

2019.11.25

9 Deputy K.G. Pamplin of the Chief Minister regarding immigration policy in relation to the hospitality, agriculture and retail sectors: (OQ.290/2019)

Further to the presentation of the interim report of the Migration Policy Development Board (R.140/2019), what evidence, if any, has been gathered that suggests there needs to be a reduction in immigration, specifically in relation to the hospitality, agriculture and retail sectors?

Senator J.A.N. Le Fondré (The Chief Minister):

The Connétable of St. John is answering this question.

3.9.1 Connétable C.H. Taylor of St. John (Assistant Chief Minister - rapporteur):

The interim report was published on the Migration Policy Board's website along with information it gathered and the considerations it has made. The interim report contains a number of principles that the Board is discussing with interested parties throughout October and November. These parties have included representatives from industry, the environment, the charitable sector and the Polish and Portuguese community. I would like to thank all those who have given their time and given their valuable feedback to the Board. What is clear from our consultations and considerations to date is that the current controls are not working as intended. This is what the Board was set up to investigate. The Board will consider the recommendations that will be made to the Chief Minister after the consultation period has concluded. The Board will also need to take into account the direction that the next U.K. Government might take on Brexit. I have to unfortunately emphasise that Brexit should have happened, it has not happened and has left the Board with an awkward quandary and we will need to know the outcome of Brexit before we can come to our final conclusions.

3.9.2 Deputy K.G. Pamplin:

I thank the Connétable for his answer. Brexit aside, just looking at the Scrutiny Panel's response to what was published, what has the Panel taken away from those recommendations? I know the process of responding to it, but there does seem to be a continual theme from similar questions earlier about the data gathered. Are they confident with the data they have got so far and can he allude to what can be done next to improve that data?

[16:00]

The Connétable of St. John:

As I said, I am very grateful to the representatives from industry and environment, the charitable sectors and others who have come forward and given their opinions. We have had some very frank and open discussions and it has been very beneficial to the Board to have gone through this consultation process. Once we have finished the consultation process, which is at the end of this week, we will then be able to sit down and start producing our thoughts and recommendations to the Chief Minister.

3.9.3 Deputy M. Tadier:

Having to explain our residency and work rules to people not from Jersey, it is very difficult to explain how there is a 5-year rule before you can work in Jersey and a 10-year rule before you can rent, or buy, in Jersey. They always ask: "Well how do you live in Jersey for 5 years without working and how do you work in Jersey for 10 years without being able to rent?" The Constable said that current mechanisms to control the population do not currently work. Would he clarify if that means

that the 2 mechanisms we have ostensibly to control the population do not work and that they should either be changed, or abolished?

The Connétable of St. John:

The question really refers to my personal opinions and not those of the Board and I am reluctant to make those known. I will say, however, that we are not looking for wholesale change and we are not going to throw the baby out with the bathwater. What is required is greater control and this can be achieved with the current structure, so long as it is properly understood and properly implemented.

3.9.4 Deputy M. Tadier:

I am not clear what is the baby and what is the bathwater in all of this. He has told us that the residency rules do not work. It is not clear if that is because they do not work full stop and that people come and stay despite those mechanisms, or that the mechanisms we have are too lenient. So, could he clarify whether he thinks that the 5 and 10-year rules should perhaps be extended, so you have to live here for 10 years before you can work, for example and go back to the old days where people had to live in Jersey for 20 years, in parenthesis I would say 'in substandard accommodation', or does he favour ... well simply which is his preference, either personally, or politically as a Minister?

The Bailiff:

You can only answer as a Minister but ...

The Connétable of St. John:

I can only reiterate really what I have said is once we have finished gathering all the information and once all the contributors have contributed, we will then deliberate with the information we have. To start trying to guess the outcome of the future is not possible.

3.9.5 Deputy R.J. Ward:

May I ask the Assistant Chief Minister, either as Assistant Chief Minister, or on behalf of the Migration Policy Board, whether he has a figure in mind for what the population of Jersey should be ideally?

The Connétable of St. John:

I have repeatedly answered this in the past. I have no idea on what the figures could, or should, be. That is a matter for this Assembly to decide.

3.9.6 Deputy R.J. Ward:

Does he believe that having a living wage may encourage more locals to take up jobs effectively and therefore having an effect on the population?

The Connétable of St. John:

I do not think there are many people out of employment at the moment, who would not welcome a job, even at any wage, or at the current wage. We are moving rapidly from a minimum wage towards a working wage and that is something that I support.

3.9.7 Deputy K.F. Morel:

Notwithstanding that I appreciate the Assistant Chief Minister will be providing comments and a response to the Scrutiny Panel's report, I urge Members to read the Scrutiny Panel's report on the findings by the Migration Policy Development Board. One of the findings, finding number 3 says: "The Migration Policy Development Board did not reach out to relevant stakeholders during its formation and only contacted a very limited number to invite on to the Board." Apologies, my microphone was off. In the interim report, published by the Migration Policy Development Board, it says that a number of lay members will be on the Board. It talks in the future tense, rather oddly. Could the Assistant Chief Minister advise the Assembly as to which lay members are members of the Board and which industries are represented on that Board?

The Connétable of St. John:

We have 3 lay members on the Board and, after much deliberation, it was decided to approach the Institute of Directors to appoint a person, or nominate a person, for the Board. We approached the Chamber of Commerce, because we felt that they were very broadly representative of Island businesses and we asked them to nominate a person for the Board. The Chief Minister and I, after much consultation, decided to ask Michael Oliver, a very well-respected local individual, if he would join the Board because his knowledge, I know, is most welcome. That is how we had the 3 lay members on the Board.

3.9.8 Deputy K.F. Morel:

Finding number 5 of the Scrutiny Panel's report says: "The diversity of the Migration Policy Development Board was not satisfactorily considered during the Board's establishment." When it talks about diversity, I imagine they are talking about having no Assembly Members under the age of 60 and also no people representing migrant communities on that Board. Could the Assistant Chief Minister explain why this was the case?

The Connétable of St. John:

I take very great exception to that question. I will not go into great detail, because I have not got the time with 90 seconds in which to answer that fully. This is passive discrimination and I will not tolerate it. The Board was made up in conjunction with the Chief Minister and myself on the basis of individuals' knowledge, their ability and their enthusiasm. There is no point having somebody who is not willing to commit and there is no point in having somebody who is not knowledgeable and those are the 3 criteria that I use. Somebody who looks at a Board and says it is not gender balanced, or it is not age balanced, or their examination of a Board is based on that basis, they are themselves being passively discriminatory. I look at people on their ability, on their knowledge and on their enthusiasm to get the job done and that is the only criteria.

3.9.9 Deputy K.F. Morel:

I asked also specifically about migrants and migrant communities. I doubt that the Assistant Chief Minister has much knowledge, or experience, of being a migrant, or a migrant community member. Could he explain why there are no migrants, or migrant communities, on the Board?

The Connétable of St. John:

I am a migrant myself. **[Approbation]** I was born in South Africa. I have experienced apartheid, so do not ever talk about discriminatory to me.

3.9.10 Deputy G.J. Truscott:

I totally agree, it is about control and, personally, I do not have an issue of swelling our numbers as we did back in the 1960s and the 1970s with workers coming over to the Island on a work permit-based system and then going once the job had been done. Does the Assistant Chief Minister agree that a work permit-based system is the way forward? I cannot understand what the procrastination is about.

The Connétable of St. John:

I thank the Deputy for that question and, to some extent, he hits the nail on the head. When the United Kingdom joined the Common Market, over a number of years, the Common Travel Area was extended. Currently, Jersey is able to attract, within the Common Market, a pool of some 650 million people. That is the area in which we can attract people to come to live and work in Jersey. After the U.K. leaves Europe, assuming that happens, the pool will be greatly diminished down to approximately 80 million, being that of the British Isles. Therefore, it will be more difficult for individuals to come and live and work on the Island and a permit system will be needed, I believe, and this is how greater control will be more easily possible.

3.9.11 Deputy K.G. Pamplin:

I just want to go back to the original question about the evidence. I thank the Assistant Chief Minister for giving us some more evidence, because that is what I am after. I think that is what we all need to make the right decision. So, just to clarify again, can he steer me and the Assembly to the evidence gathered so far that suggests there needs to be a reduction in immigration, specifically in relation to the hospitality, agriculture and retail sectors, for example, not the finance industry or other sectors of the Island?

The Connétable of St. John:

I do not believe that there needs to be a reduction in any particular area. What we require is the right individuals for the jobs available. In discussion with the industry, when somebody comes through the door, when they are looking for employment, very rarely do they ask what are their qualifications and very rarely do they have an option to interview a number of individuals. At the current time, usually a business advertising for somebody is lucky to have one individual come through the door and the only question they ever ask is: "When can you start?" This, unfortunately, is not matching the individuals to the job vacancies and so there is a mismatch and that is something that needs to be tackled.