

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

28th September 2022

Proposition No. P.2022/74

Committee for Health & Social Care

Review of the Children Law and Outcomes

AMENDMENT

Proposed by: Deputy H J R Soulsby
Seconded by: Deputy P T R Ferbrache

To delete Proposition 22 and substitute therefor:

“22. To direct the Committee *for* Health & Social Care, in consultation with the relevant Committees and agencies, to provide the necessary training and review and update operational procedures to ensure proportionate monitoring and reporting that will assist in determining the effectiveness of these changes on the family care and justice system and outcomes for children, and to effectively support the introduction of the amended legislation, prior to its commencement.”

Rule 4(1) Information

- a) The Proposition contributes to the delivery of the States’ objectives as set out in the Government Work Plan, which includes the ‘Review Children Law and Outcomes’ action.
- b) Consultation has been undertaken with the Committee *for* Health & Social Care and the Children & Young People’s Board.
- c) The Proposition has been submitted to His Majesty’s Procureur for advice on any legal or constitutional implications.
- d) It is not considered that there will be any significant financial implications of carrying this proposal into effect.

Explanatory Note

The Policy Letter in paragraph 9.3 states it is important “that these changes are communicated clearly across the system and that that the necessary guidance and supporting information is prepared in advance and easily accessible.” Also, that the training requirements are planned for and delivered in advance of the operational changes needed to implement the amended legislation.

Some of the issues experienced by practitioners operating under the Children Law stem from the introduction of the Law in 2010, which was hampered to an extent as the supporting operational guidance and training was not prepared and delivered in advance. This has been recognised by the various reviews undertaken on the Law and while it is understood that the training provision now is comprehensive and effective, and that operational guidance exists, there is a risk that this situation occurs again, especially with so many bodies involved in the system.

While the changes to the Law under consideration are not to the scale as those introduced in 2010, there is still a need to prepare for their introduction. By ensuring that any necessary training and operational guidance is prepared before the changes to legislation take effect, to effectively support its implementation, the risk can be managed. This proposal is in line with the intentions set out in the Policy Letter.

There is a possibility that this proposal could impact resourcing should the legislative drafting happen more quickly than the 12-18 months anticipated. While this is unlikely given the technical nature of the changes, if it did occur this could result in the need for additional resources to support the operational guidance preparation, to avoid delaying the introduction of the law. The level of training anticipated is not significant and is understood to be achievable within a shorter timeframe should that be necessary.