

STATES OF JERSEY



DRAFT DOGS LAW (JERSEY) AMENDMENT REGULATIONS 202- (P.63/2025) – CHILDREN’S RIGHTS IMPACT ASSESSMENT

**Presented to the States on 19th August 2025
by the Comité des Connétables**

STATES GREFFE

CHILDREN'S RIGHTS IMPACT ASSESSMENT (CRIA)

PART 1: SCREENING

Name and title of Duty Bearer:	The Comité des Connétables
Type of Duty Bearer: (Minister, Elected Member or States Assembly Body)	Assembly Body
Assessment completed by (if not completed by duty bearer):	Secretary Comité des Connétables
Date:	19th August 2025

1) Name and brief description of the proposed decision

The subject of your CRIA may be a proposed law, policy or proposition and in accordance with the Law is referred to in this template as the '**decision**'

- What is the problem or issue the decision is trying to address?
- Do children experience this problem differently from adults?

The proposed amendments to the Dogs (Jersey) Law 1961 (the '**decision**'), if adopted, will introduce controls on dogs of a type or breed considered to be dangerous. There are also some minor amendments in the redraft to update other provisions in the Law.

The decision, if approved, will introduce a registration scheme for dogs meeting the criteria of a 'dangerous dog' set out in new Article 1B ie meaning if a dog is deemed to be of a type listed (Dogo Argentino, Fila Brasileiro, Japanese Tosa, Pit Bull Terrier and the XL Bully), a person must have regard to guidance (if any) about the dog type published by the States Veterinary Officer (SVO). That guidance includes a dog that may fit the characteristics and measurements of an XL Bully, such as: American XL Bully, American Staffordshire Terrier, American Staffordshire Bull Terrier, American Bulldog, Cane Corso and Presa Canario.

The above dog breeds and characteristics are defined as 'dangerous dogs' for the purpose of this CRIA.

As per the decision, dangerous dogs residing in Jersey will be monitored on a case-by-case basis as they come to the attention of the SVO.

Whilst the SVO is currently aware of a number of dogs that may fall within the definition of a dangerous dog, there are currently no powers to control ownership or to impose conditions to enhance public safety, including that of all children.

Conditions imposed in England and Wales on 'XL Bully' dogs include that the dog must be kept on a lead and muzzled at all times when in public. The dangerous dog must also be neutered, fitted with a microchip, kept in a secure place so that it cannot escape and the owner must take out insurance in respect of the dangerous dog in the event of injury to the public.

The decision aims to mirror the requirements imposed on 'XL Bully' dogs in England and Wales but the amendments expand to capture all dangerous dogs and enhance ownership restrictions island wide.

The Jersey registration scheme will require the SVO to maintain a register of dangerous dogs and it will be an offence to own a dangerous dog unless it is registered

with the SVO. The registered owner of a dangerous dog must comply with the conditions imposed by the SVO which include:

- a. the address at which the dog is kept must be secure to prevent the dog from escaping;
- b. advance notification and approval of the SVO to a dangerous dog being kept at a different address;
- c. prohibition on breeding and requirements enforced to neuter a dangerous dog;
- d. prohibition on abandoning, giving away, selling or transferring a dangerous dog;
- e. dangerous dog to be kept muzzled and on a lead in a public spaces at all times and under the control of a person aged 18 or over;
- f. the owner must have a valid third-party public liability insurance in respect of the dangerous dog which must be approved by the States Veterinary Officer; and
- g. the dangerous dog must be microchipped.

The decision also provides that the owner and any person in control of a dangerous dog in a public space – must be aged 18 or over. This differs from England and Wales where a person aged 16 and over may be the owner of a dangerous dog. This means that in Jersey, children of 16 and 17 years of age will be prohibited from being registered as the owner of a dangerous dog, being the sole carer of a dangerous dog or walking a dangerous dog by themselves in public. This difference in age is proposed due to the risks associated with owning a dangerous dog, including the size of the dogs, ownership and walking restrictions, potential aggressiveness of the dangerous dogs and that children of the ages of 16 and 17 rarely live in their own property or are financially independent.

Furthermore, setting the age of dangerous dog ownership to a minimum 18 years of age means that an owner will be prosecuted as an adult for the actions of their dangerous dog and that this ownership responsibility is not diminished due to the owner being under the age of 18.

The weight of fairness and safety to hold a 16 or 17 year-old responsible for a dangerous dog and adhere to the proposed ownership restrictions are deemed inappropriate, given the unlikelihood of 16 and 17 year-olds being responsible for their own accommodation and financially independent.

The decision would positively impact the safety of all children and adults in the same way.

- 2) Which groups of children and young people are likely to be affected?
Groups of children could include early years, primary or secondary education; young adults; children with additional learning needs; disabled children; children living in poverty; children from particular ethnic backgrounds; migrants; refugees; care experienced children and LGBTQ+ children

All children are likely to be positively impacted by the decision to amend the Dogs (Jersey) Law 1961, which if adopted, will introduce controls on dogs of a type or breed considered to be dangerous. The aim is to mitigate the risks of dangerous dog attacks, by monitoring and limiting the numbers and locations of dangerous dogs across Jersey for present and future generations' safety.

3) What is the likely impact of the proposed decision on children and on their rights?

- Identify any potential positive OR negative impacts and include indirect impacts on children and their rights as described in the UNCRC
- Will different groups of children be affected differently by this decision?

Positive Impacts on children:

The measures set out in the draft Law are intended to reduce the likelihood of children sustaining injuries caused by dangerous dogs. At the extreme, it is conceivable that this could impact a child's right to life, whilst introducing these controls supports children's right to protection from violence, injury and neglect; to safely engage in play and recreational activities and to ensure their best interests are a primary consideration.

No negative impacts have been ascertained as the decision seeks to improve children's rights and safety in Jersey.

4) Is a full Children's Rights Impact Assessment required?

If you have identified impacts on children and their rights, a full CRIA should be completed. If no impacts are identified then a Full CRIA is not required, but please explain your rationale and how you reached this conclusion

Yes, as impacts on children have been identified, a full CRIA is required.

If screening determines that a full CRIA is needed, complete Part 2

Part 2: FULL CHILDREN'S RIGHTS IMPACT ASSESSMENT

5) What will be the impacts (positive or negative) of the proposed decision on children's rights?

For each of the UNCRC articles described below, click to identify any that may be relevant ☒

Category	UNCRC Article	Impact? YES NO	
Guiding Principles	Non-discrimination (Art 2)	☐	☒
	Best interests of the Child (Art 3) to be a top priority	☒	☐

	Right to Life survival and development (Art 6)	X	☐
	Respect for the child's views (Art 12)	☐	☐
Civil Rights & Freedoms	Right to birth registration, name and nationality (Art 7)	☐	X
	Right to an identity (Art 8)	☐	X
	Freedom of expression (Art 13)	☐	X
	Freedom of thought, conscience, and religion (Art 14) Every child has the right to think and believe what they choose	☐	X
	Freedom of association (Art 15) Every child has the right to meet with other children and to join groups and organisations	☐	X
	Right to Privacy (Art 16) including family and home life	☐	X
	Access to information from the media (Art 17) Right to access reliable information from a variety of sources, in a format that children can understand	☐	X
	Protection against torture or other cruel, degrading or inhumane treatment or punishment (Art 37(a))	☐	X
Family Environment and Alternative Care	Respect for the responsibilities, rights and duties of parents (or where applicable, extended family or community) to guide their child as they grow up (Art 5)	☐	X
	Responsibilities of both parents in the upbringing and development of their child (Art 18)	☐	X
	Children must not be separated from their parents against their will unless it is in their best interests (Art 9)	☐	X
	Family reunification (Art 10)	☐	X
	Abduction and non-return of children abroad (Art 11)	☐	X
	Right to a standard of living that is good enough to meet the child's physical and social needs and support their development (Art 27)	☐	X
	Special protection for children unable to live with their family (Art 20)	☐	X
	Best interests of the child in the context of Adoption (Art 21)	☐	X
	Review of treatment whilst in care (Art 25) If a child has been placed away from home for the purpose of care or protection (for example, with a foster family or in hospital), they have the right to a regular review of their treatment, the way they are cared for and their wider circumstances.	☐	X

	Protection from violence, abuse or neglect (Art 19)	X	☐
	Recovery from trauma and reintegration (Art 39) Children who have experienced neglect, abuse, exploitation, torture or who are victims of war must receive special support to help them recover their health, dignity, self-respect and social life.	☐	X
Basic Health and Welfare	Rights of disabled children (Art 23)	☐	X
	Right to health and health services (Art 24)	☐	X
	Right to social security (Art 26)	☐	X
	Right to adequate standard of living (Art 27)	☐	X
Education, Leisure and Cultural Activities	Right to education (Art 28)	☐	X
	Goals of education (Art 29) Education must develop every child's personality, talents and abilities to the full	☐	X
	Leisure, play and culture (Art 31) Every child has the right to relax, play and take part in cultural and artistic activities	X	☐
Special Protection Measures	Special protection for refugee children (Art 22)	☐	X
	Children and armed conflict (Art 38 and Optional Protocol #1) Governments must do everything they can to protect and care for children affected by war and armed conflict.	☐	X
	Children and juvenile justice (Art 40) Right to be treated with dignity and respect, right to legal assistance and a fair trial that takes account of age.	☐	X
	Inhumane treatment and detention (Art 37 (b)-(d)) Children should be arrested, detained or imprisoned only as a last resort and for the shortest time possible.	☐	X
	Recovery from trauma and reintegration (Art 39) Children who have experienced neglect, abuse, exploitation, torture or who are victims of war must receive special support to help them recover their health, dignity, self-respect and social life	☐	X
	Child labour and right to be protected from economic exploitation (Art 32)	☐	X
	Drug abuse (Art 33)	☐	X
	Sexual exploitation (Art 34)	☐	X

	Abduction, sale and trafficking of children (Art 35)	☐	X
	Protection from other forms of exploitation including for political activities, by the media or for medical research (Art 36)	☐	X
	Children belonging to a minority or an indigenous group (Art 30)	☐	X
	Optional Protocol on the sale of children, child prostitution and child pornography	☐	X
	Optional protocol on the involvement of children in armed conflict	☐	X

6) Information and research What evidence has been used to inform your assessment?		
Evidence collected (include links to relevant publications)	What did the evidence tell you?	What are the data gaps, if any?
<u>Recent public authority surveys and strategies conducted:</u> - Reference to UK legislation: Ban on XL Bully dogs - GOV.UK - Strategies and plans Children's Commissioner for Jersey - CYP Youth Friendly Plan.pdf - The Children and Young People Survey (2024) JCYPs 2024 report.pdf - Dog Attack Statistics By Breed In 2025 – Forbes Advisor - Jersey Government FOI response Accident and Emergency dog	Proposed dangerous dog controls mirror those of England and Wales – with variations deemed appropriate for Jersey. Government of Jersey Plan for 2024-2027 includes ‘big picture outcome goals’ which include: - children to feel safe. - be active in public spaces (including parks and beaches) – which are areas where children may encounter dogs. - protection from violence (violence could be caused by a dangerous dog if secured measures in law are not adopted and enforced) There is a risk to child safety in public by the presence of dangerous dogs should the safety measures (obligatory muzzle and lead wearing in public) breeding and	Without a change in the Law there is a gap for dangerous dogs to be increased in Jersey and bred as there are currently no ownership restrictions, no breeding controls nor public safety measures in place. The decision is preventative before the numbers of dangerous dogs increase in Jersey and changes mirror those adopted in England and Wales.

attack patient numbers	ownership restrictions not be adopted.	
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7) Engagement with children What groups of children and young people (or those who speak on their behalf, such as social workers, teachers or youth workers) have been directly or indirectly involved in developing the decision?		
Groups consulted	How they were involved	What were the findings?
CRIA for the Bridging Island Plan The Children and Young People Survey (2024) The Children's Commissioners Office published report called 'Life on the Rock' Dangerous Dogs and Safeguarding Children Strategies and plans Children's Commissioner for Jersey CYP Youth Friendly Plan.pdf	Reference was made to these resources and published reports.	The Island Plan seeks to protect and enhance the amount of open space available across the island, including adequate, safe open space being essential for the wellbeing of children, supporting them actively and socially for all children in Jersey to grow up safely. The decision to protect children from dangerous dogs in public and in areas of play such as beaches, parks, leisure and sport facilities, together with access to the natural woodland environments, cycle and footpath routes is therefore a direct impact on children. Children's safe access to these facilities will directly support the physical and mental wellbeing of children and their carers.

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8) Assessing Impact on children's rights Based on the information collected and analysed above, what likely impact will the proposed decision have on the specific children's rights identified in question 5)?		
Relevant UNCRC Articles (rights) identified in Q5	Describe the positive or negative impacts on these rights	Which group(s) of children are likely to be affected?
UNCRC link <u>Best interests of the Child (Art 3) to be a top priority</u> <u>Article 3</u> 1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration. 2. States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures. 3. States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision <u>Right to Life survival and development (Art 6)</u>	<u>Best interests of the Child (Art 3) to be a top priority:</u> The introduction of the decision is deemed to have solely positive impacts, reinforcing the best interests of children, their safety and protection in public. The decision aims for dangerous dogs in public to be muzzled and kept on a lead in public and that there are restrictions on ownership of dangerous dogs and prohibitions on their breeding. This captures children's safety and protection in their areas of play in all public spaces, including beaches parks, public footpaths, woodlands and any areas in which children may encounter dogs. <u>Right to Life survival and development (Art 6):</u>	All children are impacted by the potential presence of dangerous dogs in public spaces and the proposed decision aims to enforce the children's rights, as described by the aforementioned positive impacts. Children aged 1 to 4 are the most likely victims of a fatal dog attack. Dog bite incidents are much more likely to result in death when animals attack young victims. 29.4% of fatal dog attacks involved a victim between the ages of 1 and 4 in the United States. While very young children and toddlers within this age range experienced the most dog-related fatalities of any demographic group, slightly older children were also at a high risk. 56.7% of all victims killed by dog attacks were 16 or under in the United States. Children are more likely to be the victims of dog attacks for many reasons, including an inability to recognize cues signalling potential aggression in canines, a childish propensity to engage in behaviours that can be

<u>Article 6</u> 1. States Parties recognize that every child has the inherent right to life. 2. States Parties shall ensure to the maximum extent possible the survival and development of the child.	The introduction of the decision reinforces Article 6 that every child has the right to life, survival and development. The presence of dangerous dogs without the proposed restrictions, as detailed in the decision present a potential risk to all children's safety, life and both physical and emotional wellbeing should they be exposed to a dangerous dog (which presents itself to be out of control, aggressive or	triggering to dogs such as running and squealing and their smaller size which makes them vulnerable and less able to survive an attack. The above enhances the necessity to ensure measures are implemented to mitigate risks of children encountering dangerous dogs in public and in play facilities.
<u>Protection from violence, abuse or neglect (Art 19)</u> <u>Article 19</u> 1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child	<u>Protection from violence, abuse or neglect (Art 19)</u> The introduction of the decision reinforces child protection against violence and aims to secure and enhance child safety in public spaces.	
<u>Leisure, play and culture (Art 31)</u> <u>Every child has the right to relax, play and take part in cultural and artistic activities</u> <u>Article 31</u> 1. States Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to	<u>Leisure, play and culture (Art 31)</u> <u>Every child has the right to relax, play and take part in cultural and artistic activities:</u> The introduction of the decision reinforces Article 31 that every child has the right to rest, engage in play and take	

participate freely in cultural life and the arts. 2. States Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity	part in recreational activities. The decision will seek to enhance these rights by securing children's safety in public areas and leisure facilities, particularly outdoor areas (ie beaches, sport facilities and parks) where there is a potential encounter with a dangerous dog.	
9) Weighing positive and negative impacts • If a negative impact is identified for any area of rights <u>or</u> any group of children and young people, what options are there to modify the proposed decision to mitigate the impact? • Could any positive impacts be enhanced?		
No negative impacts identified by the introduction of the proposed dangerous dog amendments. Positive impacts: - The safety and protection of children in public are a priority and therefore measures need to be introduced on dangerous dogs (ie prohibited from being walked in public off lead and obligated to wear a muzzle); - Secure address to prevent a dangerous dog from escaping; - Restrictions on dangerous dog ownership; and - Dangerous dogs will need to be neutered/spayed and not bred from, thus reducing the population of such animals over time.		
10) Conclusions In summary, what are your key findings on the impact of the proposed decision on the rights of Jersey children?		
<u>Positive impacts only</u> All children will be positively impacted by the decision to amend the Dogs (Jersey) Law 1961, which if adopted, will introduce controls on dogs of a type or breed considered to be dangerous. The aim is to mitigate the risks of dangerous dog attacks, monitor and limit the numbers and locations of dangerous dogs across Jersey for present and future generations' safety. The ultimate aim is for Jersey to be a safe place for children. No negative impacts have been ascertained as the decision seeks to improve children's rights and safety in Jersey.		