
STATES OF JERSEY



COMMON POPULATION POLICY REVIEW (S.R.2/2022): RESPONSE OF THE CHIEF MINISTER

Presented to the States on 17th March 2022
by the Chief Minister

STATES GREFFE

**COMMON POPULATION POLICY REVIEW (S.R.2/2022): RESPONSE OF
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Ministerial Response to:	S.R.2/2022
Ministerial Response required by:	18th March 2022
Review title:	Common Population Policy Review
Scrutiny Panel:	Migration and Population Review Panel

INTRODUCTION

I welcome the Migration and Population Review Panel's report, following its recent review of the Common Population Policy.

I would particularly like to acknowledge the diligence of Panel Members, along with supporting officers, for producing a detailed report within a relatively short timeframe and thank them for the opportunity to respond to the findings and recommendations identified.

FINDINGS

	Findings	Comments
1	The second principle on which the policy is based negates the need for a future government to set meaningful targets to reduce reliance on net inward migration.	<p>The Minister does not agree with this finding. The second principle is included to ensure the longevity of the overall aim by requiring ministers to have an underlying regard for the overall aim even in years when external pressures make it difficult to make progress on a reduction in net inward migration, and to return to the overall aim as soon as possible.</p> <p>The current, rapidly evolving Ukrainian situation illustrates this point. Without the second principle, the government would be faced with a choice between maintaining its population policy and declining to accept refugees, or disregarding a policy which has been agreed by the Assembly. This is perhaps an extreme example, but it shows how temporary exceptions, as provided for in the second principle, in no way diminish the overall</p>

	Findings	Comments
		need to reduce the number of inward migrants over the longer term.
2	The Common Population Policy does not meet the commitments made as a result of the States Assembly approval of P.120/2020 – Migration and Population Data.	The key focus of P.120/2020 was to produce policies based on data. This is also a focus of the Common Population Policy and every effort will be made to improve available data to provide meaningful forecasts to support future population policies.
3	The Common Population Policy does not draw conclusions from the issues raised during the in-committee debate held on 24 March 2021 and does not advance the debate on population issues.	The following were the most common issues/themes raised by Members during the in-committee debate: <ol style="list-style-type: none"> 1. Importance of education and skills / growing our own talent 2. Housing / cost of housing 3. Economy and productivity 4. Communities / quality of life / happiness 5. Data / availability of 2021 Census data <p>Actions to be taken by individual Ministers / collectively by the Council of Ministers in each of these areas are detailed in Section 7 of the report to P.116/2020</p>
4	A lack of data to inform a Common Population Policy has been highlighted over an extended period, both prior to and since the lodging and debate of P.137/2020 – Migration Control Policy.	Agreed.
5	The Government is presenting two positions on the production of forecasts (that data is robust enough to support significant projects and, secondly, that sufficient data is not available for a population policy) and their use across government which cannot be reconciled.	There is a fundamental difference between a forecast used as part of a planning assumption and a target or aim within a government policy. <p>All long-term projects (such as a new hospital or sewage treatment works) require planning assumptions. Planning assumptions are formulated using the best evidence available at the time to predict what is likely to happen in the future. They take as a starting point the latest available data (in most cases the 2011 census), assume that current government policy and external conditions will remain unchanged and then predict the change in the population under those conditions. Depending on the type of project, assumptions will be made at the higher or lower end of the likely range of future values.</p>

	Findings	Comments
		<p>To adopt planning assumptions as population targets would assume that no policy actions will be taken that could change the size or make-up of the Island's population. That is not the approach proposed in the Common Population Policy.</p> <p>The government is determined to have a proactive population policy that will progressively reduce the need for inward migration.</p>
6	Assumptions for population growth are being used across Government for significant policies and projects.	
7	A further four year wait for population planning assumptions to be made is unacceptable.	The Policy does not suggest waiting for 4 years before taking any action.
8	It is a reasonable expectation that population forecasts could and should be made before 2025 and as early as possible.	
9	There are a number of ongoing pieces of work which will provide the data necessary for the production of forecasts and which are outlined as forthcoming actions in 2022.	<p>Actions underway which will improve the data available to support the development of population policies include the Combined Employer Return (CER) which was rolled out in February 2022, and the new online portal for CHWL applications which is expected to begin gathering data from mid- 2022. This will assist in providing some of the data needed to develop more specific population policies and targets.</p> <p>It is also important to acknowledge the unique circumstances arising from Covid and Brexit, that have led to significant disruption in the economy and population movements.</p>
10	The approval of P.120/2020 demonstrated the importance that the States Assembly attached to consistent and robust planning assumptions which would underpin decision-making and provision of services.	<p>Consistent and robust planning assumptions can only be produced using reliable and timely data. It has not been possible to gather sufficiently reliable data to produce those assumptions, particularly in the immediate aftermath of the covid pandemic and Brexit.</p> <p>Census 2021 results will start that process by identifying the overall population, on that date, but more importantly will give us rich data in areas including the number of dwellings on the</p>

	Findings	Comments
		Island, occupancy, demographic and cultural mix etc.
11	Submissions made to the Migration and Population Review Panel expressed disappointment and frustration with the lack of action taken.	It is noted that the submissions expressed a wide range of views.
12	While the Government has made the effort to consult with the community, no conclusions for tangible action have been drawn as a result.	The consultation generated feedback from hundreds of respondents, who advanced a wide range of views. The consultation identified strong support across all groups for government action to invest in lifelong learning and education policies and these themes are reflected in the actions identified in the policy
13	There has been little public interest in the Common Population Policy since it was lodged on 10 th December 2021.	Additional interest, reflected in subsequent media coverage, was generated as a result of the States Assembly debate
14	The Common Population Policy does not result in tangible action.	By the end of 2022 the new primary law will be in place, the new IT system operational and the 2021 census data analysed, all of which represent significant investment and effort and progress towards the responsive population policy that the Island needs. The policy sets out 44 specific actions which form part of the Government Plan 2022-25. These actions will contribute towards the overall aim of reducing reliance on inward migration.
15	If the purpose of the Common Population Policy was to be merely aspirational then it meets the Assistant Chief Minister's aim of being 'a starter for ten'.	
16	The expectation of States Members, as a result of the approval of P.120/2020, was that more actions should have been taken by the end of the term of this Government.	The focus of P.120/2020 was the publication of a wide range of forecasts, upon which population targets could be developed. Forecasts rely on reliable data and the government has taken significant steps to improve the quality of data available going forwards.
17	There are concerns that issues (such as pay and conditions for teachers) which are not addressed in the Common Population Policy could hamper progress against the future actions listed.	Population policy cuts across all Ministerial portfolios. Some feedback given to Scrutiny centred on the needs of individual groups and not upon the overall needs of the population of the Island. Education and up-skilling children, young people and adults are key themes of the population policy and it is acknowledged that teachers are an essential resource in our education system. The

	Findings	Comments
		<p>same can be said of nurses, doctors, social workers, healthcare workers and other professionals who all provide essential services supporting the physical and mental wellbeing of Islanders.</p> <p>The needs of the whole community, the economy and the environment will need to be balanced in a successful population policy.</p>
18	The Common Population Policy should have been made available for debate earlier in this term of office.	The need to divert policy resources to support the pandemic response has led to unavoidable delays across a range of projects including the Common Population Policy.
19	Delays to the lodging of the Common Population Policy meant that it was presented too close to the end of this Government's term of office.	
20	The proximity of the Common Population Policy to the end of the Government's term of office means that it is unable to commit to the progression of the various actions contained within it.	
21	The rationale of the Common Population Policy is constrained by the lack of data that has informed it.	The rationale and overall aim of the Common Population Policy is clear. A range of specific and coherent actions are included in the initial policy but it is acknowledged that these actions are constrained in some cases by the current lack of detailed and up to date data.
22	The Common Population Policy draws together a list of the projects, reviews and actions.	
23	The rationale has not produced a coherent plan for action which meets expectations.	
24	The Common Population Policy provides a long-term vision of reducing net inward migration.	

	Findings	Comments
25	The long-term goal of the Common Population Policy is to achieve net zero migration.	The long term goal is to achieve a stable and sustainable population for future generations.
26	There is a lack of clarity about how a reduction in reliance on net inward migration would be achieved.	The report outlines a series of actions to help reduce reliance on inward migration, grouped into 3 headings: <ul style="list-style-type: none"> • making better use of data • encouraging and enhancing the productive activity of the resident population, and creating responsive controls in respect of the use of migrant workers
27	The Common Population Policy does not and cannot commit future Governments to the vision of achieving net inward migration.	As with all Assembly decisions, P.116/2021 could be amended or reversed by a future Assembly.
28	The Common Population Policy identifies the need to strike a balance between the economy, the environment and the community.	Agreed.
29	The Common Population Policy does not identify how the balance between the economy, the environment and the community would be achieved.	It is unclear what metrics the Panel considers could be used to measure whether such a balance had been achieved. The reference throughout the common Population Policy to 'achieving balance' refers to recognising that each of the economy, environment and community are equally important and not prioritising one over the others.
30	The Common Population Policy does not provide a clear direction to support business in longer term planning.	The policy clearly sets out that everyone in the Island has a part to play in reducing reliance on inward migration. Businesses are aware, following adoption of P.137/2020, that new time-limited statuses will be introduced in due course, just as they are aware of immigration rules and how these changed following Brexit. One of the themes of the Common Population Policy is to invest in the local workforce, so government will be encouraging and supporting businesses to improve productivity, invest in new technology, train staff appropriately and improve their overall profitability
31	Business representatives welcomed the focus on training and education but raised concerns about the achievability	

	Findings	Comments
	of delivering the actions set out in the Common Population Policy.	
32	The Common Population Policy identifies the importance of the Island's environment, however, does very little to indicate how to mitigate the population's impact upon it.	Any actions which reduce reliance on inward migration will contribute towards stabilising the Island's population, which in turn will help to safeguard the natural environment.
33	The Common Population Policy indicates that Jersey should be welcoming to those who come to live and work here but does not suggest a Government-led strategy for doing so.	A review of migrant rights is scheduled for late 2022 / early 2023. This will establish what direct action is appropriate and how this might be paid for. It is accepted that, in a global market for labour, the Island's offering must be attractive, competitive and fair in order to persuade workers with essential skills to make Jersey their destination of choice.
34	The Common Population Policy does not address the rights of migrants and how migrant workers might be treated unfairly by employers.	Existing Employment Law already deals with the treatment of all employees by their employers. Some very specific points were raised by one contributor to the review and these have been shared with the Minister for Home Affairs and the Minister for Social Security.
35	More should be done to consult young people to understand their views on future iterations of the Common Population Policy.	The government is committed to appropriate engagement and consultation with children and young people as the Common Population Policy is developed.

RECOMMENDATIONS

	Recommendations	To	Accept/ Reject	Comments	Target date of action/ completion
1	The Council of Ministers must reconsider the need for the second principle of the Common Population Policy and adjust the principles on which the Common Population Policy is based to provide the	CM	Reject	As the Assistant Chief Minister explained in the debate, the second principle acknowledges that there may be circumstances where it is necessary to pause the drive to reduce inward migration in response to significant external pressures, but that this in no way negates the overarching aim of the policy.	

	Recommendations	To	Accept/ Reject	Comments	Target date of action/ completi on
	commitment needed to achieve its stated goal.			The current situation, where Jersey is planning to welcome a number (as yet unquantified) of Ukrainian refugees, would constitute such an external pressure and shows that these dual principles are necessary.	
2	The Council of Ministers must revisit P.120/2020 – Migration and Population Data and seek to act on the commitments laid out and approved by the States Assembly for the production of a Common Population Policy.	CM	Partially Accept	The focus of P.120/2020, in identifying a wide range of statistics and forecasts to use as the basis for setting future population policy, is also a key focus of the Common Population Policy. As such, there is no need to revisit P.120/20, as it is already agreed that these principles will be carried forward into future policies. The Council of Ministers will ensure that this recommendation is passed on to its successor.	June 2022
3	The Council of Ministers must ensure that the commitment made for the full implementation and introduction of a new IT system to manage Control of Housing and Work applications and a new Combined Employer Return system is honoured.	CM T & R M	Accept	The new IT system to manage Control of Housing and Work applications is nearing completion and due to start operation with current CHWL statuses by end of Q3 2022. The combined Employer Return is already in effect, having opened for submissions on 2 February 2022. Full implementation of both systems is expected by the end of 2022	31/12/20 22
4	The Council of Ministers should endeavour to bring forward planning assumptions for population and net migration targets as soon as possible in the next term of office and by no later than December 2023.	CM	Partially Accept	The need to build a more detailed population policy on accurate data is fully acknowledged. It will be for the next Council of Ministers to determine the point at which it is able to bring forward those more detailed policies, and whether such policies should include numerical migration targets. The Council of Ministers will ensure that this recommendation is passed on to its successor.	June 2022

	Recommendations	To	Accept/ Reject	Comments	Target date of action/ completi on
5	The future Council of Ministers must ensure that the next iteration of the Common Population Policy is not merely aspirational.	CM	Partially Accept	<p>The Common Population Policy includes the clear objective of progressively reducing reliance on inward migration.</p> <p>Action taken by this Council of Ministers has ensured that every future Council has a legal obligation to update its population policy on an annual basis.</p> <p>It will be up to the next Council of Ministers to determine their priorities but it is therefore anticipated that the ongoing development of a common population policy will be a high priority.</p> <p>The Council of Ministers will ensure that this recommendation is passed on to its successor.</p>	June 2022
6	The Council of Ministers must take decisive action flowing from the views expressed during its own consultation to provide the next iteration of the Common Population Policy.	CM	Accept	<p>Many different and conflicting opinions were expressed during the consultation and it was clear that different parts of the community hold diverse views regarding Jersey's population.</p> <p>An area of strong agreement across all sectors was the need to invest in skills training, lifelong learning and the education system. The Council of Ministers is already committed to actions in these areas.</p> <p>The Council of Ministers will ensure that this recommendation is passed on to its successor.</p>	June 2022
7	The Council of Ministers must provide clarity for the future by revisiting the principles of the Common Population Policy to make it clear how it will achieve its stated goal of reducing reliance on net inward migration.	CM	Accept	<p>The Common Population Policy sets out very clear principles and initial areas for action to achieve its overall goal.</p> <p>It is acknowledged that progress must be made on data collection in order to fully inform more detailed actions under future population policies.</p>	June 2022

	Recommendations	To	Accept/ Reject	Comments	Target date of action/ completion
				<p>It is intended that better data will enable future Councils of Ministers to better understand population issues, test the likely impacts of different policy changes and measure the effects of those that are implemented.</p> <p>The Council of Ministers will ensure that this recommendation is passed on to its successor.</p>	
8	The Council of Ministers must commit to including strategies within any future Common Population Policy to protect the natural environment.	CM	Neither accept nor reject	<p>The next Council of Ministers will need to decide if strategies to protect the natural environment should be included within the population policy.</p> <p>Environmental policies <i>per se</i> will not have any impact on the number of people living in Jersey.</p> <p>The Council of Ministers will ensure that this recommendation is passed on to its successor.</p>	June 2022
9	The next Council of Ministers must provide clear actions for achieving a balance between the environment, the economy and the community.	CM	Accept	<p>Although this will be a matter for future Councils, the current Council would support this position.</p> <p>The Council of Ministers will ensure that this recommendation is passed on to its successor</p>	June 2022
10	The future Council of Ministers must ensure that children and young people are fully consulted when producing updated Common Population Policies.	CM	Accept	<p>Consultation will be required with a wide group of stakeholders, which will include children and young people.</p> <p>The Council of Ministers will ensure that this recommendation is passed on to its successor</p>	June 2022
11	The next Council of Ministers should consider ratifying the International Convention for the Protection of the Rights of Migrant Workers and their Families.	CM	Reject	<p>Jersey is not a member of the United Nations and is not able to ratify conventions in its own name.</p> <p>UN conventions, and more specifically human rights conventions, can only be applied to Jersey by an extension of the UK's ratification, in its capacity as the</p>	

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				Crown Dependencies' representative (and as a UN State Party). The UK has not ratified this convention.	

CONCLUSION

I reiterate my thanks to the Panel and am pleased to accept (or partially accept) the majority of the recommendations made in the report.

With the first Common Population Policy having been adopted by the States Assembly in February 2022, we have put in place the foundations for successive governments to progressively reduce reliance on inward migration, thereby stabilising the population and balancing the needs of our economy, community and environment.