

STATES OF JERSEY



POPULATION AND MIGRATION REVIEW – PART 1 (S.R.1/2012) – RESPONSE OF THE CHIEF MINISTER

Presented to the States on 11th June 2012
by the Chief Minister

STATES GREFFE

**POPULATION AND MIGRATION REVIEW – PART 1 (S.R.1/2012) –
RESPONSE OF THE CHIEF MINISTER**

Ministerial Response to: S.R.1/2012

Ministerial Response required by: 6th June 2012

Review title: Population and Migration Review – Part 1

Scrutiny Panel: Corporate Services

Introduction

It is accepted that a new regime to control immigration is required, and this is why the new Control of Housing and Work (Jersey) Law 201- was developed and is being introduced as a significant improvement in efficiency and effectiveness. While developing the new Law, the long standing Housing and Regulation of Undertakings and Development Laws were applied to their proper extent within the prevailing constraints.

Findings

	Findings	Comments
1	The 2011 Census results called into question the Population Policy agreed in 2009 and the capacity to control inward migration.	It is accepted that a new regime to control immigration is required. This is why the new Control of Housing and Work (Jersey) Law 201- is being introduced. The new Law will be more effective, but we also monitor its effectiveness and provide further enhancements as required to ensure objectives are met.
2	The 2011 Census was conducted in an efficient and robust manner and evidence to date suggests that the significant increase in the population figures results from the failings of our current control mechanisms.	As above.
3	The reconciliation of the 2011 Census results by the Statistics Unit will help to provide more accurate annual updates. However, it will not resolve the issue of measuring migration to and from the Island and a degree of uncertainty will therefore remain.	The Population Register as being introduced under the new Control of Housing and Work (Jersey) Law 201- will provide the assurance needed in this regard.
4	The Statistics Unit will not have completed a revised Population Model before December 2012.	Agreed.

5	The current Population Policy was adopted on the basis that new population control mechanisms would be implemented. However, those new mechanisms are still not in place.	The new Control of Housing and Work (Jersey) Law 201- is currently with Privy Council and the objective is to have the Law appointed by the States Assembly in September, 2012.
6	There must be a full understanding of the difference between the 2011 Census results and previous population predictions before a debate on the new Population Policy can take place.	Agreed.
7	A delay in the debate on population policy is unfortunate given that it impacts upon other policy matters: housing, education, employment, economic growth and infrastructure – all of which will be covered in the new Strategic Plan.	Agreed. However, it is important that any debate on population be informed by accurate data and having engaged fully with the public. It is therefore incumbent to await the full analysis of the census data, including annualised net migration data, and a robust population model thereon, and to progress other policy areas in so far as is practical and reasonable in the meantime.
8	If the current population trends continue then the population limit of 100,000, set by the current Population Policy, will soon be breached.	<ul style="list-style-type: none"> • The Chief Statistician has estimated that in 7 – 8 years the population will exceed 100,000 through natural population growth. • In addition, the level of net inward or outward migration obviously directs the size of the population. The Statistics Unit are currently working on annualised net immigration which will provide a range of scenarios around population size to support future population policies and actions. • In the meantime, the Strategic Plan is very clear in stating that permissions for non locally qualified staff will be limited, and 1(1)(j) permissions will only be granted where high economic or social value is compellingly demonstrated.
9	Although the Chief Minister has stated that he would like to see the population constrained to 100,000, the Council of Ministers has yet to decide on whether the new population policy should include a set population limit	The new Population Policy will be based on thorough consultation and analysis, consideration by the Council of Ministers, and ultimately the approval of the States Assembly. In the meantime, the Chief Minister has expressed a view consistent with the 2009 decision of the States Assembly.

10	Further work on the granting, renewal and removal of licenses by the Population Office is required in order that a full understanding of the employment position in Jersey, and the impact of inward migration, can be developed.	The new Law will be supported by new processes and importantly, new systems to enable a fuller range of statistics to be readily produced.
11	In order to have managed the population more effectively, measures should have been taken earlier to address high levels of inward migration to the Island.	The current Laws have been applied to their full extent to support States objectives as the economic situation has changed, alongside bringing forward a new Law and new systems to support more effective migration controls.
12	The Statistics Unit will need to validate the Population Register before it can be relied upon as a rolling measure of Jersey's population.	Agreed.
13	Until the Population Register is complete and mature, 2 sets of population statistics will be available, thereby increasing the risk of confusion when discussing population policy.	Only one set of population statistics will be produced – by the Statistics Unit.
14	Until such time as the register is operational and has been validated, any population policy that sets overall population limits is likely to be frustrated and runs the risk of failure.	It is clearly the case that a Population Register informs the MAG and Population Office in making appropriate and effective business licensing and housing decisions and is an essential component of an effective regime. However, in the meantime, the approach contained in the Strategic Plan is being applied.
15	The Chief Minister has begun to consider whether qualification for access to work should be extended from 5 years to 10 years.	Agreed.
16	Delivery of the population policy will depend upon the effectiveness of migration controls. There must be clarity as to the responsibility for those controls and accountability for their success.	Agreed.

Recommendations

	Recommendations	To	Accept / Reject	Comments	Target date of action / completion
1	The Chief Minister should undertake a fundamental review of the structure of the Population Office and, in particular, examine the compliance and enforcement function and licence allocation.		Accept	The new Law will be supported by new processes and importantly, new systems to include providing a more robust and effective compliance regime utilising the new powers available.	September, 2012
2	Given that the current control mechanisms are failing, the Chief Minister should ensure that a comparison is undertaken between the annual population updates and the numbers of locally qualified and non-locally qualified licenses that are allocated. Furthermore, these findings should be published in a report and presented to the States on an annual basis.		Accept		December, 2012
3	At least 3 months before the debate on Population Policy, the Chief Minister should request the Chief Statistician to provide his view on when the Register will be statistically viable as a rolling measure of the Island's population.		Accept		April, 2013
4	The Chief Minister should advise the States Assembly during the debate on the new Strategic Plan about any increases plans to extend the qualification period for access to work.		N/A	The Strategic Plan debate has taken place.	

Conclusion

The new Control of Housing and Work (Jersey) Law 201- was developed and is being introduced as a significant improvement in efficiency and effectiveness. While developing the new Law, the long standing Housing and Regulation of Undertakings and Development Laws were applied to their proper extent within the prevailing constraints. The Panel's Report is a constructive contribution and is welcomed as such.