

STATES OF JERSEY



DRAFT CHILDREN AND CIVIL STATUS (PARENTAL RESPONSIBILITY) (JERSEY) AMENDMENT REGULATIONS 202- (P.105/2025): COMMENTS

**Presented to the States on 25th November 2025
by the Children, Education and Home Affairs Scrutiny Panel**

STATES GREFFE

COMMENTS

The Children, Education and Home Affairs Panel was briefed by Government Officers on the Draft Children and Civil Status (Parental Responsibility) (Jersey) Amendment Regulations 202- [P.105/2025] (hereafter the ‘draft Regulations’) on Thursday 20th November 2025. The Panel notes the Minister for Children and Families’ intention to lodge the draft Regulations on Friday 21st November 2025 and request a reduced lodging period to enable the draft Regulations to be debated at the States sitting commencing 25th November 2025. The Panel recognises the purpose of the draft Regulations and the requirement to bring them to the Assembly with a reduced lodging period.

It is the Panel’s understanding that, as a consequence of the commencement of the Children and Civil Status (Amendments) (Jersey) Law 2024 (as amended), and the Civil Status (Abolition of Legitimacy Etc.) (Jersey) Law 2025 on Monday 24th November 2025 changes will take effect. As a result, there is potentially a group of fathers who will lose parental responsibility for children who were born before 2nd December 2016 where they were not married to the child’s mother at the time of the birth, based on how they subsequently acquired the formal parental responsibility. Further detail about the legal cause of this is described in the report accompanying the proposition. The draft Regulations are intended to remedy this unintended consequence.

During the briefing, the Panel asked about the potential negative impacts that the unintended removal of parental responsibility would have on the impacted group of fathers, including whether the parent would retain a minimum level of responsibility for the child during the period they did not have parental responsibility. It was clarified that advice about potential impact would need to be provided by the Law Officers’ department. Officers explained that the issue had been identified on Friday 14th November 2025 and the focus of the Government’s work since that time had been to work at pace to prepare suitable savings provisions to remedy the issue.

The Panel also queried whether any issues could arise for cases in the Family Court where parental responsibility was removed and a Care Order put in place in the week of 24th November 2025. Officers undertook to review this query following the briefing to the Panel.

The Panel was provided with some email assurance about these points following the briefing, however, requests that the Minister for Children and Families address the points relating to impact in his opening speech to the debate on the draft Regulations in the States Assembly.

The Panel is supportive of the draft Regulations and is also supportive of the proposal to shorten the lodging period for consideration by the Assembly at the States sitting commencing 25th November.

Statement under Standing Order 37A

Under a usual period for lodging P.105/2025 would be scheduled for debate at the sitting on 20th January 2026, however, the Panel is aware that the Minister will request a reduced lodging period to bring forward the debate to the sitting commencing on 25th November 2025. The Panel has worked as swiftly as possible to prepare these comments, since the proposition was lodged on Friday 21st November 2025.
