



Children's Commissioner for Jersey
Promoting and Protecting Children's Rights

Office of the Children's Commissioner

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Deputy Inna Gardiner
Minister for Children and Education

Sent via email: I.Gardiner@gov.je

24 May 2023

Dear Minister

I am writing to you formally following the publication of the three recent inspection reports of the Jersey Care Commission in relation to unregistered regulated activity taking place in Jersey across three, now closed, children's homes and to seek your assurance as to the steps the Government is taking to ensure this does not happen again.

I understand that at times the Government of Jersey will be required to provide immediate care and protection to children in crisis situations where their removal to a place of safety is essential however this is not the first time that I have been made aware of unregulated registered activity having taken place in Jersey. This Office wrote to the former Minister for Children in relation to a child previously placed in unregistered accommodation. It is incumbent on the Government of Jersey to ensure that it is prepared for such circumstances through its sufficiency planning for children in need of alternative care. Never more so than for children in the height of trauma and in crisis.

Furthermore, I am deeply concerned neither the Care Commission, myself or the Independent Reviewing Officers were notified of these homes operating, instead the Care Commission received an anonymous "tip off". This lack of transparency and collaborative working is very concerning to me in relation to children's rights to safety, advocacy, participation, standards of care and protection.



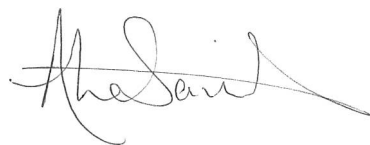
I therefore welcome the publication of the findings of the Jersey Care Commission's Inspection of three unregistered children's homes.

I am saddened to report that, not for the first time, I encountered difficulty in gaining access to children in order to assure them of their rights as per the Children and Young People Commissioner Law (Jersey) 2019. After what I assess as unhelpful, and even, obstructive behaviour from senior members of social care staff I was finally permitted to see one child but only in the presence of a member of the children's home staff. This is unacceptable. I was pleased however to have been able to attend with an advocate from Jersey Cares to introduce the child to this necessary advocacy service.

I have recently been to Geneva for the Constructive dialogue of the UN Committee on the Rights of the Child and the UK State Party, of which Jersey sent a senior policy officer as delegate for the Island. The UN Committee raised three questions to the Government of Jersey, all of which related to Children in the Care of the Minister or Care Leavers. They will be forming their concluding observations and recommendations at the end of this month in relation to how the UK State Party, including Jersey is fulfilling its obligations to the UNCRC. I would welcome the opportunity to meet with you thereafter to discuss the Government's proposals to remedy the issues and improve human rights protections for children and young people in your care.

I look forward to hearing from you.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Andrea Le Saint', with a long, sweeping flourish extending to the right.

Andrea Le Saint
Children's Commissioner for Jersey