevention group has developed an Island-wide accident prevention strategy and undertakes awareness campaigns and works with schools to help increase children's knowledge and awareness of risk.
12. Protection is given in law against traditional practices that harm children, for example female circumcision, which are deemed grave and criminal assaults.

E. Social Security and standards of living (Article 26 and 27)

1. The Social Security Department provides, in accordance with legislation, a range of benefits that support children and young people.

- a) A Maternity Allowance is available for up to 18 weeks to support mothers to have time off work whilst they have their baby. The current full allowance is £187 per week, but the amount paid does vary depending on the amount of social security contribution the mother has paid. The allowance can be paid for up to 18 weeks (6 weeks before the baby is born, the week of the birth and 11 weeks after birth).
 - b) A one-off Maternity Grant or a one off adoptive parent grant of £561.75 is available to families, who have paid social security contributions, to help with the costs of having a baby.
 - c) A Home Responsibility Protection scheme provides contribution credits for a carer who stays at home to look after their child. These credits protect the carer's social security contribution record and goes towards their pension. Credits are usually available to carers aged 18 or over, who stay at home to look after a child under 5 years who lives with them.
 - d) Income Support is available to people over school leaving age (either directly or as part of their parents' claim) and who satisfy income and residency conditions. It includes a number of components and/or eligibility criteria that impact on children and young people, both as claimants or as children supported by claimants, such as:
 - i) the prime carers of children aged under 5 are exempt from work and are eligible to receive income support if they choose to stay at home to look after their child.
 - ii) prime carers who are in employment, or are in some limited forms of education and training, can receive a higher rate of income support which takes account of their childcare costs.
 - iii) support for living and rental costs for adults aged under 25 if they are responsible for, and living with, a child. This helps ensure that young parents can live independently.
 - iv) medical costs are covered by three different income support components. The clinical cost competent helps with the cost of GP visits, whilst the personal care and mobility components provide additional financial support to those with long-term medical conditions and disabilities.
 - e) Whilst eligible young people aged under 25 years can claim income support for day-to-day expenses, most are not entitled to the accommodation component which makes a contribution towards the cost of rent. The cost of rent may however be included for: a child who is responsible for and living with a child; a care leaver or young adults who are unable to remain in the family home.
2. The Government of Jersey's Housing Department and local housing trusts provide social rented accommodation for families who are unable to afford to rent or buy on the open housing market. Under the Reform of Social Housing Proposition approved by the Government of Jersey in April 2013 all social housing will be brought up to standards equivalent to the UK's Decent Homes Standard.
 3. The Control of Housing and Work (Jersey) Law 2012 puts in place a number of controls that are a proportionate and legitimate response to the Island's housing needs, these include the requirement in a small island with limited housing stock to protect a proportion of housing for long established residents whilst also ensuring

that housing is also available for newly arrived migrants. The Control of Housing and Work (Jersey) Law 2012 is Human Rights compliant.

4. The Department for Education, Sport and Culture provides some financial assistance for children from low income families through a contribution for secondary school pupils toward the cost of school uniforms and extracurricular activities such as school trips, and through introducing relevant charities to school leaders who actively support primary pupils in this area. This activity is facilitated through the Department's Education Welfare Officer attached to each school, who also liaise with other government departments, including the Health and Social Services Department and Social Security's Income Support Team, to arrange financial assistance for the purchase of glasses for children from disadvantaged backgrounds.

CHAPTER 7: EDUCATION, LEISURE AND CULTURAL ACTIVITIES

D. Right to education; accessibility of education (Article 28)

1. Jersey has a unique education system that comprises 43 primary, secondary and specialist schools. Some are private, some States fee paying and some non-fee paying States schools. A very small number of families educate their children at home, monitored by the Education Support Team.
2. The Education (Jersey) Law 1999 makes full time education compulsory for all children from the first day of the academic year in which their fifth birthday falls until 30th June in the school year in which their 16th birthday falls. Under this law the Department for Education, Sport and Culture provides free primary and secondary education to all pupils who attend non-fee paying State schools.
3. The Department for Education, Sport and Culture also funds nursery care for 20 hours a week, 38 weeks of the year, for all children in the year before they reach compulsory school age. Home tutoring support is provided for parents/guardians who wish to educate their children at home, plus vocational education/training opportunities are available.
4. There are approximately 12,000 pupils in compulsory education in Jersey and approximately 1,000 in education aged 16 and over. There are 909 children in funded nursery places, provided with 20 hours of high quality Nursery education in the year prior to moving in to school.
5. Pupils over 16 years may either leave education; remain within the school system in order to study for A-levels or the International Baccalaureate or attend Highlands College of Further Education and access a wide range of qualifications from entry level up to degree level.
6. Students are supported in further education up to the age of 19 through the provision of free tertiary education, Jersey operates a Discretionary Grant system for students undertaking courses in higher education whether locally or off-Island. The Government of Jersey will make a contribution to the cost of tuition and living costs; the size of the contribution is means-tested using the income of the parents or the student.
7. The Education (Jersey) Law 1999 determines that the Jersey curriculum must recognise the differing requirements of children. To this end the Department for Education, Sport and Culture carries out consultation on the aims objectives, content and delivery of the curriculum plus the processes used to assess educational achievement.
8. The Jersey curriculum makes provision for vocational education and training and a Careers Service is provided by the Department for Education, Sport and Culture. Vocational training provision includes a range of courses at Highlands College and Trackers, the new apprenticeship programme.
9. The Law requires that children with special educational needs are supported. Depending on the needs of the child that free support can take the form of:
 - a) a place in a specialist school for a child with severe learning difficulties, and emotional and behavioural difficulties
 - b) specialist education support and provision in a mainstream school, including provision to meet physical, hearing, language and social communication needs;

- c) an Alternative Curriculum for Year 11 students who have not accessed Year 10 successfully.
10. The Department for Education, Sport and Culture provides English as an additional language service to all children who require English language support.
11. School attendance in Jersey is high with an attendance rate of 95.4% in primary schools and 92.8% in secondary schools. Unauthorised absence levels are lower than other comparable jurisdictions (0.26% in primary schools and 0.97% in secondary schools) as are school suspensions. There have been no permanent exclusions in Jersey for several years.
12. Attendance is supported by the Education Welfare Service (EWS) of the Department for Education, Sport and Culture. Primary schools have designated Education Welfare Officers (EWOs) in a cluster arrangement; secondary schools each have an assigned Attendance Officer. These officers provide support should truancy issues arise.
13. By way of an Act issued by the Government of Jersey Education Committee in 1986, the use of corporal punishment by teachers in all States schools and private schools in Jersey is prohibited. Secondary schools have nominated staff who act as lead behaviour managers promoting and supporting positive behaviour amongst pupils.

E. Aims of Education (Article 29)

1. The Education (Jersey) Law 1999 sets out requirements related to the curriculum taught in Jersey schools. This includes the skills and process which must be taught to children of different abilities and the arrangements that must be made for assessing educational attainment, in order to ensure, as far as is possible, that children reach their fullest potential.
2. At both primary and secondary level the Jersey curriculum includes Personal, Health and Social Education (PHSE) which equips children and young people with the knowledge and skills required to deal with a range of issues they may face as they grow up and to prepare them for a responsible life in a free society. This includes citizenship; equality; diversity; sex; drugs; nutrition; health; careers etc.
3. PHSE education is reinforced through informal education via government funded youth services, the youth work curriculum and the Youth Enquiry Service which offers free and confidential information, advice and counselling support to young people aged 14 – 25.
4. Children are supported to prepare for employment via a school's based careers advice service; a work experience scheme plus a range of work shadowing schemes. The Prince's Trust and the Youth Service personal development programme to support children may not have achieved at school.
5. The Jersey Skills Board aims to ensure that the Island's population has a diverse mix of skills including children and young people. Activities include work experience, internships, work training and a personal mentor and undergraduate internships.
6. School children are provided with careers advice and guidance. This includes school careers sessions for 14 – 18 year olds; the work experience scheme for 15 - 16 year olds and opportunities for final year pupils to participate in schemes such as Young

Enterprise, the Institute of Directors and the Chartered Institute of Marketing work shadowing schemes.

F. Leisure and cultural activities (article 31)

1. Children and young people are provided opportunities to develop as citizens via a number of initiatives including visits to and debates within the Government Chamber; organised community activities such as Scouting, Brownies and Guides and via Youth Service activities such as the Duke of Edinburgh's Awards and a Youth Bank scheme which enables 12-18 year olds to agree grant funding to youth projects and youth centre participation projects.
2. Respect for the natural environment is fostered via the curriculum and via other government and non-government agencies including, but not limited to, a Forest School initiatives in Jersey schools, National Trust for Jersey, Jersey Heritage and Eco-active a government led initiative designed to support environmental initiatives.
3. Participation in the arts is supported via a dedicated Cultural Development Officer who works with local arts and cultural trusts in providing Youth Theatre, student tickets for events, young artist competitions and theatre workshops. Jersey Heritage offer Flash Days and in and out of school activities for children. The Jersey Instrumental Music Service provides school children with access to musical instruments.
4. Early Years and Childcare Partnership is developing a Play Strategy for Jersey. This is due to be launched in September 2013, and builds on the work of dedicated play workers in a range of settings.
5. Jèrriais, the native language of Jersey is available for children to study up to GCSE standard.
6. The Education (Jersey) Law 1999 sets out the curriculum for physical education in schools as a compulsory subject up to the age of 16 years. This provides for a minimum of 2 hours per week of high quality PE. Schools offer a range of out of hours and after-school provision in a variety of sports. This is co-ordinated by the Jersey Schools Sports Association, which is part-funded by the Department for Education, Sport and Culture. Holiday and after-school programmes also offering a range of sporting activities are provided by many clubs and association as well as by the Education, Sport and Culture Department. Some of these are targeted at children and young people from low income families. These are provided at little or no cost to families.
7. ESC further supports sport and leisure access for children through a team of sports development officers working across a wide range of facilities.
8. Jersey has a strong, well-funded Youth Service which runs a range of projects in clubs and street-based services, as well as mobile units servicing localities without established settings. The Youth Service provision is available to all young people from the age of 11-18. Small contributions support this work, but there is no financial bar to children's access.

CHAPTER 8: SPECIAL PROTECTION MEASURES

A. Refugee children (Article 22)

1. There have been no incidents of children entering Jersey to seek refuge or asylum.
2. Entry into Jersey is via the UK common travel area or via other EU states. The UK Immigration Act and the provisions of the Dublin Convention allow all EU states to be treated as safe third countries, therefore in the event that a child did enter Jersey they would be returned to the safe third country from which they came.
3. Whilst in Jersey, the Jersey Immigration service would safeguard that child by adhering to UK Borders and Immigration Agency guidance and, if required, by placing that child in the care of Children's Social Services. Under the Children (Jersey) Act 2002 provision would be made to safeguard the welfare of that child.

B. Right to enjoy own culture (Article 30)

1. The Human Rights (Jersey) Law 2002 provides for rights and freedoms to be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status. This includes freedom of thought, conscience, expression and religion.
2. The 2011 census showed that the currently 50% of Jersey residents were born in Jersey. Nearly a third (31%) were born in the British Isles (including England, Scotland, Wales, Northern Ireland and other Channel Islands). About one in fourteen (7%) were born in Portugal / Madeira and 3% were born in Poland. The Portuguese and Polish communities have a notable cultural identity on the Island which includes events such as an annual Portuguese Food Fair. The cultural identity is embraced and supported by the Government of Jersey.
3. There are state funded initiatives to promote Jèrriais the native language of Jersey and other minority languages in schools.

C. Economic exploitation (Article 32)

1. Interference with a child's education is legislated against in the Education (Jersey) Law 1999 which requires a child to attend full time education from the first day of the academic year in which their fifth birthday falls until the 30th June in the school year in which their 16th birthday falls.
2. The Children (Regulation of Employment) (Jersey) Order 2011, which is made under the Children (Jersey) Law 2002, currently places restrictions on the employment of children who are under the school leaving age and imposes sanctions on employers who do not accord with those restrictions. It is the intention of the Health and Social Services Minister to bring forward an updated Order to extend regulation to children aged 16 -18 during 2016.
3. The Shipping (Employment of Young People) (Jersey) Order 2007 permits the employment of children on boats in local inshore waters in exceptional

circumstances and under strict conditions. It is believed that the Order provides adequate protection against placing a child in a hazardous and harmful place. Nevertheless, it is the intention of the Minister for Economic Development to review this Order and its practical application during 2016 alongside the Children (Regulation of Employment) (Jersey) Order 2011.

4. The Health and Safety at Work (Jersey) Law 1989 applies to all workers, irrespective of age. In particular employers have a duty to conduct their undertakings in a manner, as far as is practicably possible, that ensures the health, safety and welfare of their employees.
5. Employment law provides for minimum wage for all employees above school leaving age. Trainee minimum wage (at a lower rate) is available at any age but provides for structured training as part of employment for a maximum of two years.

D. Drug abuse (Article 33)

1. Restriction on Smoking (Sales of Cigarettes to Children (Jersey) Regulations 1992 prohibit the sale of cigarettes to persons under the age of 18 in Jersey. Additional regulations approved by the Government of Jersey in April 2013 will, when they come into effect, ban the sale of tobacco from vending machines and place restrictions on tobacco advertising, promotion and display.
2. The Licensing (Jersey) Law 1974 places restrictions on the serving of alcohol to people under the age of 18.
3. Misuse of Drugs (Jersey) Law 1978 defines controlled substances, including narcotic drugs and psychotropic substances, putting in place restrictions and penalties which are broadly similar to UK legislation. Drug Trafficking Regulations similarly provide protection for children.
4. The school curriculum provides that children receive education in this area and there are government funded services available to help families where alcohol or substance misuse is an issue.
5. The Misuse of Drugs (Jersey) Law 1978 provides protection for children from involvement with trafficking of drugs

E. Exploitation, sale trafficking and abduction (Article 34, 35 and 36)

1. The Geneva Conventions Act (Jersey) Order 1999 gives effect to the provisions within the Geneva Conventions including Article 77 which provides for the protection of children, including protection against any form of indecent assault.
2. The Children (Jersey) Law 2002 adoption legislation and Criminal Law (Child Abduction) Jersey) Law 2005 prohibits such conduct.. Protection against slavery or enforced labour is also provided through extension of ratification of the International Covenant on Civil and Political Rights.
3. Sexual Offences (Jersey) Law 2007 protects children from a range of sexual offences including sexual intercourse below the age of sexual consent (age 16 for heterosexual and homosexual activity), grooming, abuse of position of trust,

incitement and causing a child to watch a sexual act. The law sets out terms for custodial sentences for these crimes.

4. The Protection of Children (Jersey) Law 1994 prohibits the taking or making of indecent photographs or pseudo-photographs of children and puts in place penalties for the possession, distribution, showing and advertisement of such indecent photographs or pseudo-photographs including computer generated images
5. The States of Jersey Police and the Department for Education, Sport and Culture work with the UK's Child Exploitation On-Line Protection Centre (CEOPS) which is dedicated to eradicating on-line abuse of children. This includes the provision of a dedicated E-safety Officer in the Department for Education, Sport and Culture working to protect children within the school environment plus the provision of e-safety awareness for retailers, parents, carers and professionals working with children.
6. The Children (Jersey) Law 2002 places restrictions on children taking part in some forms of public performances in order to protect the child.

F. Children deprived of their liberty (Article 37.b.c.d)

1. The Criminal Justice (Young Offenders) (Jersey) Law 1994 establishes that the minimum age of criminal responsibility is 10 years, as it also is in England and Wales. The Children's Policy Group notes however that the UNCRC Committee does not consider a minimum age below 12 years to be acceptable and will be considering during 2016 whether to raise the criminal age of responsibility to 12 years.
2. Jersey Law provides significant safeguards around the arrest, detention and imprisonment of a child. Under the Criminal Justice (Young Offenders) (Jersey) Law 1994 a court cannot impose a sentence of imprisonment or Borstal training on a person under aged 21, nor can a Court impose a youth detention sentence on a child under the age of 15 except where the offence is a grave crime, which if committed by an adult would carry a penalty of 14 years or more, or the offence is so serious that no other sentence could be imposed or if previous community penalties have failed.
3. The Children (Jersey) Law 2002 provides safeguards for children placed in the secure welfare unit. A child can only be placed in the unit if they have a history of absconding and are likely to suffer significant harm if they abscond or if they are likely to injure himself or herself or other persons. The Children (Secure Accommodation) (Jersey) Order 2005 sets out maximum periods for which a child can be placed in the secure unit and associated procedures for review.
4. Island provision currently consists of a secure welfare unit managed by the Health and Social Services Department; a young offenders institution (YOI) which caters for male young offenders from 15 years up to the age of 21 years and HMP La Moye which caters for female young offenders and male and female adults.
5. Children under school leaving age are remanded in custody to a secure welfare unit run by the Health and Social Services Department. Male children over school leaving age are remanded to the YOI and male children over the age of 15 who are convicted are detained in the YOI. Female children over school leaving age are

remanded to the HMP La Moye adult female wing, and female children over the age of 15 years who are convicted are detained in the HMP La Moye adult female wing. School leaving age is the 30th June in the school year in which a child's 16th birthday falls.

6. As a small island community with very low numbers of children deprived of their liberty through remand or custodial sentence (0 in 2013 to date; 4 in 2012), Jersey has to strike a balance between the need to provide social and family contact and avoid isolation plus the need to avoid transfer off-island to another jurisdiction, against the inevitable restricted access to suitable accommodation. As a result in some circumstances children, invariably females, who have been sentenced or who are on remand are held with adult prisoners.
7. Article 37c states that every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest. Where a child is not separated from adults in Jersey, this will be in the best interests of the child as it is deemed preferable to mix children with adult prisoners, with appropriate safeguards in place, rather than place a child in prolonged social isolation or transfer them off-island.

Changes to the Criminal Justice (Young Offenders) (Jersey) Law 1994 are currently being developed for consideration by the States of Jersey. These changes would allow a person who has attained the age of 15 but who is not 18 to serve either a custodial sentence or a period on remand at either the Greenfields Secure Unit or the YOI at HMP La Moye. Whilst the legislation maintains strict criteria before a child can be sentenced to custody, it also creates a Young Persons Placement Panel which will determine the most appropriate facility in which that child should be accommodated. This extra flexibility, based around meeting the best interests of the child, is the main thrust of the redrafted law. Where that person attains the age of 18 in custody there will be provision for them to either remain in secure accommodation or transfer to the YOI following consultation between the Prison Governor and the Young Persons Placement Panel.

8. Similarly where a child is deprived of their liberty on the grounds of mental health, it is also a practical reality that on a small island there is only every likely to be a single child requiring accommodation at any one time and, due to the consequential problems associated with isolation, it is the case that it may be in the best of interests of the child to mix them with adults.
9. All children deprived of their liberty by the criminal justice system, or for their own protection, have the right to prompt access to legal and social work assistance and legislation ensures that they have to be produced before a court at the first available opportunity. Children deprived of their own liberty for their own protection and placed in secure accommodation are safeguarded in a similar fashion.

G. Children in armed conflict, including physical and psychological recovery (Article 38 and 39)

1. The UK Government is constitutionally responsible for the defence of Jersey as a Crown Dependency. Jersey has no armed forces although it does fund a Territorial Army Royal Engineers Squadron on the Island. This is done in accordance with UK

legislation and international humanitarian laws related to the involvement of children in armed conflict.

2. As set out in Chapter 5 above the Health and Social Services Department provides for the physical and psychological recovery of children who have been victims of any form of abuse, including through a children's social work service and a Child and Adolescent Mental Health Service.

H. Administration of juvenile court (Article 40)

1. The Criminal Justice (Young Offenders) (Jersey) Law 1994 establishes that the minimum age of criminal responsibility is 10 years, as it also is in England and Wales. The Children's Policy Group notes however that the UNCRC Committee does not consider a minimum age below 12 years to be acceptable and will be considering during 2016 whether to raise the aged of criminal responsibility to 12 years.
2. Jersey law provides significant safeguards around the arrest, detention and imprisonment of a child. Under the Criminal Justice (Young Offenders) (Jersey) Law 1994 a court cannot impose a sentence of imprisonment or Borstal training on a person under aged 21, nor can a Court impose a youth detention sentence on a child under the age of 15 except where the offence is a grave crime, which if committed by an adult would carry a penalty of 14 years or more, or the offence is so serious that no other sentence could be imposed or if previous community penalties have failed.
3. Under Jersey law there is a presumption of innocence and no person can be prosecuted for acts which were not illegal at the time they were committed
4. Charges are read to children and their parents or legal guardians and a copy provided in writing, in accordance with the provisions made in law. Children and their parents have access to legal advice regarding their offence. There is a statutory requirement to do this in a language and manner which is understood. Interpreters are provided at no charge at Court and during any associated proceedings.
5. There is a specialist Youth Court similar to that in England and Wales which hears cases against children. Children who are co-charged with adults may have their case heard in the adult courts.
6. The Youth Court is only open to the parties concerned, their legal representatives and guardians. If co-accused with an adult the Court has the discretion to clear the public gallery. The media are present but photography, video or audio recording is forbidden and children may not be named by the media.
7. There is no compulsion to give evidence or confess guilt. Children have an Advocate who acts for them, who can cross-examine witnesses and ask questions of defence witnesses.
8. There is an appeal process through the Jersey courts and ultimately through the UK Privy Council.

9. Jersey has a range of alternatives to judicial proceedings which can be used to divert children from the formal criminal justice process including:

- a. Parish Hall Enquiries (PHEs) are a customary, informal alternative to the Courts which date back over 800 years. A child, who has committed an offence which does not require them to be detained in custody, can be required to attend a PHE in the parish in which they have committed the offence. The PHE, which is overseen by the Centenier (honorary police officer), is a participatory forum and allows for the child and parent's voice to be heard. The Centenier can determine an appropriate penalty for example, referral to the Court; placement under a voluntary supervision order with the Probation Service; attendance on victim awareness programmes; employment and training support; bereavement counselling or a restorative justice alternative.

The overwhelming majority of offences committed by children are dealt within a PHE. Resolution at a PHE diverts children from the Court system, helps avoid criminal convictions being recorded against them and supports reductions in reoffending. Jersey's PHEs have attracted the interest of criminologists internationally who recognize the benefits of this system.

- b. The Youth Courts also made use of restorative justice alternatives as a non-punitive measure where there is an identifiable victim either face-to-face contact, indirect contact through letters of apology or through another form of reparation.

CHAPTER 9: OPTIONAL PROTOCOLS

Optional Protocol 1: The sale of children, child prostitution and child pornography

~~The sale of children, child prostitution and child pornography are prohibited by domestic law in Jersey. The Government of Jersey is absolutely committed to ensuring that all children are similarly protected and therefore supports the UK ratification of Optional Protocol 1 and wishes that ratification to be extended to itself.~~

~~The Government of Jersey recognises the need to assess the extent to which it is fully compliant with the provision of the Optional Protocol, particularly in relation to mechanisms for international co-operation.~~

UPDATED TEXT SUBMITTED TO THE UK ON 22 JANUARY 2014.

The Government of Jersey wishes to protect against the sale of children, child prostitution and child pornography. It supports the UK ratification of Optional Protocol 1 and wishes that ratification to be extended to itself. In so doing, the Government of Jersey commits to reviewing its own legislation to assess the extent to which it is fully compliant with the provisions of the Optional Protocol, and where it is not found not to be fully compliant, to consider what action is required to ensure compliance.

Optional Protocol 2: The involvement of children in armed conflict

The UK Government is constitutionally responsible for the defence of Jersey as a Crown Dependency. Jersey has no armed forces although it does fund a Territorial Army Royal Engineers Squadron on the Island. The Government of Jersey fully endorses the UK Government's commitment to taking all feasible measures to ensure that under 18s do not take a direct part in hostilities; including wherever practical that under 18s are withdrawn from their units before deployment. The Government of Jersey also recognises that safeguards are in place to ensure that the recruitment of under 18s is genuinely voluntary and with the informed consent of the volunteer and his/her parents or guardians.

Annex 1 statistical information

Key facts

Area: 116 sq km
 Population: 97,857: 2011 census (87,186: 2001 census)
 Location: Jersey sits in the Bay of St. Malo, 14 miles from France.

Working age (2011 census)

64,353 people were of working age (defined as 16 to 64 inclusive for men, and 16 to 59 inclusive for women); 56,890 were in employment in Jersey

	Males	Females	All
Under 16 yrs	8,227	7,986	16,213
Working age	33,636	30,717	64,353
Above working age*	6,433	10,858	17,291
Total	48,296	49,561	97,857
Percentage at working age	70%	62%	66%

Place of birth (2011 census)

- Half of Jersey's resident population were born in Jersey.
- 7,030 (7%) were born in Portugal or Madeira.
- 3,130 (3%) were born in Poland.
- 3,790 (4%) were born outside of Europe.
- Since 2001, there has been a net migration of:
 - 3,500 British-born persons *into* the Island
 - 3,100 Polish-born persons *into* the Island
 - 1,900 Portuguese-born persons *into* the Island
 - 4,100 Jersey-born persons *out of* the Island.

Numbers of children receiving full time education Jersey (as at January 2013)

<u>Pupils in States primary schools</u> Non-fee paying and 'provided' schools	5,683
<u>Pupils in private primary schools</u>	1,294
<u>Pupils in States secondary schools</u> Non-fee paying and 'provided' schools	4,996
<u>Pupils in private secondary schools</u>	1,163
Total: primary and secondary	13,225 (difference relates to number of children in special needs facilities)
Pupils in higher education in Jersey aged 16-19 years	967

School leavers (2011)

Post-16	<ul style="list-style-type: none"> 89% of the cohort remained in full time education (36% attended Highlands College, Jersey's further education college)
Sixth form	<ul style="list-style-type: none"> 76% of students completing sixth form moved on to a higher education course either locally or elsewhere 9% moved into employment with a further 13% still seeking work in mid-September
Highlands College leavers	<ul style="list-style-type: none"> 17% moved into employment with a further 17% still seeking employment in mid-September Almost one third continued on to another course at Highlands College 26% progressed to a higher education course with more than half opting to study locally
Higher Education	<ul style="list-style-type: none"> 513 students started a course in higher education bringing the total undergraduate student number to 1,349 The most popular institution was Highlands College, followed by Durham, Brighton, Plymouth, Cardiff, Exeter and Sussex universities The top five subject areas were Humanities (including English & History), Creative Arts, Science, Social Sciences (including Psychology) and Business

Youth crime

	2008	2009	2010	2011	2012
Cases presented to Youth Court	327	344	253	179	71
New probation orders imposed by Youth Court	40	56	35	29	22
New Community service orders imposed by Youth Court	13	16	20	9	5
Offences committed by children and young people detected	Figure not available	664	522	343	211

Male & Female Juveniles (aged 15-17yrs inc) in custody in HMP La Moye

		Individuals Admitted	Number of Admissions
2009	Male Juveniles	13	15
	Female Juveniles	3	5
2010	Male Juveniles	18	31
	Female Juveniles	2	10
2011	Male Juveniles	9	14
	Female Juveniles	1	4

2012	Male Juveniles	2	2
	Female Juveniles	2	4
2013	Male Juveniles	0	0
	Female Juveniles	0	0

Looked after children

Numbers of Looked After Children in Jersey	83 in 2012
Looked After Children adoption rates	Between 2005 – 2012, 7.9% of Looked after Children have been adopted.
Looked After Children placement summary (as at March 2013)	c 45% in foster care c 26% with family and friends carers c 19% in residential children's homes or other settings (including secure accommodation or residential schools or other placements outside Jersey).
Numbers of Children on Child Protection Register	Average number of children on the Child Protection Register per month during 2012: 58

Children's households

Household Income Average	Average household income for a couple with at least one child aged under 16 = £1,145 per week. For a lone parent = £613 per week Average for all Jersey households = £860 per week
Relative low income households	In 2002 33% of all children in Jersey lived in relative low income households. By 2009 this proportion had fallen to 24%.
	Jersey has the highest percentage of economically active women in the world (82%). It also has a high proportion of working mothers, 75% of women with children under the age of 16 are in employment, compared to 68% in the UK.

Addenda

Key strategic documents to accompany the report

Children and Young People's Strategic Framework

<http://www.gov.je/SiteCollectionDocuments/Health%20and%20wellbeing/R%20Children%20and%20Young%20People%20Strategic%20Framework%20Consultation%2020101215%20MC.pdf>

Legislation to accompany the report

Adoption (Jersey) Law 1961

<https://www.jerseylaw.je/laws/revised/Pages/12.050.aspx>

Adoption (Jersey) Rules 1962

<https://www.jerseylaw.je/laws/revised/Pages/12.050.50.aspx>

Age of Majority (Jersey) Law 1999

<https://www.jerseylaw.je/laws/revised/Pages/12.150.aspx>

Child Abduction and Custody (Jersey) Law 2005

<https://www.jerseylaw.je/laws/revised/Pages/12.170.aspx>

Children (Contact in Care) (Jersey) Regulations 2005

<https://www.jerseylaw.je/laws/revised/Pages/12.200.20.aspx>

Children (Jersey) Law 2002

<https://www.jerseylaw.je/laws/revised/Pages/12.200.aspx>

Children (Regulation of Employment) (Jersey) Order 2011

<https://www.jerseylaw.je/laws/revised/Pages/12.200.65.aspx>

Children (Secure Accommodation) (Jersey) Order 2005

<https://www.jerseylaw.je/laws/revised/Pages/12.200.80.aspx>

Children (Voluntary Homes) (Jersey) Order 2005

<https://www.jerseylaw.je/laws/revised/Pages/12.200.90.aspx>

Consent to Medical Treatment (Jersey) Law 1973

<https://www.jerseylaw.je/laws/revised/Pages/20.050.aspx>

Control of Housing and Work (Jersey) Law 2012

<https://www.jerseylaw.je/laws/revised/Pages/18.150.aspx>

Criminal Justice (Evidence of Children) (Jersey) Law 2002

<https://www.jerseylaw.je/laws/revised/Pages/08.250.aspx>

Criminal Justice (Young Offenders) (Jersey) Law 1994

<https://www.jerseylaw.je/laws/revised/Pages/08.380.aspx>

Criminal Law (Child Abduction) (Jersey) Law 2005

<https://www.jerseylaw.je/laws/revised/Pages/08.405.aspx>

Day Care of Children (Jersey) Law 2002

<https://www.jerseylaw.je/laws/revised/Pages/10.700.aspx>

Discrimination (Jersey) Law 201-, (awaiting Royal Assent)

Education (Jersey) Law 1999

<https://www.jerseylaw.je/laws/revised/Pages/10.800.aspx>

Geneva Conventions Act (Jersey) Order 1999

<https://www.jerseylaw.je/laws/revised/Pages/17.385.aspx>

Health and Safety at Work (Jersey) Law 1989

<https://www.jerseylaw.je/laws/revised/Pages/05.300.aspx>

Human Rights (Jersey) Law 2000

<https://www.jerseylaw.je/laws/revised/Pages/15.350.aspx>

Immigration Order (Jersey) 1993

<https://www.jerseylaw.je/laws/revised/Pages/21.700.aspx>

Licensing (Jersey) Law 1974

<https://www.jerseylaw.je/laws/revised/Pages/11.450.aspx>

Maintenance Orders (Enforcement) (Jersey) Law 1999

<https://www.jerseylaw.je/laws/revised/Pages/12.500.aspx>

Marriage and Civil Status (Jersey) Law 2001

<https://www.jerseylaw.je/laws/revised/Pages/12.600.aspx>

Mental Health (Jersey) Law 1969 revision came into effect on 1 January 2013

<https://www.jerseylaw.je/laws/revised/Pages/20.650.aspx>

Misuse of Drugs (Jersey) Law 1978

<https://www.jerseylaw.je/laws/revised/Pages/08.680.aspx>

Nursing Agencies (Jersey) Law 1978

<https://www.jerseylaw.je/laws/revised/Pages/20.700.aspx>

Nursing and Residential Homes (Jersey) Law 1994

<https://www.jerseylaw.je/laws/revised/Pages/20.725.aspx>

Police Procedures and Criminal Evidence (Codes of Practice) (Jersey) Order 2004

<https://www.jerseylaw.je/laws/revised/Pages/23.750.20.aspx>

Protection of Children (Jersey) Law 1994

<https://www.jerseylaw.je/laws/revised/Pages/08.790.aspx>

Public Elections (Jersey) Law 2002

<https://www.jerseylaw.je/laws/revised/Pages/16.600.50.aspx>

Rehabilitation of Offenders (Jersey) Regulations 2002

<https://www.jerseylaw.je/laws/revised/Pages/08.840.50.aspx>

Restriction on Smoking (Sales of Cigarettes to Children (Jersey) Regulations 1992

<https://www.jerseylaw.je/laws/revised/Pages/20.825.60.aspx>

Sexual Offences (Jersey) Law 2007

<https://www.jerseylaw.je/laws/revised/Pages/08.860.aspx>

Shipping (Employment of Young People) (Jersey) Order 2007

<https://www.jerseylaw.je/laws/revised/Pages/19.885.15.aspx>

Social Security (Jersey) Law 1974

<https://www.jerseylaw.je/laws/revised/Pages/26.900.aspx>

Termination of Pregnancy (Jersey) Law 1997

<https://www.jerseylaw.je/laws/revised/Pages/20.925.aspx>

UN Convention on the Rights of the Child – Preliminary report to the United Kingdom

Torture (Jersey) Law 1990

<https://www.jerseylaw.je/laws/revised/Pages/17.875.aspx>

Wills and Successions (Jersey) Law 1993 (March 2010)

<https://www.jerseylaw.je/laws/revised/Pages/04.960.aspx>