

Government of Jersey
Union Street | St Helier | Jersey | JE2 3DN

Deputy Catherine Curtis
Chair
Children, Education and Home Affairs Scrutiny Panel

By email only

9 January 2026

Dear Deputy Curtis,

Draft Criminal Justice (Young Offenders) Amendment No. 2 Law 202-

Thank you for your letter dated 19 December 2025 regarding the review of the Draft Criminal Justice (Young Offenders) Amendment No. 2 Law 202- (the 'Amendment Law'). We acknowledge your request and are pleased to provide responses to the questions outlined below to assist with your review. We note that this response will be published.

1. Regarding the transfer of responsibility from the Minister for Justice and Home Affairs to the Minister for Children and Families, please could you outline the reasoning for this change?

The transfer of responsibility to the Minister for Children and Families reflects the principle of "child first" which underpins the [Youth Justice Child-First Roadmap](#) for Jersey:

"At its heart is the "Child First" philosophy which sees children as children first – not defined by their offending behaviours but valued for their potential."

That means seeing young offenders as children first, who primarily serve detention within a secure children's home, have Looked After Children (LAC) status under the Children (Jersey) Law and are looked after by Children's Service staff.

It is in that context that the transfer of political responsibility to the Minister for Children and Families is made.

The Minister for Justice and Home Affairs will maintain key responsibilities within the prison estate such as the power to provide for a young offender's institute.

2. Please could you confirm what consultation has been undertaken with the Jersey Probation and After-Care Service (JPACS) regarding this change and confirm what the Government's understanding is of the anticipated financial and staffing implications are for JPACS?

JPACS have been consulted and instrumental throughout the amendment's development.

In relation to financial and staffing implications, JPACS anticipate there will be some extra work in them assessing for early release and supervising the young people in the community but are confident they can absorb this work within their current resources.

It may be helpful to note that young offenders are currently released on early release/remission and JPACS are supervising these young offenders.

3. The report and Children's Rights Impact Assessment accompanying the proposition highlight that the number of young people in youth detention is low. Could you provide data for the past five years on the number of individuals affected by these circumstances?

It is recognised that there is a lack of reliable information in this area, and the Youth Justice Roadmap identifies the need for improved data. A Data Partnership group has been established under Building a Safer Community (BASC) to better coordinate data, and the initial focus is on supporting the data agenda for the Roadmap.

Currently, there is no central data held but information received indicates the numbers are as below:

Year	Youth Court	Royal Court	Total
2021	3	6	9
2022	2	8	10
2023	4	7	11
2024	4	5	9
2025	5	2	7

4. Could you explain how the changes align with the Building a Safer Community Framework and, where applicable, indicate whether their impact will be monitored to help shape future justice policy?

This legislative amendment delivers directly on the following action within the BASC Youth Justice roadmap-

"We will enact a Criminal Justice (Youth Offenders in Secure Accommodation) Law to allow remission, temporary release, and safeguard the rights of children and staff."

Equally, it also delivers on a further BASC action, to *"establish effective practices to help children transition from custody back into the community and become active citizens."*

The BASC Youth Justice roadmap has an action to review the law if passed and, through a BASC Data Partnership, will gain quality data to help understand which interventions are working, which aren't and why.

5. The citation and commencement of the Amendment Law is due to take place by Order. Please could you advise the anticipated timescale for this?

The intention is for the Law to come into force as soon as possible so children and young people can access temporary release and early release, as is already the case for those within the prison estate.

It is not anticipated that there will be any delays but commencement by Order allows for some flexibility to ensure all necessary stakeholders are ready.

- a. Are there operational aspects for Children's Services which need to be changed before the Amendment Law can be brought into force, for example, those required through the various developments recently approved in the Government Budget 2026 – 2029?**

The Children Service have been consulted throughout the development of this amendment and are aware of the content. Whilst the Panel would make the decision in relation to temporary release, it will provide the Children Service opportunities to work with children and young people in their best interests. For example, facilitating family visits as appropriate, to assist in a smoother transition back home and the community.

If the amendment is passed, work will be done with key stakeholders to develop guidance and help ensure there are no delays in bringing the law into force.

Please let us know if you require any additional information or clarification.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'M. R. Le Hegarat', written in a cursive style.

Deputy Mary Le Hegarat
Minister for Justice and Home Affairs