4.7 Deputy B.B. de S.V.M. Porée of St. Helier South of the Minister for Justice and Home Affairs regarding suitable accommodation for migrant workers. (OQ.103/2026)

Will the Minister provide an update on what changes have been put in place since the fatal incident of a migrant worker in 2025 to make sure employers provide suitable accommodation for migrant workers in line with the conditions of their work permits; and if no such changes have been made, will she explain why not?

Senator H.M. Miles (The Minister for Justice and Home Affairs):

Following the tragic death of Mr. George Castrudes in 2025, the Government has carefully considered the findings of the coroner and the subsequent recommendations arising from the inquest. The work permit policy already places clear responsibilities on employers to give due consideration to the welfare of their employees, both inside and outside the workplace, and expressly states that employers are expected to take reasonable steps to ensure that workers are accommodated to a standard that supports their health and well-being.

[10:30]

It also requires employers to ensure that accommodation-related deductions are reasonable, proportionate and compliant with Jersey employment legislation. Since the inquest, Jersey Customs and Immigration Service has worked closely with agricultural employers, the Jersey Farmers Union and the Housing and Nuisance Team from Infrastructure and Environment, who hold the responsibility for the licensing and regulations of rented dwellings. Information regarding accommodation was shared with the Housing and Nuisance team who have inspected 295 units of agricultural accommodation in order to ensure that they are fit for habitation for everyone, not just migrants. The Housing and Nuisance team have indicated that work is ongoing to resolve any hazards found within those units and further monitoring will be undertaken in the future. While the regulation inspection of residual accommodation does not fall within the remit of Jersey Customs and Immigration Service, information is of course shared with the relevant parties where concerns arise so that appropriate regulatory action can be considered. I would like to emphasise that J.C.I.S. (Jersey Customs and Immigration Service) will continue to take all measures available to safeguard the welfare and safety of migrant workers in Jersey. Where concerns regarding accommodation conditions are identified, these are actively pursued with the relevant authorities, and appropriate interventions will be made to protect affected workers. Therefore, while the core obligations on employers to provide suitable accommodation were already in place before this tragic incident, work has continued across Government to strengthen both the collaboration, oversight and enforcement arrangements to help ensure that migrant workers are housed safely and appropriately.

4.7.1 Deputy B.B. de S.V.M. Porée:

Can the Minister tell the Assembly precisely who carries out those checks, how frequently they take place, and what actions are taken where accommodation is found not to meet the required standards?

Senator H.M. Miles:

As I said in my answer, the responsibility for those inspection checks falls to the Housing and Nuisance team from the Infrastructure and Environment Department. So any questions regarding frequency and detail of those would need to be addressed to the relevant Minister.

4.7.2 Deputy L.V. Feltham of St. Helier Central:

The Minister for Planning and Regulation asked a Written Question, which I received yesterday. Was the Minister for Justice and Home Affairs as shocked as I was to find that the majority of agricultural accommodation that has been checked has one or 2 hazards? It seems that there are very many of these accommodation that are very hazardous as we reach winter.

Senator H.M. Miles:

I must confess, I have not read the response to the Written Question. I will consider it with interest and I will discuss with people at the department.

4.7.3 Deputy L.V. Feltham:

Can I ask the Minister, before a work permit is issued or renewed, what evidence is required that the accommodation offered meets the applicable safety standards?

Senator H.M. Miles:

The Jersey Customs and Immigration Service rely upon the declaration made by the employer. Currently, due to resources, we do not have the ability to do any compliance or dip sampling on those applications.

4.7.4 Deputy M. Tadier of St. Brelade:

Does the Minister believe that there is any tension within Government given the fact that, for example, we have the Minister for Economic Development who is part of a political movement, who has been elected to deregulate, to also pay lower wages to the already lowest paid in Jersey, and that movement is now chaired by an individual whose business is based on bringing in migrant workers to Jersey? Does she think that there is an even more urgent need from Government to show leadership in this area, one of which could be to bring forward modern day slavery legislation and to ensure that these kind of things are no longer brushed under the carpet where they might have been in the past?

Senator H.M. Miles:

The work permit policy is written for everybody, and everybody needs to follow it. In regard to modern slavery legislation, as has been noted, I am considering the introduction of offences that will deal with modern slavery as part of my term. In relation as to a particular party, I do not think it is particularly relevant in these circumstances. We have a work permit policy that we adhere to rigidly.

4.7.5 Deputy M. Tadier:

To go back to the initial answer, I think one of the questions that Deputy Porée was focusing on is whether there is going to be any change in outlook or policy or implementation from the Department? Can the Minister explain? It sounded very much like it is business as usual, we are just going to do more checks, but is there going to be any fundamental change in the policy?

Senator H.M. Miles:

It absolutely is not business as usual. Members will know that we have launched a work permit review, which is being undertaken by the Jersey Community Relations Trust. That is due to report finally in June 2027. I think I am due to have some sort of formal briefing about some of the interim findings, but that is an independent review, so I trust that organisation to look in great detail across every aspect where concern has been raised with the work permit policy.

4.7.6 Deputy L.M.C. Doublet of St. Saviour:

The Minister mentioned just then in her answer that she was planning or considering legislation dealing with modern slavery. Does she have any rough timeline around this, when that would be completed by, and what kind of resources would be necessary?

Senator H.M. Miles:

In regard to modern slavery, my policy team are looking at that at the moment. There is a permissive extent clause in the Modern Slavery Act 2015 in the U.K., and it might be possible that we would extend … we could only actually extend one part of that. What I want to achieve is to understand where there are gaps in our legislation, particularly around penalties for modern slavery-type offences. I am optimistic that that work will be carried out by probably quarter 3 of 2027.

4.7.7 Deputy L.M.C. Doublet:

Is that in time to put any necessary bids into the next Budget?

Senator H.M. Miles:

It certainly would be, but at this stage, I cannot be sure that we will require any extra resources to implement the offences that might be created.

4.7.8 Deputy B.B. de S.V.M. Porée:

What evidence does the Minister currently hold that may allow her to be satisfied that every employer receiving the work permit is complying with the accommodation conditions rather than simply declaring that they will comply with it?

Senator H.M. Miles:

Sadly, I cannot give the Deputy that confidence. As I have said, due to resource issues, Jersey Customs and Immigration do not have any capacity to do compliance work, and it is only at the point that that compliance work can be done that I could have total confidence that every person that comes to Jersey is in accommodation that sustains their well-being.