

STATES OF JERSEY



DRAFT ELECTIONS (ELECTORAL REGISTERS) (JERSEY) AMENDMENT LAW 202- (P.27/2025) – CHILDREN’S RIGHTS IMPACT ASSESSMENT

**Presented to the States on 1st April 2025
by the Privileges and Procedures Committee**

STATES GREFFE

CHILDREN'S RIGHTS IMPACT ASSESSMENT (CRIA)

PART 1: SCREENING

Name and title of Duty Bearer:	Privileges and Procedures Committee
Type of Duty Bearer: (Minister, Elected Member or States Assembly Body)	States Assembly Body
Assessment completed by (if not completed by duty bearer):	Greffier of the States
Date:	04/03/25

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 Privileges and Procedures Committee (PPC) proposes to lodge the Draft Elections (Electoral Registers) (Jersey) Amendment Law 202- that would, in general terms, amend the Elections (Jersey) Law 2002 and the Register of Names and Addresses (Jersey) Law 2012. The overall purpose of the legislation is to provide for the automatic voter registration (AVR) of Islanders on the electoral register; rather than it being a responsibility of individuals to register themselves (as is the case under the existing legislation).

In particular, the legislative changes to be proposed as part of the Draft Law will allow for the following:

- The Chief Minister will be required to create and provide lists to the electoral administrators of the Parishes, using the Register of Names and Addresses, in order to establish the electoral register. This would become a statutory purpose under the Register of Names and Addresses (Jersey) Law 2012 for use of the data on the Register of Names and Addresses. Persons detained in prison will be included within the provision of information from the Chief Minister.
- The list provided by the Chief Minister will include the "relevant registrable facts", as defined by the Register of Names and Addresses (Jersey) Law 2012: name; title; date and place of birth.
- Responsibility for preparation and maintenance of the electoral registers of each Parish will remain with the electoral administrator. The electoral register will be compiled from the list provided by the Chief Minister (see above) alongside applications from individuals to register or where the electoral administrator is otherwise content that an individual should be included.
- Electoral administrators will have to remove people from the register where it becomes apparent to them that the person is dead or is no longer resident in the electoral district(s) in question. In these circumstances, the electoral administrator will be required to inform the Chief Minister.
- The electoral register will include the person's name, address and electoral number (a reference number assigned by the electoral administrator); as well as the date on which the person satisfies the qualification criteria, if registered in advance.

• The electoral administrators will prepare supplementary electoral registers in respect of any election called in order to confirm who may vote at the election. • Individuals will be able to appeal to the Royal Court in respect of decisions made by the electoral administrators (within 28 days). • The electoral registers will no longer be available for public inspection (at the Parish Halls, the Library or the Judicial Greffe); nor will a copy including individuals' names be provided to candidates for election. Access to the full register will therefore be limited to the electoral administrators and to the Judicial Greffe. Individuals will no longer be able to apply to be omitted from the electoral register. • Under the existing Elections (Jersey) Law 2002, children are permitted to vote at the age of 16 years. They can also register to vote within 3 months of their 16th birthday i.e. 15 years and 9 months. They retain the same rights and privileges as adults to be on the electoral register. • With the adoption of the legislation, 16-18 year olds who satisfy the qualification criteria (and who appear on the Register of Names and Addresses) will automatically be added to the electoral register (rather than it be the responsibility of the individual to apply to be registered). • In order to exercise their right to vote, children aged 16-18 years who are eligible, will appear on the electoral register. • Automatic Voter Registration is intended to ease the administrative burden on the individual in order that they make exercise their voting rights (and to remove a prospective barrier to engagement within the Island's democratic processes). As far as children who are eligible to vote, are concerned, it is considered that AVR this will improve their democratic right to vote.
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 currently living in Jersey and between the age of 16 years and their 18th birthday, are entitled to be on the electoral register, providing that they have been: a) living in Jersey continuously for the past 2 years or; b) living in Jersey for the past 6 months and any period previously totalling 5 years. People may also be registered slightly in advance of qualifying; children aged 15 years and 9 months will therefore fall within the scope of the draft legislation.
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?
There are no negative impacts of the proposed decision on children and their rights. There is a positive impact in so far as it improves the ability for children to exercise their democratic right to vote.

In the 2022 Jersey election, according to the Jersey Opinions and Lifestyle Survey (JOLS), the proportion of adults voting increased with age; 17% of 16 to 34 year-olds voted in the last election, rising to more than half (53%) of those aged 65 and over. 12% of 16-34 year olds stated that they were not registered to vote. Respondents who had not voted before were asked what motivated them to do so in 2022?

39% of voters who had not voted before stated that they were not eligible to vote in previous elections.

We conclude that by implementing Automatic Voter Registration would in fact help to increase both voter registration and voter turnout, particularly in the 16-34 year old age group, by removing an administrative barrier to exercising that right. In the current system, people must explicitly register themselves through a process that, in some people's view, can be difficult to manage or follow.

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

Overall, the proposals impact positively on children and their rights to be on the electoral register.

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)	☐	x
	Best interests of the Child (Art 3) to be a top priority	☐	x
	Right to Life survival and development (Art 6)	☐	x
	Respect for the child's views (Art 12)	x	☐
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?
Voter Engagement Research for States of Jersey Nov 2018 States-of-Jersey-Voter-Engagement-Report-2018.pdf	Half of 16-34 year olds say they are not interested in Jersey politics, this is significantly higher than the other age groups (16-34 51% vs 35-54 28% vs 55+ 24%). This indicates that there may be insufficient information targeted at younger people around elections and election processes. Increasing education about the political system and the importance of voting in schools pre-16 to help younger potential voters comprehend the voting process. Including 16-18 year olds in automatic voting registration along with the proposed extensive communications campaign, should somewhat promote a better understanding of the importance of voting. Approaching three quarters of 55+ year olds say they voted in the Jersey general election in May 2018 (73%), whilst only one third of 16-34 year olds say they voted (32%).	The Jersey Voter Engagement Report does not specifically capture voting habits of 16-18 year olds. The nearest age group it covers are 16-34 year olds. Analysis undertaken by the AVR Project Team in September 2024, showed that there were 55,000 Electors on the existing Parish ERS system. AVR results drawing on Government of Jersey data sets (e.g. contributions, Old Age Pension, Income Support, GP visits etc) show that there would potentially be 68,500 electors recorded by AVR– therefore representing an increase of c.13,500 electors would be added to the electoral register.

	This indicates that younger persons were either not registered to vote or there is a lack of awareness through insufficient election information being available. Seven in ten Jersey adults agree that the States should do more to boost voter registration (71%). The introduction of AVR should improve overall voter registration by automatically including everyone on the register who is eligible to vote.	
Exploring the Voter Journey in the Context of Jersey: Engagement, Barriers and Recommendations’ Dr Christopher Pich Nottingham Business School June 2023 1782766_Pich.pdf	There should be mandatory election-related programmes and events in schools/colleges during the election year. There should be greater education and guidance on Jersey’s electoral system, the roles and responsibilities of States Members, the role of the Parishes and the importance of voting. There should be long-term mandatory programmes and events in schools/colleges outside the election year. The voting system should be widely explained as should the importance of voting and the relevance and impact of politics in action. Additionally, targeted programmes should be implemented, including newly registered voters, newly qualified voters, returning islanders, apathetic voters and engaged voters.	This report does not specifically capture voting habits of 16-18 year olds. The nearest age group it covers are 16-34 year olds.

	The introduction of a consistent island-wide mandatory civic education programme for schools and colleges would be beneficial.	
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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?
The Jersey Official Lifestyle Survey (JOLS) 2025 included direct questions aimed at 16-18 year olds on a range of voter/election issues.	Direct questions via the survey	These results are not published until 26 March 2025
Jersey Youth Parliament	As part of the project, we do intend to run a Communications Campaign informing Islanders about AVR and this will include some focused targeting of 16-18 years old e.g. through Jersey Youth Parliament.	

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 12 (respect for the views of the child)	Every child has the right to express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously. This right applies at all times, for example, decisions around	16-18 year olds

	their education, care, housing or the child's day-to-day home life. AVR provides children with the opportunity to vote and express their views.	
Article 13 (freedom of expression)	Every child must be free to express their thoughts and opinions and to access all kinds of information, as long as it is within the law. AVR provides children (16-18 year olds) with the opportunity to express their thoughts and opinions through the 4 yearly cycle in the island-wide election process.	16-18 year olds
Article 14 (freedom of thought, belief and religion)	Every child has the right to think and believe what they choose and also to practise their religion, as long as they are not stopping other people from enjoying their rights. Governments must respect the rights and responsibilities of parents to guide their child as they grow up. AVR provides children (16-18 year olds) with the opportunity to be on the electoral register and therefore exercise their right to vote by supporting those political candidates who share similar beliefs, thoughts and religious beliefs as certain children.	16-18 year olds
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?		
There are no negative impacts.		

10) Conclusions

In summary, what are your key findings on the impact of the proposed decision on the rights of Jersey children?

The introduction of Automatic Voter Registration (AVR) improves the right of children to exercise their democratic right to vote. It helps them to be listened to and heard and exercise their freedom of expression about their views, opinions and access to all kinds of information within the law.