

4.14 The Connétable of St. John of the Chief Minister regarding efforts to ensure all new residents have an understanding of the English language and the Island's laws before being given residential status:

Further to his response in a written question on 8th October regarding supporting 807 Romanian nationals currently living in Jersey and the fact that we are now demanding local people prove residency to get new registration cards, can the Minister advise what action, if any, is being taken to make sure all new residents speak our language and understand our laws before being given residential status?

Senator P.F. Routier:

Well, I would very much like ...

The Connétable of St. John:

Excuse me, Sir. The question was to the Chief Minister.

The Bailiff:

Yes, but under Standing Orders, unless you insist beforehand, it can be delegated to an Assistant Minister to the Chief Minister.

The Connétable of St. John:

Historically, I have always insisted, and I think you will find it registered that I always ask, if the Minister is in the House, that he will answer the questions, not his Deputy, Sir.

The Bailiff:

No, I understand from the Greffier that it has to be done when you submit the question.

The Connétable of St. John:

Can you please explain then how come, when I submit a question to the Minister for Treasury and Resources, I always get the Minister for Treasury and Resources to answer it and ...

The Bailiff:

Because he enjoys answering your questions. [Laughter]

The Connétable of St. John:

I can assure you, Sir, that is not the case because I have in the past protested and he has answered it, likewise with E.D.D. (Economic Development Department), Sir.

[11:15]

Are we changing the procedures in the Chamber at the eleventh hour and fifty-ninth minute?

The Bailiff:

I very much hope not, Connétable. We will certainly look at it, but I am advised at the moment that that is the position.

Senator P.F. Routier (Assistant Minister to the Chief Minister - rapporteur):

I felt only yesterday when the Chief Minister asked me to answer the question for him, this is my delegated responsibility to look at these things, and I know the Connétable, when I was Assistant Minister at Economic Development, he always insisted that the Minister for Economic Development did respond to the questions, but we did check before I stood on my feet to find out if there was a standing arrangement for the Chief Minister and there was not one in place. So that is why.

The Bailiff:

Right, can you answer the question?

Senator P.F. Routier:

Certainly, Sir. **[Laughter]** I would very much like it if all residents of our Island were able to speak to each other in the same language and to understand our laws. If we want an inclusive society, that can only be a good thing. The way to achieve that, however, is through education, community engagement and not compulsion.

4.14.1 The Connétable of St. John:

In the Assistant Minister's reply, he mentioned "through education". Will he work with the Education, Sport and Culture Department and the Chief Minister to make sure that people do have to pass a certain level of understanding of English and our laws before they are given registration cards?

Senator P.F. Routier:

There is a very good arrangement through Highlands College and through St. Thomas' Welcome Centre to enable people to learn various languages. With regard to before they are given a registration card, we would be unable to do that. Certainly if there are people coming from non-European countries, if they wanted to enter the country and be having a work permit, there is a requirement to have English language tests taken, and that would be the case before they were able to be given a work permit through the Immigration Service.

4.14.2 Deputy T.M. Pitman:

I think the last speaker struck on something because we could probably reduce the Assembly very quickly if people had to pass a test to understand the English language. Indeed, some might say I am one of them. However, I think it is very unfortunate the Romanian population have been highlighted here, and I am sure the Constable has not done that deliberately, but could the Assistant Minister confirm that taking this on a step, he would liaise with colleagues to ensure that when we go to understanding the laws of the Island, that most people cannot understand the laws in the courts because they are not given to them in a language that they can understand. Indeed, they are given often in versions of French which even the lawyers cannot understand. So could the Assistant Minister undertake to try and do something about that, such as he can?

Senator P.F. Routier:

I think there is a requirement we would all sign up to, that we could ensure that our laws are understandable by everyone. There obviously is a great canon of law which is in existence which requires a lot of interpretation. That is why we have lawyers, but certainly about advising anybody within our community, hopefully that all new legislation that we pass through this house will be understandable by most people.

4.14.3 Deputy M.R. Higgins:

Going first of all to the Constable of St. John's question on 8th October, we were told there were 807 Romanian nationals currently living in Jersey. In a written question to me today, we are told that 186 Romanian nationals applied for registration cards between 1st July and 11th October. I am somewhat surprised at this. Can the Assistant Minister tell us why these people are in the Island under residential permits when the U.K. is not allowing Romanian nationals to enter the U.K. and reside in the U.K. until January 2014? So why is it in one sense that people are being given registration cards and allowed to reside in the Island when they are not even allowed in the U.K.? Have they gone off the radar? Did they come in under student visas? Did they come in ...

The Bailiff:

The question is posed. I think you have asked it.

Senator P.F. Routier:

If people are within the U.K., my understanding is the U.K. introduced a cap recently for Romanians, but certainly the people who have come into Jersey in recent times would be part of that overall cap within the European community and anybody within the European community does have a right to enter Jersey, but they do not have rights with our Control of Housing and Work Law, to have access to work and to housing within the constraints within our law. They do not have automatic rights as a Jersey person would have.

4.14.4 Deputy M.R. Higgins:

Supplementary, Sir. The Assistant Minister is saying anybody who gets within the E.U. (European Union) boundaries is entitled to come to Jersey, and from what we are seeing here, the registration cards are being issued to anyone. What checks are done to make sure they do have the right to reside, for example, in the U.K.? When Romania became part of the E.U., yes, they will be allowed access throughout the whole of the community. Everybody accepts that, but those rules come into effect in January of 2014. Why are we doing it ahead of time? How did these people get here?

The Bailiff:

You have asked the question, again, Deputy.

Senator P.F. Routier:

We certainly are not doing it ahead of time. There are Romanian nationals who are living within the community already who have access across Europe. I am a little bit concerned that we are focussing on one particular group of people within this question, and I hope Members are not going to start a witch-hunt against particular groups of communities. This Island has developed its community from welcoming people to this Island who have contributed to our Island community, and I hope that we recognise they do have a social and economic benefit to the Island.

Deputy M.R. Higgins:

It is not criticism of the Romanians as such. The Bulgarians are also being allowed in, and others.

The Bailiff:

Thank you, Deputy. You have asked 2 questions. Deputy Shona Pitman.

4.14.5 Deputy S. Pitman:

Does the Assistant Minister not think it is far more important that these people are contributing to our Island economically, socially and culturally before being given residential status, rather than requiring them to speak our language?

Senator P.F. Routier:

I tend to agree with the questioner. Certainly we all know that anybody who comes to our Island needs to be here for a length of time before they gain entitlement to work and to housing, but other than that, we need to have some people come to our Island to work in the industries that the rest of our community are not prepared to work in, and we need to make them feel welcome while there are jobs available for them.

4.14.6 Deputy M. Tadier:

Given the fact that 95 per cent of the population do not speak our language, can the Assistant Minister advise how it would be practical for getting foreign nationals to learn Jèrriais, given the fact that most people cannot speak it, and which variation of Jèrriais we would be expecting them to learn?

Senator P.F. Routier:

I thank the Deputy for the question. I was tempted to try and answer the question in French, but my skills are not good enough, I am afraid. I take the point and language is not the main criteria for having people come to our Island. It is their ability to contribute to our community generally, socially and economically.

4.14.7 Deputy M. Tadier:

Supplementary, may I? All of the Romanians or most of the foreign nationals I have met in Jersey do speak English and certainly all of the Romanians I have met speak English and they also speak Romanian, which is more than can be said for myself. Does he agree that the sentiment of these questions is essentially economic in nature and it is not to do with culture as such and that we should be welcoming and encouraging a cosmopolitan Island and if there are issues to do with employment, minimum wage, substandard accommodation, those should be addressed at a political level by States Members and not perhaps give mixed messages out about welcoming foreign nationals to our community?

Senator P.F. Routier:

I am afraid that I am unable to comment on what was intended in the sentiment of the question, so I cannot really comment any more than that.

Senator L.J. Farnham:

I wanted to make a very brief point of clarification which Members might appreciate ...

The Bailiff:

Is it going to involve a question?

4.14.8 Senator L.J. Farnham:

Would the Assistant Minister confirm that the Jersey Legal Information Board provide a translation of the most used Jersey laws and there is a service available for translation of any laws if necessary?

Senator P.F. Routier:

I am grateful for the Senator's identification of that.

4.14.9 Deputy J.A. Martin:

The Assistant Minister mentioned in one of his replies, and it does not matter from which country, that the U.K. have now started to put a cap on who can reside in the U.K. Given that they have a 70 million average population, has there been discussions about what cap from which countries, and what percentage would that drill down to Jersey? Are there any talks? This is high-level stuff, and we have been saying this for many years. What talks are occurring for the capping of new nationals coming from the E.U. into the U.K and what does it translate to our population of 100,000 people?

Senator P.F. Routier:

I am afraid that I do not have that information, but my understanding is the cap on different nationalities was Romanian and possibly Bulgarian, and that does not apply to many of the other countries which are listed. Those have been identified in those people who have come to the Island recently, but I cannot really give an indication to any percentages, how that would reflect in Jersey's economy at the present time, but I will look into that for the Deputy.

Deputy J.A. Martin:

That was my supplementary. Could you have some high-level conversation with the U.K. Government, as it does need to reflect into Jersey?

4.14.10 The Connétable of St. John:

Let me clarify something. The question came out of a question put by another Member at the last sitting. It was not one by myself. That said, in your reply earlier on to my question, Assistant Minister, you mentioned that we have double standards, given that if you come from outside the E.U., you have to have a certain educational standard in our language, likewise within the laws. Can you please explain why the Island is operating a double standard when it comes to the Europeans and not across the board for everybody when it comes to learning and doing the paperwork?

Senator P.F. Routier:

We follow what the United Kingdom have about people from outside the community, and they have a very detailed mechanism for people coming from outside the European community and we follow that process.