



5<sup>th</sup> February 2021

Private & Confidential

Senator Steve Pallett  
Chair, Migration and Population Review Panel  
States Greffe: Scrutiny  
Morier House  
St Helier  
Jersey  
JE1 1DD

Dear Senator Pallett,

Unite the Union's response to proposed amendments to the Control of Housing and Work (Jersey) Law 2012.

The Union's response is as detailed below, welcoming further opportunities of involvement in the process going forward in the interests of its current and potential membership effected by the proposed changes to the law in Jersey.

Initial concerns to the proposed changes:-

Unite has and always will support the full and fair freedom of movement and treatment of migrant workers in any demographic within which we represent our membership given the vital support they provide to services of upmost importance as has been proven especially within the unprecedented Covid 19 crisis. We suggest these changes at this time are of poor timing with the support provided to Jersey by its migrant workforce to date and ongoing.

We feel strongly that the proposed changes will directly affect and restrict the ability of sectors such as Health and Hospitality especially amongst others to effectively recruit, retain and function fluidly to the benefit of the Jersey population, its economy and community incurring a detriment to the prosperity of the island overall if these proposed changes were adopted into law at this time.

We believe Jersey's reputation on the wider European and global stage and relationship with its migrant workforce who are already restricted under current laws in our opinion would be damaged beyond repair, something we all wish to avoid in the interest of the islands future.

Some of the sectors where our members are most involved with Covid 19 are already reporting a difficulty in recruitment, something these proposals will further hinder in our view without the view of permanent residency made clear in its routes to achieve.

The proposed amendments should have Jersey's obligations to the European Convention on Human Rights (through the Human Rights (Jersey) Law 2000) in mind and reviewed by a legal body prior to even being considered for implementation.

As such, we would also recommend that there is an explicit ability for migrant workers to continue to allow their families to reside with them, anything other than this we would never agree nor support.

Permit holders able to live with their families whilst working in Jersey encourages workers to feel welcomed by Jersey, more inclined therefore to enter Jersey and to remain to the clear benefit of the island, the economy and community success, anything other than this stance will see sectors such as nursing and hospitality decimated in skills, staffing and experience in exactly the wrong time to do so, these sectors most noted to be most affected by Covid 19.

We strongly encourage where a migrant worker is subject to a decision that impacts their ability to live and work on the island that they should have the full and fair right for an independent appeal process to challenge any decision they feel is detrimental to them, their families or indeed their human rights.

Thus, Jersey should establish an independent judicial system that can hear such cases if these changes were to be inflicted upon these minority groups.

We believe high level skills will also be actively discouraged to come to Jersey under these proposals and this would significantly impact Jersey in the long and short term.

We believe that all migrant workers should be excluded from any charges for healthcare provisions whilst working on Jersey, clarity on this is suggested as costs on the island are already high.

Jersey has fought to be inclusive and welcoming since its liberation in 1945, please find the quote from the plinth in liberation square:-

*'The compass rose signifies that Jersey is part of a larger global community whilst rejoicing in its own liberation in 1945 and peace during the subsequent 50 years, Jersey looks outward in the hope that peace and freedom which it enjoys will one day extend throughout the world'*

We do not believe the proposals send the message to the intended audience of inclusion.

We hope the proposals are looked at with the intention of inclusion not restriction.

Yours sincerely,

Gareth Lowe

James Turner

Regional Officer, Unite the Union

Regional Officer, Unite the Union

Submission ends