



## **Migration and Population Review Panel**

Control of Housing and Work Law /

Population Policy

**Witness: Assistant Chief Minister**

Wednesday, 23rd June 2021

**Panel:**

Senator S.W. Pallett (Chair)

Deputy S.M. Ahier of St. Helier

Deputy G.J. Truscott of St. Brelade

**Witnesses:**

Deputy R.E. Huelin of St. Peter, Assistant Chief Minister

Ms. S. Duhamel, Director, Strategic Policy, Performance and Population

Mr. N. Stocks, Senior Policy Officer, Immigration and Population

Ms. M. Clark, Senior Policy Officer, Population

[14:00]

**Senator S.W. Pallett (Chair):**

This is a public hearing of the Migration and Population Review Panel, which is a subpanel of Corporate Services. We have a public hearing today with the Assistant Chief Minister regarding the Control of Housing and Work Law, population policy. So I welcome the Assistant Chief Minister in. Normal hearing standards apply. What we will do first is I will introduce our side and then I will hand over to you, if you can introduce yours. I am Senator Steve Pallett. I am chairing this review panel.

**Deputy G.J. Truscott of St. Brelade:**

Deputy Graham Truscott of St. Brelade, District 2, panel member.

**Deputy S.M. Ahier of St. Helier:**

Deputy Steve Ahier, panel member.

**Assistant Chief Minister:**

Deputy Rowland Huelin, responsible for the population policy.

**Director, Strategic Policy, Performance and Population:**

Sue Duhamel, head of Policy, Performance and Planning.

**Senior Policy Officer, Immigration and Population:**

Neil Stocks, senior policy officer for Immigration and Population.

**Senior Policy Officer, Population:**

Michelle Clark, senior policy officer for Population.

**Senator S.W. Pallett:**

I welcome you and it is always good when everybody turns up on time and we can get cracking bang on 2.00 p.m. I welcome you. I am going to start the first set of questions and they are around the Control of Housing and Work Law amendments. When do you anticipate that the amendments to the Control of Housing and Work Law will be lodged?

**Assistant Chief Minister:**

In the autumn. The original expectation was they would be lodged in June when P.137 was lodged last autumn. I am relaxed that has slipped a bit for a number of reasons: (1) it is important that it is done very well and (2) it is not on the critical roadmap. Because P.137, or whatever that results as, that will be lodged with the Control of Housing and Work Law, is as relevant as the population policy that there is to drive it. Bringing it in June to wait until the population policy is not good use of law officers' time who are very busy and working very hard on this at the moment. We have a dedicated resource to that effect. So I am comfortable that it will be a fine piece of work and it will be timely related to what the overall achievement is of what we are trying to achieve.

**Senator S.W. Pallett:**

I know you say it is not on the critical roadmap, but the amendment needs to be lodged June, the date matters, I had 31st May. You have mentioned a couple of issues around law drafting. But can you outline if there are any other reasons for the delay?

**Assistant Chief Minister:**

No, we have a lodging date in September for debate in October. Certainly prior to the population policy. That is the key.

**Senator S.W. Pallett:**

So you are looking to lodge September after the summer break?

**Assistant Chief Minister:**

I am looking at the autumn. As long as it is in time for the population policy, which is due in December, as we know, this year, as a result of P.120.

**Senator S.W. Pallett:**

In regards to that piece of work, what needs to be done before it is lodged and presented to the States?

**Director, Strategic Policy, Performance and Population:**

So what is happening at the minute is that current Control of Housing and Work Law is being looked at very thoroughly all the way through to exceptions to see how we implement the decision of the States in terms of P.137. So P.137 looks for different types of status. So instead of having registered, licensed and entitled, you will have 9-month, 4-year and 10-year permissions. Those permissions will be time-limited, whereas the current law permissions can gradually meld from one to the other. So it has to be turned around. We are looking at the way in which businesses are defined and where business licences are set up. So that it is very clear how that will work. So we have had to go through the law bit by bit to make sure that the new structure works properly together. The law draftsman has been extremely thorough and she is identifying other issues, which are also issues with the law as it stands today. So we need to make sure those also work going forward. So there is just a lot to do. It is being done in a very thorough manner. We can be confident that we will be debating it before the population policy itself. But I am not sure whether we have a September lodging date? Yes, we are waiting for that one just now. But the main thing is to get it right. Because, if you get the basics of the law correct, that will be extremely helpful going forward in terms of having the right structure there for the future. The whole point about the new system is it is just a set of controls, a set of levers, and having a view to it will be different in the future, but it is really important, to do that flexibility, it is really important you have really sturdy controls; that the law is sturdy. So it can adapt to a stronger or a lighter touch in different areas. So that is where we are at the moment.

**Senator S.W. Pallett:**

So as the amendments have been progressed, issues have come up with the law draftsman, and obviously they are issues that have needed to be resolved as you move along. So that basically is down to the majority of the delays I presume. You have given us an idea of when the housing law

will be debated. I will move on to the final part of this question. Are you satisfied that sufficient resources are in place to deliver the amendments to the Control of Housing and Work Law and the common population policy within the timeframe outlined in R.41, the report that was prepared to accompany March's in-committee debate? Are there enough resources?

**Assistant Chief Minister:**

There are 2 questions there, one is the resource of the law draftsman. I am assured, I do not sit there over their shoulder watching them work, but I am assured we have a dedicated resource who is committed to delivering this on time, so I am comfortable with that. The other side of the question was the resources for the common population policy. We all know it is a big meaty problem. But I am comfortable that resource I have at the moment will deliver something meaningful in the timescale that we want.

**Senator S.W. Pallett:**

The answer must be yes. Is this one of the absolute priorities for the Council of Ministers to deliver before the end of the year?

**Assistant Chief Minister:**

It is, to put it another way around, just not a priority for the Council of Ministers, it is a priority for the Island. The Island has been waiting for a very long time. The reason they have been waiting for a long time, as I have already said, it is a very meaty problem. We are committed, and I have been charged by the Chief Minister, to deliver this by the end of the year.

**Senator S.W. Pallett:**

I only asked that because policy resources are very valuable and obviously it needs to be committed to, so it is just ensuring that the policy ...

**Assistant Chief Minister:**

As far as resources are concerned, I am totally happy with the resource at my disposal. I see where the question is coming from now, yes. I cannot ask for any more on that front.

**Deputy G.J. Truscott:**

Just regarding the amendments, we have already slipped from 31st May and I pick up from Mrs. Duhamel that possibly September might slip as well, or are you hopeful for September?

**Assistant Chief Minister:**

The key is we debate the amendments to the Control of Housing and Work Law 2012 before the population policy. That is what is key. We will do that, yes.

**Deputy S.M. Ahier:**

It is the panel's understanding that it is best practice that the Children's Rights Impact Assessment is undertaken at the beginning of a process to ensure that there is a consultative document and one that properly reflects the voice of children. At what stage will the Children's Rights Impact Assessment on the Control of Housing and Work Law amendments take place or has it already been completed?

**Assistant Chief Minister:**

It is ongoing. We have met with the Children's Commissioner and a work in progress with the impact assessment. The law has been done.

**Senior Policy Officer, Immigration and Population:**

So there will be a Children's Rights Impact Assessment for both the population policy and for the migration control policy. So obviously the work on the migration policy, the development board started back in 2019, and then the need for the Children's Rights Impact Assessment has developed over that time. So they will be done for both of those policies.

**Senator S.W. Pallett:**

Are they separate pieces of work?

**Senior Policy Officer, Immigration and Population:**

Yes, they will be.

**Director, Strategic Policy, Performance and Population:**

So at the minute it is not a statutory requirement to put in a C.R.I.A. (Children's Rights Impact Assessment) but we will be doing both and they will be 2 separate propositions so we will do 2 separate ones. But I think your question was are they being developed now, and the answer is yes. So, as the work is progressing, we are taking that into account.

**Deputy S.M. Ahier:**

What advice was taken from the Children's Commissioner on the consultees to be involved and the timing of the impact assessments?

**Senior Policy Officer, Population:**

I met with the Office of the Children's Commissioner about a month ago. That was primarily to discuss the consultation and basically took their advice around questioning, language, those kinds

of things that we might use in a survey that was going to have child respondents. They were very helpful and they said that they would give every assistance as part of the process as we went along.

**Deputy S.M. Ahier:**

When will this survey be taking place?

**Senior Policy Officer, Population:**

We do not know yet.

**Deputy S.M. Ahier:**

No timeline for the survey?

**Assistant Chief Minister:**

Shall we discuss the engagement with children and young people as part of our findings now? I think it is relevant.

**Senator S.W. Pallett:**

I think as the Deputy has brought it up, yes.

**Assistant Chief Minister:**

It is so important for many reasons to understand our young and their involvement in this. They are going to be around for longer than us. So we are looking at a survey to young people, so years 10 and 12, so the senior end of the schools, which we are working on. The other area is we want to reach out to 18 to 30 year-olds, both on and off-Island. Because it is easier to find them on-Island to ask them these particular questions to find out why they are here, what they enjoy about it. If they were to leave, why would they leave, et cetera? Conversely, we want to talk to those that have maybe left the Island, gone to university, have not returned. Why? What would encourage them to come back again? That is really fundamental to understand that. When it comes to that, we have to help get this out and find this out. I have asked that no stone is left unturned to make sure we are not rounding up the usual suspects, we are getting out as far and wide as we can. Now, will it be complete? Obviously we are not going to get every single one of them. But I want to be comfortable for this and for all the surveys that if I am walking down the street nobody comes up to me and says: "I did not hear about that, I did not know about that." That is the goal. Whether we achieve that or not it is difficult, but you have to have that sort of goal. The other thing we are doing is we are engaged with a focus group company to run 6 sessions, 7 in each session; 5 of those sessions will be across ages, et cetera, as you would expect as part of the proposition, is to go to all groups of people. One of them is just going to be for young people only so they can speak in an unrestricted way, i.e. they do not feel there is somebody more senior that might have a different, maybe dated

view, for want of a better word. So the young can just engage. The other one we are doing is again getting out to that age group of 18 to 30 year-olds or maybe beyond, I think it is quite an interesting move, as we are going to set up a controlled - and it is an accepted research practice - online forum. So we ask people to be available online at the time of day that suits themselves to respond to a series of questions and challenges we put out there that they reply either part of the forum, so they can converse with each other and see how these thoughts build up. We monitor that all the time and keep probing and putting more questions into the discussion. Also what is really important, and I know this is a bit of an in-the-weeds technicality, but they have a little box where they can store their own thoughts, which they have for themselves, but they might not want to share. Now these are available to us, obviously anonymised. The way the kids, as we all know, use these sort of forums they are more comfortable with them. I am hoping that it will be a very productive way of understanding a large group of those people. Because we need fresh thinking. We need to be more creative in the way that we try to understand what the population means to the young.

**Deputy S.M. Ahier:**

That sounds like quite a comprehensive piece of work. Again, what sort of timescale do you have for that work, time being limited?

[14:15]

**Assistant Chief Minister:**

The first one, we will be delivering the workshops, the focus groups, first week of July. The online forum will probably be more to the end of August, beginning of September. It is in 2 stages. We think we will learn from the first one to shape the second one, if that makes sense.

**Deputy S.M. Ahier:**

Thank you. Now I will pass over to Deputy Truscott.

**Senator S.W. Pallett:**

Sorry, before we do, can I just ask a couple of questions? You mentioned a survey, who is developing the survey questions?

**Director, Strategic Policy, Performance and Population:**

At the minute we are working with a specialist company on the focus groups and then we will use the feedback. So we will see what people have come to talk about in the focus groups and we will use that to finalise the survey questions, which will go out to the general population after the focus groups have been run. So that will be in mid-summer. Then as far as children are concerned,

obviously we do need specialist advice on that. Michelle has already taken advice. So we will do that in conjunction with the Children's Commissioner.

**Assistant Chief Minister:**

We have produced the draft. I like the idea of doing something and then having it critiqued by the experts, instead of going to the experts with a blank sheet of paper as it were. So we have done that and that is our mask, our template, the work in progress going forward.

**Senator S.W. Pallett:**

Will that survey be available to Scrutiny before it goes out?

**Assistant Chief Minister:**

Absolutely.

**Senator S.W. Pallett:**

Thank you. In terms of the focus groups, how are they going to be selected?

**Assistant Chief Minister:**

The focus groups have been used by Scrutiny as well.

**Senator S.W. Pallett:**

I understand that. I am just keen to ensure that we do not have the usual suspects.

**Assistant Chief Minister:**

Sue will go into it in more detail but there are I think 12 or 14 questions that we ask to go out to make sure we have got the spread of age, culture; how might I describe this without offending?

**Director, Strategic Policy, Performance and Population:**

It is in Deputy Perchard's proposition.

**Assistant Chief Minister:**

Yes, so we will see between 18 and whatever ages, as you would expect.

**Senator S.W. Pallett:**

Will it be done through someone like the Youth Assembly? How are you going to identify the individuals who will take part?

**Assistant Chief Minister:**



So the company does have the usual suspects, many thousands of them. But they will extend out beyond that. We have asked them to extend out beyond that. They then do a sort of telephone questionnaire to make sure people, they know how they are picking people, and they will then ensure that spread goes evenly across all those focus groups from young to old and other ...

**Senator S.W. Pallett:**

So they will be identified by this company that you have engaged?

**Assistant Chief Minister:**

They will identify them; the focus group company identifies ...

**Senator S.W. Pallett:**

Is there a cost? Obviously there is a cost to that work. Have you any idea what that will be?

**Director, Strategic Policy, Performance and Population:**

I do not know. We have a budget for that and it is within that budget.

**Assistant Chief Minister:**

It is very much in line with that. I did one when I was in Scrutiny and it is very much in line with that.

**Senator S.W. Pallett:**

We can ask that privately.

**Deputy G.J. Truscott:**

In the ministerial response to the finding in this panel's report to an in-principle debate of the migration control policy, it was stated that the criteria that will apply to the new Control of Housing and Work Law permissions were yet to be developed and would be subject to the direction of the common population policy. Have these criteria now been developed alongside the amendments to the Control of Housing and Work Law?

**Assistant Chief Minister:**

I think I understand that. The principle of P.137 was that it is still just the levers and the taps, it does not have any numbers to it. That principle still applies.

**Director, Strategic Policy, Performance and Population:**

Yes.

**Assistant Chief Minister:**

So I think to answer the question is how we use those levers and taps will be determined by the population policy. So the principle is still the same. Have I understood that question?

**Deputy G.J. Truscott:**

Yes. What level of engagement has there been with businesses to inform the development of the criteria?

**Assistant Chief Minister:**

The first thing I did was ask all those that contributed from the consultation to the Control of Housing and Work Law P.137, was to go back to them all and ask 2 simple questions: "Can you please share with us unforeseen consequences of Brexit and obviously the pandemic?" Virtually all of them have come back in some guise or another. What I am now doing is going around to meet them all in person so I can understand and interpret their replies, to drill down to that level and really get an understanding of what it really means to them, which is an informative process.

**Senator S.W. Pallett:**

Could I ask how many businesses you engaged with and what types of work; were they medium enterprises or small businesses?

**Assistant Chief Minister:**

We have varied between Chamber of Commerce, Jersey Finance, Institute of Directors, Jersey Royal Company, one small dairy farmer. They are all small by definition. One of the bigger dairy farmers. So we are trying to do that particular cross-section. We obviously get individual feedback that comes through to us by nature. If anybody is listening and they would like to share their comments, please email me or any of the officers.

**Senator S.W. Pallett:**

So that engagement currently is still open for businesses?

**Assistant Chief Minister:**

I am very fluid and flexible with this one. If there is something out there that can help us or anybody out there that can help us with any ideas or concerns, I want to hear about them. Because that is what we have to do. We are delivering this for the Island, not to fulfil a process.

**Senator S.W. Pallett:**

Thank you. I just have a quick one. Are you getting any general themes back around COVID and Brexit that you can share with us?

**Assistant Chief Minister:**

The Brexit ones were known. The trouble was that Brexit and COVID have created the perfect storm really, has it not? So, while it was expected that Brexit, it would be a different process and slightly harder to come from the European Union, because European Union post-Brexit equals rest of the world outside of the Common Travel Area. That was expected. However, what we are learning is a lot of people, because of COVID, went home. Maybe they have reflected on their lives, things could have changed in their home circumstances, so they are not rushing back. So COVID has interfered or added to the Brexit challenge, so there is a lot of unknown there. We do know, and everybody here knows, certain industries have been hit harder than others, especially hospitality.

**Senator S.W. Pallett:**

Have any said, in terms of the consequences, it is a bit too early to judge? Because that could make your job much more difficult.

**Assistant Chief Minister:**

In fairness we have to give respect to people out there. The feedback has not been kneejerk: "What is going on?" When you get down to the detail of the conversation, they accept it is very difficult, they are just looking forward to the policies to bring that back in the long term. Whereas clearly they have short-term issues. You go into any restaurant and they do not have a waiter, chefs; that I think is known as a short-term challenge that we have to ride our way through. That is the pragmatic view that they are taking. Obviously their businesses are suffering but that is a today problem, not an ongoing population problem.

**Senior Policy Officer, Immigration and Population:**

The other thing is Jersey is not unique in the short supply of the workforce there, it is in the U.K. (United Kingdom) and it is across Europe as well for exactly that reason.

**Assistant Chief Minister:**

We cannot go to the Common Travel Area bypassing the immigration from Europe or the rest of the world because the U.K. has exactly the same challenges.

**Senator S.W. Pallett:**

So there will be some quite common themes, yes. Moving on, if I can, to the next questions; very much part of P.137. That proposition included an independent statutory expert panel. What progress has been made on the criteria for establishing that panel?

**Assistant Chief Minister:**

It is fair to say we have not made huge progress on that because we do not believe it is on the critical path. However, one of the things the panel will have to do is to work to the Control of Housing and Work Law amendments and that is something we will address closer to the time or after the time of lodging and debate. Because it has to be debated and approved before we can put a panel in place in the first place and we have to tighten up the criteria of exactly what their role is going to be. Is that fair, Sue?

**Director, Strategic Policy, Performance and Population:**

Absolutely, yes. You asked before about resources and we have to prioritise resources we have on the most important actions this year. So although the expert panel will be important, it will be important parts of the future system, it is not sort of vital to have it in place before we start. So we will work on that as soon as we can but it is not being prioritised.

**Senator S.W. Pallett:**

Do not get me wrong, I can understand why you are prioritising work, but do you not see some benefit in having that panel up and running sooner than later in terms of advising yourself independently of direction of the population policy and some of the background to what you are trying to do?

**Director, Strategic Policy, Performance and Population:**

One of our other issues is around data. So one of the things that the expert panel will be good at will be having to analyse the data. At the minute, with the best will in the world, we do not have all that we would like to have. So we need to build that data up so that the panel have got things to help us analyse. So it is almost like doing critical paths, so to work out you have to have the data first. Putting the panel in place now would be useful, absolutely, in a kind of theoretical way, yes. But in reality the things that they will help us with will be those more detailed decisions, which will not be part of the first population policy. The one this year, with the best will in the world, it is going to have to be a high-level one, it is going to be politically driven. It is going to be very much what the people of Jersey want it to be. It is when you have that in place then you start to use your experts to hone it down to what you want a bit more of this, a bit less of that. We are not quite there yet. So we will do it as soon as we can but we are not quite there yet.

**Senator S.W. Pallett:**

We are going to go on to data a bit later on so we will deal with that. I will hand over to Deputy Truscott.

**Deputy G.J. Truscott:**

Strangely enough it is pretty much along those lines. It remains a fundamental concern for the panel that the Government does not and will not have the necessary data on which to form a comprehensive common population policy. We now know from previous hearings that the Census 2021 will not be available until quarter one, 2022. We know that we still do not have the data on the impact of either COVID-19 or Brexit. So please be clear, what information and data are you basing the policy development on?

**Assistant Chief Minister:**

At the last public hearing I expressed my concern that we would not be able to deliver - I cannot remember the word I used - a meaningful population policy without the census data and the data that is delivered from the I.T. (information technology) systems we are going to discuss. I have reviewed that and revised that. It is really important that we deliver a population policy with whatever we have at our disposal for the end of the year for a number of reasons why. It is a Council of Ministers commitment. It was an Assembly decision from P.120 and the Island wants it. The third is the most important of those. Why have I reviewed it? This population policy has to be - I do not know if the word is right - a living document. If it just comes out and it is left in the filing cabinet and it gets forgotten about, what a waste of time for everybody and what a waste of an opportunity. So I believe, whatever we bring, whether I carry on in the new year up until the elections or whoever takes over from me going forward, takes the opportunity for it to be reviewed, revised, at every opportunity. Whether there is a timescale, every 6 months or a year, that is beyond. Whether there is something compelling that happens that warrants a change in review, I do not know. Possibly the Assembly decides, but it is not in my paygrade today. So that is why we have got to put the stake in the ground. If it lacks it is always going to lack, we are always going to want something else before making a decision. So let us get it done to the best that we can and then keep it as a work in progress.

**Deputy G.J. Truscott:**

So until we get the hard and fast data from the census and various other sources and the I.T. programme that is being developed, we really are dealing with just theoreticals.

[14:30]

**Assistant Chief Minister:**

We have a lot of data, but we do not necessarily have the latest and updated data in the format that we want. So that is the difference. If you look at the reports that came out accompanying P.137 and the Migration Policy Board beforehand, it is jammed to the gunnel with charts and stats and everything else. But it is not manipulatable in a way that we want to use data manipulation. It is not in the way we want to use it. Do not forget, the I.T. system is not just about data, it is about a service

to make it very easy for economic migrants to make a decision whether they want to come to Jersey as the right place for us and how easy it is. Because they have a choice. There are many other places in the world that they could go that would seek their skills. We just have to make it better, faster, slicker, cheaper and easier for them to persuade them to come here. We have to sell it.

**Deputy G.J. Truscott:**

Plainly we have a source of social security and that contains a considerable amount of data. We have the tax system as well. I presume we will be deriving as much from those 2 systems as we can to pull into something.

**Assistant Chief Minister:**

If we have got it we will use it. You know, Deputy Truscott, about data.

**Deputy G.J. Truscott:**

No that is fine, I think (b) is answered. So who is next?

**Senator S.W. Pallett:**

Before we move over to Steve, I have just one follow-up question from that. Is there a risk though? I mean you used the phrase "high-level policy". That what we do end up with is a policy that Islanders and businesses may struggle to fully understand its direction and what it is setting out to achieve.

**Assistant Chief Minister:**

There is a risk in everything. Where I am at the moment, my style is I would like to see where we are. So I have asked the officers now to start writing up the policy. We have done our data collection; I want to see it written up. It will not be a complete document obviously. But that will help me see the gaps and help with the questions that we have to ask going forward. So it is a visual thing that I like to do and we have all agreed that will pick up the holes and the gaps. And there will be gaps in every iteration of the population policy. It is not a science and it cannot be a science. But it has to be as well as we can do it and give strong guidelines and indications. As I said, it has to be a living document and a moving document because part of the culture of Government is to have an ongoing population policy. Because we need it; the Island wants it.

**Deputy S.M. Ahier:**

Given the lack of data available, will the common population policy include predictions for the Island's population size at the start of each coming decade to 2070?

**Assistant Chief Minister:**

We have to get one message out there, which is not going to be popular with a lot of people, this is not about a number. What was interesting about the in-committee debate and the report that was published, I think from memory one person mentioned a number in the debate and nobody else was interested in a number. They were interested in the policies and strategy. What we have to do, as I said in the debate, and I still stand by it, we have those 3 tensions between the finance, our society and the environment. Managing those tensions for the overall satisfaction of what is best for the Island going forward is the challenge. Bring a number into it brings artificial restriction to the development of what we can do to ensure those tensions are harmonised as well as we can for the Island.

**Deputy S.M. Ahier:**

This is referencing P.120 part (c), which obviously stated that data should include, for every 10-year interval, across the period to 2070, any anticipated additional funding required for income support, pensions, long-term care and all other contributory benefits. Will any of that other data be incorporated?

**Assistant Chief Minister:**

Sorry, I have misinterpreted the question in a slightly different way. Obviously that data comes in that drives the policies going forward, so it is cart and horse. So, yes, we have to take into consideration on the financial side how we are going to have the income from the finances in order to afford the society that we want in this Island. The society is obviously health, education, looking after those people in need in this Island that need and should have our support. So it is the other way around. But the headline is not about the number. I misunderstood the question, I am sorry.

**Senator S.W. Pallett:**

Just following on from that. You may not want to set targets but a future Government, do we not need to have an understanding of what those figures are for future long-term planning?

**Assistant Chief Minister:**

You are saying the future numbers, i.e. 108,000, whatever it is at the moment, and saying that we should have a target every 10 years that we do not exceed whatever number that is?

**Senator S.W. Pallett:**

That was the gist of the question I think.

**Assistant Chief Minister:**

I am very uncomfortable with that because I want to work it the other way around, is we have a policy, the root I see of the policy is going to be about education, skills, life-long learning, flexibility

within our workforce, to encourage people to do more productive, more fulfilling roles. This is not business speak for sweat the assets. It is ensuring people are doing more fulfilling, enjoying productive roles, giving them better job satisfaction, better lifestyles. All of this, hopefully, if done properly, leads to more productivity, which leads to more tax income from individuals because they are earning more money, not because they are paying more of a percentage, they are earning more money. If we look at it from there, then hopefully we get the policy and the core strategy right, the number, to a certain degree, will look after itself.

**Senator S.W. Pallett:**

I can accept that to some degree but just taking education as an example, you talk about trying to make the most of the resource we have, make sure that we are reskilling and getting the skills we need. But you still need to have those resources in place. You still need to have those schools, those universities or higher-education facilities in place. To do that, you need to have a rough idea of how many people are going to attend them. So is a figure not important?

**Assistant Chief Minister:**

We are sort of agreeing but from a different ...

**Senator S.W. Pallett:**

But you do not want to put a number on it.

**Assistant Chief Minister:**

I do not want to put a number on it, a definitive number. Do not forget, we put a number on it 10 years ago, plus 325, and we managed to run at about 1,000 to 1,200 a year onwards, so what is the point of having a number if we do not know how to keep to it? I would rather have a policy that has a chance of having an acceptable number that meets those 3 tensions than starting with an end number, which can create fundamental problems going forward. Say someone decides to build a nuclear power station here - I am just going off the wall here - and that needs 1,000 staff to permanently run it. That would be 1,000 people that we might need. It might be to the benefit of the Island the 1,000 people extra. Do you see what I mean? I do not want to be fixated on that aspect.

**Senator S.W. Pallett:**

While we are concentrating on that, I want to go back to a comment about risk, in terms of the risk of the population policy and something you talked about the question before last. It is not the intention of Government to do so, but how do you propose to meet the commitment that is clearly laid out in P.120/2020 and agreed by the States Assembly to bring forward a common population policy rather than something that might be seen as an interim population policy?



**Assistant Chief Minister:**

It is a very good question. The original population policy that was part of the Government Plan was to deliver a population policy for the next Government in June or autumn of 2022. That was to take into consideration ... the reason that date was there was not to pass the problem on to the next Government, it was because it totally accepted the data that was required in order to deliver that population policy. So that is what Government wanted to do. That has been changed by P.120. So what I am doing is I am respecting P.120 and will do the best as we can with the data we have. It may be perceived as an interim. I do not mind. I see it as a start, a proper stake in the ground start of a population policy. Everyone is going to be interim because it is going to be a living document and moving on and adapted and changed depending on external and internal forces, whatever happens in the world around us.

**Senator S.W. Pallett:**

So Government and States Members may have to accept that it is not just that they wanted a full population policy, that is not what we might get at the end of 2021.

**Assistant Chief Minister:**

For the reasons why, absolutely. But there are 2 ways to do this. We could go against the States Assembly decision, which is not something that I would ever want to do.

**Senator S.W. Pallett:**

Any Government should not.

**Assistant Chief Minister:**

No, absolutely. The Island wants to know something at the moment and I am very much of the philosophy, through my working career, getting something wrong is not a problem or not getting something right is not a problem, as long as you have a plan working forwards that is iterative and involved.

**Senator S.W. Pallett:**

I again will hand over to Deputy Ahier.

**Deputy S.M. Ahier:**

Thank you, Chair. In light of the Assembly's approval of P.120, please detail the changes and additions made to ensure that sufficient staffing and resource are in place to deliver both the common population policy and the amendments to the Control of Housing and Work Law.

**Assistant Chief Minister:**

We have part covered that. Do you want to complete that, Sue? We are happy with both the law drafting support that we have and I am very happy with the team around me. I am very happy with the consultation that is taking place and the ability to collate that information.

**Director, Strategic Policy, Performance and Population:**

We have funding for additional staff, which is Michelle. There is funding within C.L.S. (Customer and Local Services) to support the I.T. development. We have a full-time law drafter allocated to us. That is really the resources that are made available. Those are appropriate within the overall Government resources.

**Deputy S.M. Ahier:**

No additional resources to that?

**Director, Strategic Policy, Performance and Population:**

All of those things are additional and we have some budget, as we talked before, there is budget to buy in some external support.

**Assistant Chief Minister:**

We have a good team.

**Deputy S.M. Ahier:**

I will pass on to Deputy Truscott.

**Deputy G.J. Truscott:**

Thank you, Deputy Ahier. When is the public consultation being launched in relation to the common population policy?

**Assistant Chief Minister:**

That is effectively the public consultation survey, when is that due to go out?

**Director, Strategic Policy, Performance and Population:**

We talked about the focus groups. So the focus groups are planned to run on the week of 5th July and they will run that week and we will get feedback almost immediately from that exercise. That exercise will inform the final version of the survey. We have made a commitment that we will give you a copy of the survey before it goes out, so we will need a couple of days to do that. So I would suggest probably during July, towards the end of July, it will be public.

**Deputy G.J. Truscott:**

That is fine. What is the scope and goal of the consultation?

**Director, Strategic Policy, Performance and Population:**

We have talked about trying to make sure that as many people as possible are aware of the exercise and that we gather views from as many people as possible, from as many different sectors of the population as possible. I suppose a subsidiary role of the survey will be to help people understand some of the pressures. So we have talked about the kind of community economy environment, the tensions. There is another one that you overlay on that in terms of population, which is the ageing population. So that is a thing, it is a fact. We are not really sure that people fully understand that. We know States Members do understand that. That is an issue that has been rehearsed a few times now. But to get that message out to the general population would be really helpful. So if we can do that through a survey, through getting the question out to people, so our survey will have some information in it and also some questions. So that will gather a wide range of views I am sure. We expect there to be quite strong views on both sides. That is obviously fine. But it is important to communicate to people who perhaps do not really understand what the issues are at the minute and to give them the opportunity to get more information about it. So we are trying to build up that conversation over those 2 months.

**Assistant Chief Minister:**

So targeted is the rifle shooting as it were, is the focus groups, the online forum, one on one meetings with the industry bodies and other sources of input.

[14:45]

Then, shall we call them the more scattershot, for want of a better way, of broadening it out to try to encourage as many people as possible to either contact us or, alternatively, to fill in the survey, ideally. As I said, I want to be able to walk down King Street and nobody saying to me: "I do not know anything about that." That is what I want. I want everybody to get a chance and, hence, there is a common strategy being put in place. We have a resource allocated to deliver this and I am hoping that within 2 weeks I will have that common strategy. The timing of it will obviously depend because you do not want to go too early because then it fizzles away. It has to be perfectly timed as to what we are trying to do.

**Deputy G.J. Truscott:**

So when it does eventually close, the consultation, will there be sufficient time for meaningful inclusion of the outcomes and opinions in the drafting of the common population policy?

**Assistant Chief Minister:**

What do we do at that stage? Will we review it?

**Director, Strategic Policy, Performance and Population:**

Well, yes, has to be the answer.

**Assistant Chief Minister:**

The answer is yes but I am trying to think how. I do not have a picture in my mind about how we are going to do that. That is what I am saying.

**Deputy G.J. Truscott:**

No, okay.

**Director, Strategic Policy, Performance and Population:**

But what we have talked about, I think it is quite clear that the first stab at the population policy will be quite a high-level one. There has been an in-committee debate and there have been some quite clear views expressed by the politicians at that debate and the policy will need to reflect that and reflect the views of the public. The point is we will be collecting these all the way through. You do not have to wait until the end of the survey before you start analysing results. So the fact that the survey runs through August or whatever, that does not mean to say that you do not do any work on it until September. We will be working on it all the way through. We will have the results of the focus groups early in July, we will have the feedback from the various businesses so all the way through, you are building it up but at the end of the day, a fairly high-level policy will be the outcome at this stage. The Minister talked about having a draft document to start working almost from now onwards, so that will be the way that we will build it up. So we will just turn it around quite quickly obviously so at the end of the conversation it will be a quite fast turnaround.

**Assistant Chief Minister:**

Notwithstanding it engages every ministry, does it not? Housing, Environment and Social Security.

**Deputy G.J. Truscott:**

Well, it does and I am very conscious that (1) as a government, you are running out of time, and (2) going forward everything has to come together in one package that is deliverable to the Assembly so it is important to get all your ducks in order basically.

**Assistant Chief Minister:**

I think we have it covered but I do not deny the fact it is going to be a herculean task to do it and hopefully the outcome will be respected and appreciated for how difficult the task is.

**Senator S.W. Pallett:**

You mentioned obviously engaging young people. That is important. They are the future of the Island and I think we all accept that and there are various ways to engage with them but just to ensure that we are engaging with them and we have a really diverse population, how are we going to ensure that we are engaging all ethnic groups and different nationalities to make sure that we really understand what their thoughts are on a population policy on migration? Because some of them may have different views to the local people.

**Assistant Chief Minister:**

My instructions, if I do make such things, are exactly in line with that sentiment. So the questionnaires that go out for the focus groups includes asking those specific questions so they can be included, in a sense, in the right proportion within the focus groups. Let us say, in order to get the survey out, you need data and you need contacts so one of the areas to go is to the Polish Consul and the Portuguese Consul to ask them to forward the survey. I do not think we are allowed to forward it directly with their data protection stuff but to ask them to use theirs to forward out the survey, so we are proactively going out and asking those groups of people to ensure that they are attracted to answering the survey.

**Senator S.W. Pallett:**

Within your results. Obviously, the results of the survey are really important but, within that as well, you will also evidence how diverse the range of people that you have engaged with.

**Assistant Chief Minister:**

That will be one. We will push them out as best we can. We cannot do it scientifically because we cannot get to them but we will proactively make sure we have got to them, if at all possible, by that following way. Also, the tick-box of answers will include where the answers are coming from so we can understand if they have been effectively and proportionately represented within their responses. If they are proportionately representative, I would like to think it is not because we have not asked the question of them.

**Senator S.W. Pallett:**

Moving on to the next question. During the in-committee debate it was clear that education and skills were under development and we touched on it. Housing and a healthy economy were the issues that States Members felt needed most consideration and development of a common population policy. How is it intended that these particular policy areas will be addressed as part of the main debate?

**Assistant Chief Minister:**

Skills and education I see as the epicentre of the policy. That is the way I am visualising it because it is about the people we represent and ensuring that they play that part in our world and are helped to diversify, change their careers and learn new skills. Lifelong learning is until your 80s and beyond, if we are lucky enough to get there. It is very, very important that we do not box people as retiring and being put on the shelf at 60 or whatever it is. We need to encourage that so skills are up to the individual. With housing, I am working very closely with the Minister for Housing and Communities because it is fundamental that in many things we do in our lives, one of the things is we work, we contribute to our society through our work, whatever that may be, be it financial contributions or care workers or social contributions when we need to lay our head somewhere at night. So I am working very closely with the Minister for Housing and Communities to bring that one in, but that is just one. We have to work with all the Ministries because they are all relevant to our society and how we thrive together.

**Senator S.W. Pallett:**

I am glad you mentioned that because if there is ever a policy that needed a one-go approach, I think this is the one. But in terms of engaging with your ministerial colleagues, at what point do you see that taking place because, clearly, a population policy is going to, as you say, affect all those Ministers?

**Assistant Chief Minister:**

We had a workshop the week before the in-committee debate where these questions were posed when everybody was in the room together asking them very similar questions to that to engage in the work together. You can have a diktat but the message was we all have to unite and agree that we are delivering a population policy for the Island and it has to incorporate all those. It is multidisciplinary, quite clearly, and that was accepted by the Council of Ministers. I think we are going to have to do another one, thinking that one through.

**Senator S.W. Pallett:**

That was the very question I was going to ask. I presume you are going to repeat that workshop once you have the background yourselves.

**Assistant Chief Minister:**

Thank you for drawing that to my attention to make me think that way; yes, absolutely.

**Senator S.W. Pallett:**

Okay, I will handover to Deputy Ahier.

**Deputy S.M. Ahier:**

A major concern expressed across a wide range of Jersey businesses is that there is still not sufficient understanding and care to ensure that the Control of Housing and Work Law amendments in the common population policy will not have negative unforeseen consequences. What analysis has been undertaken on the skills gap which exists since the debate on P.137?

**Assistant Chief Minister:**

We are in this catch-22 now, are we not? Are you going the same route as me, Sue?

**Director, Strategic Policy, Performance and Population:**

No, funnily enough.

**Assistant Chief Minister:**

We are in the catch-22. I am not sure we really have enough data to do that but, yes, Sue, do you want to comment on that?

**Director, Strategic Policy, Performance and Population:**

So through the Minister for Economic Development, Tourism, Sport and Culture, there is a Future Economy Programme that is ongoing, which also has experts supporting that piece of work. So we are working with those experts to look at the workforce and to look at the ageing of the workforce in particular. That is a key issue that we have, which is we want to understand better whether there are sectors of employment where there are proportionally more older people where, therefore, that sector will be more affected by the retiring of people in the next few years. Then there will be other sectors which are predominantly filled by younger people, so there will be less of an issue there. So we need to work out how those sectors work out, so that sounds like the skills gap but it is important that we get that as well. The skills gap is perhaps a broader issue which is being looked at by the Future Economy Programme and it will be looked at by us as well, but we are probably not the experts in that area but it is part of the overall picture. So the policy that will come through in December is not going to be a detailed list of careers and things. It is going to be broad principles so we will build on that in the following years, so that is going to be the ultimate ...

**Assistant Chief Minister:**

It goes back to education. We want our young to have thriving, agile brains to go forward into the world. However, we also are acutely aware that the new workforce, by and large, will be driven by more of the S.T.E.M. (science, technology, engineering and mathematics ) subjects than the arts. Now that does not mean to say every kid should choose whatever routes they want to take for their education to broaden their mind but we have to be aware that if we are going to adopt at the right pace and catch up with some of the more forward-thinking economies in the digital world, we are

going to have to encourage those skills, shall we put it. I am trying to put it down as best as I can. So that will dovetail a gap that we need in the future.

**Deputy S.M. Ahier:**

What analysis has been undertaken on the consultation done to date with businesses and industry bodies on the impact of COVID-19 and Brexit?

**Assistant Chief Minister:**

I think it is fair to say we have collected the data but we have not analysed it. Is that fair, Sue?

**Deputy S.M. Ahier:**

When will that be done or is it being done now?

**Assistant Chief Minister:**

No, it will be part of the process going forward for the population policy as we work our way through this and as we work through the population policy.

**Deputy S.M. Ahier:**

How will that analysis be fed into the amendment?

**Director, Strategic Policy, Performance and Population:**

The Control of Housing and Work Law is policy neutral. The law is not going to say: "Have more of this or less of that." The law is going to create controls that should just work better than the ones we have today. The population policy is the place where you have the policy and that, I am sure, will reflect the experience of Brexit and COVID this year but it will also probably acknowledge the fact that is a temporary situation and that things will change in the future, so that is really where that is going to go. You do not want a population policy that just responds to Brexit and COVID because in 2 years' time that would be the wrong policy, would it not? So you need to put that into context. So Brexit is by far and away the bigger of those 2 issues and we have seen not just in Jersey but in the U.K. as well the significant impacts of Brexit on construction, on hospitality and on a whole range of sectors. Those issues are not going to go away but businesses will adapt in time. We are identifying new places to source workers from, new ways of working, all sorts of things and that is all for the future.

**Assistant Chief Minister:**

We will be looking at the governments around the world. We will be moving towards learning to live with COVID as you learn to live with flu and other viruses of greater or less extreme impact on our



world. So I think we have to start to put that behind us but, yes, you are right. It does leave a short-term gap that needs to be plugged. I get that.

**Deputy S.M. Ahier:**

Thank you, and the evidence collected by this panel which report on P.137 found that businesses reported a lack of data around the movement of individuals between industry sectors, which is needed to inform the decision to remove automatic graduation as part of the amendment to the Control of Housing and Work Law. When will this information be available?

**Assistant Chief Minister:**

It is the new system. You go, Sue.

**Director, Strategic Policy, Performance and Population:**

Okay, so there is no single place to find out that data at the minute. You can do it by feeding through people's records but it is quite hard to do. The new computer system is very specifically designed to collect much better data to track a person's journey through working in Jersey and, therefore, that information will flow and it will just pop out of the new system perfectly well. Now that data will take time to build up so, next year, you are not going to have tremendously good data on people's movement across the sectors because they will not have time to move but it will build up over time. You also have to remember that if you change the controls, so whatever the new population policy does, it will acknowledge the fact that there are people in Jersey today under the existing rules and there is no current intention that we should remove rights from people who are already here.

[15:00]

**Deputy S.M. Ahier:**

It is not retrospective.

**Director, Strategic Policy, Performance and Population:**

Yes, it is not retrospective so there are people who have been in Jersey one, 2, 3, 4 5 years, yes, and so they will follow through their journey as they do now. So there is quite a significant supply of labour already in the Jersey workforce subject to the current laws, and they will keep the right to graduate as they do now. So what we have to do is build up data over the next 5 years so that when that stock runs out we are ready with the new stuff. So Brexit was a point in time kind of issue. You could do that today. Yesterday or tomorrow, you cannot do it. People have settled status but, apart from that, people are seeing the impact of that today. So the Control of Housing and Work Law will take some time to have an impact on businesses so that people should not be so worried about: "Oh, my goodness, I will not have the licence next year." That population will still be here so it will

take time to build up. So while that stock of people is running down, we are building up the data so, hopefully, we should cross over in the right kind of place.

**Deputy S.M. Ahier:**

Thank you.

**Senator S.W. Pallett:**

Just before I ask Deputy Truscott to ask the next question, just going back around the analysis in skills gaps. Is there an opportunity now - because we are talking about, potentially, a high-level policy at the end of the year - to have some engagement with the likes of the Construction Council and the Jersey Hospitality Association to try to understand their needs maybe in the short to medium term?

**Assistant Chief Minister:**

Yes, we are meeting Digital Jersey on Friday?

**Director, Strategic Policy, Performance and Population:**

Friday.

**Senator S.W. Pallett:**

So that engagement is going to start with both.

**Assistant Chief Minister:**

Yes, well, regularly because I am quite keen on digital so I have quite regular engagement.

**Senator S.W. Pallett:**

I did not realise that.

**Assistant Chief Minister:**

I get engaged with them but to put it into perspective, formally meeting with Digital Jersey so we can put the stuff that we know on the table. Remind me to ask the Construction Council. I do not think we have engaged with them properly recently, so thank you for drawing that to our attention.

**Senator S.W. Pallett:**

So there is an opportunity there as well.

**Assistant Chief Minister:**

Yes.

**Senior Policy Officer, Immigration and Population:**

Although we are not engaging directly with those sectors at the moment, Government is very aware and is communicating with them on a very regular basis at the moment because of Brexit and COVID, so they have a good understanding in the short-term of what their COVID and Brexit issues are.

**Senator S.W. Pallett:**

Yes, because I think they are one of the sectors where, as much as there was some capacity, it would be a good idea to have an understanding from the industry themselves about where they are. Brilliant, okay.

**Assistant Chief Minister:**

Well, construction is so overheated at the moment, is it not, that we really need to understand that?

**Senator S.W. Pallett:**

It certainly is and I am going to ask my colleague Deputy Truscott to talk about I.T.

**Deputy G.J. Truscott:**

Yes, we know how pivotal it is going to be, the information that the I.T. system gathers, going forward and how it is going to control things generally. What progress is being made to have this system implemented by the end of the year?

**Assistant Chief Minister:**

The functional brief is complete and, as you know from your experiences, the key is the planning. So it could be perceived that that is taking quite a long time. It is not a long time if it is done properly and that function will be completed and then we go to the next stage, which is the acquisition and implementation of the system. We are still on track for it to be delivered this year but, as I said, the key to it is the ongoing collection.

**Deputy G.J. Truscott:**

Yes, it is the collection.

**Assistant Chief Minister:**

It is the collection of the data input. I do not know how good the existing data is to be drawn in and these are technical things that we will have to work out, and I am sure they will do the best they can.

**Deputy G.J. Truscott:**

I know, due to COVID, the officer was quite late in joining the scheme. Has he caught up now and, as you say, on track to deliver it by the end of the year?

**Assistant Chief Minister:**

Well, the latest I was told, which was funnily enough this morning, was yes.

**Deputy G.J. Truscott:**

Okay, well, that is encouraging, I have to say.

**Assistant Chief Minister:**

But you know I.T. projects.

**Deputy G.J. Truscott:**

I do. Now what liaison has there been with businesses on the system and how it will be used?

**Assistant Chief Minister:**

Those are all part of putting the system together so you have got quite involved in that, have you not, Sue? Because the answer is yes, but I think they want the detail.

**Director, Strategic Policy, Performance and Population:**

Yes, so you are right. There is a full-time project manager based at C.L.S. working on the project. There are plans to engage businesses very early on and we are just about to get to that stage to show them kind of mock-ups, so what screens would look like and stuff like that. So that will be the next stage. There is plenty of time for them to have input at the stage where there is time to show them. So if you ask them too early, then they will say: "What do you want? What are you asking me for? I do not have time to do this." So we are just getting to the stage now where it will be sensible to say: "Well, do you want to input like this or like that? Is it one stage or 2 stages? What makes sense for you from a business point of view?" We have customer journeys and customers at this point are often businesses so all that is being mapped out at the minute.

**Assistant Chief Minister:**

I am not going into the weeds with this one because I do not think it is my responsibility. In a previous life I might have done, but there are 2 things that I have asked that are really very important, one of which is we are not building another silo; so the data totally integrates with all other projects.

**Deputy G.J. Truscott:**

That was my next question.

**Assistant Chief Minister:**

Okay, as you would expect, and the other one is if this is going to be used by people wanting to come to this particular Island it is going to have to be incredibly intuitive and user-friendly. The world outside expects everything to operate as well as Amazon and eBay. That is the user experience people have on a global basis. Now whether we can do that I do not know, but we have to ask the question to make sure that, as we are in the seller's marketplace, we are as easy to do business with and come to as anybody else. It is very important.

**Deputy G.J. Truscott:**

I am so pleased to hear you say that because, personally, I have been trying to register my company's business on one of the States websites and it is not particularly well put together and not very friendly and intuitive, so I am pleased to hear about that.

**Assistant Chief Minister:**

Can you not draw me to comment on those at the moment?

**Deputy G.J. Truscott:**

Fair enough.

**Assistant Chief Minister:**

I am with you there, Graham.

**Deputy G.J. Truscott:**

No, but it needs to be made usable.

**Assistant Chief Minister:**

Yes.

**Senior Policy Officer, Immigration and Population:**

Yes, I was just going to say as part of the work on I.T., clearly businesses are very important as part of the customer journeys that we are looking at. We also have migrants of which English might not be their first language who might be accessing it from abroad and not here in Jersey, and we have government customers, C.L.S. and the business licensing staff. So the I.T. system is about the control of the data for us but it is also about the ease of use for all of those external customers and that is really important.

**Deputy G.J. Truscott:**

I think that is critical going forward. I really do.

**Assistant Chief Minister:**

Yes, and for those people, their first experience of Jersey could be logging on to that I.T. system.

**Deputy G.J. Truscott:**

Yes, so just to be clear, by the end of this year the system should be up and running?

**Assistant Chief Minister:**

Yes.

**Deputy G.J. Truscott:**

Okay, thank you.

**Senator S.W. Pallett:**

Just one quick question. In terms of developing that system, are we unique in Jersey in regards to the legislation that we have and what we will need to produce in terms of an I.T. system? In terms of what we are developing, is that being developed elsewhere?

**Assistant Chief Minister:**

I do not know the answer to that.

**Director, Strategic Policy, Performance and Population:**

So Jersey and Guernsey probably are fairly unique in the world as a whole in that they run migration systems within a bigger immigration system so they sit within the United Kingdom. So both islands have developed not only immigration controls but also migration controls, so we are definitely looking at the Guernsey legislation in terms of law drafting to make sure that, if they have any useful bits, we can copy theirs out. We have not looked at the Guernsey I.T. but it is a sensible idea to have a look at it but I would say that, in that sense, we have an existing I.T. system which does quite effectively give permissions for things. What it does not do very well at the minute is store that data in a form that is easy to use for analysis so we are not writing a system from scratch. We are improving the current system. We want to do 2 things. We want to put a much nicer front end on it so it is easy to use and then, secondly, there is always a back end, if you like. We want to be able to pull data out on a monthly basis that is much richer and gives us that analysis that that expert panel will use and that politicians will use to understand the future to and from movements of people.

**Senator S.W. Pallett:**

What discussion have you had with, presumably, Guernsey colleagues?

**Director, Strategic Policy, Performance and Population:**

Have you spoken to Guernsey recently?

**Senior Policy Officer, Immigration and Population:**

Not recently. When we first started looking at the legislation, we had meetings with Guernsey and their population management team to talk through some of the issues.

**Senator S.W. Pallett:**

Well, we have similar issues with them.

**Senior Policy Officer, Immigration and Population:**

Yes.

**Deputy S.M. Ahier:**

In its report on migration control policy, the panel highlighted in its findings inconsistencies in access to healthcare and social security benefits. This was raised in a public hearing ahead of the debate and in the ministerial response to the panel's report, it is stated that: "While the Control of Housing and Work Law does not control access to health and social benefits, a review of these areas is included in the overall project timetable." Will the necessary reviews on access to healthcare be complete at the time that the Control of Housing and Work Law amendments are implemented?

**Assistant Chief Minister:**

Two things there; social security and health. Health, I think, is part of the population policy. The reason I say that is where does it fit at what particular stage? Because as far as health is concerned, anybody coming to this Island - and I hate to use "economic migrant" because it just sounds such a sort of thing - are coming over here to work hard for our Island which helps our society and we want to look after them as well. I firmly believe that they should have healthcare from day one. Currently, as you know, depending on where you come from, you can go into A. and E. (Accident and Emergency) and they will bandage up your finger or put it back together again but if you go back for a dressing, for the sake of argument, you are charged for that and I do not think that is acceptable for people coming over here. I know that conversations have started with H.C.S. (Health and Community Services) at the moment to address that. My view is whether it becomes an employer insurance-based scheme or whether it is delivered by Health and Community Services. I am not worried at the moment as long as it is delivered. Now I believe if you are coming into the U.K. in similar circumstances, you pay I think £400 a year or a £400 one-off supplement towards healthcare. I do not know how it is going to work yet. In conversations we are having with H.C.S., all I know is it is fundamentally important that we look after those people as far as their health is concerned. If they are coming to help our Island, then we will help them. On the social security side of it, you are

going to have to help me with the technicalities but, as I understand it, if you work for 6 months, you can go back 6 months and then you get the social security so you will get your sick leave or whatever that may be. However, that does not work when somebody is coming for 9 months because you could go back 6 months and have that period of vacuum when you are not here. That is being worked on and has been acknowledged as a, shall we say, gap in it and it is being worked on. Am I right with that? Have I explained it correctly, Sue?

**Director, Strategic Policy, Performance and Population:**

Yes, so you asked about health and benefits. So for healthcare, we are in negotiations with the Health Department at the minute. On the benefits side and on the more general strand of work around services and how migrants access public services as a whole, that is going to be at a later stage of our work. So as we talked about before, we are very focused this year on getting the I.T. right, getting the law right and getting the population policy done. There will be later stages, so it would have to happen next year, and so the full review of all services to migrants will be not this year but will be started next year. The Minister for Health and Social Services is very keen that that is addressed immediately. Especially with workers' accidents, it is important that people should get cover. In terms of benefits, it falls within the Social Security Law and you might be aware that, as the Minister explained, if you are going to get a sickness claim, the current law looks back 6 months from today. So if you are ill in the summer, basically it looks back to the winter. If you work in Jersey in the summer season, you were not here in the winter. Therefore, you do not have a right over the winter. It does not matter that you were here last summer. It is January or whatever they are going to be looking at.

**Assistant Chief Minister:**

It is well-explained.

**Director, Strategic Policy, Performance and Population:**

So that is an issue for the social security system to look at. That is not currently being looked at actively but it is on the list of things to be done.

**Assistant Chief Minister:**

The same with pension contributions. I believe that if you have worked for 4½ years, then you start being entitled to a pension, obviously depending on the time that you have worked it goes up the longer you have worked. I think it is 4½ years; if I am wrong, forgive me.

[15:15]



But one thing that is important to me, that if you come for chunks of 9 months and you hop over a period of 4½ years then that is still 4½ years of entitlement. Now, people are going to disappear around the world after that. All I want to see - and this is not policy yet, this is what I am asking for - is very, very good self-service systems so that people can log on and ensure that they get what they are entitled to as far the pension, wherever they are in the world at whatever their retirement age determined by us. To make sure it is just easy for people to keep track of that; that is just more a tactical thing but I think it is really important that what they are paying in they are taking out, regardless of whether they are these so-called economic migrants or local Jersey residents.

**Director, Strategic Policy, Performance and Population:**

The 4½ years is counted month by month, so if you came to Jersey for 6 months at a time and you kept on coming for 9 years or whatever, that would be 4½ years so that would count. So it does not matter that those are not consecutive months; every single month counts as a month, you just have to count up to 4½ years' worth of months. But what you are saying is that it is giving people access to that pension at pension age when they might not have been in Jersey for some time, but to make sure there is a good and easy way of doing that. We will be doing that, yes.

**Assistant Chief Minister:**

The U.K. system is amazing, you just put your social security number or your National Insurance number and a date and a couple of formal questions and it gives you the information straight away. So I want something as easy as that.

**Senior Policy Officer, Immigration and Population:**

I was just going to say I think your question specifically was around the Control of Housing and Work Law amendments that are to come, so everything that is discussed there would not be covered in the Control of Housing and Work Law. It is covered in various different laws and policies; so as part of that review we would look at all of that, but that will not impact the amendments under the Control of Housing and Work Law.

**Assistant Chief Minister:**

That is what I want to see.

**Deputy S.M. Ahier:**

You mentioned that you wanted to have healthcare benefits on day one. Do you believe there would be any possibility of health tourism?

**Assistant Chief Minister:**

No, I have not thought that one through but if you think about it in order to be a health tourist you would have to have a social security number, would you not? So if you were just coming over solely for health you would have to register social security, so that could be a potential loophole to watch. When I see this sort of application that comes through to arrive here, which is your lodge, you have got employer sponsorship, you are offered a job, hopefully maybe somewhere to live if you are in farming or whatever. It is all part of a bundle that gives you the social security number, et cetera. I think it is part of that bundle that will go forward into allowing you to have the healthcare because you have been accepted through that process. I do not see somebody coming off the street, getting off the boat and going straight in there and getting through the system, but that is a loophole that we will keep an eye out for, thank you, Steve.

**Director, Strategic Policy, Performance and Population:**

But absolutely you can devise a system which is accessible to people who are working in Jersey. You can devise a system which does not include pre-existing conditions. We talk about fingers being chopped off; that is kind of like what we are talking about. We are talking about accidents while you are working, that it seems to be a little bit unfair that that worker who has come to Jersey to work, to contribute to the local economy, does not then get free healthcare for that accident at work. So it might be slightly broader than accidents but, you are right, there are reasons why the health laws are as they are today, and it is very risk averse around not allowing people in, including people who used to live in Jersey for many years and cannot come back. But there are definitely ways in which you could identify a very specific type of healthcare which would become available, which would go to many of the issues without necessarily accepting all types of conditions and all types of ...

**Assistant Chief Minister:**

Unforeseen consequences of working over here, appendicitis, you know.

**Deputy S.M. Ahier:**

What review of benefits is currently underway, if there are any?

**Director, Strategic Policy, Performance and Population:**

That is what we are saying. That is definitely planned as part of the overall process. It is not currently being worked on at the minute; we are concentrating on the areas we have just been talking about. That will come through towards probably next year in reality.

**Senior Policy Officer, Immigration and Population:**

We have started some initial work ...

**Director, Strategic Policy, Performance and Population:**

We did a bit of work, yes; we have done some work.

**Senior Policy Officer, Immigration and Population:**

... when we had some extra resource at the start just to identify what those benefits might be and which ones will need to be considered, which are policy, which would require legal changes.

**Deputy S.M. Ahier:**

But there will not be any requirement for any more resources now?

**Director, Strategic Policy, Performance and Population:**

So we have got a big hump of work at the minute, so this work is very intense this year, but as we get the Control of Housing and Work Law changes made, once they are done they should sit there quite happily. Then there will be the ongoing need to maintain the population policy. That will be significant piece of work, but alongside that you can also start working with your normal level of resources on things like the benefit review and other forms of review like that. There are other areas also that we need to be looking at going forward in the future, but we cannot do it all this year so we are concentrating on getting the key principles, key basics in place this year.

**Assistant Chief Minister:**

This is a policy to look after those people that are coming to the Island as - I repeat myself - we are not in a buyer's market anymore, the whole world is seeking people to come and work for them, and we have to make our Island more attractive than other islands in return for them giving us their valuable services and skills. It is a policy decision you see, but you are asking about the absolute tactical, how it is going to happen, which is very valid but I see it as a policy decision that we are selling. We need the right people to supplement the skills in various organisations, care homes, hospital, et cetera.

**Senator S.W. Pallett:**

Will that review be a formal review with some type of formal report?

**Director, Strategic Policy, Performance and Population:**

That is a good question.

**Assistant Chief Minister:**

It is a good question. It would make sense.

**Director, Strategic Policy, Performance and Population:**

We talked a bit earlier about the whole of government approach to things, and that is kind of where we are wrong at the minute. So each department and each Minister tends to have a few rules around how long you have got to live here in order to access a certain service or something so, as we have described, we did have this sort of preparatory work done to try and write all those things down, so we have got that. When we do the review, which probably will be next year, it will be sensible to expose the whole review to everybody so that everybody understands what the new level of support is. You understand today that education is free on day one, yes, and then there are things that run through to 5 years or even 10 years, so there is a whole gamut of different rules and regulations and laws. So it is lots of different Ministers and lots of different places where policies are set and rules are set. So, yes, we can absolutely correct that with some form of across government review, yes.

**Senator S.W. Pallett:**

I presume that you will have to carry out some sort of consultation with that as well because of the benefits and the wide-ranging effect it could have on business?

**Director, Strategic Policy, Performance and Population:**

You have got to work out where you set the new level. I am guessing what you would want to do would be to have something that was easy for people to understand, so once you have been in Jersey for a year you get access to all the services, or no time or 5 years; I do not know what the answer would be. But that means that some things will be easier to get to, some things will be harder to get to. It will make differences across each individual department and budgets so there would have to be a bringing together of what people think and, you are right, probably a consultation to say: "Does this feel about right? This will cost the Government overall an extra so many million pounds or save the Government so many million pounds. Do we feel this is a bad thing to do?" So in that sense it becomes a bigger piece of work and, like I say, that is why we do not want to be ... apart from the health, which is important, but from the point of view of the workers, those other areas will be looked at as a coherent whole probably next year some time.

**Assistant Chief Minister:**

I mean, this is way beyond this particular meeting, a review, but we have got to simplify a lot of things.

**Senator S.W. Pallett:**

I am just getting back, I suppose, to Deputy Ahier's point about health tourism. Presumably there are ways to ask people to declare whether they have got any long-term health issues when they arrive in the Island.

**Assistant Chief Minister:**

Well, it is if you apply for health insurance you have to give a declaration and, depending on the health insurance company, it is exactly the same thing; if you have had something with the last 2 years or 5 years depending on the insurance company you are not covered for that.

**Senator S.W. Pallett:**

Yes, just to protect the local taxpayer.

**Assistant Chief Minister:**

Exactly the same way as you are protecting the insurance company and the risk that they are taking. We do not want to take unnecessary risk and liability because it can be very expensive, but we want to protect those people who get ill here through no fault of their own.

**Deputy G.J. Truscott:**

I think the Assistant Chief Minister makes a very valid point though, that we are competing for labour on international markets so, to a degree, we have to be competitive and analyse other jurisdictions looking to attract inward migration. But, yes, it is a good point.

**Senior Policy Officer, Immigration and Population:**

Also it needs to be really clear to a migrant who lives outside of Jersey: "What is the deal that I get?" because they are comparing jurisdiction to jurisdiction across the world. If you have got a skill or a labour shortage you do not just have to come to Jersey, you can go to anywhere in the world, and you will go where it is clear to you what the deal is that you are getting so you can make a choice as to where you are going to go.

**Deputy G.J. Truscott:**

That policy may well be driven by external forces to a degree.

**Assistant Chief Minister:**

Well what they want to know is - I think I said it in the Assembly on the minimum wage debate - is people want to know what they get in their back pocket at the end of the week and the month and the year, and so they need to have the information to be able to make that informed decision. Because that is primarily why they are leaving their homes, and in some cases families, is to provide for their financial futures back in their home lands, and they need to know exactly what they are letting themselves in for because otherwise they arrive, they are disappointed, they leave, it costs a lot of money, a lot of time, disruption to employers.

**Senator S.W. Pallett:**

Okay, we will carry on with Deputy Truscott.

**Deputy G.J. Truscott:**

So kind. Please explain what progress has been made in developing the enhanced identity requirements. The ministerial response states that details will be developed during the year.

**Assistant Chief Minister:**

Shall I start and you carry on? There is a Government digital I.D. (identification) programme and within our project we think the best thing to do is to follow with the Government initiative as and when that happens. There is no point reinventing the wheel and having a separate project at a vast cost and risk without following on. So that is where digital I.D. fits. We do not have a date on that, do we, because that is beyond the scope of this particular project, this is just the decision to fit in within the Government digital I.D. That is very much a work in progress.

**Deputy G.J. Truscott:**

A work in progress effectively. So do we have any idea what system will be introduced and will it be operational at the time of Control of Housing and Work Law amendments when they are implemented?

**Director, Strategic Policy, Performance and Population:**

We are writing the law to be technology neutral if you like, so the law talks about proof of status and it will allow for that proof of status to be biometric or physical or digital or whatever. But that just gives us the flexibility to move as technology moves, and also as the Government establishes and creates a more ... so there is digital I.D. already available to people so you use it for your tax returns, for example, but there may be other choices further in the future, and it also needs to be more firmly established probably among the community as a whole. So for the time being we will continue to use the existing cards which just have your name on it, and people need to use photo I.D. alongside them. So you have got your name on the card, you have got your photo I.D. with that same name on it so that proves who you are. So we will just stick with what we have got at the minute and then when the digital I.D. is up and running as a strong kind of central plank of government policy we will be able to move smoothly to that. Our law will allow for that because we will put that in now and the I.T. system will just churn up digital stuff rather than churning out cards.

**Senator S.W. Pallett:**

So it will be developed to implement that when the opportunity arises?

**Director, Strategic Policy, Performance and Population:**

Yes, so in other words we are ready for it but we cannot lead that, we have to follow because it is a much bigger project across the Government as a whole, so we are not pushing that one.

**Deputy G.J. Truscott:**

Are you aware of what resources have been dedicated to the undertaking, or is it just a work in progress but again the figures have not been applied necessarily to the end game?

**Assistant Chief Minister:**

It is not our project, we have no control. We will follow in that project.

**Deputy G.J. Truscott:**

Again I think it is pivotal and I hope you agree that I.D. is essential going forward.

**Assistant Chief Minister:**

We do not deny it but there is no point reinventing the wheel for a relatively small project compared to what we are trying to do as a Government.

**Deputy S.M. Ahier:**

Finally, as the ministerial lead, are you satisfied that the timetable which has been set out by the Assembly is realistic for the delivery of a robust and considered migration control policy and a comprehensive common population policy?

[15:30]

**Assistant Chief Minister:**

I think you know the answer, Deputy Ahier. I would much rather be working to the original time plan laid out by the Government, but as I said we will respect P.120 and deliver what we can. The takeaway message is that, to be honest with you, whatever you call it, if it is an interim or a stake in the ground, it does not matter what it is, it has to be treated as a live project. It does not just stop because it has come to the Assembly. It will have to continue to evolve as changes happen. We live in a changing world and we have to continue to evolve. So the answer to your question is no, but that does not stop us delivering what will merely be phase one of something that I expect to have many phases and many iterations going forward with the same common goal and objective to serve the Island with the best population policy that we can.

**Senator S.W. Pallett:**

I will just finish by asking: do you think there is a potential risk that the States Assembly might not accept your population policy if they feel it is too interim?

**Assistant Chief Minister:**

Of course there is a risk, but I will be disappointed if the Assembly do not recognise how very, very difficult this is. I will be very disappointed if they think they are going to pick up a policy that is the solution to all problems. It is a very complicated ... and let us face it, all the Ministers are getting together and I would hope the whole of the Assembly will get together to recognise how challenging this is and work collaboratively going forwards. It will get criticism, I think, not having a number. We will get less criticism from within the Assembly but more criticism from out of the Assembly. I am happy with that because I think it is the right thing to have the right policy that meets the needs of the Island and not be suffocated by just a number. We still have to manage those 3 tensions: the financial, environment and economic. Everybody is going to have their favourite that they want, which basically means one-third will want each bit, which means two-thirds of the Island are not going to like it. But that is not it. I think we need to get together and embrace what the team and I have come up with and realise it is up to us to take it forwards. It will need changes whether it is right or wrong, it will have changes, there will be other external influences that will come to bear. Take the taxation situation that at present America is talking about. Who knows what is around the corner. But I think if we adopt the attitude that it is a living, working, ongoing environment I think we can be in a good place.

**Senator S.W. Pallett:**

Okay, well we are just about on time. We have gone through all our questions. I want to thank you for attending. I think it has been a good session. We appreciate your honest answers. Thank you to your team as well for coming along today and providing help as well. We will obviously go away and consider what has been said today. Is there anything you wanted to add?

**Assistant Chief Minister:**

I thank you. These, I think, are very valuable exercises because it puts a stake in the ground for us to consolidate our thinking. So I thank you all for the preparation that goes into this, out of which you have found some gaps that we need plugging, so I thank you for that. I think it is a very valuable time and I appreciate your effort and questions as well.

**Senator S.W. Pallett:**

Thank you. I just want to thank my colleagues, and with that we will draw the public hearing to an end.

[15:34]