

STATES OF JERSEY



FUTURE APPROACH TO PERSONAL CANNABIS USE IN JERSEY (P.116/2025) – CHILDREN’S RIGHTS IMPACT ASSESSMENT

**Presented to the States on 19th December 2025
by the Minister for Health and Social Services**

STATES GREFFE

CHILDREN'S RIGHTS IMPACT ASSESSMENT (CRIA)

PART 1: SCREENING

Name and title of Duty Bearer:	Minister for Health and Social Services
Type of Duty Bearer: (Minister, Elected Member or States Assembly Body)	Minister
Assessment completed by (if not completed by duty bearer):	Policy Officer
Date:	12/11/2025

1) Name and brief description of the proposed decision

'Decision' means:

- an Assembly proposition
- an amendment (or further amendment) to a proposition
- for Ministerial duty-bearers, policy under development

The proposed decision is an in-principal debate for the States Assembly to consider and decide, at a high-level, which of the three proposed approaches to cannabis as set out in the report and proposition should continue to be developed into detailed proposals for further debate by the States Assembly, that could, if implemented, change how personal possession and use of cannabis is criminalised.

Any approved approaches that are developed into detailed proposals will be brought back to the States Assembly for debate and approval prior to any policy change taking effect or any amendment legislation being developed.

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

Many children have the potential to be affected by any policy change regarding the criminalisation of personal possession and use of cannabis. Either directly through their own use or indirectly through the use by friends and family members.

Potentially most, if not all, children could be affected by increased Public Health education programmes regarding cannabis harms and use.

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

Impacts may be positive or negative, direct or indirect

Include whether different groups of children will be affected differently by the decision

The decision is an in-principal debate for the States Assembly to consider and decide, at a high-level, which of the three proposed approaches, as set out in the report and proposition, should continue to be developed into detailed proposals.

Therefore, the proposed decision will set a course of action for the development of further proposals but, in itself, will not directly impact children or their rights except as a result of the policy development process.

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 As the decision represents a step in ongoing work that potentially could impact children then it is felt that a full CRIA should be completed, even though any impact from THIS decision could be considered indirect currently.
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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	x	☐
	Right to Life survival and development (Art 6)	☐	☐
	Respect for the child's views (Art 12)	x	☐
Civil Rights & Freedoms	Right to birth registration, name and nationality (Art 7)	☐	☐
	Right to an identity (Art 8)	☐	☐
	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	☐	☐
	Freedom of association (Art 15) Every child has the right to meet with other children and to join groups and organisations	☐	☐
	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	☐	☐

	Protection against torture or other cruel, degrading or inhumane treatment or punishment (Art 37(a))	☐	☐
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)	☐	☐
	Responsibilities of both parents in the upbringing and development of their child (Art 18)	☐	☐
	Children must not be separated from their parents against their will unless it is in their best interests (Art 9)	☐	☐
	Family reunification (Art 10)	☐	☐
	Abduction and non-return of children abroad (Art 11)	☐	☐
	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)	☐	☐
	Special protection for children unable to live with their family (Art 20)	☐	☐
	Best interests of the child in the context of Adoption (Art 21)	☐	☐
	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.	☐	☐
	Protection from violence, abuse or neglect (Art 19)	☐	☐
Basic Health and Welfare	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.	☐	☐
	Rights of disabled children (Art 23)	☐	☐
	Right to health and health services (Art 24)	x	☐
	Right to social security (Art 26)	☐	☐
Education, Leisure and Cultural Activities	Right to adequate standard of living (Art 27)	☐	☐
	Right to education (Art 28)	☐	☐
	Goals of education (Art 29) Education must develop every child's personality, talents and abilities to the full	☐	☐

	Leisure, play and culture (Art 31) Every child has the right to relax, play and take part in cultural and artistic activities	☐	☐
Special Protection Measures	Special protection for refugee children (Art 22)	☐	☐
	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.	☐	☐
	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.	☐	☐
	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.	☐	☐
	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	☐	☐
	Child labour and right to be protected from economic exploitation (Art 32)	☐	☐
	Drug abuse (Art 33)	x	☐
	Sexual exploitation (Art 34)	☐	☐
	Abduction, sale and trafficking of children (Art 35)	☐	☐
	Protection from other forms of exploitation including for political activities, by the media or for medical research (Art 36)	☐	☐
	Children belonging to a minority or an indigenous group (Art 30)	☐	☐
	Optional Protocol on the sale of children, child prostitution and child pornography	☐	☐
	Optional protocol on the involvement of children in armed conflict	☐	☐

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?
Children and Young People's Survey 2021 & 2024	Statistical information regarding drug use amongst children and young people	Qualitative information regarding children's views on non-medical cannabis use. Data on frequency of use. Data

		on number of children entering the criminal justice system because of any form of offence related to cannabis.
Substance Use Strategy	Data regarding drug use amongst children and young people and strategies to respond to issues identified in the strategy	As above
Youth Justice Review and Youth Justice Roadmap	Current strategies and approaches to the intended changes and outcomes to address the needs of children involved in offending behaviours. A revised approach to personal use of cannabis should enable, strengthen and benefit the existing Youth Justice Roadmap.	Criminal Justice data regarding children and young people involved in cannabis offences. This will be sought as part of any detailed proposal development.

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?
Children's Commissioner	Briefing	Staff from the Office of the Children's Commissioner were briefed on the proposed Options for debate by the States Assembly.
Advisory Council on Misuse of Drugs	Briefing and workshop	Council members were asked to assess the impact of the Options on a number of identified problems as set out in table 4 of the report.

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?

Article 3 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.	Any detailed proposals that have been approved by the States Assembly will be designed/developed with impact on children and the best interests of children being key considerations. Involvement of key officers from the Children, Young People, Education and Skills Department (CYPES), Health and Care Jersey in detailed proposal design alongside meaningful consultation with children and young people will also ensure children and young people's best interests will be taken into account. Key identified risks and mitigations: Consideration will be given to restrictions on use near schools or in family environments as part of the development of any detailed proposals this includes: • Extensions of the current smoking bans, • Exploration of additional safeguarding or child protection methods. If home cultivation is permitted, children could have easier access to cannabis, unless strict storage and visibility rules are enforced. This issue will be considered and mitigated as part of	Potentially all children
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	any development of detailed proposals that could permit home cultivation.	
Article 12 States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.	Children's thoughts and views must be sought as part of detailed proposal design so that policies developed do not overlook their views and perspectives. Any detailed proposals that are produced will be extensively consulted upon with differing groups of children and young people. The information and consultation method will be adapted so that information is presented in ways young people can understand and engage with. Policy Officers will seek advice from the Office of the Children's Commissioner and CYPES officers to identify key groups of children and young people to consult.	All children who are consulted
Article 13 The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.	To be part of any meaningful consultation and to provide any views on the detailed proposals, children need to be provided with appropriate information in a way that is understandable to them. Officers will undertake this task so that any information or methods of communication and/or consultation with children and young people on any detailed proposals is	All children who are consulted or view information on cannabis policy changes

	appropriate and understandable. Health prevention messaging will include work to amend bespoke messaging aimed at children and young people. Approaches used will promote healthy lifestyles, build personal skills and create supportive environments. Cannabis use will be framed as an unhealthy behaviour, like alcohol use. PSHE lessons in schools are anticipated to focus on maintaining healthy behaviours, practical skills, and building resilience. Universal prevention methods could include activities to reduce risky behaviours and promote positive behaviours, such as after-school sports or recreational activities, including at weekends and during holidays. A further action is to actively work to reduce stigma and fear of arrest, which prevents people, including children and young people, from seeking support.	
Article 16 No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, nor to unlawful attacks on his or her honour and reputation.	Currently, because parental personal cannabis use could become public through enforcement or media reporting, children could face stigma, bullying, or discrimination as a result. Moving away from a criminalised approach	Children of parents who currently use cannabis

	positively impacts this risk as all Options seek to reduce this impact.	
Article 24 States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.	If the current approach to personal cannabis use, changes, children may perceive it as low risk without further targeted prevention efforts. Mitigation Early cannabis use is associated with cognitive and mental health risks. Any detailed proposals that are developed must fully consider this issue; elements of mitigation currently identified in the report that will feature any further stages of work are: Health promotion, universal prevention, indicated prevention and case identification.	Potentially all children who use, or have used or potentially will use cannabis.
Article 33 States Parties shall take all appropriate measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the illicit production and trafficking of such substances.	If any of the high-level proposals are approved for further detailed development as a result of THIS decision, then, this will result in the development of proposals that will potentially move Jersey away from its current approach to cannabis. Moving away from criminalisation could unintentionally make personal cannabis use more visible to children. To mitigate this risk: A key action is to increase prevention, early identification and access to support services.	Potentially all children who use, or have used or potentially will use cannabis, children who have friends of family members who use cannabis.

	Moving away from criminalisation could reduce exposure of children and young people to illicit markets. Any regulated production and supply proposals, if approved for further development will incorporate minimum age limits for trial participation and entry into premises. A potentially new offence of supply by an adult to a minor will also be given consideration. The accompanying report to the proposition identifies the following factors, specifically related to children and young people, that should feature in any health outcome focused drugs policy, which will help mitigate Article 33 risks: • Reduce stigma allowing more people to access support • Reduce fear of arrest and increase trust with services • Enable actions and interventions which reduce harm • Include effective prevention strategies for children and young people • Maximise opportunities to provide	
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	meaningful health advice to all • Reduce police interactions and arrests • Protect families, including children and young people, from disproportionate harms • Protect the safety and dignity and privacy of parents and children • Increase monitoring and data gathering of all demographics to ensure safe and effective policy outcomes.	
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?		
The impact of cannabis use is recognised and detailed in the accompanying report to the proposition in addition to the impacts highlighted above. Mitigations are identified and will be incorporated into any detailed proposals that are subsequently developed. As such, there is good opportunity to design detailed proposals where mitigations to identified risks to children and young people have been embedded into detailed proposals. The full potential impacts on children and young people will become clear once a steer on the proposed Options have been provided by States Assembly decisions. But, consideration of the impact of any of the detailed proposals will be embedded from the outset of the work.		
10) Conclusions In summary, what are your key findings on the impact of the proposed decision on the rights of Jersey children?		
Any CRIA that accompanies final detailed proposals that will be lodged for debate in the States Assembly will be of critical importance as there are numerous potential risks and benefits (some of which are outlined above as a result of the initial thinking that has formed part of the design of the Options presented to the Assembly) that could result from policy decisions within this area.		

However, in summary, the proposed Options seek to reduce certain impacts on children's rights and mitigate any potential risks that could result from any proposed policy changes. Should any Options be approved for further detailed development then the identification of impacts on children's rights and potential mitigation, where the impact is negative, will be of key importance and will feature from the outset of the work.