



Jersey

CHILDREN AND EDUCATION (AMENDMENT) (JERSEY) LAW 2020

Contents

Article

1	Children (Jersey) Law 2002 amended.....	3
2	Article 35 (causing harm to or neglecting children under 16) amended.....	3
3	Article 79 (limitation of defence of reasonable corporal punishment) substituted	3
4	Education (Jersey) Law 1999 amended	4
5	Citation and commencement	4

ENDNOTES **5**

Table of Endnote References	5
-----------------------------------	---



Jersey

CHILDREN AND EDUCATION (AMENDMENT) (JERSEY) LAW 2020

A LAW to amend the Children (Jersey) Law 2002 and Education (Jersey) Law 1999.

<i>Adopted by the States</i>	<i>10th December 2019</i>
<i>Sanctioned by Order of Her Majesty in Council</i>	<i>3rd April 2020</i>
<i>Registered by the Royal Court</i>	<i>17th April 2020</i>
<i>Coming into force</i>	<i>24th April 2020</i>

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, have adopted the following Law –

1 Children (Jersey) Law 2002 amended

The Children (Jersey) Law 2002¹ is amended in accordance with Articles 2 and 3.

2 Article 35 (causing harm to or neglecting children under 16) amended

In Article 35, paragraph (5) is deleted.

3 Article 79 (limitation of defence of reasonable corporal punishment) substituted

For Article 79 there is substituted –

“79 Abolition of defence of reasonable corporal punishment

- (1) Any defence of reasonable corporal punishment of a child under customary law is abolished.
- (2) Accordingly, corporal punishment of a child cannot be justified in any civil or criminal proceedings on the grounds that it constituted, for the purposes of any rule of customary law –
 - (a) reasonable punishment; or
 - (b) acceptable conduct.

- (3) In this Article, “corporal punishment” means, in relation to a child, administering a physical act on the person of a child for the purpose of punishing that child (whether or not there are other reasons for administering the act) which would constitute assault.”.

4 Education (Jersey) Law 1999 amended

In Article 36A (power of members of staff to use reasonable force) of the Education (Jersey) Law 1999², for paragraph (6) there is substituted –

- “(6) In paragraph (5), the reference to giving corporal punishment to a child is to administering a physical act on the person of a child, for the purpose of punishing that child (whether or not there are other reasons for administering the act) which would constitute assault.”.

5 Citation and commencement

This Law may be cited as the Children and Education (Amendment) (Jersey) Law 2020 and comes into force 7 days after the day on which it is registered.

L.-M. HART

Deputy Greffier of the States

ENDNOTES

Table of Endnote References

<i>1</i>	<i>chapter 12.200</i>
<i>2</i>	<i>chapter 10.800</i>