

3.14 Deputy R.G. Le Hérisier of the Chief Minister regarding the introduction of work permits:

Is the Council of Ministers unable or unwilling to propose the introduction of work permits and why is this the case given their application in other similar jurisdictions?

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

We have just introduced the new Control of Housing and Work Law following the decision of this Assembly and we should use this new law to achieve our objectives. Indeed, the new law includes powers to grant permission on an individual basis in the same way as the work permit system, and these powers will be used where necessary.

3.14.1 Deputy R.G. Le Hérisier:

I thank the Assistant Chief Minister, but is he not rather concerned that virtually every other jurisdiction for both E.U. and non-E.U. nationals, every comparable small jurisdiction, uses work permits? Is he not further convinced that the term “control” is, in fact, a misnomer? The new system is not a control system, it is an administrative monitoring system.

Senator P.F. Routier:

I am afraid I cannot agree with the Deputy. He is saying that it is not a control system. It is a control system, there is no doubt about it, because in the applications we get from businesses to employ non-local people we are controlling the number of people that they are permitted to employ. We do that on a regular basis. With regard to other jurisdictions using work permits, I think the Deputy is aware that even a near neighbour of ours has what is termed a work permit system but even that system does have its loopholes. People can move to the Island and move into unqualified accommodation, into staff accommodation, and also into open market. That is a big loophole in our sister island’s box of tricks which they do to control their population.

3.14.2 Deputy M.R. Higgins:

I hope you will give me a bit of latitude with this one because I will explain where I am coming to. It is directly relevant to the question. Members in this House have been trying to get the Assistant Minister and the Chief Minister to give us population figures for quite some time and they have ducked and dived at every opportunity. My question: is the Minister delaying bringing in work permits or any other effective measure until after the population has gone many tens of thousands more than it is at the present time?

Senator P.F. Routier:

No.

3.14.3 Deputy M. Tadier:

Does the Assistant Minister acknowledge or accept that if we had a functioning system of work permits then headlines such as those we saw 5 days ago, which may have easily appeared in 1940s Germany, requesting local residents to inform and report on their neighbours and those working illegally in the Island would not be necessary because we would have a much better system of making sure that those who are in the Island were legitimate?

Senator P.F. Routier:

Members must remember, and some obviously have been in this Assembly longer than others, we have debated the merits of work permits on a number of occasions. Each time it has been rejected because it was felt to be too labour intensive, too administratively burdensome on businesses, and the decision was made not to go forward with a work permit system. I believe with our new system and the ability within the legislation to put specific conditions on licences I

think we have the best of both worlds. I believe that we can achieve what we want to do with the legislation that we have.

3.14.4 Deputy M. Tadier:

Does the Assistant Minister acknowledge that with the best intentions the impression conveyed in the *Jersey Evening Post* headline: “Hotline to stop illegal working” smacks of an intolerant Island, whereas it should be the job of Government to put in mechanisms to make sure that everybody who is in the Island can either work legitimately or not be allowed in in the first place if that is not the intention?

Senator P.F. Routier:

I cannot control the headlines that are in the local evening paper, but certainly I think there is a bit of a schizophrenic approach that Members are taking with what is being asked of us. On the one hand, we have people who are wanting really strict controls to ensure that the population is kept at a ... I think we might be in quorate now. I think people might be fed up with me speaking.

[16:00]

The Bailiff:

I think we are just all right, so I am afraid you have to carry on. [Laughter] Oh, I am sorry, maybe I miscalculated.

Senator P.F. Routier:

Someone just joined us, so that is good.

The Bailiff:

Now it is 27.

Senator P.F. Routier:

Yes, I think Members seem to unfortunately get in 2 minds about this issue. There are people who want really strict controls and are asking us to do more and more things to bring in greater compliance, and there is another part of this Assembly and the community as well who would like things to be a lot more relaxed. We are trying to find a midway through all that and hopefully we are going to achieve that with the way we address this law.

Senator L.J. Farnham:

I have through skilful use of my iPad managed to answer the question I was going to ask, thank you. [Laughter]

3.14.5 The Connétable of St. Brelade:

Unfortunately, I am a schizophrenic. Could I ask the Assistant Minister does he not think that a work permit scheme would simply stop dead in its tracks a white van man appearing at the harbour causing so much damage to our building industry?

Senator P.F. Routier:

I am not sure the work permit system would be better for dealing with that. We can achieve that with our existing legislation because we are going to have greater compliance. We are going to have additional officers who are going to be looking at people coming into the Island to ensure that they have the right licence to work in the Island. We have to remember the control of housing and work legislation is about population increase. It is not a tool to stop competition within business. It is not designed to do that. It is a control of population.

3.14.6 Deputy R.G. Le Hérissier:

The Assistant Chief Minister talks of a compromise, but would he not agree that the popular view is that essentially it is a failed policy and because such policies take effect over years the key decisions to do nothing, they were essentially decisions of inactivity. The key decisions were taken years ago and he is simply, despite the incredible hard work, dancing on the deck of the Titanic and we have failed to bring about a system where there are proper entry requirements and when people come we can give them proper rights instead of shoving them into substandard accommodation and pretending we do not have a surplus of population.

Senator P.F. Routier:

I am afraid I do not share the Deputy's pessimistic view about the way we are progressing this legislation. Even with the old legislation, the Migration Advisory Group in recent years has managed to constrain the number of people who have had licences. We have halved the number of people coming to the Island in recent years and even last year, for instance, those who are non-locally qualified, although the Statistics Unit round up their numbers and they put a figure of 100, we know it was 50 plus 20 dependants. It was 70 people came to the Island, so it gave a worse, to my view, figure of the work we had managed to achieve in the last year. I hope that Members can get behind this legislation because I do believe it is a good tool to achieve what we want to do. I do not believe it is a failed system. I think what we have now is going to be very useful and going to achieve what we want.