



# Children's Commissioner for Jersey

Promoting and Protecting Children's Rights

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## Office of the Children's Commissioner

Brunel House  
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5 May 2020

Sam Mézec  
Minister for Children and Housing

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Dear Minister

I am writing to seek assurances that the Government of Jersey are not intending to follow decisions made by the Westminster Government regarding vulnerable children.

The Adoption and Children (Coronavirus) (Amendment) Regulations 2020 published last week in England makes unprecedented changes to regulations (secondary legislation) relating to the care and protection of vulnerable children and young people. These Regulations make amendments to relax and amend requirements imposed under them.

Whilst I understand that we are in unprecedented times and decisions must be made to make best use of available resources; this presents unprecedented risks to the rights of our children. I would not support any measures that undermine the support, care, and protection of our island's children. Any emergency measures taken need to demonstrate that they are lawful, necessary and proportionate. Any removal of the fundamental legal protections from vulnerable children during the middle of a global pandemic is seen to ride roughshod over the rights of children.

With the legacy of the IJCI, and a history of a government failing to protect children, we cannot remove the protections for children. As a National Human Rights Institution, I am calling for specific protections to be put in place for children, especially those living in situations of vulnerability. Following conversations with the Children's Service I am aware that those children who are Children in Need, and are on Child Protection, *'will be visited in line with business as usual'*. I consider that we are not in business as usual times, and that visits should be increased especially as these children are not in school in the main. I understand that the Team Manager can request additional visits and I ask that where resourcing allows there is additional contact with those children categorised as red.

The Commissioner for Children and Young People (Jersey) Law 2019 places an obligation on you as the Minister to consult with the Commissioner upon any proposals for the preparation of any enactment directly concerning children or young people. I have not received anything from you nor officers and assume that you are not planning to bring forward any such proposals. I am reassured that you took my advice on the amendments to the Draft Children (Placement) (Amendment) (Jersey) Regulation 202- and I seek reassurance that this, and other amendments that erode the protections in place for children, will not be forthcoming.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'D McMillan', written in a cursive style.

**Deborah McMillan**  
Children's Commissioner for Jersey