

3.12 Deputy S. Pitman of the Minister for Social Security regarding the impact of the adoption of the Income Support (Amendment No. 8) (Jersey) Regulations 2012 on Income Support recipients:

Following the adoption of the Income Support (Amendment No. 8) (Jersey) Regulations 2012 by the Assembly on 17th July 2012, would the Minister advise how many former income support recipients have had this benefit stopped?

Senator F. du H. Le Gresley (The Minister for Social Security):

The Income Support amendment that the Deputy refers to changed the residency conditions of income support. All adult members of a household were required to demonstrate a set period of continuous residency in Jersey in order to be entitled to benefit. This condition can be satisfied by either 5 years continuous residence in Jersey immediately prior to claiming income support or 10 years continuous residency at any time in the past. Some exceptions are available for people born in Jersey and for the children of Jersey-born parents. These people can satisfy 10 years' residence through aggregate periods spent in Jersey. Prior to the change only one adult member of the household was required to satisfy these conditions. This meant that a partner who had recently arrived in the Island would be eligible for the full benefit of income support, despite never having contributed to the local economy. As a result of the change 180 claims were reduced when adult partners ceased to be eligible for some components of income support. This will lead to a full-year saving of approximately £700,000.

3.12.1 Deputy S. Pitman:

I agree with the Regulations in stopping people coming to Jersey and abusing the system but I do not agree with the money being taken away from recipients who are already receiving income support because, as we know, a lot of people on income support are vulnerable, pensioners and on incapacity benefits. Firstly, I bring this question because, again, I have constituents, a couple have lost their income support completely and the partner is on long-term incapacity benefit and cannot work. The couple have lost £500 a month that goes towards paying their States rent and the partner, who claimed the income support, is earning too much on her own to receive the benefit. They are in dire straits and has left them in a position where they cannot pay their rent and will be kicked-out, possibly, of housing because of this. This affects 180 people and I am guessing a lot of them have lost a lot of money as well. Given that, does the Minister think this is a fair Regulation?

Senator F. du H. Le Gresley:

The vote on this amendment that related to the 5-years residency for all adults was 32 Members in favour, 7 against. I would say that that is a strong indication that this Assembly was in favour of my proposals.

3.12.2 Deputy G.P. Southern:

I think those numbers give a gloss to the endorsement that suggests that people did not really know what they were voting for. Does the Minister accept that, contrary to his intention to target those people who come for a free ride at the last minute, his amendment targets people with a long-term commitment to Jersey, who remain committed to Jersey but who have a short gap in their residence in Jersey? It is impacting on all sorts of people with a serious commitment to Jersey and who have made a contribution to the Jersey economy and not just those who are having a free ride.

Senator F. du H. Le Gresley:

If somebody has a short gap, as the Deputy puts it, in their residency it is up to that person to prove to us why they should be considered as an exception. There are cases where people may need to go away for hospital treatment or to look after a sick relative and that could be

considered as an extension of their residency period in Jersey, particularly if they retain a place of abode in the Island, in which case we would allow those situations to occur. But if somebody leaves the Island for more than 4 weeks then the rule says that their personal component will cease and that is still the current position.

3.12.3 Deputy G.P. Southern:

Sir, supplementary, if I may. I am glad to hear that the Minister would consider medical absence from the Island as continuous residence and I hope he gets round to answering the email that should have already arrived on his desk on a particular individual case.

The Deputy Bailiff:

Is that a question then?

Deputy G.P. Southern:

Will he get round to it soon?

Senator F. du H. Le Gresley:

The Deputy is well aware that officers are dealing with this particular case and I think the person concerned has already been contacted.

3.12.4 Senator P.F. Routier:

Does the Minister share my concern and distaste at the questioner's inference that States Members were not aware of the amendments to the Income Support (Jersey) Law that was brought forward?

Senator F. du H. Le Gresley:

In preparation for today's Question Time I brought the proposition with me and the report is quite clear. The report stretched to something in the order of 11 pages and set out, as most of Social Security reports do, a full explanation of why we were bringing in this change, to make it more equitable for people who arrive in the Island, who are single as opposed to moving into a couple relationship. We made it clear the amount of money and the number of people affected by the changes. I agree with the Senator that Members were fully aware of all the circumstances.

3.12.5 Deputy S. Pitman:

I did not say, when I was speaking, that the constituent who I am talking about, he has had it aggregated. He comes under housing regulations 1(1) and (3), which are aggregated years. He has had a commitment to Jersey and he is now unable to work due to sickness. I wonder how many people are in this situation. The Minister did not answer my question about whether he thought the Regulation was unfair. Does he think then that this situation that this couple are left in now, unable to afford social housing because of this policy, is fair? Does he think that situation is fair for people who are committed to this Island?

Senator F. du H. Le Gresley:

I am reluctant to talk about individual cases but the situation is that if somebody has completed 5 years continuous residence in the past within the last 10 years, if they leave the Island for any length of time when they return they can make up the period. If they are away for a year they can remain in the Island for a year and then they qualify for the benefit again. In the case in point the absence was about 3 months and that time has already been made up.