

STATES OF JERSEY



PROPOSED BUDGET (GOVERNMENT PLAN) 2026-2029 (P.70/2025): SEVENTEENTH AMENDMENT

OFFICE OF THE CHILDREN'S COMMISSIONER FOR JERSEY – 2026 SAVINGS ALLOCATION

Lodged au Greffe on 21st November 2025
by the Corporate Services Scrutiny Panel
Earliest date for debate: 8th December 2025

STATES GREFFE

PROPOSED BUDGET (GOVERNMENT PLAN) 2026-2029 (P.70/2025):
SEVENTEENTH AMENDMENT

1 PAGE 3, PARAGRAPH (b) (xii) –

After the words “as set in the Appendix to the accompanying report”, insert the words –

“, except that, on page 42, after Table 9, there should be inserted the words “Within the Revenue Head of Expenditure for the Cabinet Office, funding for ‘Children’s Commissioner’ should be increased by £61,000 in 2026, through reallocation of other departmental expenditure within the Cabinet Office. This should be reflected in the Cabinet Office Service Level Analysis table for 2026 contained within the Annex accompanying the Report (R.139/2025), entitled ‘Part 2 – Heads of expenditure financial information’ for the Cabinet Office.””

CORPORATE SERVICES SCRUTINY PANEL

Note: After this amendment, the proposition would read as follows –

THE STATES are asked to decide whether they are of opinion –

- (a) In accordance with Article 16 of the Public Finances (Jersey) Law 2019 (the Law) to approve an amendment to the Government Plan 2025 – 2028 (entitled “Budget 2025 – 2028”) to a reduction in the 2025 head of expenditure “Grants to States Funds” as included in Table 5(i) Revenue Heads of Expenditure of that Government Plan from £119,821,000 to £69,821,000.
- (b) To receive the Government Plan 2026 – 2029 (entitled “Budget 2026-2029”) specified in Article 9(1) of the Law and specifically –
 - i. to approve the estimate of total States income to be paid into the Consolidated Fund in 2026 as set out in Appendix 2 – Summary Table 1 to the Report, which is inclusive of the proposed taxation and impôts duties changes outlined in the Government Plan, in line with Article 9(2)(a) of the Law.
 - ii. to refer to their Act dated 24th June 2003 in which they approved that no new ‘user pays’ charges be introduced without any such charge receiving prior in principle approval by the States Assembly and accordingly to approve the introduction of two new charges, to be levied by Health and Care Jersey to promote appropriate use of the Emergency Department and for repeated non-attendance of outpatient appointments, detailed in the section entitled “Departmental Income Sources” as set out in the Appendix to the accompanying Report.
 - iii. to approve the proposed Changes to Approval for financing/borrowing for 2026, as shown in Appendix 2 – Summary

Table 2 to the Report, which may be obtained by the Minister for Treasury and Resources, as and when required, in line with Article 9 (2)(c) of the Law, of up to those revised approval amounts.

- iv. to approve the transfers from one States fund to another for 2026 of up to and including the amounts set in Appendix 2 – Summary Table 3 in line with Article 9(2)(b) of the Law.
- v. to approve a transfer from the Consolidated Fund to the Stabilisation Fund in 2026 of up to £50 million, subject to a decision of the Minister for Treasury and Resources based on the availability of funds in the Consolidated Fund as at 31st December 2025 in excess of the estimates provided in this plan, or from budgeted underspends identified before 31st December 2026.
- vi. to approve a transfer from the Consolidated Fund to the Agricultural Loans Fund in 2026 of up to £5 million, subject to a decision of the Minister for Treasury and Resources based on availability of funds in the Consolidated Fund as at 31st December 2025 in excess of estimates provided in this plan, or from budgeted underspends identified before 31st December 2026;
- vii. to approve each major project that is to be started or continued in 2026 and the total cost of each such project and any amendments to the proposed total cost of a major project under a previously approved Government Plan, in line with Article 9(2)(d), (e) and (f) of the Law and as set out in Appendix 2 – Summary Table 4 to the Report.
- viii. to approve the proposed amount to be appropriated from the Consolidated Fund for 2026, for each head of expenditure, being gross expenditure less estimated income (if any), in line with Articles 9(2)(g), 10(1) and 10(2) of the Law, and set out in Appendix 2 – Summary Tables 5(i) and (ii) of the Report.
- ix. to approve the estimated income, being estimated gross income less expenditure, that each States trading operation will pay into its trading fund in 2026 in line with Article 9(2)(h) of the Law and set out in Appendix 2 – Summary Table 6 to the Report.
- x. to approve the proposed amount to be appropriated from each States trading operation's trading fund for 2026 for each head of expenditure in line with Article 9(2)(i) of the Law and set out in Appendix 2 – Summary Table 7 to the Report.
- xi. to approve the estimated income and expenditure proposals for the Climate Emergency Fund for 2026 as set out in Appendix 2 – Summary Table 8 to the Report.
- xii. to approve, in accordance with Article 9(1) of the Law, the Government Plan 2026-2029, as set in the Appendix to the accompanying Report **"**, except that, on page 42, after Table 9, there

should be inserted the words “Within the Revenue Head of Expenditure for the Cabinet Office, funding for ‘Children’s Commissioner’ should be increased by £61,000 in 2026, through reallocation of other departmental expenditure within the Cabinet Office. This should be reflected in the Cabinet Office Service Level Analysis table for 2026 contained within the Annex accompanying the Report (R.139/2025), entitled ‘Part 2 – Heads of expenditure financial information’ for the Cabinet Office.””

REPORT

The Corporate Services Scrutiny Panel's (hereafter "the Panel") Amendment to the Proposed Budget (Government Plan) 2026-2029 (hereafter the "Budget") seeks to ensure that adequate funding is available to the Office of the Children's Commissioner (hereafter "the Children's Commissioner") to fulfil the requirements of the [Commissioner for Children and Young People \(Jersey\) Law 2019](#) (hereafter "the Law"). The effect of this Amendment will therefore be to:

- Reinstatement of funds for the Children's Commissioner, through the reallocation of £61,000 of departmental expenditure within the Cabinet Office.
- Ensure that the Children's Commissioner can fulfil its requirements under the Law, principally to include "*promoting and protecting the rights of all children and young people in Jersey*".

Rationale for the Amendment

The Panel has decided to bring this Amendment to the Budget to ensure that the Children's Commissioner is sufficiently resourced to fulfil its statutory functions under the Law. A [submission](#) received by the Panel states that the Children's Commissioner has been requested by Government to make a saving of £61,000 in 2026, in addition to savings already made by the Children's Commissioner for the previous two Budgets. The Panel notes that the total sum of these savings equates to a budget reduction of £139,000 in three years.

The [submission](#) further stated that whilst the Government expected that the proposed Budget savings will be achieved through reductions in staffing, the Children's Commissioner has advised that the majority of the savings will in fact be made "*in non-staff areas*", and that it had already "*surrendered one FTE from a total staffing of nine*". The Children's Commissioner highlighted that it had already agreed a restructure process in January 2025, and stated that it is not "*appropriate, proportionate or efficient to be asked to lose one more FTE in 2026*".

The Panel is concerned to learn that the proposed saving of £61,000 will "*effectively restrict the OCCJ's capacity to do the job that it was established to do and require it to be administered on a very tight, almost shoestring budget*", and that almost half of the estimated £208,000 in its non-staff budget will need to be spent on rent, service charges, utilities and IT support. Whilst the Children's Commissioner acknowledged that the remainder of its available funding would meet the costs of some of its core work areas, it was emphasised that the proposed savings would require the Children's Commissioner to "*make difficult decisions about the extent and nature of the work we are able to undertake*".

In a [follow-up submission](#) to the Panel dated 19th November 2025, the Panel was also concerned to learn about the potential impact of the proposed savings on the nature and extent of the work that could be undertaken by the Children's Commissioner. The Panel understands that £30,000 of the Children's Commissioner's funding has already been earmarked for current projects that will extend into 2026 and means that the Children's Commissioner will not be able to "*initiate any further projects in 2026, irrespective of*

priority or need". The Children's Commissioner highlighted that this would subsequently impact on its Educational Inequalities workstream, identified as "*one of four Strategic Priorities*" as well as the ability of the Children's Commissioner to consider the views of children and young people with Special Educational Needs and Disabilities (hereafter "SEND") as part of the Children's Commissioner's review of SEND.

Additionally, the Children's Commissioner addressed three other Strategic Priorities in its follow-up submission to the Panel, that included 'Health and Mental Health', 'Children Experiencing Poverty' and 'Play and Leisure', and that the Children's Commissioner will not be able to "*proactively pursue commissioned work in these areas in the coming year*", if the Children's Commissioner is required to make the proposed saving of £61,000.

Whilst the Children's Commissioner acknowledges the Government's stated intention within the [Budget](#) to reduce "*our reliance on external consultants*", the Children's Commissioner highlights that expertise in relation to human rights matters "*is not well developed*" and stated the need for external, off-Island consultants to inform its work. The Panel notes that the small team employed by the Children's Commissioner, "*cannot be expected to be experts in every area of children's lives from early years to youth justice nor to be legally trained*". Furthermore, the Panel also notes that the Children's Commissioner frequently relies on external expertise and information to provide Government with advice, as well as to individuals requesting information, and that the proposed savings mean that the capacity of the Children's Commissioner to undertake this work "*will be severely curtailed*".

The Panel is also concerned about the proportionality of the proposed saving in relation to its potential impact on the independence of the Children's Commissioner. As highlighted in the submission to the Panel, the proposed saving has consequences for the ability of the Children's Commissioner to "*contract external review or research work or to take legal advice or action where necessary*", which the Children's Commissioner has stated represents a "*a threat to our independence*", risks creating "*long-term reputational and operational damage*".

Whilst Government has committed to £8 million of expenditure on 'Investment in Children's services' within the Budget, the sum of £61,000 as highlighted by the Children's Commissioner, is a "*relatively small amount of money*". Additionally, the decision to request this saving is not in the spirit of previous Government commitments to '[Put Children First](#)', and does not enable the Children's Commissioner to facilitate this. The Panel is concerned that this proposed saving has been included despite the Children's Commissioner raising its concerns with "*our Accounting Officer, individual Ministers and the Council of Ministers*".

The Panel's proposed Amendment aims to ensure that funding is available to the Children's Commissioner in 2026 for the purpose of ensuring that it can fulfil its requirements under the Law, through the reallocation of departmental expenditure within the Cabinet Office Head of Expenditure to reinstate funds for the Children's Commissioner.

Background and Context

The role of the Children's Commissioner is of critical importance. The 2017 [Independent Jersey Care Inquiry](#) (hereafter the "Care Inquiry") undertaken to establish

“what went wrong in Jersey’s child care system over many decades” recommended that a “Commissioner for Children be appointed to ensure independent oversight of the interests of children and young people in Jersey”.

In response to the findings and recommendations of the Care Inquiry, a Children’s Commissioner for Jersey was appointed and commenced its work in January 2018, and is established under the [Children and Young People \(Jersey\) Law 2019](#), as the *“independent holder of the public office responsible for promoting and protecting the rights of all children and young people in Jersey”*, which includes children and young people who are:

- Under the age of 18;
- Under the age of 25, if they have a disability, have been care experienced or have been sentenced, or held in custody, under the Young Offenders Law;
- Placed off-island for their care or treatment.

Additionally, the Children’s Commissioner has a responsibility to have regard to *“any other European or international treaties or conventions, protecting the rights of individuals, which extend or apply to Jersey”*.

However, in recent years the Children’s Commissioner has raised concerns about budgetary pressures and highlighted limitations in relation to the resources available to discharge its statutory functions. In response to the Children, Education and Home Affairs (hereafter the “CEHA Panel”) Panel’s review of the Government Plan 2024-2027, the Children’s Commissioner stated in a [submission](#) that its limited staffing capacity meant that it *“had to prioritise our resource to focus on a number of pressing and complex issues”*. In response to the CEHA Panel’s review of the Budget 2025-2028, the Children’s Commissioner highlighted through its [submission](#) that its budget had been *“substantially reduced”* and that the budget reductions raised questions about the *“adequate resourcing of the office, which is required under the Commissioner for Children and Young People (Jersey) Law 2019”*.

In its follow-up submission to the Panel’s review of the Budget, the Children’s Commissioner reiterated the view that the proposed reductions in its funding are contrary to [Article 9\(1\) of the Law](#) which states that the Children’s Commissioner must be provided with adequate financial and administrative resources:

9 Staff and resources of Commissioner

- (1) *The States must ensure that the Commissioner is provided with such financial and administrative resources, and other support, including staff, services, equipment and accommodation, so as to enable the Commissioner to discharge his or her functions under this Law, or under any other enactment, properly and effectively.*

The Children’s Commissioner also emphasised the close relationship between adequate funding and the independence of the Children’s Commissioner, and the Panel wishes to highlight that if the Children’s Commissioner is required to seek additional funds from Government *“on an ongoing basis, then the OCCJ becomes reliant on the acceptance or approval of the Government to carry out its functions”* and this ultimately impacts upon its independence.

The Panel is concerned that submissions from the Children’s Commissioner to recent scrutiny reviews of the Budget suggest a recurring pattern of Government requests for unsustainable savings, coupled with budgetary pressures that hinder the Commissioner’s ability to fulfil their vital role in promoting and protecting the rights of all children and young people in Jersey.

Conclusion

The Panel acknowledges that the Government has requested savings and budget reductions across a wide range of Departments and sectors in this Budget. However, it does not consider that the Government’s decision to propose this saving, and the subsequent impact it will have on the Children’s Commissioner’s areas of work, is in alignment with the aims of the Law.

The Panel wishes to emphasise the importance of upholding the recommendations made by the Care Inquiry, and to highlight the parallels between the adequacy of the funding provided to the Children’s Commissioner and its ability to discharge its statutory functions. The Panel also wishes to emphasise that there is an important link between funding and the independence of the Children’s Commissioner, which the Care Inquiry highlighted is “*essential if there is to be confidence in the post*”.

The Panel believes that the Children’s Commissioner should have security regarding the funding required to sufficiently resource the delivery of its functions as required by Law. This includes progressing workstreams related to educational inequalities, considering the views of children with SEND and progressing important Strategic Priorities which will impact on the physical and mental health and wellbeing of children and young people in Jersey. Furthermore, the Children’s Commissioner should remain secure in its ability to obtain independent, expert advice as required. The Panel believes that reinstating the £61,000 of funding allocated to the Children’s Commissioner is proportionate, necessary and aligns with the aims of the Law.

The Panel urges the Chief Minister and the States Assembly to support this Amendment.

Financial and staffing implications

Whilst the Panel acknowledges that funding will need to be reallocated within the Head of Expenditure for the Cabinet Office, the Panel believes that it is unlikely that its Amendment will have significant financial implications. However, any financial implications arising from the Amendment will be dependent on how the Government reallocates funding within the Cabinet Office Head of Expenditure.

Children’s Rights Impact Assessment

A Children’s Rights Impact Assessment (CRIA) has been prepared in relation to this proposition and is available to read on the States Assembly website.