

2018.11.20

17 Deputy K.F. Morel of the Minister for Home Affairs regarding the application of funds provided for the Settled Status Scheme: [OQ.194/2018]

Would the Minister confirm whether any funds allocated to the Settled Status Scheme have been set aside to enable deportations and, if so, how much?

Deputy G.C. Guida of St. Lawrence (Assistant Minister for Home Affairs - rapporteur):

I will answer for the Minister. I thank the Deputy for his question. The very simple answer is £3,000 has been set aside to cover potential deportation. I should be clear that deportation will only be considered in circumstances where a person is found to have a criminal record that in any other normal circumstance would make that person potentially liable to being deported, *vis-à-vis* it does not apply to the overwhelmingly majority of citizens who will be applying under the Settled Status Scheme.

3.17.1 Deputy K.F. Morel:

Just a clarification for the record, can the Assistant Minister clarify that answer is different to the one given in the Assembly 2 weeks ago?

Deputy G.C. Guida:

There were many discussions about the Settled Status Scheme and the question of deportation came up a few times and, to be candid, it is not something that we thought would occur, but we estimated it might and we were surprised to see that the department had set aside a sum to cover those because, to us, the risk was absolutely minimal. So we were not aware of that at the time and we were quite pleased to see that the department set aside a bit in their budget to cover that.

3.17.2 Deputy G.P. Southern:

If I may expand the question a little: can the Assistant Minister state whether, in his opinion, the imposition of charges to have settled status under this scheme, given that many of these people who are required to apply for settled status have been here for 5, 10, 15, 20 years, or are children, does he not consider that such an action may be seen as discriminatory?

The Deputy Bailiff:

I am sorry, Deputy; that is too far outside the ambit of the question, which relates to costs of deportation. It would need to be the subject of a different question.

3.17.3 Deputy J.M. Maçon:

In order to minimise the cost of deportation, does the Assistant Minister not agree that perhaps the department has missed a trick in that had they worked better with some of the consulates on the Island in order to do events to raise funds working with those bodies, could have helped in order to fund the charges that are needed for perhaps those people who have been here 20-plus years? Does the Assistant Minister agree that the department could have thought about this and done it better in order to minimise the potential for the deportation costs that might arise?

[11:30]

Deputy G.C. Guida:

That is a very interesting dogleg; I would love to see you play golf. There is a question about the cost of settled status, but it is not today's question, so if you want to come back to us with that question I

would be very happy to answer it, or the Minister will be very happy to answer it, later. On the issue of deportations, we cannot expect every legal possibility and we have thought that maybe it could happen that some would be warranted. Searching within the department, talking to the director general, we cannot find one case where that would be warranted. We have obligations with the E.U. (European Union) when we are talking about E.U. citizens. Those obligations will only or might only end on 29th March and they may continue for a couple of years during the transition period. If any sort of agreement comes up between the U.K. and the E.U. those conditions might continue, so we are just putting a little bit of a provision in case something really exceptional could happen. We do not expect it to happen.

3.17.4 Deputy M. Tadier:

It may have been partly answered, but I think the obvious question is to ask whether the Minister thinks that £3,000 is an adequate sum to cover any potential deportations or, to put it another way, how many deportations can you get for £3,000?

Deputy G.C. Guida:

A very good question. I thank the Deputy for his question. The answer is very little, very few, and that reflects our expectations.

3.17.5 Deputy K.F. Morel:

While I accept that the active sum in question, £3,000, is very little and you may not even get one deportation, I think for that £3,000, is it the department's intent to use the opportunity of the settled status scheme to go through people's records, using this as an opportunity to check whether people should be deported? Should we see this £3,000 as a symbol of that intent?

Deputy G.C. Guida:

Sorry, I would like to reiterate it; the provision was made by the department as a standard business practice. As much as we have talked about this, we have not found any scenario where this might be needed.