

2.5 Deputy A. Breckon of St. Saviour of the Minister for Housing regarding 'j' category housing consents:

With regard to the Minister's recent statement what are the total numbers of time - and non-time limited J category consents, and how many granted in 2005 involved public and private sectors and by employment category? What percentage is envisaged for the significant proportion of J categories that will be without time limit and which Articles of the Employment Law are inconsistent with time limited J categories and Y?

Senator T.J. Le Main (Minister for Housing):

Approximately 1200 J category employees were recorded in the 31st December 2005 manpower survey; of these 10 per cent were not time limited. In the future it is expected this will increase to about 60 per cent. In 2005, 271 J consents were processed. In addition to this consents are processed on a delegated basis by Health and Education, and they granted 31 permanent J consents for medical professionals and 17 for teachers in 2005. The public sector accounts for 38 per cent of J consents. Of the private sector Js processed in 2005, 27 per cent were in the legal and financial sector, 18 per cent in banking, 13 per cent in services and transport, 12 per cent were accountants, and the remainder in a variety of areas. The policy content of the contract policy was not considered consistent with that of the Employment Law. Under Article 62(1)(b) of the Employment Law the non-renewal of a contract, including a J contract, is a dismissal. This dismissal may or may not be fair, but it was considered that dismissing on housing grounds was not something that should be supported within Housing Policy. Further, it was considered that such a position would be confusing for employees and employers. Given that the change will not create any more J consents in total, it was considered appropriate to remove this inconsistency.

2.5.1 Deputy G.P. Southern:

Based on last year's figures if he does increase the ratio of non-time limited J consents in a like manner to last year that will according to my calculations produce an additional almost 400 people given a permanent '(j) category', or associated with permanent (j) category, thereby increasing population.

Senator T.J. Le Main:

It will not increase population one bit. All these people, these time limited people, are living in J category properties. It will not increase, apart from the slight increase that this House has agreed on the increase in the working population of 1 per cent. All these people are now currently living in J category accommodation, and it will just cover those.

2.5.2 Deputy A. Breckon:

The Minister has also given a written reply to a question from Deputy Baudains of St. Clement today on the same subject. In there the Minister has said: "Furthermore this is not just about economics, but also equity, treatment of those who pay into society over long periods and inclusiveness in ensuring that they are part of that society that these are the things on which the figures cannot be placed." I would like flowing from

that to ask the Minister how this is consistent with those residents who might have lived here for 6 to 12 years.

The Bailiff:

Pause a moment, please. I would implore any Member with a mobile telephone in his pocket, or her pocket, to turn it off. Perhaps you would be good enough to start the supplementary question again.

Senator F.H. Walker (The Chief Minister):

I am sorry, it was me, and I did turn the beast off. I do not know how it has managed to let me down, but it has. I do apologise.

The Bailiff:

In other places, Chief Minister, these implements are confiscated and only returned on payment of a fine [Laughter].

Deputy A. Breckon:

I was referring to a written answer that was given to Deputy Baudains of St. Clement today and it said: "Furthermore, this is not just about economics but also equity in the treatment of those who pay into society over long periods and inclusiveness in ensuring that they are part of that society, these other things on which a figure cannot be placed." My question flowed from that, which is, how is this statement consistent with long-term residents of 6 to 12 years who are not J category?

Senator T.J. Le Main:

The issue is that this Island has an international reputation, worldwide, of stability, of "know your client" and a very high standard of regulations that we impose on our finance industry to make sure that the kind of business is the kind of business that everybody wants to deal with. It is quite clear, that there has been, over a period of the last 3 or 4 years, great difficulty with the businesses, including the public sector, nursing and education, in being able to find highly qualified staff for their operations. It is quite clear, that the turnover of staff that has been going on for years and years (a 5-year J would have to be replaced after that person had built up a reputation to, in fact, "know your client" on a worldwide basis) is not conducive to good business to the Island. What we are saying is that the J category licences that we are talking about are those of our existing, always-will-be-Js in this Island, the people we need to run our highly professional business activity. There will not be another J apart from the increase that this Assembly has given by increasing the working population by 1 per cent. It is making it far more equitable.

2.5.3 Deputy A. Breckon:

My question, which the Minister has not answered, was about equity because it was referring to equity in the treatment of J categories with other residents. My question referred to how was this consistent in housing terms with other long-term residents who were not J category.

Senator T.J. Le Main:

The issue is, Sir, that these people will not get their housing qualifications until they have done a 10-year period, as previously before. It has been equitable for a number of years, so if people are highly professional and needed to come to the Island, then of course they are needed for this Island and, as I say, they will have to do 10 years before they get qualifications in their own name.

2.5.4 Deputy G.P. Southern:

The Minister says that this will not result in an increasing population. Does he not accept that a time-limited 5-year J category goes, usually, after 5 years and that a non-time-limited J category is likely to stay, thereby increasing the population?

Senator T.J. Le Main:

I do not think the Deputy understands what I am saying. There are so many '(j)s' on this Island. Turned on a 5-yearly, 3-yearly, 7-yearly basis of those extensions and is not conducive to good business. It is not fair to employers; it is not fair to employees. It will not, on the evidence before us in the Housing Department, the Population Office, bring extra people into the Island. It means there will be less turnover of staff that are required to run this Island.

2.5.5 Deputy F.J. Hill of St. John:

Would the Minister not accept the fact the whole purpose of '(j) category' was initially to train local people to do the job? How can it be conducive to give someone a permanent (j) if they will not be training someone to take their place because those people are there all the time?

Senator T.J. Le Main:

The new policy will insist far more on what has happened in the past on training local people, and the issue is that a greater emphasis will take place. I mean, we are very pleased to see now that Health, for instance, are back in the role of training nurses in Jersey now. We believe that far more emphasis should be placed on employers to train local people to take up some of these positions.