

# Common Population Policy Review

Migration and Population  
Review Panel

4th February 2022

S.R.2/2022



States of Jersey  
States Assembly



États de Jersey  
Assemblée des États

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## 1. Chair's Foreword



If you were to ask any member of the public what the hottest political topic of the moment was, it's highly likely that they would either say Jersey's housing crisis or the size of its population.

The Island's general public and business community, in particular, have for some considerable time been asking successive governments to provide a workable population policy. A policy which they can understand and which will clearly provide direction in setting achievable targets for businesses in the island to work within.

Such targets would provide government the goals it needs when considering future infrastructure needs, such as housing, schools and health facilities whilst also protecting the incredible environment that makes Jersey such a special place to live.

The current government were well aware, when elected in May 2018, that the previous administration had been grappling with the issue of Jersey's population and had finally lodged P.70/2018 - Migration Policy on the 15th March 2018. This policy included the introduction of time limited work permits to strengthen Jersey's migration controls and, while it did not set specific population targets, it did commit to lowering average annual net immigration over the coming 20 years.

It is important to remember the backdrop to the lodging of P.70/2018 – that of net inward migration between 2015 and 2018 rising at over 1,000 each year with a peak in 2015 of 1,500. It was becoming apparent to many that such rampant inward migration was not sustainable in the long term and more had to be done to limit future increases.

The current Council of Ministers withdrew P.70/2018 in July 2018 and embarked on their own journey to control migration levels and limit damaging increases in population and I am convinced that many in Jersey had hoped to see progress on this issue within a reasonable timeframe.

The Migration Policy Development Board was formed by this Government and published its final report in March 2020 just as Covid began to seriously affect Jersey in so many challenging ways. It was in October the same year that the Chief Minister finally lodged P.137/2020 - Migration Control Policy, which proposed various time limited work permits along with other proposals. This was approved in March 2021 by the Assembly. The required amendments to the Control Housing and Work Law to bring P.137/2020 into effect have, as we know, only just been lodged as P.13/2022 and this Panel are currently scrutinising these amendments.

More relevant to the Common Population Policy, and also to this report, Deputy Jess Perchard lodged P.120/ 2020 – Migration and Population Data, in September 2020 but it was her amendment to her proposition adopted by the States that finally committed the Council of Ministers to delivering a Common Population Policy with a timeline for debate of the 31st December 2021.

Considering that P.120/2021 as amended had been adopted in November 2020, the Panel is disappointed that the draft Common Population Policy was not lodged until the 10th December

last year with an intended debate date of the 18th January 2022. In reality, this has given the Panel scant time to review such an important and long-awaited policy but we are thankful to have at least been given three extra weeks to gather the necessary evidence to provide our report for both States Members and the public.

I think it would be fair to say that the Panel was underwhelmed when it first read through P.116/2021 – Common Population Policy. We truly expected to find a policy document that would finally meet the expectations of the public by actively reducing our reliance on inward migration and provide targets that gave business the clarity and certainty to plan ahead as they recover from the impact of both Covid and Brexit. Instead, rather than breaking new ground and acting now, this policy is kicking decision-making down the road for the next government to resolve which, for many, is disappointing.

Rather than a policy, it looks like we have been given a vision – ‘a starter for ten’ in the words of the Assistant Chief Minister – that not only states that it is limited in its ambition but also admits that there ‘are no silver bullets to solve the population dilemma’.

So, what is the States Assembly being asked to decide on when they debate P.116/2021? As much as there is little real policy in the document, the Panel is hopeful that Members will clearly send a message to the Council of Ministers about what they expect from any future iteration of the Common Population Policy.

The Panel have highlighted the issues that it believes need to be resolved in order that a meaningful policy can be laid before the Assembly as part of the next Government Plan and have made recommendations to that effect.

Over time it has been made clear to the Panel by the Chief Minister that without the necessary data it is simply not possible to set realistic population targets or set wider policy to assist in reducing the reliance on inward migration. This lack of data has been known for some time and yet we are still in a position where vital technology projects that will provide that data have been delayed. Members will need to decide whether such delays and subsequent lack of information is acceptable as an excuse for not producing the robust and deliverable Common Population Policy that so many were expecting.

P.116 is full of figures, information, assumptions and the consultation that has been used in other government policies and one could ask why these could not have been used to produce a definitive and deliverable Common Population Policy.

Stakeholders from all walks of life in Jersey have given their views on what they were expecting and whether this document delivered on the issues that were of most concern to them and I am sure States Members and members of the public will have read the submissions to the Panel and felt the same sense of disappointment that many of those expressed.

I want to finish by giving my thanks to my Panel colleagues, Deputy Graham Truscott and Deputy Steve Ahier for their time and effort during a very condensed and intense review and to our Scrutiny Officers for working so hard and conscientiously to turn around this report in the timeframe available. I must also thank all the stakeholders and members of the public who contributed to the review at such short notice.

This policy starts by suggesting that population issues have been at the 'centre of government thinking.' I will let Members decide whether they believe this to be the case or whether government have actually dropped the ball on this critical issue for the Island.

**Senator Steve Pallett**

**Chair**

**Migration and Population Review Panel**

## 2. Executive Summary

The Migration and Population Review Panel was established to review migration and population propositions put forward by the Council of Ministers.

This work has been split into two distinct projects. One is the over-arching population policy and the second is the migration controls which will be put in place to support the aims of the population policy.

It is the examination of the Common Population Policy, [P.116/2021](#), which is the basis for this review.

The Migration Control Policy was debated in March 2021 and the States Assembly agreed that the necessary changes be made to the Control of Housing and Work (Jersey) Law 2012 (CHWL) to bring the controls into effect. Scrutiny of these controls was undertaken prior to the debate and culminated in the report [S.R.6/2021](#).

Neither the controls nor the Control of Housing and Work Law amendments form part of this review, however, the background to those controls is closely linked to the work that has been undertaken by the Panel as many of the same public concerns apply and much of the information requested of Government is the same.

At the time of the debate on [P.137/2020](#) it was becoming clear that the Government view was that much of the data and information, which would be needed to inform the next steps in developing a Common Population Policy and establishing any evidence-based projections for future population levels, would not be available.

This lack of data was as much of the theme for this review as it was at the time of the [P.137/2020](#) debate, for the in-committee debate on Common Population Policy held a month later and during the intervening period to the lodging of P.116/2021.

There is a general acceptance that forecasts should be informed by robust data, however, this document does not tackle the challenging issues that it raises but instead leaves difficult decision-making and any commitment for action to future Governments.

For clarity, it is the view of the Panel that the document lodged for debate does not constitute a policy. It does not fulfil the commitments made by the States Assembly, it does not provide any forecasts for population planning and it does not provide any certainty for the community.

This inaugural Common Population Policy is limited to laying the groundwork for future policies. One of the over-riding themes of the submissions made to the Migration and Population Review Panel – and the collective view of the Panel itself – is that P.116/2021 is an ambition for a policy rather than a policy in its own right.

It does not meet the public expectation of a long-awaited population policy.

The document does outline the complexity of the task in hand and notes the number of reviews, projects and actions which will need to be addressed. But, it does not draw a conclusion about how this work will be done or what the solution(s) will be.

At one level, the view has been expressed to the Panel that there is a short-term relief in some business sectors that changes are not being suggested which would exacerbate the tough economic conditions in which they are currently operating. Equally, however, those same voices feel that in shying away from providing commitments, this policy does nothing to provide the certainty which businesses need for medium- and long-term planning.

It is also the view of the Panel that while the document outlines an objective to balance the 'economy, community and environment' it does not suggest how this balance is achieved in real terms with appropriate protections given in each case.

The Panel does acknowledge that the Covid-19 pandemic will have had an impact on Government resources.

However, it is disappointing and frustrating that towards the end of its four years in office and despite the assertion that population has been at the centre of government thinking that a policy has been brought forward which simply asks that future Governments make the difficult decisions and does not even commit to a clear timeline for doing so.

### 3. Findings and Recommendations



#### FINDING 1

The second principle on which the policy is based negates the need for a future government to set meaningful targets to reduce reliance on net inward migration.



#### FINDING 2

The Common Population Policy does not meet the commitments made as a result of the States Assembly approval of P.120/2020 – Migration and Population Data.



#### FINDING 3

The Common Population Policy does not draw conclusions from the issues raised during the in-committee debate held on 24 March 2021 and does not advance the debate on population issues.



#### FINDING 4

A lack of data to inform a Common Population Policy has been highlighted over an extended period, both prior to and since the lodging and debate of P.137/2020 – Migration Control Policy.



#### FINDING 5

The Government is presenting two positions on the production of forecasts (that data is robust enough to support significant projects and, secondly, that sufficient data is not available for a population policy) and their use across government which cannot be reconciled.



#### FINDING 6

Assumptions for population growth are being used across Government for significant policies and projects.



#### FINDING 7

A further four year wait for population planning assumptions to be made is unacceptable.



#### FINDING 8

It is a reasonable expectation that population forecasts could and should be made before 2025 and as early as possible.



#### FINDING 9

There are a number of ongoing pieces of work which will provide the data necessary for the production of forecasts and which are outlined as forthcoming actions in 2022.

**FINDING 10**

The approval of P.120/2020 demonstrated the importance that the States Assembly attached to consistent and robust planning assumptions which would underpin decision-making and provision of services.

**FINDING 11**

Submissions made to the Migration and Population Review Panel expressed disappointment and frustration with the lack of action taken.

**FINDING 12**

While the Government has made the effort to consult with the community, no conclusions for tangible action have been drawn as a result.

**FINDING 13**

There has been little public interest in the Common Population Policy since it was lodged on 10<sup>th</sup> December 2021.

**FINDING 14**

The Common Population Policy does not result in tangible action.

**FINDING 15**

If the purpose of the Common Population Policy was to be merely aspirational then it meets the Assistant Chief Minister's aim of being 'a starter for ten'.

**FINDING 16**

The expectation of States Members, as a result of the approval of P.120/2020, was that more actions should have been taken by the end of the term of this Government.

**FINDING 17**

There are concerns that issues (such as pay and conditions for teachers) which are not addressed in the Common Population Policy could hamper progress against the future actions listed.

**FINDING 18**

The Common Population Policy should have been made available for debate earlier in this term of office.

**FINDING 19**

Delays to the lodging of the Common Population Policy meant that it was presented too close to the end of this Government's term of office.

**FINDING 20**

The proximity of the Common Population Policy to the end of the Government's term of office means that it is unable to commit to the progression of the various actions contained within it.

**FINDING 21**

The rationale of the Common Population Policy is constrained by the lack of data that has informed it.

**FINDING 22**

The Common Population Policy draws together a list of the projects, reviews and actions.

**FINDING 23**

The rationale has not produced a coherent plan for action which meets expectations.

**FINDING 24**

The Common Population Policy provides a long-term vision of reducing net inward migration.

**FINDING 25**

The long-term goal of the Common Population Policy is to achieve net zero migration.

**FINDING 26**

There is a lack of clarity about how a reduction in reliance on net inward migration would be achieved.

**FINDING 27**

The Common Population Policy does not and cannot commit future Governments to the vision of achieving net inward migration.

**FINDING 28**

The Common Population Policy identifies the need to strike a balance between the economy, the environment and the community.

**FINDING 29**

The Common Population Policy does not identify how the balance between the economy, the environment and the community would be achieved.

**FINDING 30**

The Common Population Policy does not provide a clear direction to support business in longer term planning.

**FINDING 31**

Business representatives welcomed the focus on training and education but raised concerns about the achievability of delivering the actions set out in the Common Population Policy.

**FINDING 32**

The Common Population Policy identifies the importance of the Island's environment, however, does very little to indicate how to mitigate the population's impact upon it.

**FINDING 33**

The Common Population Policy indicates that Jersey should be welcoming to those who come to live and work here but does not suggest a Government-led strategy for doing so.

**FINDING 34**

The Common Population Policy does not address the rights of migrants and how migrant workers might be treated unfairly by employers.

**FINDING 35**

More should be done to consult young people to understand their views on future iterations of the Common Population Policy.

**RECOMMENDATION 1**

The Council of Ministers must reconsider the need for the second principle of the Common Population Policy and adjust the principles on which the Common Population Policy is based to provide the commitment needed to achieve its stated goal.

**RECOMMENDATION 2**

The Council of Ministers must revisit P.120/2020 – Migration and Population Data and seek to act on the commitments laid out and approved by the States Assembly for the production of a Common Population Policy.

**RECOMMENDATION 3**

The Council of Ministers must ensure that the commitment made for the full implementation and introduction of a new IT system to manage Control of Housing and Work applications and a new Combined Employer Return system is honoured.

**RECOMMENDATION 4**

The Council of Ministers should endeavour to bring forward planning assumptions for population and net migration targets as soon as possible in the next term of office and by no later than December 2023.

**RECOMMENDATION 5**

The future Council of Ministers must ensure that the next iteration of the Common Population Policy is not merely aspirational.

**RECOMMENDATION 6**

The Council of Ministers must take decisive action flowing from the views expressed during its own consultation to provide the next iteration of the Common Population Policy.

**RECOMMENDATION 7**

The Council of Ministers must provide clarity for the future by revisiting the principles of the Common Population Policy to make it clear how it will achieve its stated goal of reducing reliance on net inward migration.

**RECOMMENDATION 8**

The Council of Ministers must commit to including strategies within any future Common Population Policy to protect the natural environment.

**RECOMMENDATION 9**

The next Council of Ministers must provide clear actions for achieving a balance between the environment, the economy and the community.

**RECOMMENDATION 10**

The future Council of Ministers must ensure that children and young people are fully consulted when producing updated Common Population Policies.

**RECOMMENDATION 11**

The next Council of Ministers should consider ratifying the International Convention for the Protection of the Rights of Migrant Workers and their Families.

## 4. Background

On 4 November 2020, the States Assembly approved [P.120/2020 Migration and Population Data](#) (as amended) lodged by Deputy Jess Perchard. The proposition committed the Council of Ministers to bringing forward a Common Population Policy for debate by the States Assembly.

The substance of Deputy Perchard's proposition was that:

- a Common Population Policy should be delivered and debated by 31 December 2021
- that it be used to underpin the Island Plan
- that it contain sustainability data which showed the requirements of infrastructure, education, health services and the environment across ten year intervals
- that this data be incorporated in all major infrastructure projects
- that the public should be consulted for their views regarding a sustainable population size
- that net zero inward migration be considered.

The Panel will return to these commitments later in this report to examine how and whether they have been included in the Common Population Policy and whether it, therefore, meets the expectations of States Members.

On 3 March 2021 the States Assembly approved [P.137/2020 – Migration Control Policy](#) (as amended) lodged by the Council of Ministers. The proposition, based on the findings and recommendations of the [Migration Policy Development Board](#) report, approved outline changes to the Control of Housing and Work (Jersey) Law 2012 to provide more responsive controls to migrations and paved the way for amendments to be made to that law.

P.137/2020 was subject to a review by this Panel culminating in a report: [S.R.6/2021 – Migration Control Policy \(Phase 1\)](#). Five of the nine recommendations made by the Panel were accepted with a further two considered for acceptance.

In addition to the migration controls which would be used, the Chief Minister was tasked with the development of a separate but associated Common Population Policy for Jersey. The Ministerial lead for the population work programme has been Assistant Chief Minister Deputy Rowland Huelin.

The debate on P.137/2020 was followed by an in-committee debate held on 24 March 2021 at which the Assembly's views were sought on the themes that would be considered important in formulating a population policy. The analysis of that debate was presented in [R.99/2021 – States Assembly In-Committee debate 24<sup>th</sup> March 2021 Analysis](#).

In the period since the in-committee debate the Government of Jersey has also conducted a public consultation on population policy and themes.

In September 2021 the States Assembly also agreed to update the States of Jersey Law to include a requirement for the Council of Ministers to maintain a Common Population Policy and to update it annually.

Throughout the first phase review and the subsequent hearings with the Assistant Chief Minister and Officers in the lead up to the presentation of the Population Policy and of the CHWL amendments, which were lodged on 20<sup>th</sup> January 2022, fundamental concerns have been:

- the accuracy and availability of the necessary data to form a policy
- the ongoing impact on industry and all employers of both Brexit and the Covid-19 pandemic
- the rights of workers who come to live and work in Jersey
- whether the population policy can meet the commitments agreed to by the States in its adoption of P.120/2020.

The Council of Ministers lodged its Common Population Policy on 10<sup>th</sup> December 2021 with the earliest date for its debate falling on 18<sup>th</sup> January 2022. This meant that the period for review fell over the festive season, a time when access to Ministers and stakeholders for hearings would be limited. The Panel successfully requested that the date for the debate be postponed to 8<sup>th</sup> February 2022 to allow adequate time for Scrutiny to be conducted.

## Timeline

**Figure 1 – Timeline to P.116/2021 Common Population Policy**



## 5. Common Population Policy

The Common Population Policy proposition asks the States Assembly to:

- adopt the inaugural Common Population Policy for Jersey as set out in the accompanying Report; and
- request that the Council of Ministers should include its policy on population in future Government Plans from 2023 onwards.

### Fitness for purpose

One of the questions asked by Panel in its call for evidence was whether the population policy is fit for purpose.

As detailed in an earlier section of this report, the purpose of the policy, which is outlined in its introduction, is to ‘provide a vision for the future as well as providing for clear short-term actions’.

In assessing the fitness for purpose, the Panel has looked at the stated aims and how this policy develops them but also draws on the expectations of the States Assembly, those who took the time to meet with and/or make submissions to the Panel and the wider public.

The overarching aim of the Common Population Policy of the Council of Ministers is: ‘to progressively reduce Jersey’s reliance on net inward migration within the currently agreed Common Strategic Policy’.

The document states that the policy is based on two clear principles.

1. *...The government will take action to reduce the need to grow the population further through net inward migration whenever this is feasible. The long-term aim of the population policy should be to achieve a sustainable rate of population change, to ensure that current generations do not pass on a growing problem to future generations while ensuring that Jersey remains open for business.*
2. *Within the long-term aim of reducing reliance on continued inward migration, the Government will always face new challenges and there may be situations in which the long-term aim of reducing the need for net inward migration will need to be paused or even reversed in order to address specific challenges from time to time. Notwithstanding any such temporary challenges, the underlying principle and vision remains a long-term reduction in reliance on net inward migration.<sup>1</sup>*

It is the view of the Panel that the introduction of the second principle means that no future governments will ever have to be committed to make the difficult decisions needed to implement the first principle.

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<sup>1</sup> [P.116/2021 – Common Population Policy](#)

## *Commitments made by the States Assembly*

The first part of the terms of reference for the Panel's review of the Common Population Policy was to assess whether the proposal fulfilled the commitments set out in [P.120/2020](#) as amended and adopted.

The approval of P.120/2020 gave a clear direction to the Council of Ministers of what the States Assembly wanted from a population policy. For further context, P.120/2020 was adopted by 40 votes in favour with 4 members voting against it, including the ministerial lead on the population policy for the Council of Ministers, Deputy Huelin.<sup>2</sup>

Despite this majority vote and the unequivocal message that it sent to the Council of Ministers that action on population was expected during this term of office, the Common Population Policy now lodged does not answer the vast majority of Deputy Perchard's proposition. As such, it does not meet the clear expectations set by the States Assembly and, by extension, Members' constituents.

The Panel further notes that the introduction to the policy only refers to responding to the commitments made in P.120.2020 rather than including the actions requested in the proposed policy.

At the first of its Public Hearings for this review, the Assistant Chief Minister was asked about which of the paragraphs of P.120/2020 had been met by the Common Population Policy.

### ***Assistant Chief Minister:***

*There were many paragraphs in the proposition that while we would say are well thought through and very good suggestions, they are not necessarily able to deliver [sic] on. One of the ones I believe is to have population targets<sup>3</sup>.*

In addition to the commitments of P.120/2020, the Panel has also looked again at the wide-ranging views expressed by States Members when they took part in the in-committee debate held on 24<sup>th</sup> March 2021.<sup>4</sup>

On a number of occasions the Assistant Chief Minister has sought to assert that during the in-committee debate few Members voiced a view on setting population targets and the Government appears to have come to the resulting conclusion that this is not an important part of the debate for Members<sup>5</sup>. The Panel strongly disagrees and does not believe that States Members believed that their participation in the in-committee debate negated the votes they cast for P.120/2020 which clearly set out the approval for planning assumptions to be laid before the Assembly.

The Panel accepts that the views expressed during the in-committee debate – from housing to education and skills and the need to preserve the Island's environment – are represented in the Common Population Policy. It is disappointing, however, that the policy does not seek

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<sup>2</sup> [Vote for Migration and Population Data \[P.120/2020\]](#)

<sup>3</sup> [Transcript - Common Population Policy Review - Assistant Chief Minister - 06 January 2022, p.3](#)

<sup>4</sup> [R.99/2021 – States Assembly In-committee Debate 24th March 2021 Analysis](#)

<sup>5</sup> [Transcript - Common Population Policy Review - Assistant Chief Minister - 06 January 2022, p.3](#)

to draw a conclusion as a result of those discussions that advances the debate or takes an action that States Members can examine on behalf of their constituents.



#### **FINDING 1**

The second principle on which the policy is based negates the need for a future government to set meaningful targets to reduce reliance on net inward migration.



#### **FINDING 2**

The Common Population Policy does not meet the commitments made as a result of the States Assembly approval of P.120/2020 – Migration and Population Data.



#### **FINDING 3**

The Common Population Policy does not draw conclusions from of the issues raised during the in-committee debate held on 24 March 2021 and does not advance the debate on population issues.



#### **RECOMMENDATION 1**

The Council of Ministers must reconsider the need for the second principle of the Common Population Policy and adjust the principles on which the Common Population Policy is based to provide the commitment needed to achieve its stated goal.



#### **RECOMMENDATION 2**

The Council of Ministers must revisit P.120/2020 – Migration and Population Data and seek to act on the commitments laid out and approved by the States Assembly for the production of a Common Population Policy.

### *Population forecasts and data*

Foremost among the reasons stated for not fulfilling the commitments of P.120/2020, is the lack of robust data and information to make planning assumptions for population growth or accurately forecast the potential level of net inward migration required in the future.

Throughout this review, during the lead up to the lodging of P.116/2021, during this Panel's prior review of P.137/2020 – Migration Control Policy and during the in-committee debate on the development of a population policy, the lack of data has been highlighted.

As set out earlier in this report, it has been known for some time that Census 2021 data would not be available for analysis prior to lodging of a policy. It is now anticipated for delivery in March 2022. The Panel recognises that this analysis is being carried out by Statistics Jersey which works independently of the Government of Jersey.

The Panel has also learned over the last few months of 2021 that the implementation of new and combined departmental IT systems had been delayed for a number of reasons, including

feedback from businesses and around the introduction of any changes. In turn, the data that these systems will provide would not be available to inform this policy or develop planning assumptions.

All parties readily agree that this information is vital to producing forecasts and assumptions which are evidence-based. Various representations, including those from Jersey Business<sup>6</sup> and the Jersey Landlords Association, accepted the Government view that it was premature to make assumptions in the absence of this data.<sup>7</sup>

However, the Panel is of the opinion that the Government is presenting two positions on the production of forecasts and their use across government which cannot be reconciled.

On the one hand, information is not available – or robust enough – for use to inform a Common Population Policy and on the other, a number of different forecasts are being used by different departments to support policy decisions and infrastructure projects as significant as the Our Hospital Project and the Bridging Island Plan. The forecasts used on both those projects, together with the assumptions made by the Fiscal Policy Panel to inform its work, are included in the policy document.<sup>8</sup>

The proposed Bridging Island Plan identifies the need for Ministers to work together to develop consistent long-term population assumptions, highlighting:

*Understanding current and potential future population levels is of central importance to Jersey and the bridging Island Plan. The importance of population was raised frequently in the Strategic Issues and Options consultation in 2019 and is a theme of public comment whenever the Island Plan is discussed<sup>9</sup>.*

The Common Population Policy itself accepts that estimates for population are required for future planning in most Government Departments. The Panel assumes that the same is true for a number of the policy and project actions that are listed in the proposed policy.

Further, the Panel notes that among the actions for future Governments, once the data is available, is to ensure that one assumption is consistently used by all Government departments.

In specific regard to forecasting, the Common Population Policy sets out that:

*It is envisaged that by 2025 data collection and analysis will be sufficiently advanced to make a meaningful evidence-based forecast.<sup>10</sup>*

It is the Panel's view that a further four year wait for population assumptions to be made is unacceptable. Not only was it the expectation of States Members and the community that forecasts would be made by this Council of Ministers, it is a reasonable expectation that those forecasts should be made long before 2025.

In the words of one of the submissions made to the Panel:

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<sup>6</sup> [Submission - Jersey Business - 20 January 2022](#)

<sup>7</sup> [Submission - Jersey Landlords Association - 19 January 2022](#)

<sup>8</sup> [P.116/2021 Common Population Policy, p.17](#)

<sup>9</sup> [Bridging Island Plan – p.17](#)

<sup>10</sup> [P.116/2021 – Common Population Policy, p.5](#)

*It is simply untenable to argue that no new population targets can be devised for another four years. The government could for example publish a population range rather than a single target.<sup>11</sup>*

The submission made to the Panel by the National Trust also asserts that the delay is 'unacceptable' and finds 'the government's lack of focus on this issue to be remarkable.'

*By way of example, these include +800 used in the assessment of housing needs, and a range of between +800 and +1,500 used in the Arup Minerals, Waste and Water Strategy report to justify the expansion of the La Gigoulande quarry into Field MY966. There are huge impacts from using such inconsistent assumptions; in particular, there will be materially adverse effects on the environment and on infrastructure requirements if the BIP [Bridging Island Plan] is adopted using such inconsistent and possibly inflated population growth figures.<sup>12</sup>*

There are a number of ongoing pieces of work which will provide the data necessary for the production of forecasts and which are outlined as forthcoming actions in 2022, including:

- the full results of the 2021 Census
- implementation of a new IT system to manage Control of Housing and Work applications
- a new Combined Employer Return system
- linking data sets held by different Government departments
- Living Cost and Household Income Survey.is

The indication given to the Panel in its Public Hearings is that the Census data should be available in the first quarter of this year,<sup>13</sup> and that the first tranche of data from the IT systems should also be available in 2022.<sup>14</sup> The approval of P.120/2020 demonstrated the importance that the States Assembly attached to consistent and robust population planning assumptions which would underpin decision-making and provision of services.

The current Council of Ministers should have acted on this and future Governments must do so.

#### FINDING 4



A lack of data to inform a Common Population Policy has been highlighted over an extended period, both prior to and since the lodging and debate of P.137/2020 – Migration Control Policy.

#### FINDING 5



The Government is presenting two positions on the production of forecasts (that data is robust enough to support significant projects and, secondly, that sufficient data is not available for a population policy) and their use across government which cannot be reconciled.

<sup>11</sup> [Submission – Jonathan Renouf - 20 January, p8](#)

<sup>12</sup> [Submission - Jersey National Trust - 21 January 2022, p.3](#)

<sup>13</sup> [Transcript - Common Population Policy Review - Chief Minister and Assistant Chief Minister - 24 January 2022, p.14](#)

<sup>14</sup> [Transcript - Common Population Policy Review - Assistant Chief Minister - 06 January 2022, p.37](#)

**FINDING 6**

Assumptions for population growth are being used across Government for planning significant policies and projects.

**FINDING 7**

A further four year wait for population planning assumptions to be made is unacceptable.

**FINDING 8**

It is a reasonable expectation that population forecasts could and should be made before 2025 and as early as possible.

**FINDING 9**

There are a number of ongoing pieces of work which will provide the data necessary for the production of forecasts and which are outlined as forthcoming actions in 2022.

**FINDING 10**

The approval of P.120/2020 demonstrated the importance that the States Assembly attached to consistent and robust planning assumptions which would underpin decision-making and provision of services.

**RECOMMENDATION 3**

The Council of Ministers must ensure that the commitment made for the full implementation and introduction of a new IT system to manage Control of Housing and Work applications and a new Combined Employer Return system is honoured.

**RECOMMENDATION 4**

The Council of Ministers should endeavour to bring forward planning assumptions for population and net migration targets as soon as possible in the next term of office and by no later than December 2023.

### *Public expectations*

Among the submissions made to the Panel as part of its review, there are a number which express disappointment at the lack of action taken in the Common Population Policy and the timeline that it provides for future action.

In the view of the Chamber of Commerce:

*Chamber members are disappointed with this policy, the lack of decision making from the Government and it having taken “4 years to kick the can down the road” from the last proposed Migration and Population Policy published by the previous Government in 2018. The policy clearly states that ‘despite the challenges, we must act now.’ That*

*action, in the eyes of Chamber members, is to do nothing and leave it for future Governments to deal with.*<sup>15</sup>

The representation from the National Trust articulates the views of its membership as follows:

*...We do not believe that the alleged lack of data is a reason to not develop a coherent population policy. We would agree that the lack of data means that the starting point for the policy may be to a degree uncertain, but the estimate which could be obtained from the existing data would be in a range which could be reasonably defined. The policy could assume such starting point, based upon the estimated data, which could be refined once more accurate data became available. We believe that the rationale given for the failure to develop a policy is fallacious.*<sup>16</sup>

Another public submission expressed frustration with continued 'procrastination':

*Like many people, I am frustrated that the Board that produced the "policy" (I put the word in inverted commas because I don't think it's a policy, it's just a method to put off the desperate need for action).*

*What we need is action now, not 2025 and this document just does what the States Assembly is often very good at - putting off making a decision so please, can you impress on the Assembly that the time for procrastination is over, we need action.*<sup>17</sup>

Among the submissions are those that address specific areas, such as public sector training,<sup>18</sup> which the writer often feels is not addressed, or fully addressed, in the Common Population Policy. Submissions express the opinion that the Policy should do more to address areas lacking such as housing, infrastructure, the dependency ratio and the environment. Indeed, the need for action in each of these areas was raised during the Government of Jersey's own public consultation.<sup>19</sup>

The Panel has reviewed the results of the consultation. In line with its general findings on the Common Population Policy, it is disappointing that whilst the Government has made the effort to consult with the community, no conclusions for tangible action have been drawn as a result. The policy picks up the tensions that are raised but does not seek to make any decisions on how to balance them.

During the course of its review the Panel also carried out engagement with the public through social media and a call for evidence. Furthermore, to aid in communication of the Panel's review, social media polls were used to invite the submission of views and gain binary answers to brief questions:

1. Does the policy and the timeline to produce a net migration 'target' by 2025 meet your expectations for managing Jersey's future population level? - 0 Yes, 17 No
2. Does the population policy provide a way to achieve its aim of reducing Jersey's reliance on net inward migration? - 1 Yes, 8 No
3. Does the policy reflect your views on population management? - 2 Yes, 8 No

<sup>15</sup> [Submission – Jersey Chamber of Commerce – 28 January 2022](#)

<sup>16</sup> [Submission - Jersey National Trust - 21 January 2022, p.2](#)

<sup>17</sup> [Submission – Phil Wells – 11 January 2022](#)

<sup>18</sup> [Submission - A Harris - 13 January 2022](#)

<sup>19</sup> [P.116/2021, p.94](#)

While this low level of engagement means that little can be drawn from the results, the Panel would suggest that the lack of interest is something of a finding in its own right. Given that population policy has been such a significant topic for discussion for so many years it was surprising that neither this review nor the Common Population Policy prompted a significant community-wide conversation since the 10<sup>th</sup> December 2021 lodging date.

The Panel accepts that those members of the public who felt most engagement with the development of a policy may well have taken part in the Government's public consultation during its development and feel, therefore, that they have given their opinion.

However, there is also a sense, from the lack of broader engagement and from comments made in submissions, that the Policy lacks elements that the public expected to see, or a sense of urgency or action. One submission summarises:

*I welcome the publication of the Common Population Policy, and the accompanying report. It is particularly significant that the Council of Ministers have reinforced their commitment to progressively reducing the island's need for inward migration, with the aim of achieving a stable population. However, beyond this simple principle, the report lacks ambition.*

*- It fails to make any kind of historical analysis, making it impossible to judge the success or failure of current and previous population policies.*

*- It attempts a sleight of hand that cannot be allowed to stand. In arguing that it is too soon to set any population targets, it perpetuates the myth that there is no current population policy. Clearly there are immigration rules currently in place. Someone is deciding who can gain a permit. The government must spell out its current immigration policy.<sup>20</sup>*

The Assistant Chief Minister alluded to the consultation results, the difficulty of pleasing all sections of the community and the level of public expectation during the Public Hearing of 6<sup>th</sup> January.

**Assistant Chief Minister:**

*I would have loved to have sat down a year ago and been able to come up with something absolutely definitive that would keep the onlookers and observers totally happy. We have a situation, the results of the survey, which I am sure you have read through. I will paraphrase this and I make no offence to anybody who is listening to this if they think they are being pigeonholed in this. That is not my objective at all. But if you are over 50, born in Jersey and live out of St. Helier - I think to put it that way - then your goal, your response is to have zero net migration, zero inward migration. If you are under 50, or more under 40 actually, and you were not born in Jersey, you want more population because you want more business opportunities, more culture, more sport, more exciting things to do.<sup>21</sup>*

It is the view of the Panel that while it is difficult to reconcile the many views that will have been provided, the job of the Council of Ministers in producing a Common Population Policy was to do just that.

The Common Population Policy does not, in the view of the Panel, result in tangible action and does not meet the expectations of the public.

<sup>20</sup> [Submission – Common Population Policy Review – J Renouf – 20 January 2022](#)

<sup>21</sup> [Transcript - Common Population Policy Review - Assistant Chief Minister - 06 January 2022, p.6](#)

**FINDING 11**

Submissions made to the Migration and Population Review Panel expressed disappointment and frustration with the lack of action taken.

**FINDING 12**

While the Government has made the effort to consult with the community, no conclusions for tangible action have been drawn as a result.

**FINDING 13**

There has been little public interest in the Common Population Policy since it was lodged on 10<sup>th</sup> December 2021.

**FINDING 14**

The Common Population Policy does not result in tangible action.

**RECOMMENDATION 5**

The future Council of Ministers must ensure that the next iteration of the Common Population Policy is not merely aspirational.

**RECOMMENDATION 6**

The Council of Ministers must take decisive action flowing from the views expressed during its own consultation to provide the next iteration of the Common Population Policy.

### *Policy actions*

The draft Common Population Policy outlines 45 “actions for 2022”, with these related to three areas of the policy:

- Making better use of data, 13 actions
- Encouraging and enhancing productive activity within the resident population, 24 actions
- More Responsive Controls, 8 actions

The Policy outlines that because a strong focus on long-term outcomes is important, a “forward look” is included. The document therefore identifies 8 further actions that future Council of Ministers may wish to consider.

The Panel wrote to the Assistant Minister requesting clarification of the timeline in which the actions were anticipated to be completed, and to identify if any of these had been delayed.

The response confirmed that 17 of the actions were now ongoing or business as usual items, 19 were on track, and 9 had been delayed in some way.<sup>22</sup>

As seen in Fig. 2, actions concerning implementation of more responsive controls had the largest proportion of delayed projects, mainly having missed their initial expected implementation dates within 2021.

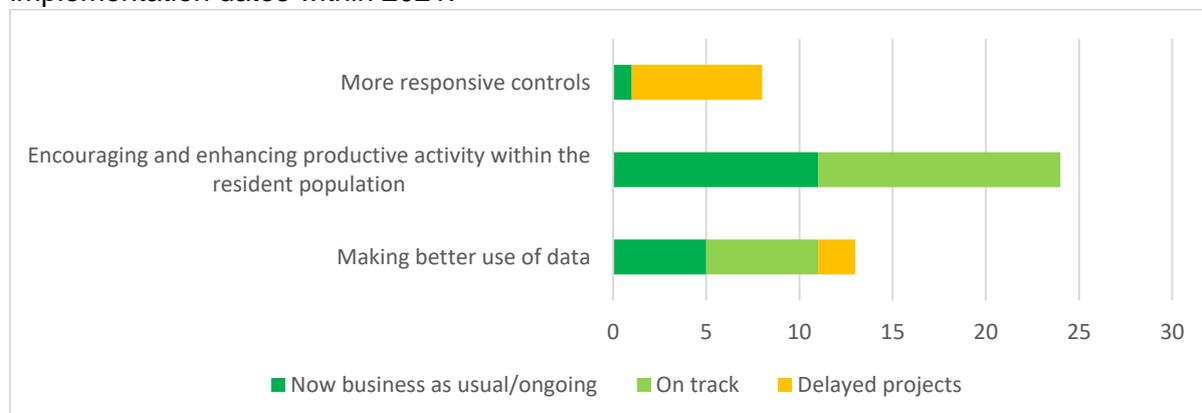


Fig. 2, status of population actions

The Panel has ascertained that although the Policy indicates 45 actions for 2022, there are seven of these that are not due to be completed during that year and 3 are anticipated to be implemented in 2025. The Panel would highlight that of the 28 actions yet to be implemented, 5 are to be in place prior to the next general election and 23 are to be carried out under future governments.

A significant proportion of the submissions that were received by the Panel indicate that more actions should have been included within the Common Population Policy, as discussed throughout this report. The potential actions outlined by stakeholders are broad and suggest that the Common Population Policy needed to identify how current background issues will be faced in a timely manner.

For example, the National Education Union (NEU), although appreciative of the acknowledgement of the importance of education, has highlighted to the Panel concerns over the ability for the proposals to address fundamental background issues which would have an impact on the proposals outlined for future action.

*We are delighted to see the vital role that education is given in the policy document, but we have real concerns over the ability for the proposals to realise the need for an increase in teachers in the island and to recognise the limited current pay and conditions for the teaching profession.*<sup>23</sup>

It is the view of the Panel that the Common Population Policy signposts the many policies and departmental projects which will need to come together if the Island is to fully address population levels and reliance on inward migration.

<sup>22</sup> [Letter - Assistant Chief Minister to Migration and Population Review Panel re Common Population Policy Actions - 20 January 2022](#)

<sup>23</sup> [Submission - National Education Union - 19 January 2021](#)

As such, if the purpose of the Common Population Policy is to be merely aspirational, it does meet the purpose, as laid out by the Assistant Chief Minister, of 'a starter for ten'.<sup>24</sup> What it does not do is provide clear action or certainty of action on the goals that it sets out.

As already stated, it is the belief of the Panel that there was a clear expectation from stakeholders, the community and the States Assembly that more actions should have been taken by the end of the term of this Government.

Further, it has concerns that – as indicated by the NEU's full submission and the evidence provided by the Children's Commissioner,<sup>25</sup> as well as others which will be explored in later sections of this report – there remain significant concerns that many issues have not addressed in this document and that could well hamper progress of the policies and projects which are listed.



#### FINDING 15

If the purpose of the Common Population Policy was to be merely aspirational then it meets the Assistant Chief Minister's aim of being 'a starter for ten'.



#### FINDING 16

The expectation of States Members, as a result of the approval of P.120/2020, was that more actions should have been taken by the end of the term of this Government.



#### FINDING 17

There are concerns that issues (such as pay and conditions for teachers) which are not addressed in this document could hamper progress against the future actions listed.

### *The timing of the Common Population Policy and commitment of future governments*

Following the in-committee debate detailed earlier in this report, the Panel maintained contact with the Assistant Chief Minister and Senior Government Officers to monitor the progress of the consultation, the development of the policy and the preparation of the amendments to the Control of Housing and Work Law.

The Panel thanks the Assistant Chief Minister and officers for their efforts to meet with the Panel over the course of 2021 and for providing responses to requests for information in a timely and efficient manner.

It became apparent to the Panel over the course of 2021 that a Common Population Policy would not be debated prior to 31 December 2021 (as set out in P120/2020).

The Assistant Chief Minister provided the following information during the Public Hearing held on 6 January.

<sup>24</sup> [Transcript - Common Population Policy Review - Assistant Chief Minister - 06 January 2022, p.4](#)

<sup>25</sup> [Transcript - Common Population Policy Review - Commissioner for Children and Young People - 24 January 2022](#) and [Submission - Children's Commissioner- 21 January 2022](#)

**Assistant Chief Minister:**

*I think it is fair to say the timescale was always particularly tight and full endeavour was made to try and meet that. I think we had a logistical challenge that Deputy Perchard required us to bring it to the Assembly by the end of the calendar year and the final sitting was the Government Plan. I think with consultation with yourself, Senator, it was suggested that that would be too much on top of the Government Plan to have that meeting at the end of the year, to bring the population policy at the end of the year. It was a logistical scenario. We made every effort to lodge it by the end of the year and debate it as soon thereafter. We tabled it initially in time to meet 18th January but at your request we accepted your request to debate it on 8th February and we lodged it I think a good 8½, 9 weeks before the debate in order to give full clearance for Scrutiny, taking the Christmas holidays into consideration.<sup>26</sup>*

The Panel accepts that it would not have been ideal to debate the policy at the same time as the Government Plan. Notwithstanding the Panel's request for enough time in which to conduct its work, it maintains that the policy should have been made available for debate earlier in this term of office.

The Panel is unable to reconcile the Assistant Chief Minister's assertion that this long-awaited policy has been 'at the centre of government thinking' with the evidence that is P.116/2021 or with the timing of its lodging. The lodging is so late in the term of office that the document would be making commitments that future governments cannot be held to.

The wording of the proposition itself is non-committal.

Further, the views expressed by some of those who have kindly made submissions to the Panel is that they too are uncertain of how or what the next Council of Ministers will choose to progress.

**FINDING 18**

The Common Population Policy should have been made available for debate earlier in this term of office.

**FINDING 19**

Delays to the lodging of the Common Population Policy meant that it was presented too close to the end of this Government's term of office.

**FINDING 20**

The proximity of the Common Population Policy to the end of the Government's term of office means that it is unable to commit to the progression of the various actions contained within it.

**Rationale**

<sup>26</sup> [Transcript - Common Population Policy Review - Assistant Chief Minister - 06 January 2022, p.3](#)

As detailed above, the view of the Migration and Population Review Panel is that the inaugural Common Population Policy, and therefore this review, needs to be seen through the lens of the lack of data that has informed it.

It is a document which commits to 'investigate issues of population, migration and immigration control, and to develop a Common Population Policy for Jersey'<sup>27</sup> rather than providing solutions for the issues.

The policy states that:

*Given the scale of the challenge there will be no easy or quick solutions, and this document does not attempt to identify all the answers to issues that have concerned politicians and residents for many years. It does however set a vision for the future as well as providing for clear short-term actions and creating a structure within which longer term aims can be holistically and systematically considered and consensus solutions identified and implemented.*<sup>28</sup>

It is clear from the document and from the evidence given at the Public Hearings that the Council of Minister's stated rationale was for a framework for future policies.

**Assistant Chief Minister:**

*I think it is if you take it as a policy, as a stake in the ground, and what I do not want to see is something that gets done, gets delivered, gets debated, thank you very much, gets stuck in a cupboard and is forgotten about. That is really important, that it is something that it is the setup that evolves. So it is the starter for 10. It is a policy. Next year will be another policy or, sorry, will be a revision of the same policy and in 4 years' time, as you note, hopefully we will have the necessary knowledge, data and understanding to be able to put numbers and dates to it. So I see it as an evolution. I see it as a work in progress. You can use the semantics. Let us say it is a great start.*<sup>29</sup>

In establishing whether this rationale had been the original intention of the Council of Ministers, the Panel sought further evidence from the Chief Minister and Assistant Chief Minister.

**The Chief Minister:**

*I am absolutely satisfied with the scope and content. I think I did not come in with a predetermined idea. I think we needed to get to a point where we know we needed a much better position on population. I think the objective in the longer term, as we said, is about getting to a sustainable and balanced level but I think what has also become clear, which probably I did not appreciate at the time, is the fact that to get to that position, the position we are in at the present with data and systems is not as good as we probably hoped. Therefore, that is why there is a significant amount of focus on getting the data and the controls in place to then be able to better manage things. So it is about getting the foundations right.*<sup>30</sup>

The Panel believes that the rationale and structure of the policy has been constrained by the apparent lack of data.

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<sup>27</sup> [P.116/2021 Common Population Policy p9](#)

<sup>28</sup> [P.116/2021 Common Population Policy p9](#)

<sup>29</sup> [Transcript - Common Population Policy Review - Assistant Chief Minister - 06 January 2022, p.4](#)

<sup>30</sup> [Transcript – Common Population Policy Review – Chief Minister and Assistant Chief Minister – 24 January 2022, p.5](#)

It further appears to the Panel that part of the rationale for the document appears to be a way of laying out the many different strands of work which feed into producing a population policy. Although bringing all of these reviews, policies and projects into one document may be a new presentation of the information, the Panel does not believe that this rationale has produced a coherent plan for action which meets expectations.

**FINDING 21**

The rationale of the Common Population Policy is constrained by the lack of data that has informed it.

**FINDING 22**

The Common Population Policy draws together a list of the projects, reviews and actions.

**FINDING 23**

The rationale has not produced a coherent plan for action which meets expectations.

### *Long term and over-arching aim*

The stated over-arching aim of the Common Population Policy is:

‘to progressively reduce Jersey’s reliance on net inward migration within the currently agreed Common Strategic Policy.’

The policy goes on to outline the principles on which this is based. As outlined earlier, the first is that the Government will take action to reduce the need to grow the population further through net inward migration whenever feasible. The second is that while reduction of net inward migration is the underlying principle, it may need to be paused or reversed by future Governments in order to face challenges at any given time.

Further, it is the stated aim of the policy to ‘set broad principles ... for achieving a stable and sustainable population for future generations’.

During its first Public Hearing with the Assistant Chief Minister, the Panel heard from Deputy Huelin what his interpretation of a stable population was.

**The Assistant Chief Minister:**

*I have had that in the back of mind that somewhere we must have our thinking to have net zero. We must have that stability. Now, having that as a vision today with dates on it is wholly irresponsible, we cannot get there, but our policies must be thinking about as a way forward, as a long-term utopian goal, I would say, but we must have that*

*thinking in the back of the mind. That is my thinking.*<sup>31</sup>

At the final hearing with the Chief Minister, the Panel asked whether reaching a stable population position in the future meant achieving net zero migration.

**The Chief Minister:**

*I think in the longer term, yes, but that is a long-term goal. I was thinking about it the other day. I think the analogy I would use is if I am sailing out of St. Helier harbour to go to St. Aubin, my long-term goal is to get to St. Aubin Harbour but my course will change according to what the wind does and how the wind shifts. So your objective is always to get to that point but I am sure there will be challenges, there will be reasons to have temporary course changes, whatever, as you go across that route.*<sup>32</sup>

It is the Panel's view that while setting out that this is the vision of this Council of Ministers, there is nothing in this document to advance that goal as a commitment. As such, the community is left with the message that there is a goal but a lack of certainty as to how or when this will be reached.

There is a lack of clarity about how a reduction in reliance on net inward migration would work in practice and what practical steps Government would take – and would expect businesses and wider public to take – to achieve this.

One of the opinions voiced to the Panel was that while this lack of commitment, coupled with the lack of immediate change to Control of Housing and Work Law, means that businesses won't face additional challenges now, it also means that longer term planning is difficult without any certainty on policy implementation.

The example given to the Panel was that, without a firm commitment one way or another to reducing net migration, it did not give businesses the certainty needed to plan and to know that 'spending time and money on the development of their people will be a worthwhile investment in the longer term'. In the longer term, it was also suggested to the Panel that a policy to decrease migration levels would be likely to reduce a business' ability to expand and would also have an impact on wage inflation in the Island.<sup>33</sup>

Although the Common Population Policy provides an aspiration for future Governments it does not provide the direction needed to achieve it. The expectations of the States Assembly and the public have already been explored in this report, however, the Panel would also emphasise here that there was a basic expectation that the policy would provide greater direction in achieving its goal and, therefore, more certainty for the community.



**FINDING 24**

The Common Population Policy provides a long-term vision of reducing net inward migration.

<sup>31</sup> [Transcript - Common Population Policy Review - Assistant Chief Minister - 06 January 2022, p.8](#)

<sup>32</sup> [Transcript - Common Population Policy Review - Chief Minister and Assistant Chief Minister - 24 January 2022, p.10](#)

<sup>33</sup> [Submission - Common Population Policy Review - Jersey Chamber of Commerce - 28 January 2021](#)

**FINDING 25**

The long-term goal of the Common Population Policy is to achieve net zero migration.

**FINDING 26**

There is a lack of clarity about how a reduction in reliance on net inward migration would be achieved.

**FINDING 27**

The Common Population Policy does not and cannot commit future Governments to the vision of achieving net inward migration.

**RECOMMENDATION 7**

The Council of Ministers must provide clarity for the future by revisiting the principles of the Common Population Policy to make it clear how it will achieve its stated goal of reducing reliance on net inward migration.

### *The economy, environment and community*

Both the Common Population Policy and the evidence given during the first of the two Ministerial Public Hearings, by the Assistant Chief Minister, stress a need to balance the economy, the environment and the community. In each instance, information is provided about the issues which need to be addressed rather than taking an opportunity to establish how that uneasy balance can be struck.

Therefore, the Panel has sought to take each aspect in turn, to explore some of the views given to the Panel as part of the review and to see if there is any indication in the policy of a balance being struck in establishing a sustainable and stable population.

During the Public Hearings, the Assistant Chief Minister referred to a Venn diagram which aimed to show that a balance was needed between these three elements. It was also made clear at those hearings that this was not the document which would strike that balance but the one that raised the issues that would need to be discussed in order to do so.<sup>34</sup>

**FINDING 28**

The Common Population Policy identifies the need to strike a balance between the economy, the environment and the community.

**FINDING 29**

The Common Population Policy does not identify how the balance between the economy, the environment and the community would be achieved.

<sup>34</sup> [Transcript – Common Population Policy – Assistant Chief Minister – 6 January 2022 – p35](#)

## Economy

The short- and medium-term needs most often expressed to the Panel were those of the business community.

In the first instance, as alluded to in the executive summary above, there was a general consensus that it was difficult to provide a comprehensive view on a policy which did not set out a clear direction.

However, the business representatives who took the time to speak to the Panel were able to talk about the struggles associated with the dual impact of the Covid-19 pandemic and Brexit on the labour market.

These have been well-publicised over the last two years and the representations made as part of this review bear out the difficulties that businesses are still having and which currently centre on not having the workforce to fill the jobs which are currently available. The Panel was also told that there were currently more job vacancies on the Island than there were people actively seeking work.<sup>35</sup>

At meetings with Jersey Chamber of Commerce,<sup>36</sup> the Jersey Hospitality Association<sup>37</sup> and the Jersey Farmers Union,<sup>38</sup> the Panel was appraised of the increased difficulty in recruiting staff from Europe and the efforts that both industries were making to recruit from other parts of the world, including the Philippines. While the representations partially covered industry concerns about work permits and how these would affect future recruitment, there are concerns which are fundamental to the stated aim of reducing reliance on net inward migration.

They also point, once again, to the need for data to inform a population policy.

An additional view expressed to the Panel is that although, as outlined above, no commitment is made in the short term to reduce inward migration its inclusion as the goal of the policy does send out a message which is potentially unhelpful at a time when many sectors are struggling to recruit staff.

### **Chief Executive, Jersey Hospitality Association:**

*I think the main views from the members is around the permits and being able to recruit people. The problems that hospitality is having ... and it says in the policy that the main aim of the policy is to reduce inward immigration, however when nobody on the Island wants to work in hospitality how are we filling up the vacancies, how are we running our hotels, how are we running the restaurants, when no one locally wants to work in the hospitality industry. It is very hard when the first sentence of a policy is: "We want to reduce the inward immigration" when our industry relies on the immigrant because no one else wants to work in that industry.<sup>39</sup>*

The Jersey Chamber of Commerce submission also makes a plea for certainty and clear messaging on the reduction of net inward migration.

<sup>35</sup> [Submission – Common Population Policy – Jersey Chamber of Commerce – 28 January 2022](#)

<sup>36</sup> [Submission - Common Population Policy Review - Jersey Chamber of Commerce - 28 January 2022](#)

<sup>37</sup> [Transcript - Common Population Policy Review - Jersey Hospitality Association - 21 January 2022](#)

<sup>38</sup> [Transcript - Common Population Policy Review - Jersey Farmers Union - 21 January 2022](#)

<sup>39</sup> [Transcript - Common Population Policy Review - Jersey Hospitality Association - 21 January 2022, p.3](#)

*The over-arching ambition within the proposal to not be reliant on inward migration must have greater clarity on what that means for the major drivers of our economy. The danger of this policy being unclear and indecisive is that it has the potential to encourage businesses to look to jurisdictions where they can find employees to do business and that will be a disaster for Jersey.<sup>40</sup>*

There was a recognition from the business organisations that they would have a role to play alongside Government to find better ways to promote different work opportunities available to encourage young people to remain in Jersey or return to pursue a career in the Island.

**Chief Executive, Jersey Hospitality Association:**

*I wish there was potentially a bit more in there about it, skills and training is top of my agenda at the J.H.A. to help. In terms of support, I believe that we could get some support if I am training the local people but if I am training anybody who is only on the short term, nobody is helping us to do that. So in a bigger picture I would love to see working hotels, we are talking about a university within the policy, why could we not have that absolutely fantastic working hotel like in Lausanne and attracting high end students to come to the Island, bring their parents over, it is generating a new tourism industry, it is generating new people being attracted to this industry which is such a fantastic industry to be in. If people see other people coming on the Island to do that, would it not be a great incentive for our young talent to be encouraged and inspired to do that?<sup>41</sup>*

In general terms, business representatives who met with the Panel welcomed the focus on training and education which would provide skills for the jobs which the Island would be offering in future. However, as expressed elsewhere concerns were raised about how achievable the training goals were and whether fundamental issues would also be addressed.



**FINDING 30**

The Common Population Policy does not provide a clear direction to support business in longer term planning.



**FINDING 31**

Business representatives welcomed the focus on training and education but raised concerns about the achievability of delivering the actions set out in the Common Population Policy.

## Environment

The impact of the number of people living in Jersey on the environment has been identified as a key consideration for the Common Population Policy.

The Chief Minister spoke about the balance to be established during the Public Hearing held on 24<sup>th</sup> January.

**The Chief Minister:**

<sup>40</sup> [Submission – Common Population Policy Review – Jersey Chamber of Commerce – 28 January 2022](#)

<sup>41</sup> [Transcript - Common Population Policy Review - Jersey Hospitality Association - 21 January 2022, p.7](#)

*I think the point there is it is what comes out of the policy that will then focus on the environment side. As we have said, I think we have been as clear as we can be, certainly in hearings and I believe in the policy as well, that we know it is that very careful balance between community, economy and environment. It has to be those 3 because if you ignore the environment then the joy of living on Jersey, in somewhere that is vibrant, that has green space and has nature around it and in it, would be lost and that would be a tragedy.*<sup>42</sup>

During the course of its review the Panel received representations about the importance of maintaining the Island's environment. The submission made by Mind Jersey, while acknowledging the difficulties in balancing the various needs of the community, references strong links between green spaces and people's mental health and wellbeing.

*In delivering a population policy there are always going to be trade-offs but it's also important to highlight that it isn't just about the amount of green space it is also about the quality and accessibility to all sections of our island community. We at Mind Jersey are hopeful that a more systemic and enlightened population control policy will take account of our evolving understanding of nature's broad health benefits. We appreciate that realising the vision will not be easy but our ongoing pandemic experience, is a wakeup call to apply lessons learned from our population about what it was that helped people to keep on keeping on and what didn't.*<sup>43</sup>

Participants in the consultation undertaken by the Government of Jersey also recognised the Island's unique natural environment, with there being general agreement that this should be preserved for future generations.<sup>44</sup>

In addition to the representation made by Mind Jersey,<sup>45</sup> the Panel received a public submission which gave the view that the proposed policy did not offer enough on the environment.

During the second of its Public Hearing's the Panel sought clarity from the Chief Minister about the importance of the environment, how it was intended that the balance be struck with the needs of the economy. In doing so the Panel asked why there was little reference to environmental policy in the population policy.

The clearest indication of the Government's strategy was provided in the answers below provided at the Public Hearing held on 24<sup>th</sup> January 2022.

***Head of Policy, Strategic Policy, Planning and Performance:***

*I think to a certain extent there is very little we can do in terms of positively doing things with the environment to address the population policy. The things that we have to do are we have to address the way the economy works and the way the community works in order to protect the environment. To a certain extent, it is right that you do not see many environmental policies in the population policy because the population policy is about finding other things to do which will reduce the number of people that need to come to live here, making best use of those people that are here, getting our housing solutions correct, and all those things together will help us to protect the environment. If we do not do the economy actions, we do not do the skills actions, we do not do the housing actions, we will inevitably have a detrimental impact on our environment. If we*

<sup>42</sup> [Transcript - Common Population Policy Review - Chief Minister and Assistant Chief Minister - 24 January 2022, p.17](#)

<sup>43</sup> [Submission - Common Population Policy Review - Mind Jersey - 22 January 2022](#)

<sup>44</sup> [P.116/2021, P.45](#)

<sup>45</sup> [Submission - Common Population Policy Review - Mind Jersey - 22 January 2022](#)

*do those actions, we can help to preserve the environment. We will have a better working economy, which will give us the public funding to support the environment, and we will have less pressure on the environment in terms of taking up land for housing. It should be noted, though, that people worry about building on green fields. The total amount of land devoted to housing in Jersey as a whole is really quite small and the Island Plan identifies some suitable sites for new housing developments. These are not going to have impacts on our precious natural environment. These are going to be developments which are close to existing built-up areas and have good services. We are doing everything we can, the Government as a whole is doing everything it can, to protect the environment, but most of those things it is doing through supporting other policies to work better.*

Notwithstanding the reasons outlined by the Head of Policy, Strategic Policy, Planning and Performance, the Panel's view is that that the Common Population Policy lacks a clear direction on the level of protection that will be offered to the environment.

As such it fails to demonstrate how it will be balanced with other and potentially conflicting needs.

The Panel acknowledges that the Government will be producing environmentally targeted policies separately, however, as has been the case with other aspects of the Common Population Policy it would have expected greater detail on how the balance will be struck and specific action for protecting Jersey's environment.



### FINDING 32

The Common Population Policy identifies the importance of the Island's environment, however, does very little to indicate how to mitigate the population's impact upon it.



### RECOMMENDATION 8

The Council of Ministers must commit to including strategies within any future Common Population Policy to protect the natural environment.

## Community

The Assistant Chief Minister has made it clear to the Panel that in his view this is a policy that does not just belong to the Government but is something that everyone in the community can make a contribution to.

### **Assistant Chief Minister:**

*Do not forget, as I said before, what is really important is it is our population policy. If we as a Government just chuck out a population policy that does not engage and bring the Island together to play their part in the population policy, it is unlikely to be successful. I do not know what words I used last time but it was pretty similar to that. So that constant drive to engage and realise it is our policy, and ensure that people see the red flags that are coming down swinging and make sure that red flags downstream, when addressed early, become positive opportunities for the future. Red*

*flags that are ignored become potential crises. Those are the actions that are going forward in the near term.*<sup>46</sup>

Among the aspects of the Common Population Policy that the Government is seeking clear engagement with, is the need for lifelong learning and adaption to changes in workplace technology. The Policy outlines, for instance, that by undertaking lifelong learning to learn new workplace skills as one of the methods to reducing reliance on net inward migration.

It has been indicated earlier in this report that there is a welcome emphasis on education and skills in this report. However, as also stated above there are many issues which remain without sufficient detail to back this up or are the subject of future choices and policies.

It was suggested to the Panel during the Public Hearings that working longer, learning new skills and, potentially, a raise in the retirement age would all be conversations that would need to be had between future governments and the electorate.

***Head of Policy, Strategic Policy, Planning and Performance:***

*It [a raise in retirement age] is one of the things that we asked in the public consultation. We did not get a significantly positive response from members of the public when asked rather straightforward just out of the blue kind: would you work longer? However, this is absolutely what this conversation is about. This is for the future for the next Council of Ministers to consider for people to have a public discussion about it. If we all worked a few years longer we could reduce the number of people who need to come to our Island. Is that one of the balances? The Minister uses the diagram of balancing everything together. Is that one of the balances we are prepared to make? That may well be something that people will be quite happy to do if it reduces the need for extra people coming into the Island. We talked again before about people, businesses and Government all playing their parts. That is the part that people can play by choosing to work longer, choosing to remain active, even if they are not working in a waged job, to work voluntarily in the community. All these things help us reduce the number of extra people we need to bring in. The concept of a pension age increase is absolutely one to be discussed.*<sup>47</sup>

As is clear from the submissions made by business representatives (and explored above) there is a tension between the desire to encourage workers to come to Jersey and a goal to reduce net inward migration. A further aspect to this tension is the perception, as expressed by 18- to 30-year-olds who took part in the Government consultation, that Jersey needs to do more to welcome those who come and live and work here.<sup>48</sup>

On this point, during the Public Hearing held on 24<sup>th</sup> January, the Children's Commissioner gave evidence based on the findings of her office's Life on the Rock project<sup>49</sup>.

***Commissioner for Children and Young People:***

*If you read Life on the Rock you will read, I think it is Charlotte's story - I do not have one to hand to check - but this young lady was somebody who had moved to the Island*

<sup>46</sup> [Transcript – Common Population Policy Review – Chief Minister and Assistant Chief Minister – 24 January 2022, p.13](#)

<sup>47</sup> [Transcript – Common Population Policy Review – 6 January 2022, p.35](#)

<sup>48</sup> [P.116/2021, p.36](#)

<sup>49</sup> [Life on the Rock](#)

*because her parents came here to work. She talks about the difficulties in terms of finding stable housing, having to move regularly, finding it difficult to be accepted at school and finding it difficult to be accepted by peers across the Island as a whole. Everybody's situation is different but certainly Life on the Rock, I can think of 2 of the participants are young people who have moved to the Island more recently and have found it difficult to ... they have not found the Island to be inclusive, shall I say?<sup>50</sup>*

In keeping with other submissions from both businesses and rights organisations, access to accommodation and healthcare are also identified as priority issues.

While a vital aspect of this welcome is cultural, it is also clear from the submissions made that an adherence to international standards and treaties is also vital in building a community based on equality. The submission received from the Children's Commissioner states:

*To get the best and most committed migrants, it is vital to respect, promote and protect the private and family lives of those migrants. It should not merely be a matter of getting the most hard-working migrants into Jersey. Jersey should set a good example and ensure that the migrants it attracts also have the option to have their partners and/or children live with them in the Island. Conventions such as Article 8 ECHR and various Articles of the UNCRC require that to be so.<sup>51</sup>*

The Commissioner expanded on this point during a Public Hearing with the Panel held on 21<sup>st</sup> January 2022.

*What we are saying is, the common population policy and migration policy, as proposed, they are acceptable but what they must do is conform with those human rights principles. That takes us back to the statement at the beginning. Is Jersey looking to be compliant with human rights instruments or do we want to embrace human rights and go further and make sure that we become that inclusive, vibrant country that migrants want to come to and they want to feel part of the community and they want to contribute? I would say, at the moment, my observations are that some of the policies proposed are discriminatory, particularly the ones that do not allow family members to come with those migrants.<sup>52</sup>*

The Commissioner also highlighted that more should be done to include young people from Jersey's community when producing policies such as these, highlighting that her office would be willing to provide guidance on how to achieve this.<sup>53</sup>

The view has also been expressed to the Panel, both by Liberate and by the Jersey Chamber of Commerce that the Common Population Policy is actually silent on the rights of individuals.

*Despite diversity and inclusion being repeated within the focus groups' research a number of times, particularly as being a factor that would help young people stay in Jersey, nothing in the Common Population Policy addresses how immigrant workers may be unfairly treated by employers and what should be done to improve matters.<sup>54</sup>*

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<sup>50</sup> [Transcript – Common Population Policy Review – Commissioner for Children and Young People – 24 January 2022, p.6](#)

<sup>51</sup> [Submission – Children's Commissioner for Jersey – 21 January 2022](#)

<sup>52</sup> [Transcript – Common Population Policy Review – 24 January 2022, p.8](#)

<sup>53</sup> [Transcript - Common Population Policy Review - Commissioner for Children and Young People - 24 January 2022, p.15](#)

<sup>54</sup> [Submission – Liberate – 17 January 2022](#)

The Panel was also provided with the following representation from the Jersey Community Relations Trust.

*Evidence-based policy is key to show that the concerns raised within the focus group research is being considered. The policy must put at its heart the development of our community – one that is inclusive and fair to all in the community. A policy that fails to do so, and one lacking in robust data, will inevitably fail to be inclusive or fair.<sup>55</sup>*

Finally, the Panel's belief, following evidence provided during this review and its review of P.137/2021 – Migration Control Policy, is that Jersey should aim to ratify the International Convention for the protection of the Rights of Migrant Workers and their Families. In the view of the Panel this would help to ensure that the rights of those who choose to come and work in Jersey are at the forefront of the minds of future policy-makers.<sup>56</sup>

The Panel is aware that the community elements outlined here are only some of those which it could have raised, however, it has concentrated in part on those concerns raised in submissions.

In addition, it felt it was important to summarise once again that there are crucial areas which are not covered in this policy, including the rights of workers, and that once again, the policy lacks direction on how the balance, which the Assistant Chief Minister has said must be achieved, will be struck.

### FINDING 33



The Common Population Policy indicates that Jersey should be welcoming to those who come to live and work here but does not suggest a Government-led strategy for doing so.

### FINDING 34



The Common Population Policy does not address the rights of migrants and how migrant workers might be treated unfairly by employers.

### FINDING 35



More should be done to consult young people to understand their views on future iterations of the Common Population Policy.

### RECOMMENDATION 9



The next Council of Ministers must provide clear actions for achieving a balance between the environment, the economy and the community.

<sup>55</sup> [Submission – Jersey Community Relations Trust – 21 January 2022](#)

<sup>56</sup> [Transcript – Migration Control Policy Review – 4<sup>th</sup> February 2021 – p3](#)

**RECOMMENDATION 10**

The future Council of Ministers must ensure that children and young people are fully consulted when producing updated Common Population Policies.

**RECOMMENDATION 11**

The next Council of Ministers should consider ratifying the International Convention for the Protection of the Rights of Migrant Workers and their Families.

## 6. Conclusion

To conclude, the Panel acknowledges that the Government's position is that the Common Population Policy presented is a 'starter for ten' – a first phase of a policy to be revised by future Council of Ministers. Further it accepts that it is useful that Government has drawn into one document the many and varied projects which will need to be implemented to help Jersey face the challenge of achieving a sustainable population level.

However, the Panel does not believe that the expectation of the public or the States Assembly was for a framework document which does not provide any advance on the current situation.

In line with many of those who have taken their time to make submissions to this review the Panel are disappointed and frustrated that after four years – which began with a commitment from this Council of Ministers that population management was a top priority – there is little in the way of tangible action or a solution offered in this policy.

This is not a Common Population Policy. It is a synopsis of the challenges and offers a continuation of the current situation in lieu of a policy.

## 7. Appendix

### Migration and Population Review Panel

[Senator S.W Pallett - Chair](#)



[Deputy S.M Ahier, St Heiler](#)



[Deputy G.J Truscott, St Brelade](#)



## Terms of Reference

### Migration and Population Review Panel Common Population Policy (P.116/2021)

#### Terms of Reference

The Common Population Policy review by the Panel will provide an assessment of P.116/2021 – Common Population Policy.

The Panel will:

1. Examine whether the Common Population Policy fulfils the commitments set out in P.120/2020.
2. Evaluate the rationale used to develop the Common Population Policy.
3. Assess the analysis of the public consultation and its representation in the proposed policy.
4. Evaluate the proposed policy's fitness for purpose.

## Evidence Considered

### Hearings

The panel held six hearings as part of its review:

- 6<sup>th</sup> January 2022
  - Deputy R.E Huelin of St Peter - Assistant Chief Minister
- 21<sup>st</sup> January 2022
  - Jim Hopley, Honorary Chair Jersey Disability Partnership (held in public)
  - Peter Le Maistre, President, Jersey Farmer's Union
  - Jane Rueb, Secretary, Jersey Farmer's Union
  - Claire Boscq, Chief Executive Officer, Jersey Hospitality Association (held in public)
- 24<sup>th</sup> January 2022
  - Senator J.A.N Le Fondré - The Chief Minister and Deputy R.E Huelin of St Peter - Assistant Chief Minister (held in public)
  - Deborah McMillan, Children and Young People's Commissioner in Jersey (held in public)

### Written Submissions

The Panel requested evidence from 65 stakeholders and responses were received from the following:

- Chair, Jersey Homes Trust
- Children and Young People's Commissioner in Jersey
- Friends of the Earth, Jersey

- Jersey Advisory & Conciliation Service (JACS)
- Jersey Business
- Jersey Community Relations Trust
- Jersey Electricity Company (JEC)
- Jersey Finance (Private submission)
- Jersey Landlords Association
- Jersey National Park
- Jersey National Trust
- Liberate
- Mind Jersey
- National Association of Schoolmasters Union of Women Teachers (NASUWT)
- National Education Union

The Panel also published a general [Call for Evidence](#), with 6 submissions being received from members of the public.

To aid in communication of the Panel's review, social media polls were used to invite further submission of views and gain binary answers to brief questions:

4. Does the policy and the timeline to produce a net migration 'target' by 2025 meet your expectations for managing Jersey's future population level? - 0 Yes, 17 No
5. Does the population policy provide a way to achieve its aim of reducing Jersey's reliance on net inward migration? - 1 Yes, 8 No
6. Does the policy reflect your views on population management? - 2 Yes, 8 No

To view all the submissions, responses to written questions and public hearing transcripts, please visit the Panel's review [page](#) on the States Assembly website.

## Cost of Review

Public Hearings - £989

Social media advertising - £12.89

**Total = £1,001.89**



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