

States of Jersey States Assembly

Scrutiny Panel

Dear Senator Pallett

P137/ Migration Control Policy

3 February 2021

Cycle4Jersey exists to promote cycling generally, and specifically in Jersey, as part of the encouragement of sustainable transport and sustainable, healthy and quality life.

I am responding on behalf of C4J to your request for responses on Migration Control involving amendments to the Control of Housing & Work (Jersey) Law 2012 (CHWL). The reasons for the amendments are explained in considerable detail in the paper attached to your request for evidence.

The CHWL controls registered and licenced employees and their housing rights. However in practice registered permissions are recycled and not restricted to named employees. Permissions are used for new migrants once the original postholder attains Entitled to Work (ETW) status after 5 years, allowing them to work in unregistered employment. The paper explains that some 12% of registered staff "graduate" to ETW status annually equal to between 615 and 800 people per year. These numbers form a substantial part (the greatest part?) of the net increase in population in the ten years to 2019, varying between a low of 500 in 2009 and high of 1500 in 2015. Of the population increase in the last ten years of 12,420 only 2,620 was attributable to natural increase, with 9,800 attributable to net migration.

The proposed amendments will introduce 9 month and 4 year permissions to work with expiry dates, so the registered person does not acquire ETW status.

Addressing the matters on which you wanted our views:

1. **Whether you agree with the rationale underpinning the proposed amendments.**
The changes envisaged do no more than tighten up existing policy. They do not address the vital question of implementation of a properly sustainable transport policy, which will permit the building of new houses without significant car parking provision. Addressing these matters is in our view significantly more important than amendments to the existing migration controls. If implemented they could ensure a better and greener Island whilst accommodating a growing population. They need to be implemented for their own sake. If population control is the right policy and tightening migration controls is at least part of the way of achieving that policy, they also need to be implemented as a precaution against the risk that policy doesn't work.
2. **Whether the proposed amendments seem fair and equitable;** They allow current registered workers to continue to work and gain ETW status after 5 years. Future short term immigrants under 9 month and 4 year permissions will know they have no expectation of ETW status. There will however be provision for 4 year

permissions to be converted in a controlled way into a 10 year licence, so that after 10 years such immigrants will have full housing and working rights.

3. **Whether you believe that they will succeed in structuring migration in Jersey against clear strategic priorities;** There are no clear strategic priorities as the proposed changes to migration controls have been introduced ahead of a population plan. The priorities should be to address environmental degradation, climate change and the urgency of implementing sustainable transport, housing and infrastructure without turning our lovely Island into a car park rather than tweaking existing migration policies
4. **Whether you agree with these priorities;** The States have declared a Climate Emergency. A vital element of the response to that Emergency should be the requirement to reduce vehicle use and dependency on motorised transport. This is ignored in the paper.
5. **Key concerns you may have regarding these proposed amendments.** As noted above, the key issue is reducing vehicle use and giving leadership in implementing sustainable transport for which the island could be a perfect laboratory, but at the moment is anything but.

Yours sincerely

A handwritten signature in black ink, consisting of a large, stylized loop on the left and a long, horizontal line extending to the right.

Peter Hargreaves

For Cycle4Jersey