Parliament of New South Wales

Modern Slavery Committee

# Modern slavery risks faced by temporary migrant workers in rural and regional New South Wales

August 2026

Report 4

Modern Slavery Committee

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Modern slavery risks faced by temporary migrant workers in rural and regional New South Wales

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Chair: Dr Joe McGirr MP

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# Terms of reference

1. That the Modern Slavery Committee inquire into and report on modern slavery risks faced by temporary migrant workers in rural and regional New South Wales, and in particular:

    a) lived experience of temporary migrant workers in rural and regional New South Wales working in agriculture, horticulture, meat processing and other sectors reliant on temporary migrant labour

    b) incidence, causes and extent of forced labour, deceptive recruiting, gender-based violence, sexual servitude and labour trafficking

    c) violations relating to wages, allowances, superannuation, leave entitlements, workers compensation, piecework payments, such as underpayment, excessive deductions and debt bondage arrangements

    d) structural factors that make temporary migrant workers vulnerable to exploitation

    e) worker conditions and labour practices of direct employers and labour hire companies, including the adequacy of regulations governing both

    f) confiscation of passports and other personal identification

    g) adequacy of monitoring, compliance and enforcement of workplace laws, including health and safety laws

    h) support and resources needed by local communities, NSW Government frontline agencies and non-government service providers to support at-risk and vulnerable temporary migrant workers, including education, training and cultural capability needs

    i) the impact of visa settings and conditions of employment on temporary migrant workers in rural and regional New South Wales

    j) adequacy of interjurisdictional/cross-government cooperation and data sharing in the provision of accommodation, medical care and other essential services to temporary migrant workers

    k) potential protections for temporary migrant workers through State based interventions

    l) any other related matters.

    The terms of reference were self-referred by the committee on 10 October 2024.[1]

[1] *Minutes*, NSW Legislative Council, 15 October 2024, p 1613.

# Committee details

## Committee members

| | | |
|---|---|---|
| **Dr Joe McGirr MP** | Independent | *Chair* |
| **Ms Jenny Leong MP** | The Greens | *Deputy Chair* |
| **Mrs Tina Ayyad MP** | Liberal Party | |
| **Hon Robert Borsak MLC** | Shooters, Fishers and Farmers Party | |
| **Hon Greg Donnelly MLC** | Australian Labor Party | |
| **Hon Dr Sarah Kaine MLC** | Australian Labor Party | |
| **Hon Aileen MacDonald MLC** | Liberal Party | |
| **Ms Lynda Voltz MP** | Australian Labor Party | |

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Emily Whittingstall, Principal Council Officer
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Reeti Pandharipande, Administration Officer
Shaza Barbar, Director

# Chair's foreword

Everyone who lives and works in Australia deserves to be treated with dignity and afforded safety at work, no matter their visa status. Sadly, the evidence before this inquiry has shown that in some cases, visiting workers have been subjected to exploitation and in some cases, abuse.

The inquiry into modern slavery risks faced by temporary migrant workers in rural and regional New South Wales was prompted by the NSW Anti-slavery Commissioner's report entitled '*Be Our Guests: Addressing urgent modern slavery risks for temporary migrant workers in rural and regional New South Wales*', which exposed a plethora of issues faced by temporary migrant workers in this state.

Temporary migrant workers provide essential services for regional industries and communities. The programs through which these workers are engaged can provide both economic and diplomatic benefits as well as positive outcomes for migrant workers, their home countries and Australian employers.

However, this inquiry has shown that too many temporary migrant workers have experienced or are at a serious risk of experiencing modern slavery in New South Wales. Action must be taken to end these risks and guarantee the human rights of these workers.

The committee therefore made 31 recommendations to enact systemic reform to combat modern slavery and prevent further mistreatment of temporary migrant workers. These recommendations also seek to improve access to healthcare and government, legal and social support for migrant workers.

Throughout the inquiry, the committee heard evidence that temporary migrant workers can find themselves trapped in unsafe and exploitative working environments, due in large part to the restrictive nature of their visa arrangements. To address this, the committee has recommended that relevant visa settings are amended to allow Pacific Australia Labour Mobility Scheme (PALM) workers to more easily change employers, and that the Working Holiday Maker program be reviewed to prioritise the safety and well-being of workers.

The evidence revealed the concerning extent to which temporary migrant workers have faced exploitation, personal violation and modern slavery at the hands of unscrupulous employers. Victim-survivors and other stakeholders spoke of the unsafe and often exploitative living and working conditions to which workers have been subjected. It is clear that many temporary migrant workers have been let down by the systems in place that should detect such exploitation, and employers often do not face consequences for their actions.

The committee calls on the government to take urgent action to implement a labour hire licensing scheme in New South Wales and adopt a co-regulatory approach to monitoring and compliance.

The committee was concerned to hear of the significant barriers that temporary migrant workers face in accessing necessary healthcare, such as high upfront costs, a lack of adequate insurance and difficulty accessing health professionals. These barriers must

be urgently addressed, to ensure better health outcomes for these workers, which is why this report has recommended that Medicare eligibility be expanded to temporary migrant workers, as a matter of priority, and additional services be made available in rural and regional NSW.

Similarly, the committee heard that many temporary migrant workers face difficulties in reporting exploitation and modern slavery, and accessing government, legal and social support. Reporting pathways need to be more accessible, and frontline workers must be equipped with the necessary skills and funding to identify and respond appropriately to cases of modern slavery and adequately support victim-survivors. The committee has therefore recommended that the NSW Government increase funding and provide training to frontline organisations and service-providers. We have also recommended that the NSW Government adequately fund the 1800 FREEDOM hotline, to meet the need for advice and support in relation to modern slavery matters in New South Wales.

This report and its recommendations would not have been possible without a number of key inquiry participants. First, the evidence of individuals with lived experience of modern slavery was essential to this inquiry and deepened the committee's understanding of the troubling realities faced by many temporary migrant workers. I sincerely thank those individuals who courageously shared their experiences. The evidence of these inquiry participants has strengthened this report and shaped its recommendations, which I hope will go some way to ensuring that other temporary migrant workers have a positive experience in Australia, free from exploitation and the threat of modern slavery.

I acknowledge the tireless efforts of many residents in regional and rural communities across New South Wales, who have supported temporary migrant workers within their local areas, and raised concerns where wrongdoing has occurred. I also thank the Riverina and Mid North Coast communities for hosting the committee in both Griffith and Coffs Harbour during this inquiry.

I also commend the work of the NSW Anti-slavery Commissioner, Dr James Cockayne, and his office, in exposing modern slavery risks in regional and rural areas, and advocating for change, to ensure better outcomes for temporary migrant workers.

Lastly, I thank my fellow committee members for their thoughtful engagement throughout the inquiry. There is more to be done to prevent and address modern slavery in New South Wales and it is important that the Modern Slavery Committee continues its work in the next Parliament. I also thank the committee secretariat for their capable work and assistance.

Dr Joe McGirr MP
**Committee Chair**

This report contains references to modern slavery. The following resources are available to those who need help and support:

**To report modern slavery:**

- 1800 FREEDOM: Call 1800 FREEDOM (1800 3733366) or email antislavery@dcj.nsw.gov.au for confidential support and assistance from the NSW Anti-slavery Commissioner
- In an emergency: call Triple Zero (000) if you have immediate concerns for your safety or the safety of another person.

**To report to law enforcement:**

- New South Wales police: call 131 444
- Crimestoppers: call 1800 333 000 or report online
- Australian Federal Police (AFP): call 131 237 (131AFP) or go to the AFP website at https://www.afp.gov.au/report-crime.

**To report suspected child abuse or neglect:**

- Child Protection Helpline: call 132 111.

**If you need advice, support or assistance relating to a possible case of modern slavery:**

- 1800 RESPECT (1800 737 732): National domestic, family and sexual violence counselling, information and support service 1800respect.org.au
- Anti-Slavery Australia: Free and confidential legal advice and support. Call 02 9514 8115. Email ASALegal@uts.edu.au
- Australian Red Cross - Support for Trafficked People Program (STPP): Assistance to victims of human trafficking, slavery and slavery-like practices, including forced marriage and forced labour (who meet the eligibility criteria). Call 1800 113 015. Email national_stpp@redcross.org.au
- Domus 8.7: Advisory service on remedy pathways for individuals and organisations affected by modern slavery. Email: info@domus87.org.au
- Freedom Hub Survivor support: Call 1800 373 348 (1800 FREEHUB) Email: info@thefreedomhub.org
- Lifeline (13 11 14): Free, 24/7 crisis support https://www.lifeline.org.au/
- Mental Health Line NSW (1800 011 511): Free, 24/7 mental health support
- My Blue Sky: Help relating to forced marriage. Call 02 9514 8115 – SMS text to 0481 070 844. Email help@mybluesky.org.au
- The Salvation Army: Accommodation support. Call 1300 473 560 Email endslavery@salvationarmy.org.au.

# Recommendations

**Recommendation 1** **24**

That the NSW Government advocate to the Australian Government to amend relevant visa settings to allow PALM workers to more easily change employers.

**Recommendation 2** **25**

That the NSW Government advocate to the Australian Government to review the Working Holiday Maker program, including the specified work rule, to ensure that the safety and well-being of workers is prioritised.

**Recommendation 3** **51**

That the NSW Government advocate to the Australian Government to grant amnesty to all disengaged PALM workers and provide these workers with the option to either rejoin the PALM scheme or be voluntarily repatriated.

**Recommendation 4** **52**

That the NSW Government seek to amend the *Work Health and Safety Act 2011* to enable SafeWork NSW inspectors to look for, identify and respond to indicators of modern slavery during inspections of workplaces and employer-provided accommodation.

**Recommendation 5** **53**

That the NSW Government implement a co-regulatory approach to monitoring and compliance, including by increasing information-sharing between relevant state and federal agencies.

**Recommendation 6** **53**

That the NSW Government take urgent action to implement a labour hire licensing scheme as soon as possible. In doing so, the NSW Government should:

- adopt a similar approach to that of Victoria, by establishing a labour hire authority to oversee licensing and regulation
- implement a scheme which can be harmonised with a future national labour hire licensing scheme.

**Recommendation 7** **54**

That the NSW Government urgently investigate the allegations of systemic labour exploitation and modern slavery in Coffs Harbour and the Nambucca Valley, in collaboration with relevant federal agencies. In doing so, agencies should engage in proactive information sharing.

**Recommendation 8** **71**

That the NSW Government address the barriers faced by temporary migrant workers to accessing healthcare by:

- advocating to the Australian Government to expand Medicare eligibility to temporary migrant workers, as a matter of priority

- in the interim, ensuring that temporary migrant workers can access healthcare through Local Health District services without undue financial pressure, especially where there are indicators of modern slavery. In doing so, NSW Health should ensure that temporary migrant workers, healthcare workers and local communities are aware of the availability of this provision.

**Recommendation 9** **72**
That the NSW Government increase funding for and expand maternity, reproductive and sexual health services in regional and rural New South Wales, to better support temporary migrant workers.

**Recommendation 10** **72**
That the NSW Government improve access to information about health services, including for reproductive and sexual health, available to temporary migrant workers, including by:

- advocating to the Australian Government to obligate PALM employers to orientate their workers to local health services upon their arrival
- ensuring that all information provided to workers, including about local health services, is accessible, culturally sensitive and translated into relevant languages.

**Recommendation 11** **73**
That the NSW Government:

- provide mandatory and ongoing training to all frontline NSW Health employees, to identify potential indicators of modern slavery and respond appropriately to potential victim-survivors
- ensure that training is developed and delivered in consultation with people with lived experience of modern slavery.

**Recommendation 12** **89**
That the NSW Government advocate to the Australian Government to make the Strengthening Reporting Protections and Workplace Justice visa permanently available for those on temporary visas.

**Recommendation 13** **89**
That the NSW Government advocate to the Australian Government to expand the eligibility of the Workplace Justice visa by:

- extending the application window for workers, in acknowledgement of the delays that workers in regional and rural areas can face in accessing legal advice and certification for their application
- including disengaged PALM workers and other undocumented workers.

**Recommendation 14** **89**
That the NSW Government advocate to the Australian Government to expand the list of Accredited Third Parties who can certify workplace exploitation matters for the

Strengthening Reporting Protections and Workplace Justice visa, to include a broader range of metropolitan and regional organisations.

**Recommendation 15** **89**

That the NSW Government allocate additional funding to organisations that provide immigration and employment law advice, such as community legal centres and unions, to deal with the significant increase in demand for assistance as a result of the Workplace Justice visa pilot.

**Recommendation 16** **90**

That the NSW Government advocate to the Australian Government to urgently expand the scope of the Support for Trafficked People Program, including by:

- expanding eligibility for, and support available through the program to all temporary migrant workers who are victim-survivors of modern slavery, regardless of their visa status or whether they are disengaged
- removing the 90-day limit for support available to victim-survivors who have been referred to the program via the Additional Referral Pathway.

**Recommendation 17** **90**

That the NSW Government ensure that the NSW Migrant Workers Centre provide adequate outreach to temporary migrant workers in rural and regional New South Wales. In doing so, the NSW Government should consider establishing regional migrant worker hubs.

**Recommendation 18** **90**

That the NSW Government provide increased funding to community legal centres to enable them to provide additional services and outreach to temporary migrant workers in regional and rural areas.

**Recommendation 19** **91**

That the NSW Government advocate to the Australian Government to work in consultation with PALM sending countries, to increase education and awareness about unions for PALM workers both prior to and upon their arrival in Australia.

**Recommendation 20** **92**

That the NSW Police Force strengthen data sharing processes with the Australian Federal Police, to improve the detection of and response to modern slavery cases in a way which prioritises the well-being of victim-survivors.

**Recommendation 21** **92**

That the NSW Government:

- provide mandatory and ongoing training to all NSW Police Force officers, to identify potential indicators of modern slavery and respond appropriately to reports in a way that is trauma-informed and culturally competent
- ensure that the training is developed and delivered in consultation with people with lived experience.

**Recommendation 22** **92**
That the NSW Government adequately fund the 1800 FREEDOM hotline operated by the NSW Anti-slavery Commissioner to meet the need for advice and support in relation to modern slavery matters in New South Wales.

**Recommendation 23** **110**
That the NSW Government advocate to the Australian Government to strengthen supports provided to workers through the PALM scheme, including by increasing funding and resource allocation to the Community Connections program, to provide for more regional coordinators, as needed.

**Recommendation 24** **111**
That the NSW Government advocate to the Australian Government to increase data sharing between the federal government, local councils and non-government organisations, to increase awareness of anticipated arrivals and the number of PALM workers, as well as other temporary migrant workers, within rural and regional local government areas.

**Recommendation 25** **111**
That the NSW Government increase funding to relevant non-government organisations, service-providers and community organisations to enable them to provide necessary support to temporary migrant workers without undue financial pressure.

**Recommendation 26** **112**
That the NSW Government:

- provide ongoing training and awareness-raising campaigns to local councils, non-government and community organisations and faith leaders to assist these groups in identifying potential indicators of modern slavery and increase awareness of appropriate referral pathways
- ensure that training is developed and delivered in consultation with people with lived experience.

**Recommendation 27** **112**
That the NSW Government provide increased funding to domestic and family violence and crisis accommodation service providers, so that women on temporary visas can access adequate crisis accommodation and financial support.

**Recommendation 28** **112**
That the NSW Government increase the availability of transitional and affordable housing in regional and rural New South Wales.

**Recommendation 29** **113**
That the NSW Government recruit additional interpreters, particularly female interpreters, who are accredited in languages relevant to PALM workers and other temporary migrant workers.

**Recommendation 30** **113**

That the NSW Government advocate to the Australian Government to improve the accessibility of the PALM scheme support service line, including for example, by providing an option for workers to seek support via text-based communication.

**Recommendation 31** **113**

That the NSW Government provide increased funding to community legal centres, unions and other non-government and community organisations to:

- adequately translate their resources and information into languages relevant to temporary migrant workers
- enable these organisations to provide culturally appropriate support.

# Conduct of inquiry

The terms of reference for the inquiry were self-referred by the committee on 10 October 2024.

The committee received 58 submissions and four supplementary submissions.

The committee held six public hearings: four at Parliament House in Sydney, one in Griffith and one in Coffs Harbour.

The committee held five *in camera* hearings: three at Parliament House in Sydney, one in Griffith and one in Coffs Harbour.

The committee also held two private, informal roundtables with industry representatives: one in Griffith and one in Coffs Harbour.

To assist individuals from non-English speaking backgrounds, the committee translated relevant inquiry related documents into several different languages.

Inquiry related documents are available on the committee's website, including submissions, hearing transcripts, tabled documents and answers to questions on notice.

## Procedural issues

During the inquiry, the committee heard from several individuals with lived experience of modern slavery *in camera.* The committee sought each individual's preference to speak with the committee in either a confidential or public setting. Under the *Modern Slavery Act 2018,* the committee must consent to requests from witnesses to appear *in camera*. The content of this evidence has been described in a general way throughout this report, with the consent of witnesses, so as not to identify individuals.

The committee sought legal advice from the Crown Solicitor regarding its obligation to report information concerning criminal or unlawful conduct that it becomes aware of during the course of an inquiry, received for the purposes of that inquiry. The Crown Solicitor advised that the committee does not have a legally enforceable obligation to do so.

This legal advice is included in Appendix 4 of this report.

# Chapter 1 Background

This chapter provides the context as to why the Modern Slavery Committee established the inquiry into modern slavery risks faced by temporary migrant workers in rural and regional New South Wales. It explains key concepts, including modern slavery and temporary migrant worker, and the visa arrangements relevant to this inquiry. It then outlines the structural factors that make temporary migrant workers vulnerable to exploitative practices and modern slavery.

## Rationale for and approach to the inquiry

**1.1** On 18 September 2024, the President of the Legislative Council tabled the report of the NSW Anti-slavery Commissioner entitled 'Be Our Guests: Addressing urgent modern slavery risks for temporary migrant workers in rural and regional New South Wales'.[2]

**1.2** The report depicted an emerging crisis in which temporary migrant workers in New South Wales, in particular workers from Pacific countries and holiday backpackers, are at risk of modern slavery. It found that, in extreme cases, these workers were being exploited through practices such as debt bondage, forced labour, sexual violence and servitude.[3]

**1.3** The report made five key recommendations to the NSW Government and NSW Parliament, including that the Modern Slavery Committee urgently initiate a trauma-informed and worker-centred investigation of modern slavery risks faced by Pacific Australia Labour Mobility (PALM) and other temporary migrant workers working in agriculture, horticulture and meat processing in rural and regional New South Wales.[4]

**1.4** On 10 October 2024, the Modern Slavery Committee subsequently established the inquiry into modern slavery risks faced by temporary migrant workers in rural and regional New South Wales. At this time, the committee resolved to prioritise speaking to individuals with lived experience of modern slavery that occurred in New South Wales.

**1.5** This was informed by the committee's review of the *Modern Slavery Act 2018,* where inquiry participants emphasised the importance of centring lived

[2] *Minutes*, NSW Legislative Council, 18 September 2024, p 1519.

[3] Office of the NSW Anti-slavery Commissioner, *Be Our Guests: Addressing urgent modern slavery risks for temporary migrant workers in rural and regional New South Wales*, 2024, p 5.

[4] Office of the NSW Anti-slavery Commissioner, *Be Our Guests: Addressing urgent modern slavery risks for temporary migrant workers in rural and regional New South Wales*, 2024, p 27.

experience expertise in responses to modern slavery.[5] Throughout the review, the committee received evidence that individuals with lived experience supported the continued integration of lived experience expertise into the government's policy response to modern slavery.'[6]

**1.6** The evidence of people with lived experience received throughout the inquiry into modern slavery risks faced by temporary migrant workers in rural and regional New South Wales had a profound impact on the committee's understanding of the incidence, causes and extent of modern slavery risks among these workers, beyond what could be articulated by other stakeholders. Most importantly, it enabled the committee to develop meaningful recommendations informed by lived experience.

**1.7** Witnesses with lived experience shared with the committee their experiences and views on:

- migrating to New South Wales, including their initial expectations, visa conditions and restrictions, living arrangements, living and working in a regional setting and access to essentials
- working as a temporary migrant worker including the recruitment process, type of employment, hours they were expected to work versus the hours they did work, wages and allowances, and working conditions, including safety, rest breaks, leave entitlements and workplace culture
- whether they experienced or witnessed violence, coercion, or exploitation
- whether they were aware of their employment rights and able to seek help
- access to healthcare services
- what changes they believe are necessary to improve conditions for temporary migrant workers.

## What is modern slavery?

**1.8** Modern slavery is a term that describes a range of exploitative practices including forced labour, slavery, servitude, debt bondage, human trafficking, deceptive recruiting and the worst forms of child labour.[7]

**1.9** In New South Wales, the *Modern Slavery Act 2018* outlaws modern slavery under the definition of any conduct involving the use of any form of slavery, servitude, or forced labour to exploit children or other persons taking place in the supply

[5] Modern Slavery Committee, Parliament of NSW, *Review of the Modern Slavery Act 2018 — Part 2* (2024), p xi.

[6] Modern Slavery Committee, Parliament of NSW, *Review of the Modern Slavery Act 2018 — Part 2* (2024), p 21.

[7] Australian Government, *Modern Slavery in Australia*, https://www.modernslavery.gov.au/about-modern-slavery/types-modern-slavery.

chains of organisations.[8] Similarly, the *Crimes Act 1900* details offences of modern slavery as slavery offences, servitude offences, forced labour offences and deceptive recruiting for labour or services.[9]

**1.10** There is broad consensus that modern slavery involves unlawful control over and manipulation of people, the undermining and deprivation of a victim's personal freedom and experiences marked by coercion and deception.[10]

**1.11** Perceptions of what constitutes modern slavery are evolving, and there is growing cognisance of how modern slavery may manifest. However, stakeholders also pointed to a 'very low awareness' of modern slavery in New South Wales and the need to increase understanding of what modern slavery and slavery-like practices can look like.[11]

**1.12** Submissions and witnesses frequently referred to 'indicators' of modern slavery and forced labour.[12] This language reflects the work of the International Labour Organisation's (ILO) Special Action Programme to Combat Forced Labour, which identified 11 indicators of forced labour:

- abuse of vulnerability
- deception
- restriction of movement
- isolation
- physical and sexual violence
- intimidation and threats
- retention of identity documents
- withholding of wages
- debt bondage
- abusive working and living conditions

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8 *Modern Slavery Act 2018* (NSW), s 5.

9 *Crimes Act 1900* (NSW), s 93AB.

10 See, Evidence, Professor Jennifer Burn AM, Director, Anti-Slavery Australia, 30 April 2025, p 20; Submission 53, Migrant Justice Institute, p 5.

11 Evidence, Professor Jennifer Burn AM, Director, Anti-Slavery Australia, 30 April 2025, p 25; Evidence, Mr Neil Gorey, Deputy Mayor of Murray River Council, 2 June 2025, p 25; Evidence, Councillor Dallas Tout, Mayor, Wagga Wagga City Council, and, Member, Mayoral Alliance for the Pacific, 2 June 2025, p 32.

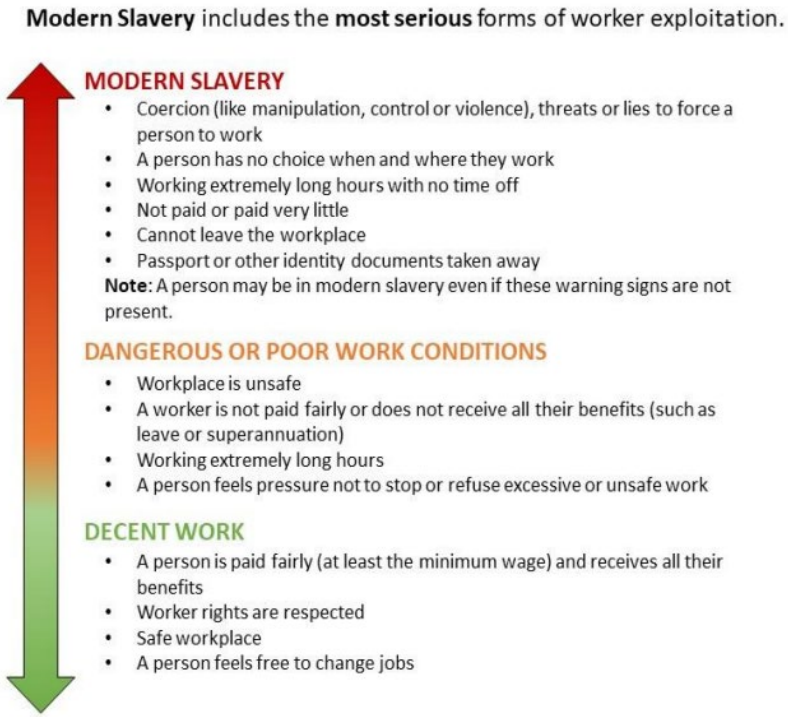
12 See, Evidence, Mr Ismail Ibrahim, A/G NSW State Director, Australian Red Cross, 30 April 2025, p 19; Evidence, Associate Professor Laurie Berg, Co-Director, Migrant Justice Institute, and Associate Professor, Faculty of Law, University of Technology Sydney, 30 April 2025, p 19; Evidence, Mr Fuzz Kitto, Co-Director, Be Slavery Free, 30 April 2025, p 26; Submission 32, Anti-Slavery Australia, p 9.

- excessive overtime.[13]

**1.13** The indicators provide a framework that theoretically allows for detection of patterns of conduct that could involve modern slavery offences under both Commonwealth and New South Wales law. Where one or a combination of these indicators are present, there can be a heightened risk of modern slavery.[14]

**1.14** It is important to note that workplace exploitation and modern slavery are legally distinct concepts and not all workplace exploitation, such as underemployment and sub-standard accommodation, will meet the threshold of modern slavery.[15] The boundary between the two concepts is blurred but, as indicated in the figure below, modern slavery crimes sit at the extreme end of a continuum of exploitative practices.

**Figure 1 Spectrum of worker treatment**




*Source: Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 5.*

[13] International Labour Organization, *ILO indicators of forced labour,* 18 November 2025, https://www.ilo.org/sites/default/files/2025-11/ILO%20Indicators%20of%20Forced%20Labour%202025.pdf.

[14] Submission 53, Migrant Justice Institute, p 5; Evidence, Ms Sophia Kagan, Principal Policy Adviser, Labour Migration, Office of the NSW Anti-slavery Commissioner, 30 April 2025, p 4.

[15] See, Submission 14, The Salvation Army Australia, p. 8; Evidence, Professor Jennifer Burn AM, Director, Anti-Slavery Australia, 30 April 2025, p 20.

## Temporary migrant workers and their visa arrangements

**1.15** Australia offers a number of temporary visas with full or partial work rights.[16] Regardless of a person's visa status, employers must provide temporary migrant workers with the same workplace entitlements and protections under the *Fair Work Act 2009* as all other employees in Australia.[17]

**1.16** Over several years, Australia's dependency on temporary migrant workers has grown exponentially. An estimated 30 per cent of temporary migrants in Australia are based in New South Wales.[18]

**1.17** Some benefits of temporary migrant worker programs include that:

- temporary migrant workers contribute to the Australian economy, by filling 'critical workforce gaps' in many regional industries, which are facing persistent labour shortages[19]
- temporary migrant workers play an essential role in both the supply of food for Australian families and the sustainability of many regional economies[20]
- temporary migrant worker programs can bring positive outcomes for workers, their families and communities, and can allow for both economic and social improvement in workers' home countries.[21]

**1.18** Temporary migrant workers in rural and regional New South Wales are primarily engaged through the PALM and working holiday maker schemes, skills in demand visas and student visas.[22]

**1.19** In regional and rural New South Wales, agriculture, horticulture and meat processing are sectors that are more likely to employ temporary migrant workers.[23] While exploitation is not linked to a particular visa type, this report

16 *Temporary work visas* (28 February 2025), Australian Government Department of Home Affairs, https://immi.homeaffairs.gov.au/visas/working-in-australia/temporary-work-visas.

17 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 9.

18 Submission 27, Institute for Human Rights and Business (IHRB), p 2.

19 Submission 44, NSW Anti-slavery Commissioner, p 4.

20 Evidence, Ms Claire McClelland, Chief Executive Officer, Australian Fresh Produce Alliance, 2 June 2025, p 2.

21 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 32 and Evidence, Mr Tarek Koroisamanunu, Regional Representative, NSW Council for Pacific Communities, 2 June 2025, p 47.

22 Submission 44, NSW Anti-slavery Commissioner, p 5.

23 Office of the NSW Anti-slavery Commissioner, *Be Our Guests: Addressing urgent modern slavery risks for temporary migrant workers in rural and regional New South Wales*, 2024, p 10.

focuses on the main visa pathways observed in these settings where the risk of serious exploitation is heightened.[24] These key pathways are discussed below.

### Pacific Australia Labour Mobility scheme

**1.20** The Pacific Australia Labour Mobility (PALM) scheme is a temporary migration program that enables employers to recruit from participating countries to fill unskilled, low and semi-skilled positions where there are not enough Australian workers available. The participating countries include: Fiji, Kiribati, Nauru, Papua New Guinea, Samoa, Soloman Islands, Timor-Leste, Tonga, Tuvalu and Vanuatu.[25]

**1.21** Employers can recruit workers to fill positions for seasonal placements (short-term) of up to nine months or longer-term placements of between one and four years. The scheme is managed by the Department of Foreign Affairs and Trade (DFAT) and the Department of Employment and Workplace Relations (DEWR).[26]

**1.22** PALM workers must work for an 'approved employer' whose eligibility has been assessed by DEWR.[27] The Approved Employer Deed and Guidelines, set out the obligations of employers regarding recruitment, wages, accommodation, health and safety, and worker welfare.

**1.23** Many of the visa holders employed under the PALM scheme work in agriculture, construction, domestic work, cleaning, hospitality and food services. The scheme had an estimated 6,135 workers in New South Wales in 2024, with a larger proportion of long-term workers.[28]

**1.24** Stakeholders referenced research conducted by the Australian National University, in collaboration with the World Bank, which indicated that, of the 2,000 PALM workers surveyed:

- 92 per cent wanted to work under the scheme again
- 98 per cent indicated that they would recommend the scheme to others
- on average, workers send home $1,500 per month.[29]

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[24] Submission 27, Institute for Human Rights and Business (IHRB), p 2.

[25] *Welcome to the PALM scheme*, Pacific Australia Labour Mobility, https://www.palmscheme.gov.au.

[26] *Pacific Labour Mobility*, Australian Government Department of Foreign Affairs and Trade, https://www.dfat.gov.au/geo/pacific/engagement/pacific-labour-mobility.

[27] Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, pp 41 and 44.

[28] Office of the NSW Anti-slavery Commissioner, *Be Our Guests: Addressing urgent modern slavery risks for temporary migrant workers in rural and regional New South Wales*, 2024, p 10.

[29] Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 32. See also, Submission 29, Australian Fresh Produce Alliance, p 10 and Evidence,

**1.25** While some inquiry participants outlined the benefits of temporary migrant programs like the PALM scheme, the committee received significant evidence which indicated that temporary migrant workers have experienced violations, exploitation and modern slavery throughout their time in Australia. Workers may be hesitant to report their experiences for a number of reasons. These issues are discussed in further detail throughout the report.

### Working Holiday Maker program

**1.26** The Working Holiday Maker program is a reciprocal scheme designed to promote cultural exchange and foster stronger links with partner countries. It allows young people to travel to Australia for a 12-month holiday, during which they are able to undertake work or study.[30]

**1.27** In order to stay in the country for a second or third year, working holiday makers must complete either 88 or 179 days of 'specified work' respectively. 'Specified work' means work in particular industries or sectors – usually the agriculture, fishery and forestry sector, mining and construction work, or tourism and hospitality in remote areas of Australia.[31] As of December 2023, the number of working holiday makers in New South Wales was around 52,000.[32]

**1.28** Any business can register with the Australian Taxation Office (ATO) as employers of working holiday makers.[33] Unlike the PALM scheme, the Working Holiday Maker program has a 'light regulatory framework'.[34] This is partly because it is not generally regarded as a visa scheme for work purposes meaning there is limited oversight of work arrangements.[35]

Dr Mark Zirnsak, Senior Social Justice Advocate, Uniting Church in Australia, 2 June 2025, p 43.

30 *Working Holiday Maker (WHM) Program* (23 September 2024), Australian Government Department of Home Affairs, https://immi.homeaffairs.gov.au/what-we-do/whm-program/overview.

31 Submission 38, Immigration Advice and Rights Centre (IARC) and Unions NSW, p 25.

32 Office of the NSW Anti-slavery Commissioner, *Be Our Guests: Addressing urgent modern slavery risks for temporary migrant workers in rural and regional New South Wales*, 2024, p 10.

33 Submission 29, Australian Fresh Produce Alliance, p 16.

34 Office of the NSW Anti-slavery Commissioner, *Be Our Guests: Addressing urgent modern slavery risks for temporary migrant workers in rural and regional New South Wales*, 2024, p 13.

35 Answers to supplementary questions, Mr Matt Journeaux, Federal Secretary, Australasian Meat and Industry Employees' Union (AMIEU), Branch Secretary, Queensland, Western Australia and Northern Territory branch, 7 July 2025, p 5.

### Undocumented and disengaged workers

**1.29** While temporary migrant workers in New South Wales may be engaged through the PALM and Working Holiday Maker schemes, there are also a large number of undocumented workers in sectors such as agriculture.[36] These workers, who have no viable migration pathways or work rights, are particularly vulnerable to modern slavery and exploitation.[37]

**1.30** In the context of the agriculture, horticulture and meat processing sectors in regional and rural New South Wales, undocumented or irregularly documented workers may refer to:

- 'visa overstayers' who no longer have a valid visa following its expiry
- visa holders without a right to work, such as migrants on tourist visas
- workers that have disengaged from the PALM scheme.[38]

**1.31** Throughout the inquiry, evidence regarding people working while undocumented focussed primarily on workers who had disengaged from the PALM scheme.[39]

**1.32** The committee received evidence that there is a large cohort of people who have left the PALM scheme, often referred to as 'disengaged' or 'absconded' workers.[40] By leaving their employer, these workers void their visa status and become undocumented, losing any safeguards and protections afforded through the PALM Approved Employer Deed and Guidelines.[41]

**1.33** There is no publicly available data on the numbers of disengaged workers in specific regions.[42] Reports indicate 7,000 workers are disengaged from the PALM scheme nationally, with approximately, 1,000 in the Riverina region of New South Wales alone.[43] However, the committee heard evidence that the number could be

36 Submission 44, Office of the NSW Anti-slavery Commissioner, p 6.

37 See, Evidence, Dr James Cockayne, NSW Anti-slavery Commissioner, 30 April 2025, p 5; Submission 55, Dr Kaya Barry, Dr Kirstie Petrou and Dr Matt Withers, p 1; Submission 38, Immigration Advice and Rights Centre (IARC) and Unions NSW, p 6.

38 Office of the NSW Anti-slavery Commissioner, *Be Our Guests: Addressing urgent modern slavery risks for temporary migrant workers in rural and regional New South Wales*, 2024, p 10.

39 Evidence, Mr Giles Fryer, Senior Solicitor, Workplace Rights Service, Legal Aid NSW, 11 December 2025, p 8; Evidence, Ms Jenelle Joseph, Director, Tanna Projects Limited, 12 September 2025, p 3; Evidence, Mr Ken Dachi, Coordinator, Welcoming Australia, 19 June 2025, p 3.

40 Submission 55, Dr Kaya Barry, Dr Kirstie Petrou and Dr Matt Withers, p 2.

41 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 41.

42 Submission 55, Dr Kaya Barry, Dr Kirstie Petrou and Dr Matt Withers, p 4.

43 Evidence, Mr Aleem Ali, Chief Executive Officer, Welcoming Australia, 2 June 2025, p 28.

'in the low six figures' with up to 100,000 people or more in Australia who lack human rights protection and access to Medicare.[44]

**1.34** The committee heard evidence that exploitative practices, such as underpayment, poor accommodation facilities, sexual abuse, excessive deductions, and a lack of employment hours offered, were catalysts to leave the program.[45] However, participants may disengage from the program for nuanced and complex reasons that are not always rooted in poor working conditions or exploitation.[46]

**1.35** These workers are left effectively stranded, with limited means to earn an income and no access to financial assistance or social supports, even for those who chose to disengage from the scheme due to unscrupulous behaviour by their employer.[47] The ways in which modern slavery risks are amplified for disengaged workers are explored further in Chapter 3.

## Structural and systemic vulnerabilities

**1.36** Within these temporary migrant frameworks, significant structural vulnerabilities exist that heighten the risk of exploitation and modern slavery.[48] Some of the key vulnerabilities are discussed below and will be analysed in greater detail throughout the report.

### Visa dependency

**1.37** PALM workers and working holiday makers operate in a distinctly uneven landscape where there is an overreliance on individual employers. PALM workers are dependent on a specific employer or workplace to ensure their visa remains valid creating a setting of 'near-bondage'.[49] Similarly, working holiday makers have quotas of days that must be worked to prevent their immigration status being revoked.[50]

**1.38** This creates clear 'exploitable power differentials' between employer and employee that disincentivise migrant workers from reporting abuse and exploitation.[51] The impact of an employment relationship being structured around a visa means unscrupulous actors in these industries can capitalise on

44 Evidence, Dr James Cockayne, NSW Anti-slavery Commissioner, 30 April 2025, p 5.

45 Submission 55, Dr Kaya Barry, Dr Kirstie Petrou and Dr Matt Withers, p 5.

46 Submission 29, Australian Fresh Produce Alliance (AFPA), p 11.

47 Submission 55, Dr Kaya Barry, Dr Kirstie Petrou and Dr Matt Withers, p 3.

48 Submission 41, Office of the Australian Anti-Slavery Commissioner, p 3.

49 Submission 47, Australian Workers Union and Retail Supply Chain Alliance, p 19.

50 Evidence, Mr Chris Evans, Australian Anti-Slavery Commissioner, 30 April 2025, p 34.

51 Submission 34, Dr Martijn Boersma, Associate Professor Stephen Clibborn and Professor Chris F Wright, p 9.

workers' fears that raising concerns of mistreatment might result in retaliation from their employers or jeopardise their visa status.[52]

**1.39** For undocumented workers, the threat of immigration enforcement may prevent the reporting of abuse.[53] The fear of deportation is often used by traffickers to prevent undocumented workers who may have been deceived or coerced into illegal work from seeking help.[54]

### Recruitment practices

**1.40** Deceptive recruitment practices remain prevalent for migrant workers where workers are often charged excessive fees and misled about wages and accommodation costs for the promise of employment.[55]

**1.41** The committee heard evidence of PALM workers arriving in Australia and being required to pay off the cost of their flights or recruitment fee and coerced into exploitative work arrangements to repay their debts.[56] Where recruitment is poorly run, the potential for corruption and debt bondage increases, making workers vulnerable to further exploitation and abuse.[57]

### Geographic and social isolation

**1.42** Many migrant workers are located in rural and regional New South Wales, with restricted access to essential resources, services and support mechanisms.[58] These settings, where visa holders are often isolated from large population centres, heighten dependency on employers and reduce visibility of worker conditions. This increases the risk of undetected exploitation.[59]

**1.43** Physical isolation also means migrant workers have minimal access to informal safety networks and culturally appropriate resources. This can be further compounded by digital isolation, due to poor phone coverage and unreliable connectivity in regional and rural areas.[60]

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52 Submission 25, Employment Rights Legal Service, p 3.

53 Answers to questions on notice, Anti-Slavery Australia, 28 May 2025, p 18.

54 Submission 41, Office of the Australian Anti-Slavery Commissioner, p 4.

55 See, Submission 32 Anti-Slavery Australia, p 5; Submission 38, Immigration Advice and Rights Centre (IARC) and Unions NSW, p 30.

56 See, Evidence, Dr James Cockayne, 30 April 2025, p 2; Evidence, Ms Sophia Kagan, Principal Policy Adviser, Labour Migration, Office of the NSW Anti-slavery Commissioner, 30 April 2025, p 4.

57 Submission 27, Institute for Human Rights and Business (IHRB), p 1.

58 Submission 42, The Law Society of NSW Young Lawyers, p 3.

59 Submission 37, Albury Wodonga Ethnic Communities Council, p 1.

60 Submission 43, The Law Society of NSW - Young Lawyers, p 3.

### Living conditions

**1.44** Rural and regional employers of temporary migrant workers often organise on-site, and sometimes mandated, accommodation. Stakeholders described how accommodation is often sub-standard, unsanitary, overcrowded and accompanied by exorbitant rents deducted from a worker's pay.[61]

**1.45** Where PALM workers have 'borrowed' money for recruitment-related costs, the additional accommodation deductions may further trap people in debt bondage, creating a relationship where a worker is financially and physically dependent on their employer.[62]

**1.46** In such tied accommodation, employers are able to exercise significant control by limiting workers' movements, social activity and restricting their privacy.[63] An added layer of risk exists when workers are living in close proximity to their employers, increasing the risk of sexual violence experienced by migrant workers.[64]

**1.47** For those who are undocumented, remaining in an exploitative work environment may be the only means of ensuring stable shelter.[65]

### Language barriers and knowledge gaps

**1.48** Temporary migrant workers often face significant language barriers, limiting their ability to challenge unfair treatment or seek help.[66] Language gaps can also lead to a limited awareness of worker rights and legal protections under Australian law, such as minimum wage, working hours or complaint mechanisms.[67]

**1.49** What often transpires is situations where migrant workers are completely dependent on employers or labour hire companies for essential livelihood necessities such a food, transport and accommodation. The confluence of the factors outlined above means temporary migrant workers experience

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61 See, Evidence, Ms Chloe Saker, Lawyer, Anti-Slavery Australia, 30 April 2025, p 22; Submission 25, Employment Rights Legal Service, p 6.

62 Office of the NSW Anti-slavery Commissioner, *Be Our Guests: Addressing urgent modern slavery risks for temporary migrant workers in rural and regional New South Wales*, 2024, p 19.

63 Submission 18, Australasian Meat Industry Employees' Union, p 6.

64 Submission 40, Associate Professor Anna Boucher and Ms Gourvika Kumar, p 5.

65 Submission 34, Dr Martijn Boersma, Associate Professor Stephen Clibborn and Professor Chris F Wright, p 12.

66 Submission 32, Anti-Slavery Australia, p 5.

67 Submission 37, Albury Wodonga Ethnic Communities Council, p 2.

'overlapping areas of risk not covered by industrial frameworks' where exploitation may go either undetected or unresolved.[68]

## Approach to this report

**1.50** During the inquiry, the committee heard that many temporary migrant workers are at risk of modern slavery throughout their time in Australia. This report considers the structural and systemic vulnerabilities which heighten the risk of exploitation and modern slavery for these workers. It also addresses the barriers that temporary migrant workers face in accessing healthcare and necessary assistance. This report details the changes that must be made to visa settings, regulatory frameworks and avenues for support, to address modern slavery in New South Wales.

**1.51** Chapter 2 outlines how the visa settings of temporary migrant workers can put them at an increased risk of modern slavery, by impacting their ability to change employers and leave exploitative situations.

**1.52** Chapter 3 centres on exploitation, violations and modern slavery experienced by temporary migrant workers at the hands of unscrupulous employers in New South Wales. This chapter also discusses inadequate deterrence measures and the need for urgent regulatory reform, including labour hire regulation, to address these issues.

**1.53** Chapter 4 focuses on the barriers that temporary migrant workers face in accessing healthcare, when they are injured at work, become ill, or require pregnancy and sexual health care during their time in Australia.

**1.54** Chapters 5 and 6 explore access to reporting pathways and government, legal and social support for temporary migrant workers in need of assistance. In particular, these chapters consider the availability and adequacy of reporting pathways and supports, and how they can be enhanced to provide wraparound support and improve the wellbeing of temporary migrant workers who have faced exploitation and modern slavery.

## Committee comment

**1.55** Everyone who comes to Australia, to visit, to work and to live, deserves to be treated with dignity and fairness under the law. This inquiry has shown us that this has not been a reality for many temporary migrant workers in rural and regional New South Wales.

**1.56** The committee's understanding of the modern slavery risks faced by temporary migrant workers has been grounded in the lived experiences of survivors of modern slavery and exploitation. The committee acknowledges the bravery of

[68] Evidence, Ms Sophia Kagan, 30 April 2025, p 4.

victim-survivors who came forward to share their experiences. This inquiry and report undoubtedly benefitted from their voices and magnanimity, and we express our deep gratitude for their contributions.

**1.57** Harrowing stories of mistreatment and harm emerged as these participants shared their experiences. The committee was shocked to hear the way survivors had been deceived and mistreated, often living in near uninhabitable conditions, forced to work demanding hours and threatened if they spoke up.

**1.58** Temporary migrant workers who gave evidence to the inquiry spoke of the sense of hope and excitement they felt in coming to Australia. That their experiences deviated so dramatically from the expectations these workers had of this country, of what life here could be like and how they would be treated, is a source of great shame. What these migrant workers experienced is unacceptable and serves as a stark reminder that we must do better in how we engage with our migrant workforce.

**1.59** In many instances, people with lived experience were assisted by those at the frontlines of this emerging crisis – community members, local organisations and faith groups who stepped in to help. The committee wishes to acknowledge these stakeholders, who carried burdens they should not have had to carry. For the many horrors the committee heard, there were stories of compassion and goodwill that captured the human spirit of regional and rural communities in New South Wales.

**1.60** The committee admires the resolve of victim-survivors, regional communities and frontline workers to come together to prevent these harms from occurring. However, the testimonies of those with lived experience demand immediate attention by state and federal agencies. Urgent collective action must be taken to prevent and respond to modern slavery risks faced by temporary migrant workers. The human cost of policy and regulatory gaps, as explored throughout the report, is unacceptable. It was evident that further inaction may have grave consequences for those vulnerable to exploitation.

**1.61** This issue can no longer be ignored. This report and its recommendations provide an opportunity for the NSW Government to show its commitment to addressing modern slavery in this state.

# Chapter 2 Visa settings

This chapter discusses how the visa settings of temporary migrant workers can impact their ability to leave exploitative situations. First, the chapter explores the regulations and requirements of the Pacific Australia Labour Mobility (PALM) scheme, including pre-departure and arrival briefings, as well as their limitations. It then discusses how PALM worker visa settings inhibit workers' ability to easily change employers. The chapter then considers the visa settings and lack of regulation associated with the working holiday maker program, and how they can increase these workers' vulnerability to exploitation.

## PALM scheme requirements, regulations and visa settings

**2.1** Stakeholders outlined that elements of the requirements, regulations and visa settings of the PALM scheme can make it difficult for workers to access support and leave exploitative situations. This section details pre-departure and arrival briefings for PALM workers and the Approved Employer Deed and Guidelines, and discusses their limitations. It also examines the ways in which PALM scheme visa settings limit workers' ability to change employers and therefore leave exploitative situations.

### Pre-departure and arrival briefings

**2.2** The committee received evidence that PALM workers are provided with comprehensive briefings both prior to their departure and upon their arrival in Australia. However, some stakeholders gave evidence that there are limitations to these briefings, which can impact the ability of workers to access necessary support if issues arise during their time in the country.

**2.3** According to the federal Attorney-General's Department, once their visa has been approved, all PALM workers receive a letter which includes information on their working conditions, pay and workplace rights in Australia, and where they can seek assistance, if they require it. The federal Attorney-General's Department stated that a guide to understanding this letter has been translated into 'all 10 PALM participating country languages'. In addition, a pilot to translate workers' contracts began in Timor Leste in 2024.[69]

**2.4** PALM workers are provided with pre-departure briefings before they arrive in Australia. These briefings are in-language and led by the government of the sending country, with support from the Australian Government. The federal Attorney-General's Department noted that these briefings are intended to assist

[69] Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 35.

workers in understanding their offer of employment, visa conditions, worker rights and protections, and welfare support available to them.[70]

**2.5** PALM scheme employers must provide their workers with an arrival briefing within seven calendar days of their arrival in Australia. Employers must invite the relevant union and Fair Work Ombudsman to attend these briefings.[71] According to the federal Attorney-General's Department, these briefings must meet standards set by the Department of Employment and Workplace Relations (DEWR) and include information on the following:

- employment arrangements
- pay and conditions
- workers' rights and responsibilities
- essential contacts including the Fair Work Ombudsman's information line and DEWR support line
- essential goods and services
- accommodation
- tax
- remittances
- financial services
- Australian law
- cultural differences
- contacts for multicultural associations
- any diaspora in the community where they will live and work.[72]

**2.6** During the inquiry, some stakeholders advocated for changes to be made to pre-departure and arrival briefings. For example, the committee heard evidence that temporary migrant workers are not adequately oriented to health services in their local area.[73] Additionally, union representatives raised that pre-departure and arrival briefings can be lacking in union-related information.[74] These issues are discussed in more detail in Chapters 4 and 5.

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70 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 35.

71 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 36.

72 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 36.

73 Evidence, Dr Trudi Beck, General Practitioner and member of Murrumbidgee Primary Health Network's Wagga Wagga Clinical Council, 19 June 2025, pp 27 and 29.

74 Evidence, Mr Jonathan Cook, Organiser, Australian Workers' Union, 2 June 2025, p 16.

### Regulations for approved employers

**2.7** As noted in Chapter 1, the PALM scheme is regulated by the Approved Employer Deed and Guidelines, which set out the obligations of employers.

**2.8** According to the federal Attorney-General's Department, the Guidelines 'aim to balance the needs of employers with tailored protections for PALM scheme workers'.[75] It stated that DEWR also takes 'relevant action' against approved employers who breach the Deed and Guidelines.[76]

**2.9** The Australian Fresh Produce Alliance noted that the Deed and Guidelines set out 'detailed guidelines' for approved employers, surrounding recruitment, wages, accommodation, health and safety, and worker welfare.[77]

**2.10** Further, the Australian Fresh Produce Alliance commented that, for approved employers, participating in the PALM scheme comes with 'strict responsibilities'. It stated that employers must demonstrate that they can 'provide a safe and supportive work environment, meet all financial and reporting obligations, and comply with other standards and requirements, as well as workplace laws'.[78]

**2.11** The federal Attorney-General's Department also noted that new settings have been introduced within the Deed and Guidelines, which aim to address issues related to worker exploitation, including by:

- increasing transparency for deductions to workers' pay
- allowing for employer-led worker portability
- strengthening minimum hour requirements
- ensuring that PALM workers receive a weekly minimum take-home pay of $200.[79]

**2.12** The Australasian Meat Industry Employees' Union acknowledged that recent reforms to the Approved Employer Deed and Guidelines have been beneficial.[80] However, it also commented that there 'is still scope for exploitative practices', particularly surrounding worker accommodation.[81] The committee heard significant evidence about temporary migrant workers who have been subjected to substandard living conditions by their employers, including overcrowding and

75 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 35.

76 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 44.

77 Submission 29, Australian Fresh Produce Alliance, p 9.

78 Submission 29, Australian Fresh Produce Alliance, p 10.

79 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, pp 34-35.

80 Submission 18, Australasian Meat Industry Employees' Union, p 6.

81 Submission 18, Australasian Meat Industry Employees' Union, p 6.

a lack of sanitation, privacy and basic amenities. This is explored in further detail in Chapter 3.

### PALM scheme visa settings

**2.13** A key concern raised by inquiry participants was the way in which PALM workers' visa settings limit their ability to change employers. The committee heard that this significantly exacerbates the vulnerability of PALM workers. It can restrict the ability of workers to leave exploitative situations without impacting their visa status, leaving them at a greater risk of experiencing modern slavery.

**2.14** The federal Attorney-General's Department advised that the *Migration Act 1958* (Cth) and Migration Regulations 1994 (Cth) legislate specific protections and visa settings for temporary migrant workers.[82] It stated that this legislative framework supports a degree of flexibility and includes additional protections for temporary migrant workers, such as:

- mobility for sponsored workers in certain circumstances
- criminal offences for misusing visa programs to exploit temporary migrant workers
- obligations for all employers to not allow non-citizens to work in breach of their visa conditions.[83]

**2.15** Stakeholders including the Australian Workers' Union and Retail Supply Chain Alliance explained that workers employed through the PALM scheme do not have the ability to change employers as they wish.[84] Many inquiry participants expressed concern that, due to their visa settings, PALM workers are effectively 'tied' to their employers.[85]

**2.16** The NSW Anti-slavery Commissioner also emphasised that 70 per cent of PALM workers in New South Wales are employed through the 'long-term' stream of the program. This means that these workers do not have the right to change employers for up to four years.[86]

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82 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 30.

83 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, pp 30-31.

84 Submission 47, Australian Workers' Union (AWU) and Retail Supply Chain Alliance (RSCA), pp 4 and 8.

85 See, for example, Submission 9, Refugee Advice and Casework Service, p 6; Submission 13, International Organization for Migration (IOM), p 4; Submission 25, Employment Rights Legal Service, p 5 and Submission 26, Sex Workers Outreach Project NSW and Scarlet Alliance Australian Sex Worker Association, p 8.

86 Office of the NSW Anti-slavery Commissioner, *Be Our Guests: Addressing urgent modern slavery risks for temporary migrant workers in rural and regional New South Wales*, 2024, p 26.

**2.17** Further, a number of inquiry participants argued that the inability for PALM workers to easily change employers has exacerbated their vulnerability to exploitation, and impacted their ability to seek safer employment, without affecting their visa.[87] For example, the Salvation Army observed that when workers are reliant on a specific employer for their visa to remain valid, this can:

- magnify power imbalances between workers and employers
- facilitate or permit coercive behaviour by exploitative employers
- limit or delay a worker's ability to escape exploitation.[88]

**2.18** The federal Attorney-General's Department noted that PALM worker visa settings allow workers to transfer between employers in circumstances, 'where such an arrangement has been endorsed by DEWR'.[89] The federal Attorney-General's Department elaborated:

> Where genuine concerns are raised by PALM scheme workers about their workplace or accommodation or other serious matters, DEWR can support them to move to another PALM scheme employer or require their employer to relocate them to alternative appropriate accommodation.[90]

**2.19** However, the committee heard that the formal process for PALM workers to change employers is not easily accessible, with some stakeholders labelling it as 'difficult' and 'relatively complex'.[91]

**2.20** The International Organization for Migration highlighted that while the PALM scheme Approved Employer Deed of Agreement includes portability provisions which allow workers to transfer between employers, workers do not have the ability to initiate this transfer themselves. Instead, it emphasised that this transfer must be arranged between employers, with the workers' consent, which maintains the power imbalance between employers and their workers.[92]

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87 See, Submission 51, Multicultural Council of Griffith Inc, p 2; Submission 55, Dr Kaya Barry, Dr Kirstie Petrou and Dr Matt Withers, pp 2-3; Submission 13, International Organization for Migration (IOM), p 4; Submission 44, NSW Anti-slavery Commissioner, p 26.

88 Submission 14, The Salvation Army Australia, p 13.

89 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, 41.

90 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 41.

91 Submission 44, NSW Anti-slavery Commissioner, p 26 and Evidence, Mr Joshua Strutt, Chief Executive Officer and Principal Solicitor, Immigration Advice and Rights Centre, 2 June 2025, p 16.

92 Submission 13, International Organization for Migration (IOM), p 4. See also, Submission 14, The Salvation Army Australia, p 11.

**2.21** A significant number of stakeholders therefore advocated for visa reform, to allow for improved mobility for PALM workers so that they can safely and more easily change employers without facing visa repercussions.[93]

**2.22** The NSW Anti-slavery Commissioner and International Organization for Migration advised that other temporary migrant workers have the ability to freely change employers within Australia. These stakeholders also provided examples of overseas jurisdictions which have successfully enabled mobility between approved employers for workers and suggested that Australia should look to implement a similar model.[94]

**2.23** Anti-Slavery Australia also recommended that to enable workers to more easily change employers, the Migration Regulations 1994 should be amended to allow for full visa portability within the PALM scheme'. It stated that this should include:

- removing the need for employer consent for job transfers
- establishing a transparent, publicly accessible job-matching platform for PALM workers seeking new employers.[95]

**2.24** The International Organization for Migration argued that if PALM workers, particularly those in the long-term stream of the program, were able to easily switch between approved employers, this would improve their independence and empower them to leave exploitative situations.[96]

**2.25** While many stakeholders advocated for increased mobility for PALM workers, some stakeholders indicated that this could negatively impact employers.

**2.26** For example, the Australian Fresh Produce Alliance emphasised that employers make 'significant investments' when recruiting PALM workers, including to secure appropriate accommodation and manage worker well-being. It argued that these investments 'cannot be reasonably made' without a guarantee that PALM workers will be 'recruited and mobilised for a specific period of time'.[97]

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93 See, for example, Evidence, Associate Professor Laurie Berg, Co-Director of Migrant Justice Institute and Associate Professor, UTS Faculty of Law, 30 April 2025, pp 21-22; Evidence, Mr Ken Dachi, Coordinator, Welcoming Australia, 19 June 2025 p 9; Evidence, Ms Isobel McGarity, Supervising Senior Solicitor, Refugee Advice and Casework Service , 30 April 2025, p 12; Submission 14, The Salvation Army Australia, p 13; Submission 13, International Organization for Migration (IOM), p 4; Evidence, Professor Jennifer Burn AM, Director, Anti-Slavery Australia, 30 April 2025, p 20.

94 Submission 44, NSW Anti-slavery Commissioner, p 27 and Submission 13, International Organization for Migration (IOM), p 5.

95 Submission 32, Anti-Slavery Australia, p 12.

96 Submission 13, International Organization for Migration (IOM), p 5.

97 Answers to supplementary questions, Australian Fresh Produce Alliance, 4 July 2025, p 5.

**2.27** Similarly, other stakeholders posited that if PALM workers were able to freely change employers, upon their arrival in Australia, this could disincentivise employers from continuing to participate in the PALM scheme.[98]

**2.28** In response to these concerns, the NSW Anti-slavery Commissioner put forward possible solutions to mitigate these potential issues, including:

- that the state or federal government establish a joint fund to cover upfront recruitment and relocation costs in collaboration with employers
- incentivising ethical employment practices by rewarding employers with a demonstrated record of compliance and fair treatment of their employees
- creating a centralised job-matching service which could facilitate the transition of PALM workers between approved employers.[99]

## Working Holiday Maker program regulations and visa settings

**2.29** During the inquiry, stakeholders emphasised that, in comparison to the PALM scheme, there are limited regulations for the working holiday maker program. Inquiry participants also raised issues with the 'specified work' requirements that working holiday makers must meet if they intend to extend their visa. The committee heard that both of these issues have left working holiday makers particularly vulnerable to exploitation.

**2.30** As mentioned in Chapter 1, where a working holiday maker wants to extend their stay in the country, they must complete between 88 and 179 days of specified work in regional Australia.[100]

**2.31** The NSW Anti-slavery Commissioner outlined that, while it may be a choice for working holiday makers to seek to extend their visa by completing regional work, the specified work rule has been identified as a 'key driver of coercion risks'. The Commissioner explained that when completing specified work, research indicates that some working holiday makers have felt that they have no choice but to endure exploitative working conditions in order for their visa to be extended.[101]

**2.32** The NSW Anti-slavery Commissioner also noted that, while working holiday makers have greater freedom to change employers than PALM workers, they are

98 Submission 49, Uniting Church in Australia, Synod of Victoria and Tasmania, the Pacific Islands Council of Queensland Inc, the Pacific Islands Council of South Australia, NSW Council for Pacific Communities and U Ethical Investors, p 12.

99 Submission 44, NSW Anti-slavery Commissioner, pp 27-28.

100 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 50.

101 Submission 44, NSW Anti-slavery Commissioner, p 29.

still dependent on their employers to meet the specified work requirements. This creates a power imbalance between employers and workers.[102]

**2.33** Further, stakeholders emphasised that the vulnerability of working holiday makers is compounded for those with limited English skills and less familiarity with employment rights.

**2.34** The Australasian Meat Industry Employees' Union advised that the Working Holiday Maker visa has been expanded to an increasing number of countries. The union stated that this has led to a rise in the number of temporary migrant workers in Australia from non-English speaking backgrounds.[103]

**2.35** The Australian Anti-Slavery Commissioner observed that, due to the expansion of the program, some working holiday makers may be accustomed to lower wages and standards of living than what is considered acceptable in Australia. The Commissioner emphasised that this has created a dynamic in which these workers are 'quite vulnerable' to exploitation.[104]

**2.36** Other stakeholders emphasised that in comparison to the PALM scheme, the working holiday maker program is far less regulated, leaving workers with fewer protections. Mr Chris Evans, Australian Anti-Slavery Commissioner, described the comparison between the PALM scheme and the working holiday maker program as 'chalk and cheese', stating that there is 'no protection for working holiday makers'.[105]

**2.37** Similarly, Mr Giles Fryer, Senior Solicitor, Workplace Rights Service, Legal Aid NSW highlighted that the lack of regulation of this program has meant that there are a lack of safeguards surrounding who can employ working holiday makers and sign off on their specified work requirements.[106]

**2.38** The federal Attorney-General's Department stated that the Working Holiday Maker program does not include work-related safeguards under the *Migration Act 1958* (Cth). It advised that instead, working holiday makers 'are protected by the same laws that apply to all workers in Australia'.[107]

102 Submission 44, NSW Anti-slavery Commissioner, p 29.

103 Submission 18, Australasian Meat Industry Employees' Union, p 2.

104 Evidence, Mr Chris Evans, Australian Anti-Slavery Commissioner, 30 April 2025, p 34.

105 Evidence, Mr Chris Evans, Australian Anti-Slavery Commissioner, 30 April 2025, p 33.

106 Evidence, Mr Giles Fryer, Senior Solicitor, Workplace Rights Service, Legal Aid NSW, 11 December 2025, p 3.

107 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 50.

**2.39** Stakeholders therefore advocated for increased regulation of the working holiday maker program, and for the removal of the specified work rule.[108]

**2.40** The Immigration Advice and Rights Centre and Unions NSW noted that the federal government 'already exempts' those who hold a United Kingdom passport from the specified work rule.[109] The NSW Anti-slavery Commissioner indicated that maintaining this rule for other nationalities 'risks a discriminatory approach'.[110]

**2.41** By contrast, the Australian Fresh Produce Alliance expressed strong support for the specified work rule for working holiday makers. It stated that this rule is 'crucial' as it incentivises working holiday makers to travel and stay in regional and remote locations. Further, it highlighted that the rule assists in addressing labour shortages in these areas and injects 'vital spending' into regional economies.[111]

**2.42** The Australian Fresh Produce Alliance therefore suggested that the federal government consider establishing a register of businesses offering work to working holiday makers, to enhance protections for these workers and maintain support for regional communities.[112] It suggested that in establishing this register, the federal government could also consider:

- publishing the names of registered businesses
- reviewing employer information
- penalising employer non-compliance, for example by suspending an employer's ability to offer specified work to working holiday makers.[113]

**2.43** Further, the NSW Anti-slavery Commissioner suggested that, if the specified work rule were not removed, employer regulations could be harmonised between the PALM scheme and working holiday maker program. The Commissioner stated that this would assist in creating a fairer, more transparent and efficient labour market.[114]

## Committee comment

**2.44** The legislative framework that sets out visa settings for many temporary migrant workers means that they are vulnerable to modern slavery risks from the outset.

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108 See, Submission 38, Immigration Advice and Rights Centre (IARC) and Unions NSW, p 25; Submission 44, NSW Anti-slavery Commissioner, p 30 and Submission 47, Australian Workers' Union (AWU) and Retail Supply Chain Alliance (RSCA).

109 Submission 38, Immigration Advice and Rights Centre (IARC) and Unions NSW, p 25.

110 Submission 44, NSW Anti-slavery Commissioner, p 30

111 Submission 29, Australian Fresh Produce Alliance, p 18.

112 Submission 29, Australian Fresh Produce Alliance, p 18.

113 Submission 29, Australian Fresh Produce Alliance, p 18.

114 Submission 44, NSW Anti-slavery Commissioner, p 30.

Addressing concerns in visa settings would significantly reduce the risk of modern slavery for temporary migrant workers.

**2.45** The committee acknowledges the work of the federal government in developing and strengthening the Approved Employer Deed and Guidelines for the PALM scheme, to include better protections for workers. As witnesses outlined, there are strict responsibilities that come with being an approved employer, and the Deed and Guidelines aim to ensure that those who breach their obligations face consequences. However, it became evident during the inquiry that despite these regulations, PALM workers face a number of troubling issues.

**2.46** A key issue raised during the inquiry was that the visa settings of PALM workers restrict their ability to change employers. Inquiry participants pointed out that this creates a power imbalance, between employers and workers, and can exacerbate workers' vulnerability to modern slavery. The committee was concerned to hear from numerous stakeholders that this visa setting can seriously hinder PALM workers' ability to leave exploitative and unsafe situations, without impacting their visa status.

**2.47** While we acknowledge the evidence presented by the federal Attorney-General's Department, which clarified that PALM workers are able to change employers in some circumstances, we agree with stakeholders' assessment that this process should be more easily accessible, and employee-led.

**2.48** The committee therefore supports the recommendation put forward by numerous stakeholders, that there is a need for visa reform, to allow PALM workers to safely and easily change employers, without facing visa repercussions.

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**Recommendation 1**

That the NSW Government advocate to the Australian Government to amend relevant visa settings to allow PALM workers to more easily change employers.

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**2.49** During the inquiry, the committee became aware of the stark lack of regulation for the working holiday maker program. Stakeholders, including the NSW Anti-slavery Commissioner, informed us that the specified work rule is a key driver of coercion risks for working holiday makers. Other stakeholders spoke of the lack of safeguards surrounding who can employ working holiday makers and sign off on their specified work requirements.

**2.50** We were particularly troubled by evidence which suggested that working holiday makers have felt the need to endure exploitative working conditions, in order for their visa to be extended. This is yet another example of the adverse outcomes that can occur when a significant power imbalance exists between employers and workers. Several stakeholders therefore recommended that the specified work rule for working holiday makers be removed altogether.

**2.51** However, the committee also acknowledges the evidence received on the benefits of the specified work rule, including that it incentivises working holiday makers to travel within regional and rural New South Wales, and can provide a boost to regional economies. For these reasons, the committee heard opposition to the removal of the specified work rule. The committee also heard several suggestions on how the federal government could strengthen regulations for employers of working holiday makers.

**2.52** On balance, it is the committee's view that there is a pressing need for the working holiday maker program, and in particular, the specified work rule, to be reviewed by the federal government, to ensure that the safety and well-being of workers is prioritised. In doing so, consideration should also be given to the needs of employers and communities in regional and rural New South Wales.

**Recommendation 2**

That the NSW Government advocate to the Australian Government to review the Working Holiday Maker program, including the specified work rule, to ensure that the safety and well-being of workers is prioritised.

# Chapter 3 Unscrupulous operators and the need for labour hire regulation

This chapter examines the actions of unscrupulous operators, and the need for labour hire regulation in New South Wales. It begins by outlining the extent of exploitation, serious violations and modern slavery experienced by temporary migrant workers. Next, the chapter explores deterrence measures for unscrupulous operators, including the effectiveness of monitoring and compliance and the need for labour hire regulations in New South Wales. Finally, the chapter focuses on labour hire syndicates and allegations of modern slavery in Coffs Harbour and the Nambucca Valley.

## Exploitation, violations and modern slavery experienced by temporary migrant workers

**3.1** Throughout the inquiry, the committee received extensive evidence that many temporary migrant workers have faced exploitation and serious violations, amounting to modern slavery in a number of cases, while employed by unscrupulous operators in New South Wales.

**3.2** The committee heard that the reality faced by many migrants who come to work in Australia can differ vastly from their initial expectations. This perspective was reinforced by confidential testimony provided by witnesses with lived experience of modern slavery, as well as evidence provided by those who work to support temporary migrant workers.[115]

**3.3** As outlined in Chapter 1, not all exploitative behaviour faced by temporary migrant workers will amount to modern slavery. However, Ms Sophia Kagan, Principal Policy Advisor with the Office of the NSW Anti-slavery Commissioner explained that temporary migrant workers are particularly susceptible to modern slavery, for a variety of reasons:

> While not all poor working and living conditions will meet the threshold of modern slavery, the interaction of certain factors like immigration status, recruitment practices, language barriers, debt arrangements and geographic isolation can result in situations particularly of forced labour, deceptive recruitment, debt bondage and, in some cases, servitude or sexual exploitation.[116]

**3.4** The following sections discuss the unsafe, and often, exploitative living and working conditions which temporary migrant workers have been subjected to by

[115] See for example, Submission 38, Immigration Advice and Rights Centre (IARC) and Unions NSW, p 19 and Submission 8, Catholic Women's League Australia - New South Wales Inc., p 1.

[116] Evidence, Ms Sophia Kagan, Principal Policy Advisor, Labour Migration, Office of the NSW Anti-slavery Commissioner, 30 April 2025, p 4.

their employers. These sections also explore the ways in which temporary migrant workers have been impacted by this mistreatment.

### Living conditions

**3.5** Employers may provide their workers with accommodation. The committee heard significant evidence to suggest that many temporary migrant workers are subjected to substandard and unsafe living conditions, while working in rural and regional New South Wales.

#### *Substandard accommodation*

**3.6** The federal Attorney-General's Department outlined that there are a number of regulations which Pacific Australia Labour Mobility (PALM) employers are required to follow relating to workers' living conditions. It noted that PALM scheme employers are required to source accommodation and transport for their workers that is 'affordable, comfortable and safe'.[117] According to the department, accommodation for PALM workers must meet minimum standards, including:

- being of fair and good value
- having transparent costs
- being fit for purpose and in good condition.[118]

**3.7** Further, the federal Attorney-General's Department advised that PALM scheme employers must submit an accommodation plan, along with their recruitment application. It also stated that the Department of Employment and Workplace Relations (DEWR) conducts audits and inspections of worker accommodation, to ensure that these standards are met.[119]

**3.8** However, both temporary migrant workers and stakeholders who work to support them gave evidence that there are a range of significant issues experienced by workers living in employer-provided accommodation. Evidence suggested that these issues have been experienced by temporary migrant workers on a range of visas, including PALM workers and working holiday makers, as well as disengaged workers. Common issues that were reported included:

- unsanitary living conditions[120]

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117 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 38.

118 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 38.

119 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 38.

120 See, for example, Evidence, Mrs Paese Malia Sykes, Coffs Coast Multicultural Society, 11 December 2025, p 28; Submission 53, Migrant Justice Institute, p 10; Submission 52, Jin Young Lee, p 4.

- overcrowding[121]
- lack of privacy[122]
- lack of basic amenities such as adequate heating, cooking and bathroom facilities[123]
- gender insensitive and culturally inappropriate living arrangements.[124]

**3.9** One inquiry participant, Jin Young Lee, a temporary migrant worker who came to Australia on a working holiday visa, shared his experience of working as a backpacker on a blueberry farm on the Mid North Coast of New South Wales. He described that the accommodation that his employer provided to him was unhygienic and infested with cockroaches, stating that he believes that it was 'not fit for habitation'.[125]

**3.10** Kun Du, another working holiday maker who worked as a blueberry picker in the Mid North Coast, described their accommodation at the time as 'overcrowded' and told the committee that they lived with up to 17 people in one house.[126]

**3.11** In confidential testimony, individuals with lived experience of modern slavery shared similar experiences of overcrowding within their employer-provided accommodation.

### *Lack of privacy and autonomy*

**3.12** Some inquiry participants also gave evidence that employers have exercised undue control over their employees, restricted workers' movements and engaged in significant breaches of privacy.

**3.13** For example, Kun Du shared that while living in employer-provided accommodation, their landlord installed five security cameras within the property, which allowed him to monitor workers at all hours of the day.[127] Kun Du

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121 See, for example, Submission 2, Kun Du, p 1; Submission 32, Anti-Slavery Australia, p 5; Submission 44, NSW Anti-slavery Commissioner, p 11; Submission 47, Australian Workers' Union (AWU) and Retail Supply Chain Alliance (RSCA), p 15 and Submission 53, Migrant Justice Institute, p 10.

122 See, for example, Submission 18, Australasian Meat Industry Employees' Union, p 6 and Submission 2, Kun Du, p 1.

123 See, for example, Submission 52, Jin Young Lee, p 4; Submission 2, Kun Du, p 1 and Evidence, Mrs Paese Malia Sykes, Coffs Coast Multicultural Society, 11 December 2025, pp 30 and 32.

124 Evidence, Professor Tomoya Obokata, UN Special Rapporteur on contemporary forms of slavery, 30 April 2025, p 37; Submission 56, Australian South Sea Islanders (Port Jackson) (ASSIPJ), p 19 and Submission 53, Migrant Justice Institute, p 10 and Submission 53, Migrant Justice Institute, p 10.

125 Submission 52, Jin Young Lee, p 4.

126 Submission 2, Kun Du, p 1.

127 Submission 2, Kun Du, p 1.

described how they felt about this breach of privacy, stating 'no one's life should be constantly monitored by someone with more resources and power'.[128] They also told the committee that this surveillance was used to reprimand workers, and that they were threatened by their landlord when attempting to speak up:

> When we protested, the landlord and supervisor threatened to fire us, telling us to find other jobs if we didn't like it… If the landlord saw through the cameras that we opened the garage door to get some fresh air or sunlight, he would call the supervisor, who would then call us, yelling to close the door immediately.[129]

**3.14** The Australasian Meat Industry Employees' Union expressed concern at the level of control that some PALM scheme employers have exercised over workers in their accommodation. It stated that some employers view their provision of accommodation as an excuse to intrude on their workers' lives outside of working hours.[130] The union also provided examples where employers have impeded on PALM workers' privacy and freedom of movement, including by:

- restricting their social activities
- inappropriately searching their accommodation
- preventing visitors to their accommodation, including union representatives.[131]

### *Excessive rent and other deductions*

**3.15** The committee heard that workers can also be charged excessive amounts for rent, by their employers.

**3.16** Several stakeholders remarked that temporary migrant workers' rent is disproportionately high, given that they are commonly required to share their accommodation, and even their bedroom, with a large number of workers.[132] For example, Mrs Malia Sykes from Coffs Coast Multicultural Society told the committee that workers 'can pay anything from $170 up for accommodation for six-plus people in one room'.[133]

128 Submission 2, Kun Du, p 1.

129 Submission 2, Kun Du, p 1.

130 Submission 18, Australasian Meat Industry Employees' Union, p 6.

131 Submission 18, Australasian Meat Industry Employees' Union, p 6.

132 See, Submission 7, Linking Communities Network Ltd, p 1; Submission 11, Woolgoolga Labor Branch, p 4; Submission 38, Immigration Advice and Rights Centre (IARC) and Unions NSW, p 20.

133 Evidence, Mrs Paese Malia Sykes, Coffs Coast Multicultural Society, 11 December 2025, p 31.

**3.17** According to academics Dr Martijn Boersma, Associate Professor Stephen Clibborn and Professor Chris F Wright, it is common for rent to be automatically deducted from workers' pay.[134]

**3.18** Inquiry participants also reported that temporary migrant workers have been charged excessive amounts of money to cover transport, including to and from work, as well as to access basic amenities within their homes, such as kitchen and laundry facilities.[135]

**3.19** Further, the committee heard that some PALM workers are already indebted to their employers, as soon as they arrive in Australia. Stakeholders noted that, under the PALM scheme, employers can pay upfront for expenses such as workers' airfares to and from the Pacific, transport within Australia and visa processing fees, and later deduct these costs from workers' wages.[136]

**3.20** Some stakeholders emphasised that for PALM workers, particularly those who are underpaid, these deductions can put them at risk of falling beneath the poverty line and increase their vulnerability.[137]

**3.21** The committee heard further evidence that the automatic deduction of expenses, such as rent, from a worker's pay, can put them in significant financial stress. This is explored further later in this chapter.

### Working conditions

**3.22** The committee heard evidence that some temporary migrant workers have faced unsafe working conditions, and received inadequate training, putting them at risk of serious injury or death.

#### *Unsafe conditions leading to injury*

**3.23** The NSW Anti-slavery Commissioner advised that some temporary migrant workers have been forced to work in dangerous conditions, without receiving proper instructions. According to the Commissioner, workers have faced

134 Submission 34, Dr Martijn Boersma, Associate Professor Stephen Clibborn and Professor Chris F Wright, p 12.

135 See, for example, Evidence, Dr James Cockayne, NSW Anti-slavery Commissioner, 30 April 2025, p 2; Evidence, Ms Chloe Saker, Lawyer, Anti-Slavery Australia, 30 April 2025, p 22 and Evidence, Ms Biba Honnet, Migrant and Settlement Manager, St Vincent de Paul Society NSW, 11 December 2025, p 2.

136 Submission 44, NSW Anti-slavery Commissioner, p 26; Submission 29, Australian Fresh Produce Alliance, p 10 and Submission 38, Immigration Advice and Rights Centre (IARC) and Unions NSW, p 22.

137 Submission 38, Immigration Advice and Rights Centre (IARC) and Unions NSW, p 22 and Submission 7, Linking Communities Network Ltd, p 1.

conditions which risk their safety, including from 'machinery, climate, chemicals and other hazards'.[138]

**3.24** Further, the Commissioner noted that many of these workers feel that they have 'no choice' but to endure these conditions, due to their visa settings.[139]

**3.25** In confidential testimony, one individual with lived experience of modern slavery highlighted the lack of training or adequate instruction that they experienced, while working within the horticulture industry.

**3.26** On this topic, the Australasian Meat Industry Employees Union emphasised that when workers are not provided with adequate training, they are put at risk of sustaining injuries within their workplace.[140]

**3.27** Associate Professor Laurie Berg also informed the committee that over a quarter of temporary migrants working in rural New South Wales have been physically injured at some point during their work.[141]

**3.28** Mr Joshua Strutt, Chief Executive Officer and Principal Solicitor at the Immigration Advice and Rights Centre gave evidence regarding serious injuries that have been sustained by his clients. For example, Mr Strutt stated that his organisation has seen workers who have suffered significant workplace injuries, such as being blinded and losing parts of their limbs.[142]

### *Worker deaths*

**3.29** Inquiry participants also gave evidence in relation to cases in which temporary migrant workers have died while working in New South Wales.

**3.30** The NSW Anti-slavery Commissioner reported that, according to data provided by DEWR, the annual number of deaths among PALM workers more than quadrupled between the years of 2021 and 2023.[143]

**3.31** Other stakeholders shed light on instances where temporary migrant workers have died and drew attention to the lack of consideration given to workers' experiences of modern slavery, prior to their deaths.

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138 Submission 44, NSW Anti-slavery Commissioner, p 11.

139 Submission 44, NSW Anti-slavery Commissioner, p 11.

140 Submission 18, Australasian Meat Industry Employees Union, p 7.

141 Evidence, Associate Professor Laurie Berg, Co-Director of Migrant Justice Institute and Associate Professor, UTS Faculty of Law, 30 April 2025, p 21.

142 Evidence, Mr Joshua Strutt, Chief Executive Officer and Principal Solicitor, Immigration Advice and Rights Centre, 2 June 2025, p 13.

143 Office of the NSW Anti-slavery Commissioner, *Be Our Guests: Addressing urgent modern slavery risks for temporary migrant workers in rural and regional New South Wales*, 2024, p 17.

**3.32** In its submission, Domus 8.7, a modern slavery remediation service, highlighted the experience of a temporary migrant worker, identified with the pseudonym 'Edward', who died as a result of critical injuries sustained during a work day. Domus 8.7 advised that despite Edward's case showing multiple indicators of modern slavery, 'NSW Police did not investigate or consider Edward as a potential victim of crime' and the circumstances leading up to Edward's death were not considered by the NSW Coroner.[144]

**3.33** Further, according to Domus 8.7, despite their mandatory reporting requirements, Edward's employer did not notify SafeWork NSW, which did not conduct an independent investigation into Edward's death.[145]

**3.34** While statistics show that the cause of temporary migrant workers' death can be unrelated to their work conditions, Ms Alison Rahill from the Australian Catholic Antislavery Network expressed the view that there is a lack of awareness about the exploitative conditions which these workers may be subjected to, and a lack of adequate investigation into worker deaths.[146]

### Pay

**3.35** A number of stakeholders informed the committee of a range of issues related to workers' wages, including wage theft and the variation of their work hours. The committee heard that this can result in workers experiencing financial distress and also increase their vulnerability to modern slavery.

#### *Wage theft*

**3.36** Stakeholders and temporary migrant workers reported a number of common issues in relation to their pay, including:

- underpayment[147]
- employers denying entitlements such as overtime, leave and superannuation[148]

144 Submission 45, Domus 8.7, p 10.

145 Submission 45, Domus 8.7, p 10.

146 Submission 45, Domus 8.7, Attachment 1, p 5 and Evidence, Ms Alison Rahill, Executive Officer and ACAN Program Manager, Australian Catholic Antislavery Network, 2 June 2025, p 40.

147 See, for example, Submission 19, Redfern Legal Centre, p 8; Submission 20, Gospel, Society and Culture Committee of the Presbyterian Church NSW, p 7; Submission 24, SSI, p 11; Submission 25, Employment Rights Legal Service, p 2.

148 See, for example, Submission 19, Redfern Legal Centre, p 13; Submission 20, Gospel, Society and Culture Committee of the Presbyterian Church NSW, p 7; Submission 44, NSW Anti-slavery Commissioner, p 10; Submission 45, Domus 8.7, p 9.

- employers withholding or providing inadequate payslips.[149]

**3.37** Redfern Legal Centre emphasised that temporary migrant workers in New South Wales have experienced significant wage-related abuse, including the 'systematic underpayment of wages'.[150] It stated that employers who pay workers below-award rates capitalise on workers' limited knowledge of local employment laws and current awards.[151]

**3.38** The Immigration Advice and Rights Centre and Unions NSW also advised that within the horticulture industry, piece rates have been systemically misused to underpay workers.[152] These organisations shared that research undertaken by Unions NSW found that a notably high proportion of temporary migrant workers employed on piece rates had been underpaid, with some earning as little as $1 an hour.[153]

**3.39** Both organisations observed that a 2021 decision by the Fair Work Commission to introduce a minimum-wage guarantee for piece-rate workers saw a significant reduction in the number of job advertisements offering piece rates.[154] However, they noted that there have been challenges in the enforcement of this minimum-wage guarantee, and indicated that many piece-rate workers are still earning less than minimum wage.[155]

**3.40** For example, Jin Young Lee told the committee that he was paid a piece rate while employed as a working holiday maker, resulting in him earning 'significantly less than minimum wage'. Jin Young Lee stated that, while initially told that he would be earning between $200 to $300 a day, in reality, he found it difficult to earn this money in a week, 'despite working more than 40 hours'.[156]

**3.41** The committee heard that temporary migrant workers, particularly in the horticulture industry, may receive less work hours than they anticipated, due to factors like weather, and the seasonal nature of harvest work.[157] Ms Kirrilly Salvestro, Deputy CEO at Linking Communities Network emphasised that this

149 See, for example, Submission 19, Redfern Legal Centre, p 8; Submission 44, NSW Anti-slavery Commissioner, p 10; Evidence, Ms Biba Honnet, Migrant & Settlement Manager, St Vincent de Paul Society NSW, 11 December 2025, p 3.

150 Submission 19, Redfern Legal Centre, p 16.

151 Submission 19, Redfern Legal Centre, p 16.

152 Submission 38, Immigration Advice and Rights Centre (IARC) and Unions NSW, p 10.

153 Submission 38, Immigration Advice and Rights Centre (IARC) and Unions NSW, p 10.

154 Submission 38, Immigration Advice and Rights Centre (IARC) and Unions NSW, p 10.

155 Submission 38, Immigration Advice and Rights Centre (IARC) and Unions NSW, p 11.

156 Submission 52, Jin Young Lee, p 2.

157 Evidence, Ms Kirrilly Salvestro, Deputy CEO, Linking Communities Network Ltd, 19 June 2025, p 19 and Evidence, Mr Giles Fryer, Senior Solicitor, Workplace Rights Service, Legal Aid NSW, 11 December 2025, pp 3 and 8.

issue, when coupled with underpayment, can put workers 'at risk of being beneath the poverty line'.[158]

### *Work hours*

**3.42** The committee heard evidence that the hours which temporary migrant workers are required to work can vary significantly and often differ from what they were initially told, upon gaining employment.

**3.43** Some stakeholders advised that despite many workers being underpaid, they often reported having to work long hours, without breaks. For example, Jin Young Lee stated that while his position was advertised as six to eight hours per day, five days per week, he was regularly required to work 10 to 11 hours per day, seven days per week.[159]

**3.44** Similarly, Kun Du told the committee that they were often required to work to the point of exhaustion. They stated that 'as long as it didn't rain', they were required to work, and emphasised that at one point, they were made to work 17 days in a row, with no breaks.[160]

### *Cycle of debt*

**3.45** The committee heard that, due to the often-high costs associated with worker accommodation and transport, and that many workers are underpaid, workers feel caught in a cycle of debt, which can make it difficult for them to leave their employer.[161]

**3.46** Dr Martijn Boersma, Associate Professor Stephen Clibborn and Professor Chris F Wright emphasised that workers who experience underpayment or wage theft can consequently face difficulty covering essential costs such as food and rent. They stated that this can cause workers to accumulate 'significant debts', which can also leave them more susceptible to re-exploitation.[162]

**3.47** For example, in their submission, Kun Du illustrated the real impact that the accumulation of debt can have on temporary migrant workers, stating:

> Due to extremely low wages, there were two weeks where, after paying rent ($130–$150 per week), buying essential items, and paying for daily

158 Evidence, Ms Kirrilly Salvestro, Deputy CEO, Linking Communities Network Ltd, 19 June 2025, p 19.

159 Submission 52, Jin Young Lee, p 2.

160 Submission 2, Kun Du, p 2.

161 See, for example, Submission 52, Jin Young Lee, p 4; Submission 44, NSW Anti-slavery Commissioner, p 11; Evidence, Mr Giles Fryer, Senior Solicitor, Workplace Rights Service, Legal Aid NSW, 11 December 2025, p 8.

162 Submission 34, Dr Martijn Boersma, Associate Professor Stephen Clibborn and Professor Chris F Wright, p 12.

> transportation, I was left with only $2 in my account to live on for an entire week. It was impossible to survive on this.[163]

**3.48** Mrs Malia Sykes explained that, for PALM workers, this cycle of debt also has a flow on effect to Pacific communities. She stated that, due to a combination of lack of work hours, underpayment and deductions for their airfares and visa, many PALM workers are unable to meet their communities' expectations and send money home to their families.[164]

**3.49** The NSW Anti-slavery Commissioner further informed the committee that these practices can amount to debt bondage, which is an indicator of forced labour.[165]

### Disengagement

**3.50** During the inquiry, the committee heard evidence about the prevalence of PALM worker disengagement. This refers to when a PALM worker leaves their approved employer, to seek work elsewhere.[166]

**3.51** The federal Attorney-General's Department advised that it can be difficult to know how many PALM workers have disengaged from the scheme, as these workers are generally not in contact with either DEWR or their approved employer.[167]

**3.52** Stakeholders suggested that while PALM workers may disengage for a variety of reasons, many do so as a result of experiencing substandard and unsafe living and working conditions, wage theft and receiving low work hours.[168]

**3.53** Further, the International Organization for Migration reported that PALM visa settings which prevent workers from easily changing employers can contribute to their decision to disengage.[169]

**3.54** The committee heard that, once disengaged, these workers are vulnerable to further exploitation by unscrupulous employers, as they have lost their

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163 Submission 2, Kun Du, p 2.

164 Evidence, Mrs Paese Malia Sykes, Coffs Coast Multicultural Society, 11 December 2025, p 33.

165 Submission 44, NSW Anti-slavery Commissioner, pp 9, 11 and 12.

166 Office of the NSW Anti-slavery Commissioner, *Be Our Guests: Addressing urgent modern slavery risks for temporary migrant workers in rural and regional New South Wales*, 2024, p 11.

167 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 41.

168 See, for example, Evidence, Cr George Weston, Mayor, Leeton Shire Council, 2 June 2025, p 28; Evidence, Mr Ken Dachi, Coordinator, Welcoming Australia, 2 June 2025, p 30;

169 Submission 13, International Organization for Migration (IOM), p 4.

entitlements within the PALM scheme such as accommodation and health insurance.[170]

**3.55** The NSW Anti-slavery Commissioner emphasised that disengagement therefore further amplifies underlying modern slavery risks, as well as broader risks to workers' safety and well-being, due to their loss of access to income, food, shelter and healthcare.[171]

**3.56** The federal Attorney-General's Department advised that the federal government has made progress in 'reducing the levels of disengagement from the PALM scheme'.[172] It also stated that the government is working to reduce 'preventable disengagement' including by 'improving pay and conditions, addressing grievances early, eliminating worker mistreatment, strengthening compliance and improving workers' understanding of their rights and obligations'.[173]

**3.57** The department also emphasised that DEWR supports workers to re-engage with the PALM scheme 'where possible' and within the parameters of either PALM visa settings, 'or other appropriate visa pathways'.[174] To do so, DEWR has a 'dedicated team' which provides support to PALM workers who have disengaged, including by:

- assessing requests from workers who want to return to work in the PALM scheme
- speaking with disengaged workers to gain an understanding of their situation
- supporting outcomes for workers, including connecting them with new PALM scheme employers and providing information about available support to assist workers to return home.[175]

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170 See, for example, Evidence, Cr George Weston, Mayor, Leeton Shire Council, 2 June 2025, p 28; Evidence, Mr Ken Dachi, Coordinator, Welcoming Australia, 2 June 2025, p 30 and Office of the NSW Anti-slavery Commissioner, *Be Our Guests: Addressing urgent modern slavery risks for temporary migrant workers in rural and regional New South Wales*, 2024, p 5.

171 Office of the NSW Anti-slavery Commissioner, *Be Our Guests: Addressing urgent modern slavery risks for temporary migrant workers in rural and regional New South Wales*, 2024, p 15.

172 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 42.

173 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 42.

174 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 42.

175 Australian Government, *Re-engagement information for workers,* Pacific Australia Labour Mobility, https://www.palmscheme.gov.au/re-engagement-information-workers.

**3.58** According to DEWR, each request to re-engage is assessed based on individual circumstances, and not all requests are approved.[176]

**3.59** When discussing the re-engagement of PALM workers, Mr Ken Dachi and Mr Paul Maytom, Chairman of Leeton Multicultural Support Group both advocated for the introduction of an amnesty for disengaged workers.[177] Specifically, Mr Dachi called on the New South Wales government to appeal to the federal government, to grant amnesty to allow all disengaged PALM workers to either rejoin the scheme or opt for voluntary repatriation.[178] He argued that in doing so, this would 'restore integrity to previously disengaged workers, and to the program itself'.[179]

## Inadequate deterrence measures

**3.60** Throughout the inquiry, stakeholders highlighted that a lack of consequences for unscrupulous operators, inadequate monitoring and compliance mechanisms and a lack of labour hire regulation in New South Wales have created an environment that enables unscrupulous employers to exploit temporary migrant workers. Several stakeholders strongly advocated for the strengthening of monitoring and compliance measures and the introduction of labour hire regulation to prevent unscrupulous employers from operating in New South Wales.

### Lack of consequences for unscrupulous operators

**3.61** Some stakeholders argued that there is inadequate deterrence for businesses who exploit their employees, as these employers often do not face consequences for their actions.

**3.62** The committee received evidence to suggest that there is knowledge within regional communities regarding the identity of unscrupulous employers.[180] However, Mr Ken Dachi emphasised that these employers are not being formally identified or adequately held to account.[181]

176 Australian Government, *Re-engagement information for workers,* Pacific Australia Labour Mobility, https://www.palmscheme.gov.au/re-engagement-information-workers.

177 Evidence, Mr Ken Dachi, Coordinator, Welcoming Australia, 19 June 2025, p 2 and Evidence, Mr Paul Maytom, Chairman, Leeton Multicultural Support Group, 19 June 2025, p 8.

178 Evidence, Mr Ken Dachi, Coordinator, Welcoming Australia, 19 June 2025, p 2.

179 Evidence, Mr Ken Dachi, Coordinator, Welcoming Australia, 19 June 2025, p 2.

180 Evidence, Mr Ken Dachi, Coordinator, Welcoming Australia, 19 June 2025, p 7.

181 Evidence, Mr Ken Dachi, Coordinator, Welcoming Australia, 19 June 2025, pp 10-11.

**3.63** Further, the Office of the Australian Anti-Slavery Commissioner noted in its submission that historically, exploitative employers have not faced significant penalties.[182]

**3.64** Academics Dr Martijn Boersma, Associate Professor Stephen Clibborn and Professor Chris F Wright argued that due to the limitations of regulatory bodies, and low maximum penalties in place for employer misconduct, unscrupulous employers are not adequately dissuaded from engaging in exploitative behaviour.[183]

**3.65** Dr Boersma, Associate Professor Clibborn and Professor Wright also stated that even when legal action does occur, and fines are imposed, these penalties are often negligible in comparison to the profits that employers make through unlawful labour practices.[184]

**3.66** The Australian Fresh Produce Alliance emphasised that the conduct of PALM employers is 'closely monitored' and stated that breaches of the PALM scheme Deed and Guidelines result in penalties, including suspension or removal from the scheme.[185]

**3.67** However, the committee received evidence that some employers have been able to evade certain consequences. For example, several stakeholders raised the issue of companies, including some PALM scheme approved employers, 'phoenixing' to avoid facing penalties for their actions. The term 'phoenixing' was used by stakeholders to describe employers who, after facing penalties such as being removed from the PALM scheme, re-establish themselves under new business identities, to evade accountability.[186]

**3.68** The NSW Anti-slavery Commissioner stated that 'phoenixing' may be especially common with labour hire companies and highlighted that it can enable employers to avoid repaying debts owed to their former employees and potentially continue to exploit workers under a different name.[187]

### Inadequate monitoring and compliance

**3.69** The committee heard that monitoring and compliance related to the workplace rights and wellbeing of temporary migrant workers is overseen by a combination of state and federal agencies and regulators. Some stakeholders expressed the

182 Submission 41, Office of the Australian Anti-Slavery Commissioner, p 4.

183 Submission 34, Dr Martijn Boersma, Associate Professor Stephen Clibborn and Professor Chris F Wright, p 13.

184 Submission 34, Dr Martijn Boersma, Associate Professor Stephen Clibborn and Professor Chris F Wright, p 13.

185 Submission 29, Australian Fresh Produce Alliance, p 9.

186 Submission 32, Anti-Slavery Australia, p 6.

187 Submission 44, NSW Anti-slavery Commissioner, p 19.

view that this has led to a fragmented regulatory approach, which has failed to adequately address modern slavery risks for workers.

### *Federal agencies and regulators*

**3.70** At a federal level, the Fair Work Ombudsman and the Department of Home Affairs both have a role in monitoring and compliance related to the workplace rights of temporary migrant workers.

**3.71** Under the *Fair Work Act 2009* (Cth), the Fair Work Ombudsman is the agency responsible for enforcing compliance with workplace laws in Australia. The agency's responsibilities include:

- investigating instances of non-compliance with workplace laws, such as non-payment of wages and allegations involving vulnerable workers, including temporary migrant workers
- referring cases with indicators of human trafficking or modern slavery to the Australian Federal Police.[188]

**3.72** The Department of Home Affairs also has a role in monitoring and enforcing compliance, particularly regarding visa related offences under the *Migration Act 1958* (Cth). Within the department, Australian Border Force officers have the ability to:

- use a variety of compliance and enforcement tools to 'disrupt and deter migrant worker exploitation, including through education and awareness campaigns, and issuing sanctions against non-compliant employers
- investigate and prosecute offenders where there has been 'serious and systemic exploitation' of temporary migrant workers.[189]

**3.73** Further, the federal Attorney-General's Department advised that Australian Border Force officers have been trained to appropriately identify and provide referral to suspected victims of exploitation and modern slavery.[190]

### *SafeWork NSW*

**3.74** Workplace health and safety laws are legislated and regulated separately by each state and territory.[191] In New South Wales, SafeWork NSW is the regulator that is responsible for enforcing and regulating workplace health and safety laws.

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188 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 11.

189 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 14.

190 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 14.

191 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 10.

**3.75** Hon Sophie Cotsis MP, Minister for Industrial Relations, and Minister for Work Health and Safety told the committee that SafeWork NSW monitors and enforces compliance with the *Work Health and Safety Act 2011*.[192] Minister Cotsis advised that SafeWork NSW delivers enforcement through proactive, targeted compliance programs, as well as by responding to complaints, local intelligence, and incidents.[193]

**3.76** Regarding its targeted compliance activity, Minister Cotsis told the committee that SafeWork NSW has inspectors located across all regions within New South Wales who carry out both proactive and reactive inspections, including targeted 'blitz' activity.[194] Minister Cotsis noted that during planned inspections, if non-compliance with work health and safety standards is identified, inspectors can take 'decisive enforcement action'. This includes issuing:

- improvement notices to require timely rectification of unsafe practices
- prohibition notices to immediately address serious and imminent risks to worker health and safety
- penalty notices to deter ongoing noncompliance.[195]

**3.77** Dr Petrina Casey, Executive Director at SafeWork NSW clarified that the powers of SafeWork NSW inspectors are dictated by the *Work Health and Safety Act 2011,* which does not include explicit reference to conditions of modern slavery.[196]

**3.78** Redfern Legal Centre argued that a reactive, complaint-driven enforcement mechanism can disadvantage temporary migrant workers who may fear speaking up for a variety of reasons.[197] Further, it raised that there are barriers to these workers making a report to SafeWork NSW, as their online services are only available in English.[198]

**3.79** Minister Cotsis informed the committee that SafeWork NSW are working to improve its engagement with temporary migrant workers, especially those who are employed through labour hire companies, including by providing targeted

192 Answers to supplementary questions, Hon Sophie Cotsis MP, Minister for Industrial Relations, and Minister for Work Health and Safety, 21 April 2026, p 1.

193 Answers to supplementary questions, Hon Sophie Cotsis MP, Minister for Industrial Relations, and Minister for Work Health and Safety, 21 April 2026, p 11.

194 Evidence, Hon Sophie Cotsis MP, Minister for Industrial Relations, and Minister for Work Health and Safety, 20 March 2026, p 4.

195 Answers to supplementary questions, Hon Sophie Cotsis MP, Minister for Industrial Relations, and Minister for Work Health and Safety, 21 April 2026, p 11.

196 Evidence, Dr Petrina Casey, Executive Director, Strategic and Corporate Services, SafeWork NSW, 20 March 2026, p 6.

197 Submission 19, Redfern Legal Centre, p 19.

198 Submission 19, Redfern Legal Centre, p 19.

education, multilingual work health and safety information and clearer pathways for reporting.[199]

### *A fragmented regulatory approach*

**3.80** During the inquiry, some stakeholders questioned the effectiveness of the regulators responsible for monitoring and compliance.

**3.81** Be Slavery Free argued that, when it comes to addressing modern slavery risks for temporary migrant workers, there is 'unclear jurisdictional responsibility'. It added that this has led to 'disconnected' regulatory efforts between local, state and federal authorities.[200]

**3.82** The Employment Rights Legal Service also commented that, given the breadth of investigative and enforcement activities undertaken by the Fair Work Ombudsman and SafeWork NSW, it is 'often difficult for them to maintain an immediate and accessible presence' in regional areas.[201]

**3.83** The NSW Anti-slavery Commissioner expressed the view that 'labour regulators alone lack the resources for comprehensive monitoring and enforcement'. The Commissioner stated that these regulators often lack the 'ground-level' knowledge that local government bodies, unions, worker organisations and community members possess.[202]

**3.84** The Commissioner therefore suggested that a 'co-regulatory' approach, which brings together federal agencies, state bodies such as SafeWork NSW and NSW Police, and organisations with more 'ground-level' knowledge, would improve the detection of modern slavery cases, and improve temporary migrant worker wellbeing.[203]

**3.85** Minister Cotsis and Dr Casey advised that SafeWork NSW has undertaken work in collaboration with both the Fair Work Ombudsman and Department of Home Affairs to target their compliance mechanisms.[204] Minister Cotsis stated that SafeWork NSW is also working towards improving information sharing among relevant regulators and agencies.[205]

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199 Answers to supplementary questions, Hon Sophie Cotsis MP, Minister for Industrial Relations, and Minister for Work Health and Safety, 21 April 2026, p 18.

200 Submission 31, Be Slavery Free, p 9.

201 Submission 25, Employment Rights Legal Service, p 9.

202 Submission 44, NSW Anti-slavery Commissioner, p 31.

203 Submission 44, NSW Anti-slavery Commissioner, p 31.

204 Evidence, Dr Petrina Casey, Executive Director, Strategic and Corporate Services, SafeWork NSW, 20 March 2026, p 6 and Evidence, Hon Sophie Cotsis MP, Minister for Industrial Relations, and Minister for Work Health and Safety, 20 March 2026, p 7.

205 Answers to supplementary questions, Hon Sophie Cotsis MP, Minister for Industrial Relations, and Minister for Work Health and Safety, 21 April 2026, pp 17-18.

### The need for labour hire regulation in New South Wales

**3.86** New South Wales is one of three states in Australia without labour hire regulation.[206] The committee heard that the lack of labour hire regulation in New South Wales enables unscrupulous employers to operate when they are otherwise barred from doing so in other states. Stakeholders expressed that there is an urgent need to introduce labour hire regulation in New South Wales.

#### *The current landscape*

**3.87** Inquiry participants gave evidence that it is not uncommon for temporary migrant workers in New South Wales, including PALM workers and working holiday makers, to be employed through labour hire companies, particularly in the horticulture and meat industries.

**3.88** Mr Giles Fryer, Senior Solicitor at Legal Aid NSW advised that labour hire companies make up a 'large proportion' of PALM scheme approved employers in New South Wales.[207]

**3.89** Similarly, Mr Matt Journeaux from the Australasian Meat Industry Employees' Union commented that over the past two decades, he has seen a 'fundamental shift' by which the meat processing industry has become increasingly made up of temporary migrant workers who are engaged through third-party labour hire companies.[208]

**3.90** The Australian Fresh Produce Alliance explained that, within the horticulture industry, labour hire services are commonly used due to the seasonal nature of its work and the limited human resource capacity of many small and medium sized horticulture businesses.[209] According to the Australian Fresh Produce Alliance, labour hire companies offer these businesses a 'range of benefits', as they can take responsibility for duties including recruiting and training workers, and managing workers' pay, insurance and other entitlements.[210]

**3.91** Despite their prevalence, there are no dedicated regulations, or a system of licensing and oversight specifically for labour hire companies operating in New

206 Submission 44, NSW Anti-slavery Commissioner, p 25.

207 Evidence, Mr Giles Fryer, Senior Solicitor, Workplace Rights Service, Legal Aid NSW, 11 December 2025, p 3.

208 Evidence, Mr Matt Journeaux, Federal Secretary, Australasian Meat Industry Employees' Union, AMIEU QLD, WA, NT Branch Secretary, 2 June 2025, p 14.

209 Submission 29, Australian Fresh Produce Alliance, p 4.

210 Submission 29, Australian Fresh Produce Alliance, p 19.

South Wales.[211] Many stakeholders argued that this has led to unethical practices, and the exploitation of vulnerable workers. [212]

**3.92** Further, the Commissioner noted that while there is evidence to suggest that most labour hire providers uphold their workers' rights, and are compliant with their legal obligations, there is a 'minority of unscrupulous providers who abuse the vulnerability of temporary migrant workers'.[213]

**3.93** Stakeholders, such as Berries Australia and the Australian Workers' Union commented that, due to a lack of labour hire regulation, in comparison with neighbouring states of Victoria and Queensland, these unscrupulous labour hire providers view New South Wales as a 'haven' and an 'attractive destination' to operate in.[214]

**3.94** In a July 2026 report titled 'Exploitation magnet: Why the Absence of Labour Hire Licensing in NSW is Attracting Unscrupulous Employment Practices', The McKell Institute highlighted that there are up to 63 businesses which have continued to operate in New South Wales, despite having their labour hire licenses cancelled in either Victoria or Queensland.[215]

**3.95** Be Slavery Free emphasised that there is a 'heavy reliance' on labour hire providers in New South Wales. It argued that, due to a lack of labour hire regulation, these companies have been able to introduce 'layers of subcontracting' which can 'dilute accountability and obscure responsibility for workers' conditions'.[216]

### *The call for labour hire regulation in New South Wales*

**3.96** Throughout the inquiry a significant number of stakeholders strongly recommended that the New South Wales government take immediate action to implement a labour hire licensing scheme.[217]

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211 Submission 47, Australian Workers' Union (AWU) and Retail Supply Chain Alliance (RSCA), p 4 and Submission 44, NSW Anti-slavery Commissioner, p 11.

212 See, for example, Submission 44, NSW Anti-slavery Commissioner, p 24; Evidence, Mr Giles Fryer, Senior Solicitor, Workplace Rights Service, Legal Aid NSW, 11 December 2025, p 3; Evidence, Ms Seri Feldman-Gubbay, Senior Solicitor, Employment Practice, Redfern Legal Centre, 30 April 2025, p 16 and Submission 31, Be Slavery Free, p 7.

213 Submission 44, NSW Anti-slavery Commissioner, p 24.

214 Submission 5, Berries Australia, p 2 and Evidence, Mr Jonathan Cook, Organiser, Australian Workers' Union, 2 June 2025, p 17.

215 Ed Cavanough and Thomas Probst, *Exploitation magnet: Why the Absence of Labour Hire Licensing in NSW is Attracting Unscrupulous Employment Practices* (The McKell Institute, July 2026), p 7.

216 Submission 31, Be Slavery Free, p 9.

217 See, for example, Submission 5, Berries Australia, p 2; Submission 14, The Salvation Army Australia, p 9; Submission 18, Australasian Meat Industry Employees' Union, p 5; Submission 29, Australian Fresh Produce Alliance, p 4; Submission 31, Be Slavery Free, p 13; Evidence, Ms Sophia Kagan, Principal Policy Advisor, Labour Migration, Office of

**3.97** Stakeholders expressed strong support for the introduction of a national labour hire licensing scheme, but acknowledged that, should this not come to fruition, the state government must act urgently to introduce a scheme of its own.[218]

**3.98** In its July 2026 report, The McKell Institute recommended that the NSW Government commit to establishing a 'standalone labour hire licensing scheme'. It also recommended that the government introduce enabling legislation to allow this scheme to become operational no later than 1 July 2027.[219]

**3.99** Dr Boersma, Associate Professor Clibborn and Professor Wright commented that if New South Wales were to introduce a labour hire licensing scheme, a state-based labour hire authority could be established to:

- establish a system of ongoing oversight
- require transparent registration practices
- deliver genuine consequences for unscrupulous operators, for example, financial penalties and license revocations.[220]

**3.100** Many inquiry participants also acknowledged the success of labour hire licensing schemes in other states, such as Queensland and Victoria, and suggested that the NSW government adopt a similar approach.[221]

**3.101** The committee sought evidence from Mr Steve Dargavel, Labour Hire Licensing Commissioner at the Victorian Labour Hire Authority to understand the Victoria labour hire licensing scheme. Some of the key features of Victoria's labour hire scheme include that:

- all labour hire service providers must have a licence

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the NSW Anti-slavery Commissioner, 30 April 2025, p 6; Evidence, Mr Chris Evans, Australian Anti-Slavery Commissioner, 30 April 2025, p 29; Evidence, Mr Bernard Govind, Senior Industrial Officer, Shop, Distributive and Allied Employees' Association (NSW Branch), 2 June 2025, p 13; Evidence, Mr Moceica Matai Turaga, Lived Experience Consultant, Domus 8.7 Remediation Service, 2 June 2025, p 35.

218 See, for example, Submission 44, NSW Anti-slavery Commissioner, p 25; Submission 5, Berries Australia, p 2; Submission 29, Australian Fresh Produce Alliance, p 19; Evidence, Mr Jonathan Cook, Organiser, Australian Workers' Union, 2 June 2025, p 17.

219 Ed Cavanough and Thomas Probst, *Exploitation magnet: Why the Absence of Labour Hire Licensing in NSW is Attracting Unscrupulous Employment Practices* (The McKell Institute, July 2026), p 9.

220 Submission 34, Dr Martijn Boersma, Associate Professor Stephen Clibborn and Professor Chris F Wright, p 3.

221 See, for example, Evidence, Mr Chris Evans, Australian Anti-Slavery Commissioner, 30 April 2025, p 29; Submission 45, Domus 8.7, p 3; Submission 49, Uniting Church in Australia, Synod of Victoria and Tasmania, the Pacific Islands Council of Queensland Inc; the Pacific Islands Council of South Australia, NSW Council for Pacific Communities and U Ethical Investors, p 3.

- host users of labour hire services must only use licensed providers, which they can identify through a public register
- there are significant penalties for not using licensed providers or providing unlicensed labour hire services
  - over $650,000 for corporations
  - $160,000 for individuals
- the scheme has its own intelligence and analytics unit.[222]

**3.102** Mr Dargavel highlighted that the number of labour hire services in the horticultural industry in Victoria is half of what it otherwise would have been were it not for the labour hire regulation. Specifically, there are 448 entities supplying labour hire services after:

- 92 licences granted with conditions
- 198 applications refused
- 3 renewals refused
- 259 licences cancelled.[223]

**3.103** Mr Dargavel indicated that jurisdictions with a labour hire scheme or authority like Victoria cannot share data or detailed intelligence with New South Wales departments. Rather, New South Wales would need its own labour hire regulator empowered through legislation to receive disclosures from the Victorian Authority.[224]

**3.104** Specifically, The McKell Institute suggested that, in creating a labour hire licensing scheme, the NSW Government should adopt the upfront registration system of Queensland, along with a cost-recovery model similar to that of Victoria.[225] It also emphasised that this scheme should apply to all labour hire providers across all industries, rather than a select few, to ensure protections for all temporary migrant workers, regardless of the industry which they work in.[226]

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222 Evidence, Mr Steve Dargavel, Labour Hire Licensing Commissioner, Victorian Labour Hire Authority, 20 March 2026, pp 10-11.

223 Tabled document, Mr Steve Dargavel, Labour Hire Licensing Commissioner, Victorian Labour Hire Authority, p 4; Evidence, Mr Steve Dargavel, Labour Hire Licensing Commissioner, Victorian Labour Hire Authority, 20 March 2026, p 10.

224 Evidence, Mr Steve Dargavel, Labour Hire Licensing Commissioner, Victorian Labour Hire Authority, 20 March 2026, p 14.

225 Ed Cavanough and Thomas Probst, *Exploitation magnet: Why the Absence of Labour Hire Licensing in NSW is Attracting Unscrupulous Employment Practices* (The McKell Institute, July 2026), p 9.

226 Ed Cavanough and Thomas Probst, *Exploitation magnet: Why the Absence of Labour Hire Licensing in NSW is Attracting Unscrupulous Employment Practices* (The McKell Institute, July 2026), p 25.

**3.105** The Australasian Meat Industry Employees' Union expressed the view that, if the NSW Government were to introduce a labour hire licensing scheme similar to that of other states, this would be the 'single most effective measure that could be taken at state government level to alleviate the risks of modern slavery amongst temporary migrant workers'.[227]

**3.106** During the inquiry, the committee heard evidence regarding the action that has been taken by both the state and federal governments, to address the issue of labour hire regulation.

### *Attempts by the federal and state governments to introduce labour hire regulation*

**3.107** The Minister for Industrial Relations and Work, Health and Safety, the Hon Sophie Cotsis MP, explained to the committee that in 2023 the NSW Government agreed to participate in a harmonised process to develop a national labour hire licensing scheme.[228]

**3.108** According to the Minister, work on the national regulation progressed from 2023 to 2025.

- In December 2023, all jurisdictions agreed to establish a National Labour Hire Working Group tasked with developing model legislation, funding and administrative models for a national system.[229]
- Work on the model legislation and other implementation matters progressed through 2024 and early 2025, with Victoria proposed as the host jurisdiction for the national scheme. At the time, states were to consider an intergovernmental agreement.[230]
- In October 2025, Queensland, the Northern Territory and Tasmania formally withdrew support from the national process.[231]

**3.109** The withdrawal of these key jurisdictions meant that the national harmonised approach could not proceed. The Minister shared with the committee her

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227 Submission 18, Australasian Meat Industry Employees' Union, p 5.

228 Evidence, Hon Sophie Cotsis, Minister for Industrial Relations and Minister for Work, Health and Safety, 20 March 2026, p 3.

229 Evidence, Hon Sophie Cotsis, Minister for Industrial Relations and Minister for Work, Health and Safety, 20 March 2026, p 3.

230 Evidence, Hon Sophie Cotsis, Minister for Industrial Relations and Minister for Work, Health and Safety, Budget Estimates - 10 March 2026, p 4; Answers to supplementary questions, Hon Sophie Cotsis, Minister for Industrial Relations and Minister for Work, Health and Safety, 21 April 2026, p 3.

231 Answers to supplementary questions, Hon Sophie Cotsis, Minister for Industrial Relations and Minister for Work, Health and Safety, 21 April 2026, p 3.

sentiments on the 'collapse' in the process, stating: 'I'm very disappointed in the collapse because we were completely invested'.[232]

**3.110** The Minister noted that the remaining jurisdictions, including New South Wales, decided to pursue an alternate strategy, led by the Australian Government, to explore options for a nationally consistent approach to labour hire regulation. According to the Minister, work has commenced with the goal of producing principles which would inform state legislation regulating labour hire licensing.[233]

**3.111** The Minister informed the committee that, in the meantime, the NSW Government is taking a range of interim and ongoing actions to address labour hire concerns. The key actions include:

- SafeWork compliance campaigns, as outlined earlier in the chapter
- increased funding of $127.7 million for SafeWork NSW, including onboarding of 51 new inspectors.[234]
- collaboration with the Fair Work Ombudsman, Department of Home Affairs and other agencies, as outlined earlier in the chapter. [235]
- the establishment of a Migrant Workers Centre and education program, discussed further in Chapter 5.[236]
- the development of a labour hire code of practice from July 2026 under the *Work Health and Safety Act*, which will apply to labour hire providers and host employers and cover issues such as accommodation, amenities and WHS criteria.[237] This code of practice will be enforceable by SafeWork NSW.[238]

[232] Evidence, Hon Sophie Cotsis, Minister for Industrial Relations and Minister for Work, Health and Safety, 20 March 2026, p 3.

[233] Answers to supplementary questions, Hon Sophie Cotsis, Minister for Industrial Relations and Minister for Work, Health and Safety, 21 April 2026, p 4.

[234] Answers to supplementary questions, Hon Sophie Cotsis, Minister for Industrial Relations and Minister for Work, Health and Safety, 21 April 2026, p 8.

[235] Evidence, Hon Sophie Cotsis, Minister for Industrial Relations and Minister for Work, Health and Safety, 20 March 2026, p 4 and p 6.

[236] Answers to supplementary questions, Hon Sophie Cotsis, Minister for Industrial Relations and Minister for Work, Health and Safety, 21 April 2026, p 12.

[237] Evidence, Dr Petrina Casey, Executive Director, Strategic and Corporate Services, SafeWork NSW, 20 March 2026, pp 3-4; Answers to supplementary questions, Hon Sophie Cotsis, Minister for Industrial Relations and Minister for Work, Health and Safety, 21 April 2026, pp 7 and 4.

[238] Evidence, Dr Petrina Casey, Executive Director, Strategic and Corporate Services, SafeWork NSW, 20 March 2026, p 4.

## Labour hire syndicates and allegations of modern slavery in Coffs Harbour and the Nambucca Valley

**3.112** During the inquiry, concerning evidence emerged regarding a system of labour exploitation in Coffs Harbour and the Nambucca Valley. This evidence demonstrates the interconnected nature of the issues raised throughout this chapter and underscores the urgent need for an improved regulatory framework.

**3.113** The NSW Anti-slavery Commissioner informed the committee that there are some temporary migrants working as berry pickers in Coffs Harbour and the Nambucca Valley who are being 'systematically exploited by a group of informal labour hire syndicates'. He noted that in some cases, this exploitation has involved widespread wage theft and the intimidation of workers.[239]

**3.114** While the Commissioner estimated that the number of syndicates in operation is small, he warned that the conduct of some syndicates has exhibited significant indicators of modern slavery, including forced labour, debt bondage, deceptive recruiting, and possibly trafficking in persons, servitude and sexual servitude.[240]

**3.115** The committee heard that, due to the lack of labour hire regulation in New South Wales, there are 'no real barriers' for these labour hire providers to enter the market, or for criminals or those with a history of abuse to start such a business.[241]

**3.116** The Commissioner explained that these labour hire syndicates have been able to operate undetected and evade enforcement efforts implemented by federal, state and local government agencies, through methods including:

- the use of sham and front corporate structures, bank accounts and invoicing
- threats and intimidation, producing a culture of silence
- coordinated evasion of inspections and other enforcement actions
- coordinated resistance to the suggestion that there is a labour exploitation problem in the region, so that those suggesting there is such a problem are more easily marginalised.[242]

**3.117** Further, the committee heard that these businesses are possibly being overseen offshore, through the use of encrypted apps and social media.[243]

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239 Submission 44a, NSW Anti-slavery Commissioner, p 5.

240 Submission 44a, NSW Anti-slavery Commissioner, p 5.

241 Submission 44a, NSW Anti-slavery Commissioner, p 5.

242 Submission 44a, NSW Anti-slavery Commissioner, p 6.

243 Submission 44a, NSW Anti-slavery Commissioner p 5.

**3.118** The Commissioner indicated that there is knowledge within local communities about the operation of these syndicates. He observed that there are 'interlocking patterns of conduct' among these labour hire companies and syndicates, as well as berry farm operators and owners, and buying entities in Coffs Harbour and the Nambucca Valley.[244]

**3.119** The Commissioner noted that these labour hire companies may even threaten local producers, by withholding the supply of workers, if the producer cooperates with authorities conducting investigations into matters such as labour exploitation.[245]

**3.120** Concerned stakeholders have raised complaints about this system of labour exploitation to a number of government agencies, including local councils, state and federal police, SafeWork NSW, the Fair Work Ombudsman and Australian Transaction Reports and Analysis Centre.[246] However, the Commissioner stated that 'to date', these agencies have failed to disrupt or address this system of labour exploitation.[247]

**3.121** Further, the Commissioner emphasised that while each agency has been aware of certain elements of this issue, a lack of inter-agency communication has meant that 'no one has put the pieces together'. He asserted that due to a historic absence of both proactive information sharing and active investigative cooperation among relevant bodies, this systemic labour exploitation has remained unaddressed.[248]

## Committee comment

**3.122** It is clear from the significant evidence received during this inquiry that too many temporary migrant workers have experienced, or are at a serious risk of experiencing modern slavery, in New South Wales. These migrant workers provide essential services, including putting food on the tables of many New South Wales residents each day.

**3.123** Yet, the fragmented regulatory approach to monitoring and compliance and the lack of labour hire regulation has left many of these workers vulnerable to the exploitative actions of unscrupulous employers. Workers have been let down by the systems in place that should detect exploitation, and employers have often avoided consequences. It is imperative that the NSW Government take immediate action on this issue.

244 Submission 44a, NSW Anti-slavery Commissioner, p 1.
245 Submission 44a, NSW Anti-slavery Commissioner, p 11.
246 Submission 44a, NSW Anti-slavery Commissioner, p 3.
247 Submission 44a, NSW Anti-slavery Commissioner, p 6.
248 Submission 44a, NSW Anti-slavery Commissioner, p 7.

**3.124** Throughout the inquiry, the committee received disturbing evidence of workers subjected to unacceptable living and working conditions by their employers. We received many accounts of workers living in unsanitary, overcrowded employer-provided accommodation, some facing serious privacy breaches and excessive displays of employer control. The committee was appalled to hear of the exorbitant rent charged by many employers, along with the often unreasonable deductions to cover transport, and the use of basic amenities.

**3.125** The committee also heard distressing details of workers who have been seriously injured, or died, as a result of working in unsafe conditions, without receiving appropriate instruction. Additionally, the committee was deeply concerned to hear of the wage theft experienced by those on temporary visas. We heard many examples of workers who have been underpaid, denied entitlements and forced to work excessive hours. Many workers have been left with barely enough money to survive, caught in a cycle of debt that renders them unable to leave their employment, thus heightening their vulnerability to further exploitation, and modern slavery.

**3.126** The committee heard concerning evidence about the prevalence of PALM worker disengagement. We were informed that PALM workers may disengage from the scheme for a variety of reasons. However, it is clear to us that the unsafe and substandard living and working conditions that many workers are subjected to, combined with the lack of autonomy that these workers have to change employers through formal channels, has been a significant trigger for disengagement. As stakeholders emphasised, once a PALM worker disengages from the scheme, they become even more vulnerable to further exploitation.

**3.127** It is clear to the committee that these workers should be provided with a second chance to seek safe and fair employment, and re-engage with the PALM scheme, no matter their circumstances. The committee therefore agrees with inquiry participants who advocated for amnesty to be granted to workers who have disengaged from the PALM scheme, and for them to be provided with the option to either rejoin the scheme or be voluntarily repatriated.

**Recommendation 3**

That the NSW Government advocate to the Australian Government to grant amnesty to all disengaged PALM workers and provide these workers with the option to either rejoin the PALM scheme or be voluntarily repatriated.

**3.128** In addition to the evidence of appalling conduct of unscrupulous employers, witnesses drew attention to the lack of consequences that these employers face for their actions. The committee was disappointed to hear evidence that exploitative employers are not adequately dissuaded from engaging in such behaviour in New South Wales.

**3.129** The committee accepts that within the PALM scheme, employers who breach their requirements may face penalties, including removal or suspension from the scheme. However, we were troubled by evidence which suggested that some employers are 'phoenixing' in an attempt to avoid penalties and continue their exploitative practices.

**3.130** The NSW Government must act now, to prevent further mistreatment and exploitation of temporary migrant workers, at the hands of unscrupulous employers.

**3.131** The committee acknowledges the work of both state and federal bodies in monitoring and enforcing compliance related to the workplace rights and wellbeing of temporary migrant workers.

**3.132** Within New South Wales, SafeWork NSW has an important role in enforcing and regulating workplace health and safety laws. The committee recognises the work undertaken by SafeWork NSW to carry out targeted activity, including both proactive and reactive inspections throughout the state. However, we note that the agency's scope to identify and respond to cases of modern slavery is limited as the *Work Health and Safety Act 2011* does not include explicit reference to modern slavery.

**3.133** It is the committee's view that, as the regulator of workplace health and safety laws, SafeWork NSW and its inspectors are best-placed to look for indicators of modern slavery when conducting inspections of workplaces and employer-provided accommodation. The committee therefore recommends that the remit of SafeWork NSW inspectors be expanded to enable them to appropriately identify and respond to modern slavery indicators when conducting inspections.

**3.134** Further, we acknowledge that some stakeholders have questioned the effectiveness of current monitoring and compliance mechanisms, which are spread across state and federal jurisdictions. The committee supports the NSW Anti-slavery Commissioner's suggestion of a co-regulatory approach to monitoring and compliance. We recognise that SafeWork NSW has undertaken work in collaboration with the Fair Work Ombudsman and the Department of Home Affairs to target their compliance mechanisms. Nonetheless, we recommend that the NSW Government implement a co-regulatory approach to monitoring and compliance, including by increasing information-sharing between relevant state and federal agencies.

**Recommendation 4**

That the NSW Government seek to amend the *Work Health and Safety Act 2011* to enable SafeWork NSW inspectors to look for, identify and respond to indicators of modern slavery during inspections of workplaces and employer-provided accommodation.

**Recommendation 5**

That the NSW Government implement a co-regulatory approach to monitoring and compliance, including by increasing information-sharing between relevant state and federal agencies.

**3.135** It is evident to the committee that the current labour hire landscape in New South Wales requires urgent reform. Many stakeholders gave evidence that, despite the increasing prevalence of temporary migrant workers employed by labour hire companies, there is a stark absence of labour hire regulation in this state. We were deeply concerned to hear that this lack of regulation has incentivised unscrupulous labour hire providers to operate in New South Wales.

**3.136** The committee agrees with inquiry participants who expressed support for the introduction of a national labour hire licensing scheme. We therefore share the disappointment of Minister Cotsis, who advised that plans for a national labour hire licensing scheme will not proceed at this stage.

**3.137** The committee was pleased to hear that the NSW Government is instead exploring the implementation of a labour hire licensing scheme, and looking to models in other jurisdictions, such as Queensland and Victoria. We particularly commend the impressive work of the Victorian Labour Hire Authority in improving transparency and compliance among labour hire providers and reducing instances of exploitation and modern slavery.

**3.138** The committee therefore recommends that the NSW Government take urgent action to implement a labour hire licensing scheme as soon as possible. In doing so, we recommend that the NSW Government adopt a similar approach to that of Victoria, by establishing a labour hire authority to oversee the licensing and regulating of labour hire companies within the state. Further, we believe that this licensing scheme should be developed to enable harmonisation with a national labour hire licensing scheme, in the future.

**Recommendation 6**

That the NSW Government take urgent action to implement a labour hire licensing scheme as soon as possible. In doing so, the NSW Government should:

- adopt a similar approach to that of Victoria, by establishing a labour hire authority to oversee licensing and regulation
- implement a scheme which can be harmonised with a future national labour hire licensing scheme.

**3.139** The committee was deeply troubled by evidence provided by the NSW Anti-slavery Commissioner regarding a system of labour exploitation in Coffs Harbour and the Nambucca Valley. We received concerning evidence that temporary migrant workers in this region have been, and continue to be, subjected to wage theft,

intimidation, and serious modern slavery risks and harms. Further, the committee was alarmed to hear that these labour hire operators may be engaging in coercive and threatening behaviour, to thwart attempts to report their conduct to relevant agencies.

**3.140** That unscrupulous employers in this region have been able to operate largely undetected highlights the urgent need for labour hire reform, and a co-regulatory approach to monitoring and compliance.

**3.141** The committee understands that many stakeholders have raised concerns with a number of authorities about systemic exploitation in Coffs Harbour and the Nambucca Valley. However, due to a lack of interagency communication and coordination, agencies have failed to address or disrupt this system of labour exploitation. The NSW Government must take a coordinated and collaborative approach to urgently investigate the allegations in the region.

**Recommendation 7**

That the NSW Government urgently investigate the allegations of systemic labour exploitation and modern slavery in Coffs Harbour and the Nambucca Valley, in collaboration with relevant federal agencies. In doing so, agencies should engage in proactive information sharing.

# Chapter 4 Access to healthcare

A significant issue raised in this inquiry was temporary migrant workers' access to healthcare. This chapter begins by examining the barriers that temporary migrant workers face in accessing adequate healthcare. These include ineligibility for Medicare, high costs and insufficient insurance coverage, complex health insurance policies and fear that accessing healthcare may have visa impacts. The chapter then discusses the barriers to maternity, reproductive and sexual healthcare, including pregnancy care, faced by temporary migrant workers. Finally, it discusses the importance of equipping temporary migrant workers with information on health services and healthcare workers with the skills to accurately identify modern slavery indicators.

## Barriers to accessing healthcare

**4.1** As discussed in Chapter 3, many temporary migrants live and work in unsafe environments. The committee heard that, as a result of substandard living and working conditions, workers can sustain injuries and develop health issues which require medical attention.[249] Stakeholders also reported that the trauma experienced by temporary migrant workers who have experienced modern slavery can impact on their mental health.[250]

**4.2** The committee heard that temporary migrant workers face difficulty accessing necessary healthcare, due to a range of barriers, which worsen for disengaged workers. It became evident throughout the inquiry that one of the most significant barriers for the majority of temporary migrant workers is their ineligibility for Medicare. Other barriers include:

- high up-front costs of medical treatment and insufficient insurance coverage
- complexity of health insurance policies, which has led to a lack of understanding among workers about their entitlements
- misunderstanding or fear of visa impacts.

[249] See for example, Submission 17, W.H.S Guardian, p 1; Evidence, Ms Chloe Saker, Lawyer, Anti-Slavery Australia, 30 April 2025, p 22.

[250] Evidence, Ms Khadija Hassan, Lead Migration Support Programs, Australian Red Cross, 19 June 2025, p 23 and Submission 19, Redfern Legal Centre, p 14.

### Ineligibility for Medicare

**4.3** The committee heard evidence that healthcare entitlements for most temporary migrant workers in Australia are limited, as they do not have access to Medicare.[251]

**4.4** In discussing temporary migrant workers' access to Medicare, witnesses largely spoke of the specific healthcare entitlements of workers participating in the Pacific Australia Labour Mobility (PALM) scheme.

**4.5** While the majority of PALM workers are ineligible for Medicare, according to their visa requirements, PALM workers must have and maintain adequate health insurance for their whole stay in Australia.[252] In its submission, the federal Attorney-General's Department advised that usually, these health insurance arrangements are initially made and paid for by a worker's employer. Employers then make ongoing deductions from workers' wages to cover insurance premiums.[253]

**4.6** According to the federal Attorney-General's Department, these health insurance policies typically cover costs for workers to access hospital care, care from a general practitioner or specialist doctor, specialist services and outpatient care at 100 per cent of the Medicare Benefit Schedule fee.[254]

**4.7** One cohort of workers who are entitled to Medicare are those participating in the PALM scheme family accompaniment pilot, an initiative which allows the families of up to 200 PALM scheme workers on long-term placements to accompany them to Australia. Under this pilot, families can apply for Medicare once they arrive in the country.[255]

**4.8** For disengaged workers, the committee heard that those who have left the PALM scheme, either intentionally or unintentionally, are considered in breach of their visa conditions and any health insurance that they may hold is cancelled.[256] According to Dr Valerie Delpech, North Coast Director of Population and Public

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251 See, for example, Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 40; Submission 44, NSW Anti-slavery Commissioner, p 18; Submission 19, Redfern Legal Centre, p 14.

252 Submission 22, International Commission of Jurists (Australian Section), p 6.

253 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 40.

254 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 40.

255 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 45.

256 Evidence, Dr Valerie Delpech, North Coast Director of Population and Public Health, Mid North Coast Local Health District, 11 December 2025, p 16.

Health, Mid North Coast Local Health District, this leaves disengaged workers in a 'very vulnerable' position.[257]

**4.9** When asked about the process by which someone without Medicare can access healthcare in New South Wales, NSW Health clarified that public hospitals provide emergency care 'without delay, regardless of a person's visa status, Medicare eligibility, or capacity to pay'.[258] NSW Health specified that, when a Medicare-ineligible patient presents at an emergency department:

- no upfront payment is required prior to emergency treatment
- care is not withheld where a patient cannot provide identification, visa details, or proof of Medicare eligibility at the time of presentation
- following treatment, relevant patient details may be collected for billing purposes.[259]

**4.10** For non-emergency presentations, NSW Health advised that for those without Medicare, payment or assurance of payment is required prior to treatment. Under NSW Health policy, Medicare-ineligible patients 'must be informed of applicable fees and provide informed financial consent'. Patients experiencing financial hardship can also apply for a fee waiver.[260]

**4.11** Stakeholders expressed their deep concern that temporary migrant workers are ineligible for Medicare. In particular, Dr Hannah Tonkin, NSW Women's Safety Commissioner, labelled workers' lack of access to Medicare 'a terrible situation'.[261] Further, Dr Deirdre Little from Lilyrose Pregnancy Support warned that some workers may die as a consequence of being denied access to Medicare.[262]

**4.12** Consequently, there was a strong call from stakeholders that temporary migrant workers be granted access to Medicare.[263] Mrs Ema Vueti, President of the Pacific Island Council of Queensland emphasised that it is 'so important' for the NSW

257 Evidence, Dr Valerie Delpech, North Coast Director of Population and Public Health, Mid North Coast Local Health District, 11 December 2025, p 16.

258 Answers to questions on notice, NSW Health, 30 January 2026, p 2.

259 Answers to questions on notice, NSW Health, 30 January 2026, p 2.

260 Answers to questions on notice, NSW Health, 30 January 2026, p 2.

261 Evidence, Dr Hannah Tonkin, Women's Safety Commissioner, NSW Department of Communities and Justice, 2 June 2025, p 57.

262 Evidence, Dr Deirdre Little, Catholic Women's League Australia – NSW Inc., 11 December 2025, p 10.

263 See, for example, Submission 12, The Australia Institute, p 2; Submission 15, Welcoming Australia, p 2; Submission 28, Wagga Women's Health Centre Inc, p 3; Submission 31, Be Slavery Free, p 5; Submission 46, Australian Workers' Union (AWU) and Retail Supply Chain Alliance (RSCA), p 14; Submission 49, Uniting Church in Australia, Synod of Victoria and Tasmania, the Pacific Islands Council of Queensland Inc; the Pacific Islands Council of South Australia, NSW Council for Pacific Communities and U Ethical Investors, p 16.

Government to advocate to the federal government, to grant PALM workers access to Medicare.[264] Similarly, the Australian Workers' Union and Retail Supply Chain Alliance advocated for the expansion of Medicare eligibility, stating that 'accessible, affordable healthcare is a must'.[265]

### High costs and insufficient insurance coverage

**4.13** Due to their inability to access Medicare benefits, workers often face prohibitively high out of pocket costs when seeking medical attention. Many inquiry participants gave evidence that cost was a major barrier to accessing healthcare for temporary migrant workers.[266]

**4.14** While many temporary migrant workers have private health insurance, Ms Biba Honnet, Migrant & Settlement Manager, St Vincent de Paul Society NSW, explained that when seeking medical attention, they are often required to pay up-front and at full cost, before being reimbursed by the insurance that they hold.[267]

**4.15** The committee heard that it can cost hundreds of dollars to attend an emergency department or see a general practitioner, and tens of thousands of dollars for more specialised care.[268] Consequently, witnesses highlighted that the high out of pocket costs associated with basic and specialist health services often deter workers from accessing healthcare altogether, even when they do have insurance.[269]

**4.16** The type of private health insurance coverage held by temporary migrant workers can also impact on the accessibility of medical care available to them. Ms Alexandra Wade from the Mid North Coast Local Health District advised that, in addition to facing prohibitive up-front costs for treatment, workers face waiting

[264] Evidence, Mrs Ema Vueti, President, Pacific Island Council of Qld Inc, 2 June 2025, p 46.

[265] Submission 47, Australian Workers' Union (AWU) and Retail Supply Chain Alliance (RSCA), p 4.

[266] See, for example, Submission 44, NSW Anti-slavery Commissioner, p 10; Submission 28, Wagga Women's Health Centre Inc, p 2; Submission 47, Australian Workers' Union (AWU) and Retail Supply Chain Alliance (RSCA), p 14.

[267] Evidence, Ms Biba Honnet, Migrant & Settlement Manager, St Vincent de Paul Society NSW, 11 December 2025, p 4.

[268] Evidence, Ms Alexandra Wade, Clinical Nurse Consultant - Liver Clinic, Mid North Coast Local Health District, 11 December 2025, p 18; Evidence, Ms Biba Honnet, Migrant & Settlement Manager, St Vincent de Paul Society NSW, 11 December 2025, p 4; Evidence, Mrs Paese Malia Sykes, Coffs Coast Multicultural Society, 11 December 2025, p 33; Evidence, Mr Paul Maytom, Chairman, Leeton Multicultural Support Group, 19 June 2025, p 5 and Submission 8, Catholic Women's League – NSW Inc., p 1.

[269] Evidence, Ms Alexandra Wade, Clinical Nurse Consultant - Liver Clinic, Mid North Coast Local Health District, 11 December 2025, p 18 and Evidence, Ms Biba Honnet, Migrant & Settlement Manager, St Vincent de Paul Society NSW, 11 December 2025, p 4.

periods on particular illnesses and conditions as their insurance policies typically only provide basic coverage.[270]

**4.17** Some witnesses indicated that these waiting periods, along with a lack of insurance coverage for certain health conditions, exacerbate structural barriers to accessing adequate healthcare.[271] For example, Redfern Legal Centre observed that temporary migrant workers who have faced exploitation often experience high levels of stress, anxiety and other mental health issues. However, they are not eligible for Medicare rebates and do not have private health insurance which covers mental health.[272]

**4.18** The NSW Anti-slavery Commissioner further outlined that, without access to Medicare and often with limited private health insurance access and coverage, the vulnerability of temporary migrant workers is exacerbated, and can be exploited by employers.[273]

**4.19** Similarly, the Australian Workers' Union and Retail Supply Chain Alliance stressed that employers can exploit vulnerable workers by threatening them with job loss if they seek medical help, denying them paid sick leave and workers compensation, or outright refusing them medical assistance.[274]

### Complex insurance policies

**4.20** In addition to the high cost of insurance, the committee heard that temporary migrant workers' health insurance policies are often complicated and difficult to understand. This has led to a lack of awareness among many workers about their entitlements to healthcare in Australia. Some stakeholders indicated that this lack of understanding has a direct impact on the willingness of migrant workers to seek medical attention.

**4.21** Dr Trudi Beck, General Practitioner and member of Murrumbidgee Primary Health Network's Wagga Wagga Clinical Council raised concerns that when treating temporary migrant workers, there is often a lack of clarity, for both patients and healthcare providers, surrounding what their health insurance will cover.[275]

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270 Evidence, Ms Alexandra Wade, Clinical Nurse Consultant – Liver Clinic, Mid North Coast Local Health District, 11 December 2025, p 18.

271 See, Submission 19, Redfern Legal Centre, p 14; Evidence, Dr Hannah Tonkin, Women's Safety Commissioner, NSW Department of Communities and Justice, Monday 2 June 2025, p 56.

272 Submission 19, Redfern Legal Centre, p 14.

273 Submission 44, NSW Anti-slavery Commissioner, p 10.

274 Submission 47, Australian Workers' Union (AWU) and Retail Supply Chain Alliance (RSCA), p 14. See also, Submission 44, NSW Anti-slavery Commissioner, p 10.

275 Evidence, Dr Trudi Beck, General Practitioner and member of Murrumbidgee Primary Health Network's Wagga Wagga Clinical Council, 19 June 2025, p 26.

**4.22** Dr Deirdre Little from Lilyrose Pregnancy Support recalled assisting a pregnant woman seeking antenatal support with an insurance policy so 'unfathomable', that hospital staff were unable to advise what it did and did not cover.[276]

**4.23** Dr Beck attributed the lack of understanding from workers to a lack healthcare literacy. She stated: 'I would say that in Australia the average Australian doesn't have very good health literacy .... When you add in a language barrier, it's particularly difficult'.[277]

**4.24** The committee heard evidence about the impact that a lack of understanding surrounding insurance policies can have on migrant workers. For example, the Australian South Sea Islanders (Port Jackson) observed that a lack of accessible information about medical insurance policies and relevant healthcare entitlements has led to significant fear and reluctance in workers who require medical treatment.[278] It argued that 'this fear, compounded by language barriers and a lack of system understanding, often prevents them from seeking necessary medical attention, creating potentially life-threatening situations'.[279]

### Hesitancy to seek medical attention due to fear of visa impacts

**4.25** Stakeholders highlighted that temporary migrant workers facing exploitation can be fearful of seeking help due to concern that this will affect their visa. Some witnesses indicated that this fear extends to temporary migrant workers in need of medical attention, who may be hesitant to seek treatment due to a belief that it could negatively impact their visa status.[280]

**4.26** Mr Joshua Strutt, Chief Executive Officer and Principal Solicitor, Immigration Advice & Rights Centre, commented that he has encountered PALM workers living in constant fear of being sent home. Mr Strutt shared an experience which illustrated the direct influence that this fear has had on workers' decisions on whether to seek necessary medical attention:

> We've had people approach us—they've had parts of their limbs chopped off in their worksite but have not been able to properly access medical treatment because they're too worried about what that might mean for

[276] Evidence, Dr Deirdre Little, Catholic Women's League Australia – NSW Inc., 11 December 2025, p 13.

[277] Evidence, Dr Trudi Beck, General Practitioner and member of Murrumbidgee Primary Health Network's Wagga Wagga Clinical Council, 19 June 2025, p 26.

[278] Submission 56, Australian South Sea Islanders (Port Jackson) (ASSIPJ), p 12.

[279] Submission 56, Australian South Sea Islanders (Port Jackson) (ASSIPJ), p 12. See also, Submission 37, Albury Wodonga Ethnic Communities Council, p 1.

[280] See, Evidence, Ms Alexandra Wade, Clinical Nurse Consultant – Liver Clinic, Mid North Coast Local Health District, 11 December 2025, p 18; Evidence, Mr Joshua Strutt, Chief Executive Officer and Principal Solicitor, Immigration Advice & Rights Centre, 2 June 2025, p 16 and Submission 28, Wagga Women's Health Centre Inc, p 1.

> their visa. I think there's this really huge power imbalance that exists through this system that needs to be fixed.[281]

**4.27** The real or perceived threat of deportation, and its impact on workers' willingness to access support more generally, is discussed in more detail in Chapter 5.

## Maternity, reproductive and sexual healthcare

**4.28** In addition to concerns about access to general healthcare, the committee heard evidence specific to maternity, reproductive and sexual healthcare. This section examines the impact that a lack of appropriate, affordable and accessible reproductive and sexual healthcare has on women in particular, within temporary migrant worker communities in rural and regional areas.

### Pregnancy care

**4.29** A key issue raised with respect to reproductive healthcare was access to pregnancy care for women on temporary visas.

**4.30** Inquiry participants reported that there has been an increase in the number of migrant women who are ineligible for Medicare seeking support for unplanned pregnancies in New South Wales.[282] Many of these women have presented to hospitals with late-stage pregnancies, having received no prior antenatal care.[283]

**4.31** The committee heard evidence from a range of stakeholders on themes relating to pregnancy care, including:

- barriers to accessing pregnancy care, including a lack of insurance coverage and access to women's health services in rural and regional areas
- influences on a woman's decision on whether or not to continue with pregnancy
- further impacts on women, after they give birth, and their children.

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281 Evidence, Mr Joshua Strutt, Chief Executive Officer and Principal Solicitor, Immigration Advice & Rights Centre, 2 June 2025, p 16.

282 See, Submission 44, NSW Anti-slavery Commissioner, p 21; Evidence, Ms Anita McRae, Senior Manager, Priority Populations, Murrumbidgee Primary Health Network, 19 June 2025, p 25; Submission 48, Attorney-General's Department on behalf of Commonwealth agencies', p 40 and Evidence, Dr Valerie Delpech, North Coast Director of Population and Public Health, Mid North Coast Local Health District, 11 December 2025, p 16.

283 Evidence, Dr Valerie Delpech, North Coast Director of Population and Public Health, Mid North Coast Local Health District, 11 December 2025, p 16.

### *Barriers to accessing pregnancy and birth related care*

**4.32** The committee heard that there are two key barriers to accessing pregnancy and birth related care for women on temporary visas – inadequate insurance coverage and access to women's health services in regional and rural areas.

**4.33** Several stakeholders advised that private health insurance policies held by most temporary migrant workers do not cover pregnancy and birth related costs until the policy holder has served a 12-month waiting period.[284] Dr Hannah Tonkin, New South Wales Women's Safety Commissioner, told the committee that the inability to access Medicare or pregnancy care through private health insurance has led to women on temporary visas 'falling through the gaps in that one-year waiting period'.[285]

**4.34** In its submission, the federal Attorney-General's Department advised that NIB insurance, the preferred insurance provider of the PALM scheme, has 'extended discretionary support' in certain circumstances to allow some individual workers access to antenatal care on an 'ex-gratia' basis.[286] It also noted that the NIB PALM scheme health insurance policy includes coverage for abortion services.[287]

**4.35** However, during a Budget Estimates hearing, the NSW Anti-slavery Commissioner highlighted that other insurance policy providers, such as Medibank, do not cover hospital care related to the investigation and treatment of a miscarriage or for termination of pregnancy.[288]

**4.36** The federal Attorney-General's Department also stated that 'where a worker discloses their pregnancy, the PALM scheme employer is required to assist them to access medical care and support'.[289]

**4.37** However, inquiry participants reported that for some women on temporary visas, becoming pregnant can be the basis for the termination of their employment

[284] See, Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 40; Submission 56, Australian South Sea Islanders (Port Jackson) (ASSIPJ), p 12 and Submission 4, Soroptimist International Griffith Inc, p 2.

[285] Evidence, Dr Hannah Tonkin, Women's Safety Commissioner, NSW Department of Communities and Justice, 2 June 2025, p 56.

[286] Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 40.

[287] Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 41.

[288] Evidence, Dr James Cockayne, NSW Anti-slavery Commissioner, Portfolio Committee No 5 – Justice and Communities, Budget Estimates, 11 March 2026, p 77.

[289] Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 40.

contracts.[290] As a result, these women often lose access to their health insurance.[291]

**4.38** According to the NSW Anti-slavery Commissioner, PALM workers in this situation are then considered disengaged from the scheme, which increases their vulnerability. The Commissioner emphasised the situation that pregnant women are placed in once disengaged from the PALM scheme:

> Now you're a vulnerable worker in rural or regional New South Wales with expectations from your family and community at home that sent you here to earn money. You're pregnant, you've lost your work, you may have lost your entitlement to visa status. It's a very, very dangerous situation.[292]

**4.39** Inquiry participants also raised that there is a lack of access to healthcare services specifically for women, in regional and rural areas. Stakeholders informed the committee that, where services do exist, migrant workers may face difficulty in physically accessing them, due to the remote nature of their workplaces and limited transport options, including where their freedom of movement is controlled by their employer.[293]

**4.40** The federal Attorney-General's Department acknowledged that women may face difficulty in accessing sexual and reproductive healthcare in rural and remote areas. The department advised that PALM workers who hold an NIB insurance policy can access healthcare advice through channels such as telehealth and a health advice line.[294]

### *The decision whether or not to continue with pregnancy*

**4.41** The committee heard evidence that some women on temporary visas have opted to terminate their pregnancies as they feel they have no other option, while others have proceeded with pregnancies due to a lack of access to adequate abortion services.

**4.42** General Practitioner Dr Trudi Beck told the committee, that within her work as a reproductive healthcare provider, she often encounters female PALM workers with limited English skills who have an 'unplanned, unwanted pregnancy'. She noted

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290 See, Evidence, Dr James Cockayne, NSW Anti-slavery Commissioner, Portfolio Committee No 5 – Justice and Communities, Budget Estimates, 11 March 2026, p 77; Evidence, Professor Tomoya Obokata, UN Special Rapporteur on contemporary forms of slavery, 30 April 2025, p 39 and Submission 28, Wagga Women's Health Centre Inc, p 2.

291 Submission 28, Wagga Women's Health Centre Inc, p 2.

292 Evidence, Dr James Cockayne, NSW Anti-slavery Commissioner, Portfolio Committee No 5 – Justice and Communities, Budget Estimates, 11 March 2026, p 77.

293 See, Submission 30, Australian Red Cross, pp 9-10 and Evidence, Ms Tess Deegan, Acting Principal Solicitor, Kingsford Legal Centre, Wednesday 30 April 2025, p 10.

294 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 41.

that these women are working in Australia to send money back to their families, and often have children at home, being looked after by other relatives. When these women become pregnant, Dr Beck said that they often believe that they will be unable to continue working, either due to the physical nature of their job or their inability to care for a child while also meeting their work requirements, and will therefore be in breach of their visa.[295]

**4.43** Some stakeholders explained that women in this position often opt to terminate their pregnancies, not because that is their desire but because they feel that they have no other option.[296] Dr Beck estimated that, of the pregnant migrant workers that she has seen, '95 per cent of the time they would pick a termination, and not because of personal choice, necessarily'.[297] Further, Dr Beck described the distressing position that this can put medical professionals in:

> I actually find it really difficult to provide termination services for a woman where that's not her deeply held desire. I think that's the crux of the matter for me. … if this woman was in her home country and had the means to live above the poverty line, she would have this baby. That is just such an ethics and values clash for me.[298]

**4.44** The committee also heard evidence that abortion services can be difficult to access in regional and rural areas.

**4.45** In its submission, the Wagga Women's Health Centre highlighted that women across the Murrumbidgee region have limited access to specialised reproductive health services, including abortion services. The health centre elaborated that because there are a limited number of practitioners who provide medical terminations of pregnancy, and no practitioners who provide surgical terminations in the Riverina region, women seeking an abortion can be forced to travel to larger cities such as Sydney or Melbourne. This can incur significant costs related to travel and accommodation, in addition to the cost of the procedure itself.[299]

**4.46** Dr Trudi Beck emphasised that, due to limited access to reproductive health services in regional areas, some women are 'missing the window of opportunity to have a medical termination'. She stated that in order for these women to access a surgical termination, they may be required to travel to a major city. Dr Beck told

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295 Evidence, Dr Trudi Beck, General Practitioner and member of Murrumbidgee Primary Health Network's Wagga Wagga Clinical Council, 19 June 2025, p 26.

296 Submission 8, Catholic Women's League Australia – New South Wales Inc., p 2 and Evidence, Dr Trudi Beck, General Practitioner and member of Murrumbidgee Primary Health Network's Wagga Wagga Clinical Council, 19 June 2025, p 29.

297 Evidence, Dr Trudi Beck, General Practitioner and member of Murrumbidgee Primary Health Network's Wagga Wagga Clinical Council, 19 June 2025, p 27.

298 Evidence, Dr Trudi Beck, General Practitioner and member of Murrumbidgee Primary Health Network's Wagga Wagga Clinical Council, 19 June 2025, p 29.

299 Submission 28, Wagga Women's Health Centre, p 2.

the committee that, by the time these women are presented with this option, they are 'so defeated'. She stressed the impact that this has had on her patients regarding their decision about whether to continue with their pregnancy:

> I had women who would say, "Do I actually want this baby? I will keep the baby. I will see you for my pregnancy care." Then they'll get on a plane at 34 weeks, go home, have the baby and leave the baby with family … they will literally use their annual leave to go home to have a baby and then come back to work.[300]

**4.47** Dr Deirdre Little from Lilyrose Pregnancy Support expressed the view that when pregnant migrant workers are not provided with access to adequate care, and are instead nudged 'towards abortion', this contributes to 'fostering a slightly dismissive attitude towards their care at higher levels'. She advocated for the provision of a higher standard of affordable antenatal care for temporary migrant workers, and better access to antenatal care clinics within the regions that they work.[301]

### *Further impacts on women and children after birth*

**4.48** Other inquiry participants reported that, due to a lack of suitable supports, temporary migrant women can experience significant challenges after they give birth, including losing custody of their children or deportation.

**4.49** The committee heard evidence that it is not uncommon for women on temporary visas and their children to be sent home, or for children to be put up for adoption. According to the Australian South Sea Islanders (Port Jackson), over 40 babies are born in Australia annually to ni-Vanuatu PALM workers. The majority are given up for adoption or sent to Vanuatu.[302]

**4.50** Further, Mr Paul Maytom, Chairman of Leeton Multicultural Support Group, highlighted the custody issues that women may face, as a consequence of being unable to access support. In what he identified as an extreme case, Mr Maytom shared that he was contacted by a woman with no health insurance or support, who, after giving birth to her second child two months premature, felt that her only option was to surrender her baby to state care.[303] In recalling a phone call with this woman following an interview with officials about her child's welfare, he stated:

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300 Evidence, Dr Trudi Beck, General Practitioner and member of Murrumbidgee Primary Health Network's Wagga Wagga Clinical Council, 19 June 2025, p 29.

301 Evidence, Evidence, Dr Deirdre Little, Catholic Women's League Australia – NSW Inc., 11 December 2025, p 10.

302 Submission 56, Australian South Sea Islanders (Port Jackson) (ASSIPJ), p 13.

303 Evidence, Mr Paul Maytom, Chairman, Leeton Multicultural Support Group, 19 June 2025, p 3.

> She pleaded with me … She agreed to hand the second baby over, as she did the first baby … she said, "I didn't know what to do, Paul, because I have no money, so I agreed to it. But I want my babies back."

**4.51** Lilyrose Pregnancy Support was a not-for-profit organisation based in Coffs Harbour that provided support and care to pregnant migrant women. The case study below showcases the support and assistance Lilyrose provided to new mothers and the burden placed on volunteers and community organisations to provide financial and social support to temporary migrant workers.

**Case study – Lilyrose Pregnancy Support**[304]

A hospital staff member contacted Lilyrose Pregnancy Support and requested that they support a new mother who had no provisions for her newborn. Lilyrose volunteers purchased essential baby items, including a baby capsule, and took the mother and the baby home from the hospital as the booked taxi repeatedly failed to pick them up.

The mother lived in poor conditions with no partner, family or financial support. Her home was a shed on an isolated property situated on a dam, many kilometers from the city, reached by a perilous track. The toilet was an outside Portaloo. The mother was not eligible for support services, but Lilyrose provided for her needs until the local women's refuge took her and the baby in.

The mother pleaded with Lilyrose to look after the baby so she could go back to work. Nevertheless, the mother and the child were soon deported.

Although Lilyrose only provided support to the mother post discharge from the hospital, the hospital sent a bill for $2,726 to recoup their costs.

### Sexual healthcare

**4.52** Multiple inquiry participants reported growing public health concerns relating to an increase in the number of sexually transmitted infections among temporary migrant workers in some regional communities.[305] Stakeholders outlined a number of barriers that can deter migrant workers from accessing sexual healthcare, including cost, proximity to health services and cultural stigma.

**4.53** In its submission, the federal Attorney-General's Department noted that the NIB PALM scheme health insurance policy includes coverage for contraception, including emergency and long-lasting contraceptive options. However, it also

304 Evidence, Ms Ruth Dooley, Catholic Women's League Australia, 11 December 2025, p 14.

305 See, Evidence, Dr James Cockayne, NSW Anti-slavery Commissioner, 30 April 2025, p 3; Evidence, Ms Anita McRae, Senior Manager, Priority Populations, Murrumbidgee Primary Health Network, 19 June 2025, p 25 and Evidence, Dr Valerie Delpech, North Coast Director of Population and Public Health, Mid North Coast Local Health District, 11 December 2025, p 16.

acknowledged that women, including those engaged through the PALM scheme, may face difficulty in accessing sexual health care in regional and rural areas.[306]

**4.54** Similar to the barriers to accessing general healthcare, clinical nurse consultant Ms Alexandra Wade reiterated that there is a hesitancy among temporary migrant workers to seek medical treatment, including for sexually transmitted infections, because of up-front costs.[307]

**4.55** General Practitioner Dr Trudi Beck similarly expressed concern that cost is a major barrier to accessing long-acting contraception and highlighted that healthcare providers often bear the costs when a migrant worker cannot afford it.[308] Dr Beck told the committee that, in her experience, this places medical professionals in a difficult position:

> Most of the time we're doing contraception for free because they don't have money. A reversible, long-acting contraceptive which is gold standard will cost them upwards of $500 for the device and insertion. So, essentially, if you wanted to provide a gold-standard appointment to one of these women in this really difficult circumstance, not even taking into account their psychosocial risk factors like their housing, domestic violence or their mental health—excluding all of that, a gold-standard, purely medical consultation would cost them $1,500. They don't have that money. This is something that I have held deeply difficult personal feelings around… it doesn't feel good, and no-one will listen. [309]

**4.56** Stakeholders suggested that even where costs can be reimbursed through insurance, some migrant workers may be reluctant to use contraception or access sexual healthcare for religious and cultural reasons.[310]

## Education and awareness for temporary migrant workers and healthcare workers

**4.57** During the inquiry, the committee heard that there is a need for increased education and awareness for both temporary migrant workers and healthcare workers. To address some of the barriers in accessing healthcare, stakeholders

306 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 41.

307 Evidence, Ms Alexandra Wade, Clinical Nurse Consultant - Liver Clinic, Mid North Coast Local Health District, 11 December 2025, p 17.

308 Evidence, Dr Trudi Beck, General Practitioner and member of Murrumbidgee Primary Health Network's Wagga Wagga Clinical Council, 19 June 2025, p 27.

309 Evidence, Dr Trudi Beck, General Practitioner and member of Murrumbidgee Primary Health Network's Wagga Wagga Clinical Council, 19 June 2025, p 27.

310 Evidence, Ms Alexandra Wade, Clinical Nurse Consultant - Liver Clinic, Mid North Coast Local Health District, 11 December 2025, p 17 and Evidence, Dr Trudi Beck, General Practitioner and member of Murrumbidgee Primary Health Network's Wagga Wagga Clinical Council, 19 June 2025, p 27.

emphasised the importance of temporary migrants being made aware of the health services that are available to them. Others spoke of the importance of educating and training healthcare workers on the indicators of modern slavery to enable them to better respond to modern slavery and refer victim-survivors to appropriate support services.

### The need for education on available health services

**4.58** To address some of the barriers to, and in particular fears associated with, accessing healthcare, including reproductive and sexual healthcare, stakeholders advocated for comprehensive education to temporary migrant workers about available health services in their area.

**4.59** Representatives from the Mid North Coast Local Health District expressed NSW Health's commitment to improving health outcomes for PALM workers, and outlined several initiatives that the ministry has undertaken, including:

- conducting a consultation with stakeholders to better understand the needs of PALM workers
- establishing a working group within the NSW Health STI Programs Unit with a focus on sexual and reproductive health
- engaging the University of Sydney to undertake a needs assessment of the sexual and reproductive health needs of PALM workers
- developing webpages to provide information, referrals and resources for PALM workers, employers and health professionals
- working with 17 employers to create a NSW Health education package with a focus on sexual and reproductive health, which can be used by PALM employers to deliver health information to workers on arrival
- developing tailored toolkits for primary care practitioners.[311]

**4.60** Further, the federal Attorney-General's Department noted that NIB works in partnership with the Department of Employment and Workplace Relations, along with PALM scheme employers, to deliver sexual and reproductive health education to workers.[312]

**4.61** Despite the initiatives outlined by NSW Health and the federal Attorney General's Department, inquiry participants like Dr Trudi Beck drew attention to the need for better education and cooperation from employers.[313] In Dr Beck's experience,

311 Evidence, Dr Valerie Delpech, North Coast Director of Population and Public Health, Mid North Coast Local Health District, 11 December 2025, pp 16-17.

312 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 41.

313 Evidence, Dr Trudi Beck, General Practitioner and member of Murrumbidgee Primary Health Network's Wagga Wagga Clinical Council, 19 June 2025, p 30.

employers have been unwilling to collaborate with local healthcare providers in supplying information or linking workers with nearby health services.[314]

**4.62** To improve awareness among temporary migrant workers, Dr Beck proposed that employers should be obligated to orientate their workers to local services.[315] Further, Ms Anita McRae from Murrumbidgee Primary Health Network emphasised that in order for information provided to temporary migrant workers to be accessible, it must be targeted, include cultural considerations and consider language barriers.[316] This is discussed further in Chapter 6.

### The need to equip healthcare workers to recognise modern slavery risks

**4.63** Several stakeholders emphasised the important role that healthcare workers play in identifying and responding to indicators of modern slavery.

**4.64** Redfern Legal Centre noted that healthcare professionals are often 'the first and sometimes the only people to whom individuals disclose complex issues affecting their safety, legal rights, or wellbeing'.[317] Further, the Office of the Australian Anti-Slavery Commissioner identified the healthcare system as a 'recognised and under-utilised point of intervention' in detecting and responding to cases of modern slavery.[318]

**4.65** The Australian Red Cross stressed the importance of adequate training for NSW Health and hospital staff in regional areas.[319] It recommended that, in order to enable frontline workers to effectively respond to modern slavery, there must be 'ongoing investment in training and capacity building, with annual refresher training, mentoring, peer support or debriefings'.[320] This is discussed further in Chapters 5 and 6.

**4.66** The committee heard that some work is already underway in New South Wales to provide training to healthcare workers and improve responses to modern slavery in the healthcare sector. For example, the Office of the NSW Anti-slavery Commissioner has developed an initiative called 'It's Healthy to Fight Modern

314 Evidence, Dr Trudi Beck, General Practitioner and member of Murrumbidgee Primary Health Network's Wagga Wagga Clinical Council, 19 June 2025, pp 27 and 29.

315 Evidence, Dr Trudi Beck, General Practitioner and member of Murrumbidgee Primary Health Network's Wagga Wagga Clinical Council, 19 June 2025, p 30.

316 Evidence, Ms Anita McRae, Senior Manager, Priority Populations, Murrumbidgee Primary Health Network, 19 June 2025, p 30.

317 Answers to questions on notice, Redfern Legal Centre, 29 May 2025, p 10.

318 Submission 41, Office of the Australian Anti-Slavery Commissioner, p 8.

319 Submission 30, Australian Red Cross, pp 10-11.

320 Submission 30, Australian Red Cross, p 10.

Slavery', which aims to help healthcare workers to better identify, refer and assist those experiencing or who may be at risk of modern slavery.[321]

**4.67** Additionally, Ms Peta Zoubakin confirmed that Redfern Legal Centre is working on a similar project in partnership with NSW Health.[322] The project aims to equip medical professionals with the skills necessary to make safe and effective referrals for temporary migrant workers who may require legal assistance.[323]

**4.68** While acknowledging the importance of existing efforts, the Office of the Australian Anti-Slavery Commissioner suggested that more can be done to prepare first responders. It suggested that if training for state-based first responders were to be more comprehensive and consistent, and developed and delivered in collaboration with victim-survivors, this would significantly strengthen responses to modern slavery. The Office of the Australian Anti-Slavery Commissioner also urged that mandatory training for frontline government agencies is 'explicitly anticipated' by the *Modern Slavery Act 2018* (NSW) and should be 'actioned as a priority'.[324]

## Committee comment

**4.69** During the inquiry, it became abundantly clear that temporary migrant workers face significant barriers to accessing healthcare in New South Wales. Notably, a key barrier is their ineligibility for Medicare.

**4.70** While we understand that many temporary migrant workers are required to hold private health insurance policies, it is evident that these policies have fallen short in ensuring that workers have adequate access to necessary healthcare. The committee heard compelling evidence to suggest that, despite holding insurance, workers face prohibitively high up-front costs for medical treatment and insufficient insurance coverage for particular illnesses and conditions. Further, we heard that workers who disengage from the PALM scheme automatically lose their private health insurance coverage.

**4.71** Healthcare professionals asserted that the insurance policies held by temporary migrant workers are often complex and difficult for hospital staff to decipher. Yet there is an expectation placed on migrant workers, many of whom speak English as a second language, that they understand their health insurance coverage.

**4.72** These barriers must be urgently addressed, in order to ensure better health outcomes for temporary migrant workers. First and foremost, the federal

321 Evidence, Dr James Cockayne, NSW Anti-slavery Commissioner, 30 April 2025, p 6 and Submission 41, Office of the Australian Anti-Slavery Commissioner, p 8.

322 Evidence, Ms Peta Zoubakin, Law Graduate, International Student Legal Service NSW, Redfern Legal Centre, 30 April 2025, p 17.

323 Answers to questions on notice, Redfern Legal Centre, 29 May 2025, p 10.

324 Submission 41, Office of the Australian Anti-Slavery Commissioner, p 8.

government should expand Medicare eligibility to grant access for temporary migrant workers. We also recommend that, in the interim, NSW Health ensure that temporary migrant workers can access healthcare through Local Health District services without facing undue financial pressure, especially where they may be experiencing, or at risk of modern slavery.

**Recommendation 8**

That the NSW Government address the barriers faced by temporary migrant workers to accessing healthcare by:

- advocating to the Australian Government to expand Medicare eligibility to temporary migrant workers, as a matter of priority
- in the interim, ensuring that temporary migrant workers can access healthcare through Local Health District services without undue financial pressure, especially where there are indicators of modern slavery. In doing so, NSW Health should ensure that temporary migrant workers, healthcare workers and local communities are aware of the availability of this provision.

**4.73** The committee heard distressing evidence from witnesses, including healthcare providers, that pregnant women on temporary visas face major barriers to accessing maternity and reproductive healthcare, including high costs and a lack of insurance coverage.

**4.74** We acknowledge that some insurance providers offer coverage for select treatments related to reproductive healthcare and may offer discretionary support to women in some circumstances. However, the evidence suggests that the 12-month waiting period for pregnancy and birth related care is detrimental to many pregnant migrant women. Unlike others in Australia, these women are unable to rely on the public health system to access necessary care during these waiting periods.

**4.75** The committee was troubled to hear evidence that some women on temporary visas are opting to terminate their pregnancies, as they feel as though they have no other option. We recognise that this may be due to a number of factors. These include financial strain and concern that they will be unable to meet their work requirements if they have a child, therefore breaching their visa. We are also seriously concerned by the lack of accessible maternity and reproductive healthcare services in regional and rural areas. The committee understands that this can have an impact on a woman's decision on whether to continue with her pregnancy.

**4.76** The committee calls on the NSW Government to increase funding for and expand maternity, reproductive and sexual health services in rural and regional New South Wales, to improve access to reproductive healthcare for women on temporary visas.

**Recommendation 9**

That the NSW Government increase funding for and expand maternity, reproductive and sexual health services in regional and rural New South Wales, to better support temporary migrant workers.

**4.77** The committee recognises that in order to improve access to healthcare for temporary migrant workers, it is crucial to improve education and awareness about available health services.

**4.78** We heard alarming evidence about the misconceptions held by some temporary migrant workers regarding their healthcare entitlements and available health services. For example, some workers are of the belief that accessing medical treatment may impact their visa, and lead to their deportation. As a result, this has deterred many temporary migrant workers from accessing healthcare altogether.

**4.79** We acknowledge the work that has been done by NSW Health and the federal government in developing resources to deliver health information and raise awareness among temporary migrant workers about their healthcare entitlements.

**4.80** However, more must be done by the state and federal governments, and employers, to ensure that workers have an increased awareness of available health services in their local area. We agree with the recommendation put forward by stakeholders that employers should be obligated to orientate their workers to local health services, including reproductive and sexual healthcare services, upon their arrival in Australia. Further, it is essential that information provided to temporary migrant workers regarding available health services be presented in a manner that is accessible and culturally appropriate. We recommend that this information be translated into the languages spoken by workers.

**Recommendation 10**

That the NSW Government improve access to information about health services, including for reproductive and sexual health, available to temporary migrant workers, including by:

- advocating to the Australian Government to obligate PALM employers to orientate their workers to local health services upon their arrival
- ensuring that all information provided to workers, including about local health services, is accessible, culturally sensitive and translated into relevant languages.

**4.81** The committee appreciates that healthcare workers play a crucial role in identifying and responding to indicators of modern slavery. We commend the work of the Office of the NSW Anti-slavery Commissioner and Redfern Legal

Centre in equipping healthcare workers with the skills to identify, assist and refer temporary migrant workers who may be experiencing or are at risk of modern slavery.

**4.82** In addition, we agree with the Office of the Australian Anti-Slavery Commissioner that, in order to strengthen responses to modern slavery, training must be comprehensive and delivered in consultation with people with lived experience of modern slavery. The committee therefore recommends that the NSW Government provide mandatory and ongoing training to frontline healthcare workers in consultation with victim-survivors of modern slavery.

**Recommendation 11**

That the NSW Government:

- provide mandatory and ongoing training to all frontline NSW Health employees, to identify potential indicators of modern slavery and respond appropriately to potential victim-survivors
- ensure that training is developed and delivered in consultation with people with lived experience of modern slavery.

# Chapter 5 Access to government and legal support, and reporting pathways

This chapter explores the barriers faced by temporary migrant workers, including disengaged workers, when accessing government and legal support, and reporting modern slavery. It begins by providing an overview of available federal visa protections and support programs for those who have experienced workplace exploitation and modern slavery, as well as the availability of legal support through community legal centres and unions. It then outlines formal pathways for victim-survivors to report modern slavery through law enforcement and alternative channels.

## Avenues for accessing government and legal support

**5.1** As discussed in Chapters 2 and 3, numerous stakeholders highlighted that many temporary migrant workers in New South Wales have experienced, or are at risk of experiencing modern slavery, due to factors including visa conditions, unsafe working conditions and substandard living arrangements.

**5.2** This section explores the avenues available to temporary migrant workers to access visa protections and government and legal support, including federal support programs, the Migrant Workers Centre, community legal centres and unions. It also outlines the limitations of these channels, and the barriers that may prevent temporary migrant workers from accessing support.

**5.3** A key issue raised throughout the inquiry which can impact workers' ability to access support is the availability of translation and interpreter services, as well as culturally appropriate support. This topic will be discussed in Chapter 6.

### Federal support programs

**5.4** The federal government has introduced several programs to enhance visa protections and support available for temporary migrant workers. These programs are explored below.

#### *Assurance Protocol and Strengthening Reporting Protections pilot*

**5.5** In 2017, the Fair Work Ombudsman and the Department of Home Affairs established an Assurance Protocol to encourage temporary migrant workers to report workplace exploitation.[325] Under the protocol, if a worker reported exploitation to the Fair Work Ombudsman, and was assisting with its inquiries

[325] Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 25.

into the matter, the Department of Home Affairs would not cancel their visa, provided there was no other basis for its cancellation.[326]

**5.6** However, the committee heard that the protocol was not as successful as it could have been. For example, Employment Rights Legal Service suggested that 'despite its best intentions', the Assurance Protocol was 'unable to combat the level of exploitation faced by temporary migrant workers'.[327]

**5.7** According to Employment Rights Legal Service, only 77 workers were referred to the Department of Home Affairs under the Assurance Protocol between 2017 and 30 June 2022.[328] It cited evidence which suggested that the protocol was not used to its 'fullest extent'. Reasons why the protocol was not successful included its lack of a clear appeal process, and the fact that protection under the protocol was restricted to victims of offences within the remit of the Fair Work Ombudsman.[329]

**5.8** Following the introduction of the Assurance Protocol, the federal government amended the Migration Regulations 1994 to enhance safeguards available to temporary migrant workers. As a result, in July 2024, the federal government introduced the Strengthening Reporting Protections pilot to replace the Assurance Protocol.[330] Similarly, this pilot aims to ensure that temporary migrant workers who wish to report exploitation do not have their visas cancelled.[331]

**5.9** In addition to the Fair Work Ombudsman, this pilot allows 'accredited non-government experts' to certify workplace exploitation matters when assisting temporary migrant workers. According to the federal Attorney-General's Department, this 'expands the accessibility of this protection', and addresses the hesitancy that some workers may feel in approaching government agencies.[332]

**5.10** While stakeholders welcomed the introduction of the Strengthening Reporting Protections pilot, some highlighted that temporary migrant workers may still be deterred to access support through this channel. The Immigration Advice and Rights Centre and Unions NSW stated that despite the intention of this pilot to provide a 'non-discretionary approach to visa cancellation', the Minister of Home Affairs still possesses discretionary power to determine the validity of workers'

326 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 25.

327 Submission 25, Employment Rights Legal Service, p 12.

328 Submission 25, Employment Rights Legal Service, p 12.

329 Submission 25, Employment Rights Legal Service, p 13.

330 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 25.

331 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 25 and Submission 41, Office of the Australian Anti-Slavery Commissioner, p 5.

332 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 25.

claims.[333] They expressed that the pilot therefore 'does not adequately alleviate migrant workers' fears of visa cancellation'.[334]

**5.11** Ms Yuvashri Harish from the Employment Rights Legal Centre advocated for the list of accredited non-government experts to be expanded, so that temporary migrant workers can benefit from this program to its 'fullest extent'.[335]

### *Workplace Justice visa pilot*

**5.12** The Workplace Justice visa pilot was also introduced by the federal government in July 2024, following the amendment of the Migration Regulations 1994, with the intention that it run for a two year period.[336] This pilot enables migrant workers who have been exploited at work to extend their stay in Australia, so that they can pursue a workplace exploitation claim.[337] The Workplace Justice visa is typically a six- or 12-month visa, which can be obtained once a migrant worker receives certification from an 'accredited third party'.[338]

**5.13** The committee heard that this certification involves validating a workers' exploitation claim and proving that they have the means to pursue it. Redfern Legal Centre explained that there are several steps which an accredited third party must take to provide this certification, including:

- conducting an in-depth analysis of an applicant's case and evidence
- providing employment law advice
- considering the applicant's eligibility, including whether they have adequate resources to pursue their claim
- drafting a statutory declaration.[339]

**5.14** Stakeholders, such as the Employment Rights Legal Service, emphasised the benefits of the Workplace Justice visa pilot, including that it incentivises workers

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333 Submission 38, Immigration Advice and Rights Centre (IARC) and Unions NSW, p 19.

334 Submission 38, Immigration Advice and Rights Centre (IARC) and Unions NSW, p 26.

335 Evidence, Ms Yuvashri Harish, Coordinator, Employment Rights Legal Service, 30 April 2025, p 11.

336 Australian Government Department of Home Affairs, *Temporary Activity visa (subclass 408)*

*Australian Government Endorsed Events (Workplace Justice Pilot),* (5 September 2025), https://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-listing/temporary-activity-408/australian-government-endorsed-events-workplace-justice-pilot

337 Submission 45, Attorney-General's Department on behalf of Commonwealth agencies, p 25.

338 Submission 19, Redfern Legal Centre, p 21.

339 Submission 19, Redfern Legal Centre, p 21.

to pursue exploitation claims which they may have otherwise chosen to 'abandon' once having left the country.[340]

**5.15** Redfern Legal Centre also noted that a benefit of the Workplace Justice visa is that migrant workers do not have to rely on their employer to obtain it. It observed that this removes the power imbalance between workers and employers that can discourage workers from bringing exploitation claims during their employment.[341]

**5.16** While many stakeholders praised the introduction of the Workplace Justice visa pilot, they also highlighted some limitations of the pilot in its current form. Anti-Slavery Australia noted that the visa has restrictive eligibility criteria, as it is only available to those whose visa expires within 28 days, or whose visa expired no more than 28 days prior.[342]

**5.17** According to the NSW Anti-slavery Commissioner, this can create practical barriers for many workers seeking to apply. For example, the Commissioner emphasised that PALM workers and working holiday makers can suffer exploitation at any time during their stay in Australia, but this requirement forces them to wait until very close to their anticipated departure date before they can access this visa.[343]

**5.18** Anti-Slavery Australia advocated for the expansion of eligibility for the Workplace Justice visa, including by expanding the application window to within 90 days or 90 days after an applicant's visa expiry.[344]

**5.19** Anti-Slavery Australia also raised that temporary migrant workers in remote areas face challenges in accessing immigration advice and receiving the necessary certification. It labelled the timeframe for this visa as 'impractical and not feasible'.[345] Further, the NSW Anti-slavery Commissioner advised that undocumented workers, including disengaged PALM workers are ineligible for this visa, thus 'limiting access for some of the most vulnerable individuals'.[346]

**5.20** In addition, the committee heard evidence that unions and community legal centres are facing 'overwhelming demand and limited capacity' to assist people in applying for the Workplace Justice visa.[347] The Immigration Advice and Rights Centre and Unions NSW explained that in order to obtain the visa, temporary

340 Submission 25, Employment Rights Legal Service, p 13.
341 Submission 19, Redfern Legal Centre, p 21.
342 Submission 32, Anti-Slavery Australia, p 10.
343 Submission 44, NSW Anti-slavery Commissioner, p 18.
344 Submission 32, Anti-Slavery Australia, p 12.
345 Submission 32, Anti-Slavery Australia, p 10.
346 Submission 44, NSW Anti-slavery Commissioner, p 18.
347 Submission 32, Anti-Slavery Australia, p 10.

migrant workers must seek both immigration and employment law advice. They commented that this places 'significant strain on participating organisations'.[348]

**5.21** Organisations such as the Immigration Advice and Rights Centre, Unions NSW and Redfern Legal Centre pointed out that, for accredited third party organisations, the certification process is very resource intensive.[349] Redfern Legal Centre told the committee that, since the introduction of the Workplace Justice visa pilot, it has experienced a significant increase in requests for assistance.[350]

**5.22** Further, Senior Solicitor Ms Seri Feldman-Gubbay noted that Redfern Legal Centre is the only non-union accredited third party in New South Wales.[351] She explained that for temporary migrant workers, who are not generally union members, Redfern Legal Centre is the only organisation that can provide certification of their workplace exploitation claims.[352]

**5.23** Several community legal centres therefore advocated for increased funding for organisations that assist temporary migrant workers to obtain a Workplace Justice visa.[353] The Employment Rights Legal Centre also recommended that the NSW Government advocate to the federal government to expand the list of accredited third parties.[354]

### *Support for Trafficked People Program*

**5.24** The Support for Trafficked People Program (STPP) is a program administered by the federal Department of Social Services and delivered by the Australian Red Cross.[355] According to the federal Attorney-General's Department, this program provides 'tailored support to victim-survivors of modern slavery crimes' and

348 Submission 38, Immigration Advice and Rights Centre (IARC) and Unions NSW, pp 17 and 18.

349 Submission 38, Immigration Advice and Rights Centre (IARC) and Unions NSW, p 18 and Submission 19, Redfern Legal Centre, p 21.

350 Submission 19, Redfern Legal Centre, p 21.

351 Evidence, Ms Seri Feldman-Gubbay, Senior Solicitor, Employment Practice, Redfern Legal Centre, 30 April 2025, p 13.

352 Evidence, Ms Seri Feldman-Gubbay, Senior Solicitor, Employment Practice, Redfern Legal Centre, 30 April 2025, p 13.

353 See, Evidence, Ms Yuvashri Harish, Coordinator, Employment Rights Legal Service, 30 April 2025, p 11, Submission 38, Immigration Advice and Rights Centre (IARC) and Unions NSW, p 18 and Submission 19, Redfern Legal Centre, p 22.

354 Evidence, Ms Yuvashri Harish, Coordinator, Employment Rights Legal Service, 30 April 2025, p 11.

355 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 56.

access to accommodation, medical treatment, counselling, legal and migration advice, training and social and financial support.[356]

**5.25** Prior to July 2024, victim-survivors of modern slavery could only access the STPP via a referral from the Australian Federal Police. In July 2024, the federal government introduced the 'Additional Referral Pathway' (ARP) pilot, which allows victim-survivors to access the STPP via select service providers, as an alternative to interacting with law enforcement.[357]

**5.26** The NSW Anti-slavery Commissioner asserted that, while the STPP provides 'essential support for victim-survivors of modern slavery', temporary migrant workers are likely to face hurdles in accessing this program.[358] The Commissioner noted that the STPP is only available to Australian citizens or those with a valid visa, which can limit access to the program for workers who have breached their visa conditions, such as disengaged PALM workers.[359]

**5.27** According to the Commissioner, the ARP pilot has limited scope to provide support to victim-survivors of modern slavery outside of metropolitan areas. He highlighted that all referring organisations within the pilot are based in Sydney or Melbourne, leading to 'limited visibility and coverage in rural and regional New South Wales'.[360]

**5.28** Further, the Commissioner noted that STPP participants who were referred via the ARP generally only receive 90 days of support, after which, support will cease unless 'a criminal justice process relating to their exploitation is initiated, and they cooperate with it'.[361]

### Migrant Workers Centre

**5.29** During the inquiry, several stakeholders referenced the NSW Government's plans to establish a Migrant Workers Centre in New South Wales.

**5.30** The Immigration Advice and Rights Centre and Unions NSW stated that they welcomed the NSW Government's announcement to fund a Migrant Workers Centre and told the committee that this service will provide advice, education and advocacy to combat the exploitation of migrant workers in New South Wales.[362]

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356 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 56.

357 Submission 44, NSW Anti-slavery Commissioner, p 16.

358 Submission 44, NSW Anti-slavery Commissioner, p 16.

359 Submission 44, NSW Anti-slavery Commissioner, p 16.

360 Submission 44, NSW Anti-slavery Commissioner, p 16.

361 Submission 44, NSW Anti-slavery Commissioner, p 17.

362 Submission 38, Immigration Advice and Rights Centre (IARC) and Unions NSW, p 8.

**5.31** The Office of the Australian Anti-Slavery Commissioner noted that the Migrant Workers Centre will provide an important avenue for temporary migrant workers to receive accessible and culturally sensitive information and support.[363] Further, it stated that the Centre will reduce migrant workers' isolation and vulnerability and improve their ability to report exploitation.[364]

**5.32** The Immigration Advice and Rights Centre and Unions NSW emphasised that, in establishing the Migrant Workers Hub, the NSW Government must ensure that it is adequately resourced and funded.[365] They also suggested that, in order to support temporary migrant workers in rural and regional areas, the Migrant Workers Centre should:

- partner with unions to deliver comprehensive work health and safety programs
- empower migrant workers to enforce their workplace rights
- offer information on immigration and employment law
- develop multilingual and culturally appropriate referral channels
- connect migrant workers with support services in regional areas
- support migrant workers to address issues related to housing, healthcare, domestic violence and sexual harassment.[366]

**5.33** Since evidence received in February 2025, the NSW Government launched the Migrant Worker Centre on 21 May 2026.[367]

**5.34** Several stakeholders further advocated for the establishment of regional migrant worker hubs, to ensure that essential support is provided to temporary migrant workers who live outside of metropolitan areas.[368]

**5.35** The NSW Anti-slavery Commissioner advocated for regional migrant hubs to be established in collaboration with the NSW Migrant Workers Centre, to 'serve as central points for all migrant workers' and provide necessary legal and social support to both temporary migrant workers and the communities that host them.[369] The Commissioner suggested that these hubs could provide services such as legal assistance and support around accessing healthcare and

363 Submission 41, Office of the Australian Anti-Slavery Commissioner, p 4.

364 Submission 41, Office of the Australian Anti-Slavery Commissioner, p 4.

365 Submission 38, Immigration Advice and Rights Centre (IARC) and Unions NSW, p 4.

366 Submission 38, Immigration Advice and Rights Centre (IARC) and Unions NSW, pp 4 and 11-13.

367 Media release, The Premier, Minister for Multiculturalism, Minister for Work Health and Safety, 'NSW's first Migrant Workers Centre set to open', 21 May 2026.

368 See, Submission 21, St Vincent de Paul Society NSW, p 1; Submission 44, NSW Anti-slavery Commissioner pp 3 and 20; Submission 53, Migrant Justice Institute, p 13 and Submission 15, Welcoming Australia, p 2.

369 Submission 44, NSW Anti-slavery Commissioner, pp 3 and 20.

housing.[370] Further, the Commissioner noted that these hubs could be an 'important mechanism for creating a safety net for all temporary migrant workers – regardless of the visa or program they are on'.[371]

### Community legal centres

**5.36** The committee heard about the work undertaken by community legal centres to provide legal advice to temporary migrant workers. Stakeholders also informed the committee of barriers that exist that prevent temporary migrant workers from accessing legal services, particularly in rural and regional New South Wales.

**5.37** Community legal centres provide free legal advice and assistance to disadvantaged people across New South Wales, including temporary migrant workers.[372] Representatives from community legal centres outlined that temporary migrants may seek advice from community legal centres on a range of matters, including workplace exploitation, visa status and sexual harassment.[373]

**5.38** The committee heard that in 2019, the Immigration Advice and Rights Centre partnered with Unions NSW to create a service called 'Visa Assist' which provides both employment and immigration law advice. They stated that many clients referred to Visa Assist have experienced workplace exploitation, and require advice on how to safely leave an exploitative situation without jeopardising their visa status. According to the Immigration Advice and Rights Centre and Unions NSW, since its establishment, the Visa Assist service has helped more than 2,000 migrant workers across New South Wales, with one in three of those workers living regionally.[374]

**5.39** Several inquiry participants told the committee that community legal centres are restricted in their ability to deliver services in regional and rural areas. The Employment Rights Legal Service advised that, with the exception of some statewide services, most community legal centres are 'only able to assist those who live in designated catchment areas'. As a result, 'there are considerable areas of regional and rural New South Wales that have no community legal centre able to adequately deliver services there'.[375]

**5.40** Stakeholders advised that the lack of available services in regional and rural areas impacts on the ability of temporary migrant workers to access legal advice

370 Submission 44, NSW Anti-slavery Commissioner, p 20.

371 Submission 44, NSW Anti-slavery Commissioner, p 20.

372 Submission 25, Employment Rights Legal Service, p 11.

373 Submission 25, Employment Rights Legal Service, p 11 and Evidence, Mr Joshua Strutt, Chief Executive Officer and Principal Solicitor, Immigration Advice & Rights Centre, 2 June 2025, p 13.

374 Submission 38, Immigration Advice and Rights Centre (IARC) and Unions NSW, p 3.

375 Submission 25, Employment Rights Legal Service, p 11

and support. Ms Yuvashri Harish from the Employment Rights Legal Service stated that 'once workers do start to realise that they're being treated unlawfully, it is very hard for them to find free and accessible advice'.[376] Further, for community legal centres which are funded to provide statewide advice, such as Redfern Legal Centre and the Employment Rights Legal Service, the committee heard that demand 'significantly outweighs capacity'.[377]

**5.41** Several inquiry participants therefore advocated for additional funding for community legal centres to enable them to provide increased services to regional and rural communities.[378]

### Unions

**5.42** Stakeholders told the committee about the role that unions play in providing support to temporary migrant workers, particularly in accessing legal support. Some unions indicated that temporary migrant workers do not have access to adequate information about unions in Australia.

**5.43** The committee heard that unions play a 'crucial role' in empowering temporary migrant workers to take legal action if they have experienced workplace exploitation. The Immigration Advice and Rights Centre and Unions NSW explained that unions have strategies in place that enable them to establish contact with temporary migrant workers who are fearful of raising a complaint with authorities or distrustful of the government. According to the Immigration Advice and Rights Centre and Unions NSW, this gives unions access to information which is not available to the government, and allows for the possible identification of employers who are in breach of workplace laws. Additionally, unions have the ability to enter workplaces to investigate contraventions of the *Fair Work Act 2009* (Cth) and relevant work health and safety laws.[379]

**5.44** The Immigration Advice and Rights Centre and Unions NSW also referred to evidence that indicates that trade union membership 'reduces the risk of worker exploitation and improves a worker's prospects of reclaiming unpaid entitlements'. They attributed this to union members having a greater knowledge of their workplace rights than other employees.[380]

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376 Evidence, Ms Yuvashri Harish, Coordinator, Employment Rights Legal Service, 30 April 2025, p 10.

377 Submission 19, Redfern Legal Centre, p 11.

378 See, for example, Evidence, Ms Isobel McGarity, Supervising Senior Solicitor, Refugee Advice and Casework Service, 30 April 2025, p 16; Submission 19, Redfern Legal Centre, p 11 and Submission 25, Employment Rights Legal Service, p 4.

379 Submission 38, Immigration Advice and Rights Centre (IARC) and Unions NSW, pp 7 and 8.

380 Submission 38, Immigration Advice and Rights Centre (IARC) and Unions NSW, p 7.

**5.45** However, some union representatives indicated that PALM workers are not always provided with adequate information about unions prior to, or upon their arrival in Australia.

**5.46** Mr Jonathan Cook from the Australian Workers' Union observed that there is not a uniform approach to pre-departure union related inductions provided by Pacific nations.[381] While Mr Cook acknowledged that work has been undertaken in some Pacific countries, such as Fiji and Vanuatu, to deliver union inductions, he expressed the view that more can be done. Mr Cook described this lack of uniformity as a 'real problem', stating:

> We respect the primacy of the Pacific, but workers need to be educated about what to expect… and they need to be educated about the grievance processes and their opportunity to speak up and be protected if they do speak up. At this point, that's not being uniformly put to them.[382]

**5.47** Additionally, Mr Matt Journeaux from the Australasian Meat Industry Employees' Union told the committee that some PALM workers have been 'actively discouraged' from joining a union by their Country Liaison Officers.[383]

**5.48** Both Mr Cook and Mr Journeaux advocated for increased education and information provided to PALM workers about unions in Australia.[384] Mr Journeaux recommended that a 'holistic approach' is adopted between sending countries, Country Liaison Officers and onsite union delegates, and that workers should be encouraged to participate in unions.[385]

## Access to reporting pathways

**5.49** In addition to the barriers to accessing government and legal support, the committee heard evidence about the barriers faced by temporary migrant workers when reporting to law enforcement. The committee heard that the NSW Anti-slavery Commissioner's hotline is an important resource as an alternative accessible reporting pathway.

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381 Evidence, Mr Jonathan Cook, Organiser, Australian Workers' Union, 2 June 2025, p 16.

382 Evidence, Mr Jonathan Cook, Organiser, Australian Workers' Union, 2 June 2025, p 16.

383 Evidence, Mr Matt Journeaux, Federal Secretary, Australasian Meat Industry Employees' Union, AMIEU QLD, WA, NT Branch Secretary, 2 June 2025, p 20.

384 Evidence, Mr Jonathan Cook, Organiser, Australian Workers' Union, 2 June 2025, p 16 and Evidence, Mr Matt Journeaux, Federal Secretary, Australasian Meat Industry Employees' Union, AMIEU QLD, WA, NT Branch Secretary, 2 June 2025, p 20.

385 Evidence, Mr Matt Journeaux, Federal Secretary, Australasian Meat Industry Employees' Union, AMIEU QLD, WA, NT Branch Secretary, 2 June 2025, p 20.

### Police

**5.50** During the inquiry, the committee heard evidence about the role of state and federal law enforcement in detecting and responding to cases of modern slavery. Stakeholders also emphasised the difficulties faced by some temporary migrant workers when interacting with police and the reasons why many workers do not report to law enforcement at all.

**5.51** According to the federal Attorney-General's Department, the Australian Federal Police leads investigation of suspected cases of modern slavery in Australia and has adopted a 'victim-centred approach' to this work. In its submission, the federal Attorney-General's Department stated that the Australian Federal Police works collaboratively with state and territory police departments and has 'dedicated teams in three major cities and trained officers in regional commands'.[386]

**5.52** Stakeholders such as the Office of the Australian Anti-Slavery Commissioner identified the important role that state police play in detecting and responding to modern slavery. It noted that while modern slavery has historically been considered a federal responsibility, state police are 'well placed to identify victim-survivors when responding to domestic or workplace disputes and when survivors attend police stations to seek help'.[387]

**5.53** However, the NSW Anti-slavery Commissioner informed the committee of an existing protocol which indicates that state police should refer modern slavery matters to the Australian Federal Police.[388] He stated that, as a consequence, relevant information is 'not effectively captured and fed up to allow a proactive, intelligence-based approach' to policing modern slavery matters.[389] The Commissioner therefore advocated for the introduction of a co-regulatory approach, in which state and federal police improve data sharing practices to better detect cases of modern slavery and improve temporary migrant worker wellbeing.[390]

**5.54** Stakeholders also raised that temporary migrant workers can face difficulties when reporting modern slavery to police. Ms Isobel McGarity, Supervising Senior Solicitor, Refugee Advice and Casework Service, expressed that her clients have reported difficulties in engaging with police officers, including a lack of action being taken following making a police report.[391] Ms McGarity attributed this to a

386 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, pp 55-56.

387 Submission 41, Office of the Australian Anti-Slavery Commissioner, p 8.

388 Evidence, Dr James Cockayne, NSW Anti-slavery Commissioner, 30 April 2025, p 8.

389 Evidence, Dr James Cockayne, NSW Anti-slavery Commissioner, 30 April 2025, p 8.

390 Evidence, Dr James Cockayne, NSW Anti-slavery Commissioner, 30 April 2025, p 31.

391 Evidence, Ms Isobel McGarity, Supervising Senior Solicitor, Refugee Advice and Casework Service, 30 April 2025, p 12.

possible 'misidentification issue' and noted that police are sometimes unable to recognise indicators of modern slavery.[392]

**5.55** Further, some stakeholders observed that victim-survivors of modern slavery may be hesitant to report their experiences to law enforcement due to a fear of police, and a belief that they may face deportation if they do so.[393] Settlement Services International (SSI) cautioned that engaging with the police can be re-traumatising for victim-survivors. SSI argued that victim-survivors can be dissuaded from pursuing legal and policing pathways for reporting modern slavery for reasons including:

- length of time and uncertainty involved in legal and investigatory proceedings
- risk of escalation by perpetrators
- lack of trust in institutions.[394]

**5.56** On this issue, confidential testimony from an individual with lived experience of modern slavery highlighted that, for temporary migrants subjected to modern slavery, contacting the police can be an intimidating experience.

**5.57** The NSW Anti-slavery Commissioner indicated that historically, police in New South Wales have not been trained to recognise patterns of conduct which constitute modern slavery.[395] However, the Commissioner acknowledged that NSW Police has taken steps to improve access to voluntary training for police officers.[396]

**5.58** Several stakeholders argued that modern slavery training for police should be mandatory.[397] Anti-Slavery Australia emphasised that training should enable police to identify modern slavery indicators, better understand available referral pathways and 'take a trauma-informed and culturally competent approach when working with victim-survivors'.[398]

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392 Evidence, Ms Isobel McGarity, Supervising Senior Solicitor, Refugee Advice and Casework Service, 30 April 2025, p 14.

393 See, Submission 24, SSI, p 8; Submission 26, Sex Workers Outreach Project NSW and Scarlet Alliance Australian Sex Worker Association, p 5 and Submission 44, NSW Anti-slavery Commissioner, p 14.

394 Submission 24, SSI, p 8.

395 Evidence, Dr James Cockayne, NSW Anti-slavery Commissioner, 30 April 2025, p 8.

396 Evidence, Dr James Cockayne, NSW Anti-slavery Commissioner, 30 April 2025, p 5.

397 See, for example, Submission 32, Anti-Slavery Australia, p 14; Submission 24, SSI, p 10; Evidence, Dr James Cockayne, NSW Anti-slavery Commissioner, 30 April 2025, p 5 and Evidence, Ms Isobel McGarity, Supervising Senior Solicitor, Refugee Advice and Casework Service, 30 April 2025, p 14.

398 Submission 32, Anti-Slavery Australia, p 14.

**5.59** The NSW Anti-slavery Commissioner observed that, due to existing barriers to reporting to law enforcement, temporary migrant workers are 'far more likely' to report modern slavery offences if they are seeking support from a 'trusted, confidential partner'.[399] Further, SSI argued that temporary migrant workers experiencing modern slavery usually have more immediate concerns than pursuing legal action, for example safety planning and obtaining alternate employment.[400]

### NSW Anti-slavery Commissioner and the 1800 FREEDOM hotline

**5.60** The committee heard evidence that, when seeking support and advice regarding experiences of exploitation and modern slavery, temporary migrant workers may prefer alternative reporting pathways, such as those offered through the Office of the NSW Anti-slavery Commissioner.

**5.61** The *Modern Slavery Act 2018* sets out that the Office of the NSW Anti-slavery Commissioner is obligated to provide confidential support and advice to victim-survivors of modern slavery through a hotline.[401] This hotline is known as the 1800 FREEDOM hotline.

**5.62** The NSW Anti-slavery Commissioner advised that this hotline received 121 calls in the financial year 2024-2025, nearly half of which related to temporary migrant workers.[402] He emphasised that the majority of these workers were seeking accommodation, access to healthcare, housing and legal support. The Commissioner noted that while some migrant workers sought referral to law enforcement or a regulatory agency, this was far less common.[403]

**5.63** Inquiry participants acknowledged the importance of the work of the Office of the NSW Anti-slavery Commissioner in supporting temporary migrant workers.[404] Be Slavery Free stated that the 1800 FREEDOM hotline addresses a 'critical and growing need for accessible reporting and support services'.[405] It therefore recommended that the NSW Government increase funding for the 1800 FREEDOM hotline to ensure that it is well-resourced, in a way that is 'reflective of the scale and urgency of the issue'.[406]

399 Submission 44, NSW Anti-slavery Commissioner, p 14.

400 Submission 24, SSI, p 8.

401 Submission 44, NSW Anti-slavery Commissioner, p 14.

402 NSW Anti-slavery Commissioner, Annual Report Financial Year 2024-2025, *Building Freedom Together,* 2025, p 30.

403 Submission 44, NSW Anti-slavery Commissioner, p 14.

404 See, Evidence, Ms Lina Garcia-Daza, Senior Manager, Migration Support Program, Australian Red Cross, 30 April 2025, p 26; Evidence, Cr Khal Asfour, Vice President Metropolitan/Urban, Local Government NSW, 2 June 2025, p 23; Submission 41, Office of the Australian Anti-Slavery Commissioner, p 1.

405 Submission 31, Be Slavery Free, p 16.

406 Submission 31, Be Slavery Free, pp 5 and 16.

## Committee comment

**5.64** Throughout the inquiry, the committee was made aware of a number of channels through which temporary migrant workers can access both government and legal support in New South Wales. However, it became clear to us that issues including restrictive eligibility requirements, a lack of appropriate training and funding, and the overburdening of support organisations has hindered these workers' ability to access necessary support.

**5.65** The committee is pleased that the federal government has introduced a number of initiatives to strengthen visa protections and improve access to support for temporary migrant workers, including Strengthening Reporting Protections pilot and the Workplace Justice visa pilot. We heard encouraging evidence about the benefits of these initiatives, including that they provide assurance that temporary migrants who wish to report exploitation can do so, without risking visa cancellation.

**5.66** We note that the Strengthening Reporting Protections pilot and the Workplace Justice visa pilot were introduced by the federal government in July 2024, with the intention that they run for a two year period. We therefore recommend that the NSW Government advocate to the Australian Government to make the Strengthening Reporting Protections pilot and Workplace Justice visa permanently available for those on temporary visas seeking to pursue a workplace exploitation claim.

**5.67** However, it is clear to the committee that there are limitations to these initiatives. Stakeholders, including the NSW Anti-slavery Commissioner and Anti-Slavery Australia, highlighted that the eligibility criteria of the Workplace Justice visa are restrictive, making it inaccessible to many workers, especially those located in regional and rural areas. The committee was very concerned to hear that some of the most vulnerable temporary migrant workers, such as those who have disengaged from the PALM scheme, are ineligible for the Workplace Justice visa.

**5.68** The committee also heard directly from community legal centres about how resource-intensive it is to support workers in their Workplace Justice visa applications, and to certify their claims. We understand the demand for assistance in applying for the visa far outweighs the current capacity of community legal centres, and in particular, Redfern Legal Centre, the only non-union accredited third party which can certify workplace exploitation claims.

**5.69** We support the call for the Australian Government to expand the eligibility criteria for this visa, and the list of accredited third parties, to reduce the burden placed on currently accredited organisations. We also agree with the recommendations put forward by stakeholders that community legal centres be provided with increased funding and resources to support temporary migrant workers in applying for the Workplace Justice visa.

**Recommendation 12**

That the NSW Government advocate to the Australian Government to make the Strengthening Reporting Protections and Workplace Justice visa permanently available for those on temporary visas.

**Recommendation 13**

That the NSW Government advocate to the Australian Government to expand the eligibility of the Workplace Justice visa by:

- extending the application window for workers, in acknowledgement of the delays that workers in regional and rural areas can face in accessing legal advice and certification for their application
- including disengaged PALM workers and other undocumented workers.

**Recommendation 14**

That the NSW Government advocate to the Australian Government to expand the list of Accredited Third Parties who can certify workplace exploitation matters for the Strengthening Reporting Protections and Workplace Justice visa, to include a broader range of metropolitan and regional organisations.

**Recommendation 15**

That the NSW Government allocate additional funding to organisations that provide immigration and employment law advice, such as community legal centres and unions, to deal with the significant increase in demand for assistance as a result of the Workplace Justice visa pilot.

**5.70** The committee acknowledges the crucial assistance that the Support for Trafficked People Program (STPP) provides to temporary migrant workers who have experienced modern slavery. We also welcome the expansion of referral pathways to the STPP, which have provided victim-survivors with a much-needed alternative to interacting with law enforcement.

**5.71** However, we recognise that the scope of the STPP is limited. The committee received compelling evidence that temporary migrant workers are experiencing exploitation and modern slavery in regional and rural areas, which are exacerbated if a worker becomes disengaged. It is therefore imperative that the STPP be expanded to provide necessary support to all victim-survivors of modern slavery, regardless of their visa status or the area in which they live.

**Recommendation 16**

That the NSW Government advocate to the Australian Government to urgently expand the scope of the Support for Trafficked People Program, including by:

- expanding eligibility for, and support available through the program to all temporary migrant workers who are victim-survivors of modern slavery, regardless of their visa status or whether they are disengaged
- removing the 90-day limit for support available to victim-survivors who have been referred to the program via the Additional Referral Pathway.

**5.72** The committee acknowledges the work undertaken by the NSW Government to establish the NSW Migrant Workers Centre. We are hopeful that the centre will provide much needed support to temporary migrant workers and improve their ability to report exploitation and modern slavery. We also support the calls to the NSW Government to expand the remit of the NSW Migrant Workers Centre, by establishing regional migrant worker hubs.

**Recommendation 17**

That the NSW Government ensure that the NSW Migrant Workers Centre provide adequate outreach to temporary migrant workers in rural and regional New South Wales. In doing so, the NSW Government should consider establishing regional migrant worker hubs.

**5.73** The committee also heard about the crucial role that community legal centres and unions play in providing support and advice to temporary migrant workers.

**5.74** The committee commends the hard work of community legal centres in providing both employment and immigration advice to a large number of temporary migrant workers. We recognise the significant pressure that these services face in providing advice to temporary migrant workers across New South Wales, despite lacking adequate resources and funding to do so. This has subsequently impacted the availability and accessibility of legal advice for those living in regional and rural New South Wales, despite the best efforts of community legal centres to reach these communities.

**5.75** We therefore recommend that additional funding be provided to community legal centres to enable them to provide increased services to regional and rural communities.

**Recommendation 18**

That the NSW Government provide increased funding to community legal centres to enable them to provide additional services and outreach to temporary migrant workers in regional and rural areas.

**5.76** We also understand that unions hold a unique position in being able to build trust with temporary migrant workers and empower them to take legal action on issues of workplace exploitation. The committee therefore agrees with stakeholders that workers be provided with comprehensive union-related inductions, prior to and upon their arrival in Australia.

**5.77** While we acknowledge the work that has been done by a number of countries in the Pacific to implement this, the committee agrees that a uniform approach to union-related orientations should be adopted across the Pacific and Timor-Leste. This is to ensure that prospective PALM workers receive appropriate information about the support available through unions in Australia.

**Recommendation 19**

That the NSW Government advocate to the Australian Government to work in consultation with PALM sending countries, to increase education and awareness about unions for PALM workers both prior to and upon their arrival in Australia.

**5.78** Finally, the committee recognises the important work of both state and federal police in detecting and responding to modern slavery in New South Wales. We acknowledge that, while it has historically been considered a federal issue, state police in regional and rural areas are attuned to the needs of their communities, and therefore well placed to identify and respond to indicators of modern slavery.

**5.79** However, the committee agrees with the NSW Anti-slavery Commissioner's assertion that data-sharing practices must be strengthened, to allow both state and federal police to better detect and respond to modern slavery cases.

**5.80** We are also profoundly aware of the reasons why temporary migrant workers are hesitant to approach police. We heard significant evidence to suggest that, due to a lack of trust in institutions, workers are fearful of contacting police and often hold a genuine belief that they will be deported if they do so.

**5.81** Stakeholders also shed light on the troubling reality that victim-survivors can face escalation or retaliation by their perpetrators if they attempt to seek help from law enforcement. Most concerningly police have, in some instances, failed to accurately identify indicators of modern slavery and respond appropriately, when victim-survivors have found the courage to make a police report.

**5.82** Based on the evidence before the committee, we recommend that mandatory training be undertaken by police in New South Wales, to ensure that they can accurately identify modern slavery indicators and respond to relevant reports in a trauma-informed and culturally competent manner.

**Recommendation 20**

That the NSW Police Force strengthen data sharing processes with the Australian Federal Police, to improve the detection of and response to modern slavery cases in a way which prioritises the well-being of victim-survivors.

**Recommendation 21**

That the NSW Government:

- provide mandatory and ongoing training to all NSW Police Force officers, to identify potential indicators of modern slavery and respond appropriately to reports in a way that is trauma-informed and culturally competent
- ensure that the training is developed and delivered in consultation with people with lived experience.

**5.83** In understanding the reasons why temporary migrant workers are hesitant to contact the police, the committee became aware of the importance of alternative channels through which workers can seek formal support.

**5.84** We commend the NSW Anti-slavery Commissioner, and his office, particularly for providing critical support and advice to victim-survivors of modern slavery through the 1800 FREEDOM hotline. The committee agrees with stakeholders that the 1800 FREEDOM hotline should be funded to meet the growing needs of temporary migrant workers who have experienced modern slavery in this state.

**Recommendation 22**

That the NSW Government adequately fund the 1800 FREEDOM hotline operated by the NSW Anti-slavery Commissioner to meet the need for advice and support in relation to modern slavery matters in New South Wales.

# Chapter 6 Access to social support

This chapter examines the social support channels available to temporary migrant workers in New South Wales. It begins by exploring the limitations of or barriers to accessing social support, and informal pathways for reporting experiences of exploitation and modern slavery. Additionally, it discusses the prevalence of sexual harassment, sexual assault and domestic violence, and the barriers to accessing relevant support. Finally, this chapter addresses the availability of translation and interpreter services and culturally appropriate support.

## Avenues for accessing social support

**6.1** The NSW Anti-slavery Commissioner reported that temporary migrant workers face barriers to accessing social support, as they are not eligible for a number of government-funded initiatives, including Centrelink. Temporary migrant workers frequently have to rely on social service providers for assistance, often at the expense of the organisation or local community members.[407]

**6.2** This section provides an overview of and details the barriers to accessing the social supports and informal pathways to reporting, that are available to temporary migrant workers who have faced exploitation or modern slavery. These include support provided by:

- PALM scheme specific welfare and wellbeing support programs
- local councils
- non-government service providers, community organisations and initiatives
- faith based organisations.

**6.3** Specific supports available to women on temporary visas who have been impacted by sexual harassment, assault and domestic violence are discussed separately later in this chapter.

### PALM scheme specific supports

**6.4** The committee heard evidence that there are a number of welfare and wellbeing support options available to workers through the PALM scheme, including a support service line, the Community Connections program and the availability of Country Liaison Officers (CLOs).

[407] Submission 44, NSW Anti-slavery Commissioner, p 19.

### *Support service line*

**6.5** The federal Attorney-General's Department advised that the Australian Government operates the PALM scheme support service line between 8.30 am and 6.30 pm AEDT Monday to Friday. The service is also available 24 hours a day, seven days a week for emergencies. The Department of Employment and Workplace Relations (DEWR) manages the service and 'provides support in the form of first contact resolution or triage and makes referrals to ensure that all queries, complaints and incidents are investigated and actioned accordingly'.[408]

**6.6** The PALM scheme support service line includes staff of Pasifika backgrounds. The federal Attorney-General's Department also noted that when DEWR meets with a worker, an officer of the same cultural background as the worker attends 'where possible', to create cultural safety and assist with language barriers.[409]

**6.7** The committee heard evidence that it is not practical for some temporary migrant workers to seek support through the support service line. Ms Biba Honnet, Migrant and Settlement Manager, St Vincent de Paul Society NSW told the committee that, in her experience, seeking support this way involves 'spending a lot of time on the phone' which workers often cannot do. Ms Honnet emphasised that when workers seek support, they are often experiencing an immediate threat to their visa status. She stated:

> Most of the time these workers are being threatened that if they don't change a certain behaviour or perform in a certain way, they're going home tomorrow. So they don't have that time, to spend half an hour or 45 minutes or two hours waiting to talk to somebody who then says, "Okay, now we've got your report, we'll see what we can do." The threat is that they're leaving tomorrow, and they've seen that happen to their friends.[410]

**6.8** Additionally, the committee heard that there can be cultural barriers which prevent temporary migrant workers from seeking support via a phone line. This is explored in more detail later in this chapter.

### *Community Connections program*

**6.9** The federal Attorney-General's Department told the committee that a key support service for PALM workers is the Community Connections program. This program is a partnership between the Australian Government and the Salvation Army, along with the NSW Council for Pacific Communities, the Pacific Island Council

[408] Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 37.

[409] Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 37.

[410] Evidence, Ms Biba Honnet, Migrant and Settlement Manager, St Vincent de Paul Society NSW, 11 December 2025, p 7.

of Queensland and the Uniting Church of Australia (Synod of Victoria and Tasmania).[411]

**6.10** The federal Attorney-General's Department stated that the Salvation Army and its network of community and faith-based organisations are contracted to deliver on the Community Connections program objectives through:

- creating opportunities for workers to engage with local communities via organised activities
- building positive relationships between workers and their local communities by engaging with local stakeholders, PALM scheme employers, and workers to coordinate community events
- managing a targeted emergency support fund to help PALM scheme workers in crisis
- administering a community initiatives fund, offering funding of up to $1,000 per event to support initiatives that build relationships and improve cultural understanding with local communities
- supporting the social inclusion needs of PALM scheme workers' families arriving in Australia under the family accompaniment pilot.[412]

**6.11** Some stakeholders told the committee that there is more support available to workers through the PALM scheme than any other labour scheme.[413] However, several stakeholders commented that the support available to PALM workers through initiatives such as the Community Connections program can be limited.

**6.12** The committee heard that as of February 2025, the Community Connections program employed a total of two regional coordinators in New South Wales, to support approximately 7,000 workers.[414] The NSW Council for Pacific Communities is funded to employ one worker for the northern part of New South Wales, and one for the southern part of the state.[415] Ms Malaemie Fruean from the NSW Council for Pacific Communities noted that these coordinators are based in Sydney, and travel to regional areas.[416] Ms Fruean noted that, due to the large area

411 Office of the NSW Anti-slavery Commissioner, *Be Our Guests: Addressing urgent modern slavery risks for temporary migrant workers in rural and regional New South Wales*, 2024, pp 12-13.

412 Submission 48, Attorney-General's Department, on behalf of Commonwealth agencies, pp 37-38.

413 Evidence, Mr Chris Evans, Australian Anti-Slavery Commissioner, 30 April 2025, p 33 and Ms Claire McClelland, Chief Executive Officer, Australian Fresh Produce Alliance, 2 June 2025, pp 8-9.

414 Submission 14, The Salvation Army Australia, p 14.

415 Evidence, Ms Malaemie Fruean OAM, Chair, NSW Council for Pacific Communities, 2 June 2025, p 46.

416 Evidence, Ms Malaemie Fruean OAM, Chair, NSW Council for Pacific Communities, 2 June 2025, pp 44 and 46.

that these workers are assigned to, they attempt to identify and target 'hotspot areas' where there are high volumes of workers in need of support.[417]

**6.13** Ms Fruean also told the committee that many PALM workers and approved employers do not know that there is a Community Connections program, through which they can seek support.[418]

**6.14** In addition, the Migrant Justice Institute emphasised that while the Community Connections program plays a 'critical role' in supporting relationships between workers and employers, it 'may not be well placed to address individual worker concerns'.[419]

**6.15** Further, the Salvation Army advised that, due to high caseloads and limited resources, the ability for the Community Connections program to provide wrap-around support and care to PALM workers is 'limited'.[420] The Salvation Army suggested that increasing resource allocation for the Community Connections program would enhance its capacity to 'provide specialised and culturally responsive support to temporary migrant workers'.[421]

**6.16** Since evidence on Community Connections was received on 2 June 2025, the committee understands that a regional coordinator is now based in the Riverina region.

### *Country Liaison Officers*

**6.17** The Office of the NSW Anti-slavery Commissioner noted that Country Liaison Officers (CLOs) are appointed by most Pacific governments to provide support to PALM workers via phone or email.[422]

**6.18** However, some stakeholders commented that the support available to PALM workers through the CLOs may vary. For example, the Migrant Justice Institute stated that PALM workers are encouraged to contact CLOs if they encounter problems. However, workers may be afraid to approach CLOs for fear that raising grievances may jeopardise their home government's willingness to allow them to return to Australia in the future.[423]

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417 Evidence, Ms Malaemie Fruean OAM, Chair, NSW Council for Pacific Communities, 2 June 2025, p 46.

418 Evidence, Ms Malaemie Fruean OAM, Chair, NSW Council for Pacific Communities, 2 June 2025, p 46.

419 Submission 53, Migrant Justice Institute, p 31.

420 Submission 14, The Salvation Army Australia, p 14.

421 Submission 14, The Salvation Army Australia, p 14.

422 Office of the NSW Anti-slavery Commissioner, *Be Our Guests: Addressing urgent modern slavery risks for temporary migrant workers in rural and regional New South Wales*, 2024, p 13.

423 Submission 53, Migrant Justice Institute, p 31.

### Local councils

**6.19** The committee heard from a number of local government representatives who outlined the role that local councils play in promoting awareness of modern slavery risks and providing support to temporary migrant workers within regional and rural communities.

**6.20** Mr David Reynolds, Chief Executive of Local Government NSW described local councils as 'the safety net at the bottom of the system' for temporary migrant workers in need of support, and in particular, disengaged workers.[424]

**6.21** Several witnesses outlined the initiatives that some local councils have undertaken, to enable them to better support temporary migrant workers in their communities. For example, Dr Ljubov Simson, Nambucca Valley Councillor, noted that her council has provided training to frontline workers, in collaboration with the office of the NSW Anti-slavery Commissioner.[425] Similarly, other councils have hosted awareness programs on modern slavery.[426]

**6.22** Mr Aleem Ali, Chief Executive Officer of community organisation Welcoming Australia told the committee that his organisation co-founded the 'Mayoral Alliance for the Pacific' with Leeton Shire Council.[427] According to Mr Ali, this alliance includes representatives from more than 17 local government areas across Australia and aims to 'equip local councils to engage more effectively in the PALM scheme and deliver better outcomes for communities, employers and workers'.[428]

**6.23** While local council representatives spoke of the success of these initiatives, they also identified that their ability to support temporary migrant workers is inhibited by a lack of available data and awareness of workers in local council areas. The committee received evidence that local councils do not have access to information about the anticipated arrivals, or number of temporary migrant workers in their local council area.[429]

**6.24** Further, Cr Doug Curran, Mayor of Griffith City Council raised that even PALM scheme officials may not be aware of the number of PALM workers in a particular local government area. He told the committee:

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424 Evidence, Mr David Reynolds, Chief Executive, Local Government NSW, 2 June 2025, p 24.

425 Evidence, Dr Ljubov (Luby) Simson, Councillor, Nambucca Valley Council, 11 December 2025, p 22.

426 Evidence, Cr Khal Asfour, Vice President Metropolitan/Urban, Local Government NSW, 2 June 2025, p 23.

427 Mr Aleem Ali, Chief Executive Officer, Welcoming Australia, 2 June 2025, p 28.

428 Mr Aleem Ali, Chief Executive Officer, Welcoming Australia, 2 June 2025, p 28.

429 Evidence, Mr John Harvie, Mayor of Murray River Council, 2 June 2025, pp 23 and 24.

> When we had the representatives from the PALM scheme out here two weeks ago, we asked them how many registered PALM workers were in our LGA. They didn't know. We asked them what percentage of those registered PALM workers, give or take, were disengaged. They didn't have those figures. They acknowledge that they don't have very good datasets, and they're working on that, absolutely, so I'm not being critical of that. But if the people that set the scheme up don't know how many workers you have in an area … how can the local government or the community be confident that they're aware?[430]

**6.25** Mr John Harvie, Mayor of Murray River Council suggested that if local councils were made aware of temporary migrant workers in their area, this would enable them to complete welfare checks and make contact with workers in need of assistance, to offer help.[431]

**6.26** Mr David Reynolds from Local Government NSW also emphasised that despite the willingness to support temporary migrant workers, local councils do not have the resources or training to be able to adequately address the challenges faced by these workers.[432]

**6.27** Local Government NSW therefore recommended that the NSW Government take the following steps to assist local councils in better supporting temporary migrant workers:

- collaborate with councils participating in the PALM scheme and adequately resource the service gaps that are emerging in host communities[433]
- provide training and awareness-raising campaigns on identifying and responding to modern slavery.[434]

### Non-government service providers, and community organisations and initiatives

**6.28** Throughout the inquiry, the committee heard that non-government and community organisations are often the primary responders to the needs of temporary migrant workers who have experienced or are at risk of modern slavery.

**6.29** Service providers such as the Australian Red Cross and the St Vincent de Paul Society NSW reported that many temporary migrant workers in regional New

430 Evidence, Cr Doug Curran, Mayor, Griffith City Council, 19 June 2025, p 7.

431 Evidence, Mr John Harvie, Mayor of Murray River Council, 2 June 2025, p 24.

432 Evidence, Mr David Reynolds, Chief Executive, Local Government NSW, 2 June 2025, p 24.

433 Submission 46, Local Government NSW, p 10.

434 Evidence, Cr Khal Asfour, Vice President Metropolitan/Urban, Local Government NSW, 2 June 2025, p 23.

South Wales, including those who are pregnant or have dependent children, have presented to or been referred to their services for humanitarian support.[435]

**6.30** The St Vincent de Paul Society NSW told the committee that it operates the regionally-based North Coast Settlement Service. The service provides culturally appropriate casework, advocacy and referrals to temporary migrant workers, as well as direct assistance, including clothing, furniture, food and electricity vouchers.[436] According to the St Vincent de Paul Society NSW, it also allocates 10 per cent of its crisis accommodation and case management to temporary visa holders, 'in recognition of the service barriers' faced by this cohort.[437]

**6.31** The St Vincent de Paul Society NSW advised that, at present, neither service providers nor communities are 'adequately resourced or appropriately trained to best support temporary migrant workers', especially those who are disengaged.[438] Further, it stated that many organisations absorb the costs associated with supporting temporary migrant workers, or face turning them away.[439]

**6.32** Miss Coco Pereira and Mrs Malia Sykes from the Coffs Coast Multicultural Society shared with the committee the ways in which they support workers from the Pacific in their local community, often at their own expense. Mrs Sykes and Miss Pereira gave evidence that many workers they assist live in sub-standard conditions.[440] As a result, they will often pay for necessary material goods such as heaters, cooking utensils and clothing, and deliver these items to workers' accommodation themselves.[441]

**6.33** Mrs Sykes described what drives her to provide assistance to temporary migrant workers and emphasised the changes that she would like to see. She stated:

> For us, it's not about what we do. It's the joy of seeing them and being able to help them save as much money for their loved ones and being able to see them enjoy the life that they have here, besides having to work … Our garage is full of things for the workers. We're not complaining about that at all; we just want to see fairness in their living conditions and working conditions.[442]

435 Submission 30, Australian Red Cross, p 6.

436 Submission 21, St Vincent de Paul Society NSW, p 1.

437 Submission 21, St Vincent de Paul Society NSW, p 1.

438 Submission 21, St Vincent de Paul Society NSW, p 7.

439 Submission 21, St Vincent de Paul Society NSW, p 2.

440 Evidence, Mrs Paese Malia Sykes, Coffs Coast Multicultural Society, 11 December 2025, pp 28 and 31 and Evidence, Miss Valelia 'Coco' Pereira, Coffs Coast Multicultural Society, 11 December 2025, pp 31-32.

441 Evidence, Mrs Paese Malia Sykes, Coffs Coast Multicultural Society, 11 December 2025, pp 28, 29 and 31.

442 Evidence, Mrs Paese Malia Sykes, Coffs Coast Multicultural Society, 11 December 2025, p 31.

**6.34** To address the issue of service providers and community organisations absorbing costs, the St Vincent de Paul Society NSW advocated for increased funding and support for community organisations and specialist homelessness services to meet the 'actual demand for specific supports and crisis accommodation for temporary migrant workers and their families'.[443]

**6.35** In confidential testimony, one individual with lived experience emphasised the vital help that non-government organisations provide to assist victim-survivors to leave exploitative situations, and support them through recovery.

**6.36** Further, Ms Biba Honnet advocated for increased data sharing about temporary migrant workers in local communities. Ms Honnet suggested that this would allow a whole-of-community approach, where workers can attend welcome events and faith-based activities, which would achieve positive outcomes for both workers and their communities.[444]

**6.37** The NSW Anti-slavery Commissioner proposed that the establishment of community-level 'Welcome Committees' would assist temporary migrant workers in both integrating into their local communities and knowing how to access support. The Commissioner proposed that these committees could play a role in:

- ensuring coordinated and culturally safe responses to support migrant workers at risk of, or experiencing modern slavery
- coordinating a crisis response for workers who require support and assistance
- facilitating the development and translation of 'welcome packs', which could include information on local services, key contacts, union details, worker, and visa rights
- supporting cultural capability training for approved employers, local councils and service providers
- supporting migrant workers who wish to change employers
- providing information to workers on accommodation.[445]

### Faith-based organisations

**6.38** A number of stakeholders highlighted the important role of faith-based organisations in providing pastoral care to temporary migrant workers. The committee also heard that faith-based organisations are often able to provide informal pathways for victim-survivors of modern slavery to disclose their experiences and access assistance.

443 Submission 21, St Vincent de Paul Society NSW, p 2.

444 Evidence, Ms Biba Honnet, Migrant and Settlement Manager, St Vincent de Paul Society NSW, 11 December 2025, p 7.

445 Submission 44, NSW Anti-slavery Commissioner, p 33.

**6.39** Father Khalid Marogi, National Director of the Australian Catholic Migrant and Refugee Office informed the committee that the large majority of workers who come to Australia from the Pacific identify as Christians, or people of faith. Father Marogi stated that, when these workers arrive in Australia, one of the first things they want to know is 'where there is a local parish or a local Christian community'.[446]

**6.40** Father Marogi explained that he believes that faith groups provide 'spiritual nourishment', and assist workers in gaining a sense of family, while they are away from home.[447] He emphasised the ways in which churches can provide safety and community to temporary migrants, stating:

> The local parish will also give them a safe zone, a safe space where they can share their frustration, their struggles, where they have family issues … but also celebrate the sacraments, baptism, weddings, and if there's grief in a family or a loss in a family back home they share their grief and mourning. By strengthening this type of relationship it really supports the workers, because all volunteers in the parishes see the other side of the worker, the human side of the worker, not just their performance at the workplace. They see them as a human, as a person who needs physical, psychological and spiritual support.[448]

**6.41** Ms Kylie Cullen, Catholic Immigration Manager from the Archdiocese of Sydney added that faith-based groups provide 'vital' support to workers who have experienced exploitation. Ms Cullen told the committee that temporary migrant workers are much more likely to confide in a faith-based group about experiences of exploitation and modern slavery, than through a formal hotline.[449]

**6.42** Further, the committee heard that many temporary migrant workers do not recognise that they are victims of modern slavery or exploitation, until they find themselves in a 'safe, trusting environment' outside of the workplace.[450] Ms Cullen stated that because faith-based groups are able to cultivate a sense of

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446 Evidence, Fr Khalid Marogi, National Director, Australian Catholic Migrant and Refugee Office – Clergy Life and Ministry, Australian Catholic Bishops Conference, 2 June 2025, p 40.

447 Evidence, Fr Khalid Marogi, National Director, Australian Catholic Migrant and Refugee Office – Clergy Life and Ministry, Australian Catholic Bishops Conference, 2 June 2025, p 41.

448 Evidence, Fr Khalid Marogi, National Director, Australian Catholic Migrant and Refugee Office – Clergy Life and Ministry, Australian Catholic Bishops Conference, 2 June 2025, pp 40-41.

449 Evidence, Ms Kylie Cullen, Catholic Immigration Manager, Archdiocese of Sydney, 2 June 2025, p 41.

450 Answers to supplementary questions, Australian Catholic Migrant and Refugee Office, 2 July 2025, p 1.

safety and family, workers feel that they are able to share their experiences and seek support.[451]

**6.43** Dr Hannah Tonkin similarly highlighted that social supports and 'informal responders' such as faith leaders are 'critical' in providing support, particularly for women in multicultural communities. Dr Tonkin emphasised the importance of upskilling faith leaders, so that they can refer people to more specialised service providers.[452]

## Sexual harassment, assault and domestic violence support services

**6.44** A significant number of inquiry participants reported that there is widespread sexual harassment, sexual assault and domestic violence being perpetrated against women on temporary visas in New South Wales.[453] The committee heard that such gender-based violence occurs in women's workplaces, as well as their homes, and can be perpetrated by employers, coworkers and partners.[454]

**6.45** Stakeholders shared with the committee the barriers to reporting and seeking support for sexual harassment, assault and domestic violence.

### Sexual harassment and assault

**6.46** A number of stakeholders gave evidence that temporary migrant workers are at a heightened risk of experiencing sexual harassment and assault, due to the inherent power imbalance that exists between workers and their employers.[455]

**6.47** Associate Professor Anna Boucher and Ms Gourvika Kumar indicated that the vulnerability of temporary migrant workers is exacerbated by factors including

[451] Evidence, Ms Kylie Cullen, Catholic Immigration Manager, Archdiocese of Sydney, 2 June 2025, p 41.

[452] Evidence, Dr Hannah Tonkin, Women's Safety Commissioner, NSW Department of Communities and Justice, 2 June 2025, pp 58 – 59.

[453] See, for example, Submission 44, NSW Anti-slavery Commissioner, p 13; Submission 38, Immigration Advice and Rights Centre (IARC) and Unions NSW, p 13; Evidence, Dr Martijn Boersma, Associate Professor, Discipline of Work and Organisational Studies, University of Sydney Business School, p 54; Submission 7, Linking Communities Network Ltd, p 1 and Submission 25, Employment Rights Legal Service, pp 6-7.

[454] Evidence, Ms Madeleine Rossiter, Links For Women Manager, Linking Communities Network Ltd, 19 June 2025, p 19 and Evidence, Dr Hannah Tonkin, Women's Safety Commissioner, NSW Department of Communities and Justice, 2 June 2025, p 56.

[455] See, for example, Submission 44, NSW Anti-slavery Commissioner, p 12; Submission 38, Immigration Advice and Rights Centre (IARC) and Unions NSW, p 25 and Evidence, Dr Hannah Tonkin, Women's Safety Commissioner, NSW Department of Communities and Justice, 2 June 2025, p 56.

the often remote location of their work, proximity to their employers and shared living arrangements which contribute to a lack of privacy.[456]

**6.48** The NSW Anti-slavery Commissioner advised that there have been numerous credible reports of sexual violence against temporary migrant workers, including allegations of workers being threatened with sexual violence by employers during transportation, at their workplaces and in employer-provided accommodation.[457] The Commissioner stated that cases of sexual assault and harassment are 'likely to be vastly underreported' for a number of reasons, including because of the risk of retaliation and termination of a worker's visa status.[458]

**6.49** Similarly, the Immigration Advice and Rights Centre and Unions NSW cited a 2024 report titled 'Disrespected, Disregarded, and Discarded' which examined temporary migrant women's experiences of workplace exploitation and sexual harassment. The Immigration Advice and Rights Centre and Unions NSW stated that this report highlighted 'a disturbing pattern of harassment by employers, co-workers and customers in industries relying on migrant workers' and 'how isolation and visa restrictions create a systemic culture of silence'. According to the report:

- over 50 per cent of migrant women surveyed reported experiencing workplace sexual harassment
- 75 per cent of respondents who experienced sexual harassment did not report it, for fear of losing their job, retaliation from their employer, subsequent consequences for their visa status or because previous complainants were not believed by management
- for workers who did attempt to report, many experienced retaliation from their employers, such as wage theft and reduced hours.[459]

**6.50** Further, the committee heard that the fear of retaliation, and risk that reporting may impact their visa status, has led to temporary migrant workers remaining in exploitative or unsafe situations. For example, Ms Tess Deegan from the Kingsford Legal Centre suggested that workers may 'put up with ongoing sexual harassment' from their employer 'in order to maintain their sponsored visa in Australia'.[460]

**6.51** The federal Attorney-General's Department noted that the *Fair Work Act 2009* (Cth) contains protections for women in the workplace, including expressly

456 Submission 40, Dr Anna Boucher and Ms Gourvika Kumar, p 5.

457 Submission 44, NSW Anti-slavery Commissioner, pp 12-13.

458 Submission 44, NSW Anti-slavery Commissioner, p 13.

459 Submission 38, Immigration Advice and Rights Centre (IARC) and Unions NSW, p 13.

460 Evidence, Ms Tess Deegan, Acting Principal Solicitor, Kingsford Legal Centre, 30 April 2025, p 10.

prohibiting 'sexual harassment in connection with work'.[461] The federal Attorney-General's Department stated that women who experience discrimination or sexual harassment are able to apply to the Fair Work Commission to receive low or no-cost assistance in resolving their matter.[462] The Fair Work Ombudsman can also investigate and initiate court proceedings in relation to workplace sexual harassment matters.[463]

### Domestic violence

**6.52** The committee heard evidence that temporary migrant women are at an increased risk of experiencing domestic violence, but face barriers to reporting and accessing support. Inquiry participants also indicated that many temporary migrant women are left homeless, as a direct result of experiencing domestic violence.

**6.53** Dr Hannah Tonkin, NSW Women's Safety Commissioner, told the committee that 'women on temporary visas are at an increased risk of violence and abuse, both at work and at home'.[464]

**6.54** Similarly, witnesses from Linking Communities Network, a homelessness and domestic and family violence service located in Griffith, gave evidence that they have observed a 'dramatic increase' in female PALM workers who have experienced domestic violence, presenting to their service.[465] Ms Kirrilly Salvestro and Ms Madeleine Rossiter told the committee that this violence can occur in a woman's workplace and her home.[466] According to Linking Communities Network, when violence occurs, these women are often left in vulnerable situations with no income if they cannot continue working, or way to obtain alternative accommodation.[467] These women may then become homeless as a direct result of experiencing domestic violence.[468]

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461 Submission 28, Attorney-General's Department, on behalf of Commonwealth agencies, p 10.

462 Submission 28, Attorney-General's Department, on behalf of Commonwealth agencies, p 10.

463 Submission 28, Attorney-General's Department, on behalf of Commonwealth agencies, p 10.

464 Evidence, Dr Hannah Tonkin, Women's Safety Commissioner, NSW Department of Communities and Justice, 2 June 2025, p 56.

465 Submission 7, Linking Communities Network Ltd, p 1.

466 Evidence, Ms Madeleine Rossiter, Links For Women Manager, Linking Communities Network Ltd, 19 June 2025, p 18 and Evidence, Ms Kirrilly Salvestro, Deputy CEO, Linking Communities Network Ltd, 19 June 2025, p 18.

467 Submission 7, Linking Communities Network Ltd, p 1.

468 Evidence, Ms Madeleine Rossiter, Links For Women Manager, Linking Communities Network Ltd, p 18.

**6.55** Further, Dr Hannah Tonkin, NSW Women's Safety Commissioner explained that temporary migrant workers are often 'terrified of reporting their experiences of domestic and family violence to the authorities'. Dr Tonkin emphasised that this is because temporary migrant workers are often dependent on their perpetrator for their visa, as well as their accommodation and transport. She stated that a woman's genuine fear of deportation may also be weaponised by her perpetrator, for example, by threatening that she will be separated from her children.[469]

**6.56** The committee was informed that women who are forced to leave their accommodation due to domestic violence are often referred to crisis services, which can typically provide accommodation for up to three months. Ms Kirrilly Salvestro emphasised that once these women leave their living situations, they have 'no access to any income at all'. Ms Salvestro stated that her service is 'fully financially paying for those victims of domestic violence'. As these women have no access to ongoing financial aid, they often have no choice but to return to their employment or otherwise return home.[470]

**6.57** The committee heard that women's refuges and other domestic and family violence service providers can be limited in their ability to help women on temporary visas because these services do not receive adequate funding. Dr Tonkin told the committee that because of a lack of housing options, 'a woman on a temporary visa who goes to a refuge generally has to stay there much longer than someone who's not on a temporary visa'. Dr Tonkin also drew attention to 'gaps in the New South Wales housing and homelessness service system' which limit access to transitional accommodation and affordable housing. She therefore concluded that more funding is needed for domestic and family violence services to adequately support women on temporary visas.[471]

**6.58** Anti-Slavery Australia also noted that gender-based violence and modern slavery often intersect. It stated that in its experience, women are generally reluctant to disclose exploitation until a support service identifies a related issue, such as homelessness or domestic violence.[472] Anti-Slavery Australia therefore advocated for the NSW Government to improve 'cross-sectoral recognition and responses', including by developing 'integrated care pathways' between anti-slavery organisations, and housing and domestic violence services in regional and rural New South Wales.[473]

469 Evidence, Dr Hannah Tonkin, Women's Safety Commissioner, NSW Department of Communities and Justice, 2 June 2025, p 56.

470 Evidence, Ms Kirrilly Salvestro, Deputy CEO, Linking Communities Network Ltd, 19 June 2025, p 19.

471 Evidence, Dr Hannah Tonkin, Women's Safety Commissioner, NSW Department of Communities and Justice, 2 June 2025, p 57.

472 Answers to questions on notice, Anti-Slavery Australia, 28 May 2025, pp 14 and 15.

473 Answers to questions on notice, Anti-Slavery Australia, 28 May 2025, p 15.

## Availability of translation and interpreter services and culturally appropriate support

**6.59** There were two key issues raised during the inquiry, which relate to the provision of all forms of support discussed throughout this report, provided by both government and non-government organisations. These were temporary migrant workers' access to adequate translation and interpreter services, and the importance of providing workers with culturally appropriate support.

### Availability of translation and interpreter services

**6.60** According to the federal Attorney-General's Department, free and confidential interpreting services are available through the Translating and Interpreting Service (TIS) 'to help any person communicate with service providers in their own language'.[474] In its submission, the federal Attorney-General's Department also stated that the Fair Work Ombudsman 'prioritises education and engagement with migrant workers … to ensure they understand their entitlements and how to seek assistance', including through online resources available in 'more than 30 languages'.[475] It also noted that workers can access information about work rights and modern slavery in 20 different languages through the MyAus app.[476]

**6.61** However, several stakeholders raised concerns about the lack of adequate translation and interpreter services available to temporary migrant workers when seeking advice, support and information about their rights.[477] Further, some questioned the practicality of these services in regional and rural areas.[478]

**6.62** Representatives from Anti-Slavery Australia informed the committee that they have faced challenges in engaging interpreters through the TIS, which has subsequently impacted the support they have been able to provide to their temporary migrant worker clients. Professor Jennifer Burn shared that her service has a number of Papua New Guinean clients, but she has been advised by TIS that 'there are only two interpreters in the whole of Australia who are qualified to

474 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 3.

475 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 18.

476 Submission 48, Attorney-General's Department on behalf of Commonwealth agencies, p 18.

477 See, Evidence, Mr James Blaxland, Senior Solicitor, Workplace Rights Service, Legal Aid NSW, 11 December 2025, p 4; Evidence, Ms Seri Feldman-Gubbay, Senior Solicitor, Employment Practice, Redfern Legal Centre, 30 April 2025, p 17 and Submission 26, Sex Workers Outreach Project NSW and Scarlet Alliance Australian Sex Worker Association, p 7.

478 Evidence, Ms Alexandra Wade, Clinical Nurse Consultant - Liver Clinic, Mid North Coast Local Health District, 11 December 2025, p 20 and Evidence, Cr Doug Curran, Mayor, Griffith City Council, 19 June 2025, p 4.

interpret in Tok Pisin'.[479] Professor Burn suggested that this is a 'real barrier' to temporary migrant workers accessing necessary support.[480]

**6.63** Further, the NSW Women's Safety Commissioner and NSW Anti-slavery Commissioner gave evidence that there is a lack of access to accredited female interpreters. Dr Tonkin emphasised that it is preferable for women to have access to a female interpreter, but due to a lack of suitable interpreters in regional areas, this is not always possible.[481] Dr Cockayne noted that there is a particular shortage of female interpreters in many major languages associated with the PALM scheme. [482] For example, he stated that, despite approximately one fifth of all PALM workers arriving from Vanuatu, access to female interpreters who speak Bislama, the dominant dialect for ni-Vanuatu workers, is 'limited or non-existent'.[483]

**6.64** Ms Khadija Hassan from the Australian Red Cross illustrated the importance of temporary migrant women having access to appropriate interpreting services, especially if they have experienced sexual assault. Ms Hassan told the committee that she has seen 'a lot of unfortunate cases' where women have presented to hospitals, accompanied by their perpetrator, who is misidentified as a 'safe person' who can interpret for them. Ms Hassan emphasised that, when women are not given access to a private space and a proper interpreter, they do not feel that they are able to disclose if they are being mistreated, and indicators of abuse or modern slavery can be missed.[484]

**6.65** The NSW Anti-slavery Commissioner highlighted that the unavailability of translation and interpreter services in rural and regional areas results in significant challenges for temporary migrant workers. The Commissioner also indicated that there is a 'lack of culturally competent support personnel', particularly within frontline government services. He stated that the lack of available services hinders temporary migrant workers' ability to access support and understand their rights, thus increasing their vulnerability to exploitation.[485]

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479 Evidence, Professor Jennifer Burn AM, Director, Anti-Slavery Australia, 30 April 2025, p 20.

480 Evidence, Professor Jennifer Burn AM, Director, Anti-Slavery Australia, 30 April 2025, p 20.

481 Evidence, Dr Hannah Tonkin, Women's Safety Commissioner, NSW Department of Communities and Justice, 2 June 2025, p 57.

482 Submission 44, NSW Anti-slavery Commissioner, p 16.

483 Submission 44, NSW Anti-slavery Commissioner, pp 16-17.

484 Evidence, Ms Khadija Hassan, Lead Migration Support Programs, Australian Red Cross, 19 June 2025, p 23.

485 Submission 44, NSW Anti-slavery Commissioner, p 9.

**6.66** Further, some stakeholders pointed out that workers living in regional and rural areas may not have mobile service or phone credit to make calls, or even access to a phone at all.[486]

**6.67** This perspective was reinforced in confidential testimony by an individual with lived experience of modern slavery, who emphasised the difficulty that temporary migrant workers face in accessing translation services in regional areas. They recommended that more should be done to improve access to these services.

**6.68** Anti-Slavery Australia advocated for funding to increase the availability of interpreters in rural and regional areas, to ensure that temporary migrant workers can access both legal and social support without facing language barriers.[487]

**6.69** Stakeholders including the Employment Rights Legal Service and Redfern Legal Centre also recommended that the NSW Government provide additional funding to community legal centres, as well as unions. They argued that this would allow services to translate resources and deliver culturally appropriate and accessible services, to assist temporary migrant workers in understanding their rights.[488]

**6.70** Ms Isobel McGarity from the Refugee Advice and Casework Service further suggested that interpreters should have access to free, trauma-informed training to allow them to communicate with victim-survivors in a safe and culturally competent way.[489]

### Importance of culturally appropriate support

**6.71** Other stakeholders gave evidence about the importance of cultural competency in ensuring that temporary migrant workers feel comfortable and able to seek support.

**6.72** The Australian Catholic Migrant and Refugee Office noted that, as many PALM workers come from 'oral-based' cultural backgrounds, initiating 'personal, trust-based communication' with these workers is especially important.[490]

**6.73** The committee heard evidence that some temporary migrant workers may be unwilling to reach out to specific avenues for support, such as hotlines, due to cultural barriers. Mr Moceica Matai Turaga, a lived experience consultant from

[486] Evidence, Ms Alexandra Wade, Clinical Nurse Consultant - Liver Clinic, Mid North Coast Local Health District, 11 December 2025, p 20 and Evidence, Cr Doug Curran, Mayor, Griffith City Council, 19 June 2025, p 4.

[487] Submission 32, Anti-Slavery Australia, p 7.

[488] See, Submission 19, Redfern Legal Centre, p 9 and Submission 25, Employment Rights Legal Service, p 4.

[489] Evidence, Ms Isobel McGarity, Supervising Senior Solicitor, Refugee Advice and Casework Service, 30 April 2025, p 14.

[490] Answers to supplementary questions, Australian Catholic Migrant and Refugee Office, 2 July 2025, p 1.

Domus 8.7 Remediation Service raised that, to increase the effectiveness of avenues for reporting, these services must be culturally appropriate. Mr Turaga stated:

> I don't find that hotlines work for islanders. I don't think it's very cultural. Most of those guys will rather text you their messages. Because their English is very low … they'd rather text. I find texting them or engaging them on a Facebook Messenger text group works better than trying to get them to ring up. I think that's one of the things that we need to look at. How do we get culturally appropriate when we start organising?[491]

**6.74** Witnesses spoke about the role that services such as unions and community legal centres play in overcoming barriers, in order to deliver culturally appropriate support to migrant workers.

**6.75** Mr Jonathan Cook from the Australian Workers' Union acknowledged that workers may feel more comfortable seeking support from those who look like them or speak their language. He stated: 'I think it's a very difficult thing for me, as a large white man with a beard, to go out to a group of Pacific island workers and expect that they would trust me off the bat'. Mr Cook shared that, to address this, the Australian Workers' Union has delegates from a range of cultural backgrounds, including from Vanuatu and Timor-Leste, who are able to build trust with workers, and provide them with education and support.[492]

**6.76** Similarly, Ms Yuvashri Harish from the Employment Rights Legal Service emphasised the importance of service providers employing workers who can speak the languages of temporary migrant workers, and 'understand the cultural intricacies' of the issues that these workers face.[493]

**6.77** Mr Thomas Costa from Unions NSW therefore advocated for the allocation of resources to allow service providers to hire bilingual and multilingual staff, including those who have specialised knowledge, and experience in working with migrant communities, to better support temporary migrant workers.[494]

## Committee comment

**6.78** Based on the evidence of those who work tirelessly to support temporary migrant workers in regional and rural communities, it is clear that service providers, organisations and communities are feeling the burden of providing support, while lacking the necessary resources and funding to do so. These organisations deserve recognition, and to be adequately funded to provide necessary support

491 Evidence, Mr Moceica Matai Turaga, Lived Experience Consultant, Domus 8.7 Remediation Service, 2 June 2025, p 39.

492 Evidence, Mr Jonathan Cook, Organiser, Australian Workers' Union, 2 June 2025, p 19.

493 Evidence, Ms Yuvashri Harish, Coordinator, Employment Rights Legal Service, 30 April 2025, p 17.

494 Evidence, Mr Thomas Costa, Assistant Secretary, Unions NSW, 2 June 2025, p 12.

to workers. However, the state and federal governments must also act to strengthen government supports to reduce the burden placed on non-government services and local communities.

**6.79** The committee recognises the work of the Australian Government in establishing specific avenues for support for PALM workers, including the PALM scheme support service line and the Community Connections program. It is crucial that workers engaged through this scheme are provided with appropriate and accessible welfare and wellbeing supports.

**6.80** However, the committee was astonished to learn that there are just two regional coordinators employed by Community Connections, to support approximately 7,000 PALM workers in New South Wales, and until recently these were based in Sydney. It is no wonder that stakeholders, including those funded to administer the Community Connections program, told us that the capacity for this program to provide necessary support and care to PALM workers is limited.

**6.81** The committee therefore concludes that the Community Connections program must receive increased funding, to allow for more regional coordinators to be employed in a number of regional areas throughout New South Wales.

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**Recommendation 23**

That the NSW Government advocate to the Australian Government to strengthen supports provided to workers through the PALM scheme, including by increasing funding and resource allocation to the Community Connections program, to provide for more regional coordinators, as needed.

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**6.82** We commend the exceptional efforts of local councils, non-government and community organisations and faith-based groups in regional and rural areas, who provide vital support to temporary migrant workers in need, and informal pathways for these workers to report their experiences of modern slavery.

**6.83** The committee heard of initiatives spearheaded by local councils across regional New South Wales, who expressed their commitment to raising awareness of modern slavery experienced by temporary migrant workers in their communities. However, we also acknowledge that despite their best intentions, local councils are often limited in their capacity to provide assistance to workers. They do not receive notification of anticipated arrivals, or the number of temporary migrants within their local areas.

**6.84** We recognise the work of non-government organisations and service-providers, who are so often over-stretched and under-resourced, yet provide crucial emergency relief and material support to temporary migrant workers. The committee was struck by the generosity of community members, who have gone out of their way to provide essential goods to migrant workers in their communities, often at their own expense. The financial burden of providing such

services to temporary migrant workers should not fall to community groups and individuals.

**6.85** Further, stakeholders informed us of the important role which faith-based organisations play in providing a sense of safety and community to temporary migrant workers who are of faith. The committee heard evidence that church groups have been able to cultivate a safe space in which migrant workers feel comfortable to disclose if they have experienced exploitation or modern slavery, and where they can receive necessary pastoral care.

**6.86** The committee supports recommendations made by stakeholders, who called for increased data sharing about the anticipated arrivals, and number of temporary migrant workers within rural and regional local government areas across New South Wales.

**6.87** Further, the committee concludes that increased funding should be allocated to non-government organisations and community groups, to enable them to provide necessary emergency relief and material support to temporary migrant workers in need without undue financial pressure.

**6.88** Finally, the committee calls for the NSW Government to provide ongoing training and awareness campaigns to local councils, non-government and community organisations and relevant faith leaders to assist these groups in identifying potential indicators of modern slavery and increase awareness of appropriate referral pathways.

**Recommendation 24**

That the NSW Government advocate to the Australian Government to increase data sharing between the federal government, local councils and non-government organisations, to increase awareness of anticipated arrivals and the number of PALM workers, as well as other temporary migrant workers, within rural and regional local government areas.

**Recommendation 25**

That the NSW Government increase funding to relevant non-government organisations, service-providers and community organisations to enable them to provide necessary support to temporary migrant workers without undue financial pressure.

**Recommendation 26**

That the NSW Government:

- provide ongoing training and awareness-raising campaigns to local councils, non-government and community organisations and faith leaders to assist these groups in identifying potential indicators of modern slavery and increase awareness of appropriate referral pathways
- ensure that training is developed and delivered in consultation with people with lived experience.

**6.89** The committee was gravely concerned to hear that temporary migrant women are at an increased risk of sexual harassment, assault and domestic violence in New South Wales, for a variety of reasons. Alarmingly, more often than not, women who have experienced such violence and abuse do not report it for fear that they may lose their job, experience retaliation from their perpetrator or face deportation.

**6.90** Troubling evidence provided by frontline workers confirmed that there are increasing numbers of women on temporary visas being left homeless, with no income, as a direct result of domestic violence. The committee is acutely aware of the significant impact this has not only on victim-survivors, but on overstretched service providers, who often financially support these women despite lacking the funding to adequately do so. It is clear to us that these organisations require urgent funding to assist women on temporary visas to access safe housing, financial assistance and other crucial support.

**6.91** Further, the committee supports the recommendation of the NSW Women's Safety Commissioner that the NSW Government increase the availability of both transitional and affordable housing in regional New South Wales, to provide temporary migrant workers who are at risk of homelessness with adequate safe housing options.

**Recommendation 27**

That the NSW Government provide increased funding to domestic and family violence and crisis accommodation service providers, so that women on temporary visas can access adequate crisis accommodation and financial support.

**Recommendation 28**

That the NSW Government increase the availability of transitional and affordable housing in regional and rural New South Wales.

**6.92** Throughout this inquiry, stakeholders repeatedly raised the importance of accessible translation and interpreter services, as well as culturally appropriate support, for temporary migrant workers in regional and rural areas. We heard that

there is a lack of available interpreters, particularly female interpreters, who are accredited in languages associated with the PALM scheme. We recognise that this can seriously hinder the ability of temporary migrant workers, who may have a limited knowledge of English, in accessing support. This is of serious concern to the committee.

**6.93** The committee therefore recommends that the NSW Government urgently recruit additional interpreters, particularly female interpreters, who are accredited in languages commonly spoken by temporary migrant workers, especially those engaged through the PALM scheme.

**6.94** The committee also heard that it is essential for temporary migrant workers to be provided with support that is culturally appropriate and tailored to their specific cultural needs. For example, those from cultures which prefer personal, trust-based styles of communication, or those who feel more comfortable communicating via text rather than phone call. Consequently, we recommend that the NSW Government advocate to the Australian Government to increase the accessibility of the PALM scheme support service line, including by providing the option for workers to access support via text-based communication.

**6.95** Further, we agree with stakeholders who have suggested that organisations such as unions and community legal centres should be provided with additional funding, to enable them to translate resources, and hire staff from a variety of cultural backgrounds, as a way to provide culturally appropriate support.

**Recommendation 29**

That the NSW Government recruit additional interpreters, particularly female interpreters, who are accredited in languages relevant to PALM workers and other temporary migrant workers.

**Recommendation 30**

That the NSW Government advocate to the Australian Government to improve the accessibility of the PALM scheme support service line, including for example, by providing an option for workers to seek support via text-based communication.

**Recommendation 31**

That the NSW Government provide increased funding to community legal centres, unions and other non-government and community organisations to:

- adequately translate their resources and information into languages relevant to temporary migrant workers
- enable these organisations to provide culturally appropriate support.

# Appendix 1 Submissions

| No. | Author |
|---|---|
| 1 | Geoffrey Quinn |
| 2 | Kun Du |
| 3 | Mr Grant Mistler |
| 4 | Soroptimist International Griffith Inc |
| 5 | Berries Australia |
| 6 | Murray River Council |
| 6a | Murray River Council |
| 7 | Linking Communities Network Ltd |
| 8 | Catholic Women's League Australia - New South Wales Inc. |
| 9 | Refugee Advice and Casework Service |
| 10 | Legal Aid NSW |
| 11 | Woolgoolga Labor Branch |
| 12 | The Australia Institute |
| 13 | International Organization for Migration (IOM) |
| 14 | The Salvation Army Australia |
| 15 | Welcoming Australia |
| 16 | Confidential |
| 17 | W.H.S. Guardian |
| 18 | Australasian Meat Industry Employees' Union |
| 19 | Redfern Legal Centre |
| 20 | Gospel, Society and Culture Committee of the Presbyterian Church NSW |
| 21 | St Vincent de Paul Society NSW |
| 22 | International Commission of Jurists (Australian Section) |
| 23 | Inner City Legal Centre (ICLC) |
| 24 | SSI |
| 25 | Employment Rights Legal Service |
| 26 | Sex Workers Outreach Project NSW and Scarlet Alliance Australian Sex Worker Association |
| 27 | The Institute for Human Rights and Business |
| 28 | Wagga Women's Health Centre Inc |
| 29 | Australian Fresh Produce Alliance |

| No. | Author |
|---|---|
| 30 | Australian Red Cross |
| 31 | Be Slavery Free |
| 31a | Be Slavery Free |
| 32 | Anti-Slavery Australia |
| 33 | Australian Human Rights Commission (AHRC) |
| 34 | Dr Martijn Boersma, Associate Professor Stephen Clibborn and Professor Chris F Wright |
| 35 | People with Disability Australia |
| 36 | Federation of Catholic Bishops Conferences of Oceania |
| 37 | Albury Wodonga Ethnic Communities Council |
| 38 | Immigration Advice and Rights Centre (IARC) and Unions NSW |
| 39 | Cleaning Accountability Framework |
| 40 | Dr Anna Boucher and Ms Gourvika Kumar |
| 41 | Office of the Australian Anti-Slavery Commissioner |
| 42 | Woolworths Group Limited |
| 43 | The Law Society of NSW - Young Lawyers |
| 44 | NSW Anti-slavery Commissioner |
| 44a | NSW Anti-slavery Commissioner |
| 45 | Domus 8.7 |
| 46 | Local Government NSW (LGNSW) |
| 47 | Australian Workers' Union (AWU) and Retail Supply Chain Alliance (RSCA) |
| 48 | Attorney-General's Department on behalf of Commonwealth agencies |
| 49 | Uniting Church in Australia, Synod of Victoria and Tasmania, the Pacific Islands Council of Queensland Inc, the Pacific Islands Council of South Australia, NSW Council for Pacific Communities and U Ethical Investors |
| 50 | Confidential |
| 51 | Multicultural Council of Griffith Inc |
| 52 | Jin Young Lee |
| 53 | Migrant Justice Institute |
| 54 | Name suppressed |
| 54a | Name suppressed |
| 55 | Dr Kaya Barry, Dr Kirstie Petrou and Dr Matt Withers |
| 56 | Australian South Sea Islanders (Port Jackson) (ASSIPJ) |
| 57 | Confidential |
| 58 | Confidential |

# Appendix 2 Witnesses at hearings

| Date | Name | Position and Organisation |
|---|---|---|
| **Wednesday 30 April 2025<br>Macquarie Room<br>Parliament House, Sydney** | Dr James Cockayne | NSW Anti-slavery Commissioner, Office of the NSW Anti-slavery Commissioner |
| | Ms Sophia Kagan | Principal Policy Advisor, Labour Migration, Office of the NSW Anti-slavery Commissioner |
| | Ms Yuvashri Harish | Coordinator, Employment Rights Legal Service |
| | Ms Tess Deegan | Acting Principal Solicitor, Kingsford Legal Centre |
| | Mr Sean Stimson | Senior Solicitor, International Student Legal Service NSW, Redfern Legal Centre |
| | Ms Peta Zoubakin | Law Graduate, International Student Legal Service NSW, Redfern Legal Centre |
| | Ms Seri Feldman-Gubbay | Senior Solicitor, Employment Practice, Redfern Legal Centre |
| | Ms Isobel McGarity | Supervising Senior Solicitor, Refugee Advice and Casework Service |
| | Ms Mursal Rahimi | Solicitor, Refugee Advice and Casework Service |
| | Mr Ismail Ibrahim | A/G NSW State Director, Australian Red Cross |
| | Ms Lina Garcia-Daza | Senior Manager, Migration Support Program, Australian Red Cross |
| | Ms Jessi Claudianos | Migration Support Program National Operations, Australian Red Cross |
| | Ms Carolyn Kitto OAM | Co-Director, Be Slavery Free |
| | Mr Fuzz Kitto | Co-Director, Be Slavery Free |
| | Professor Jennifer Burn AM | Director, Anti-slavery Australia |
| | Ms Chloe Saker | Lawyer, Anti-Slavery Australia |

| Date | Name | Position and Organisation |
|---|---|---|
| | Associate Professor Laurie Berg | Co-Director of Migrant Justice Institute and Associate Professor, UTS Faculty of Law |
| | Mr Chris Evans | Australian Anti-Slavery Commissioner |
| | Ms Laura McManus | Director, Australian Anti-Slavery Commissioner's Office |
| | Professor Tomoya Obokata | UN Special Rapporteur on contemporary forms of slavery |
| | Witness A | Individual with lived experience |
| **Monday 2 June 2025<br>Macquarie Room<br>Parliament House, Sydney** | Ms Claire McClelland | Chief Executive Officer, Australian Fresh Produce Alliance |
| | Mr Cameron Brown | Public Affairs, Australian Fresh Produce Alliance |
| | Ms Rachel Elliott | General Manager - Sustainability Impact Narrative & Human Rights, Woolworths Group |
| | Ms Rachel Mackenzie | Chief Executive Officer, Berries Australia |
| | Mr Thomas Costa | Assistant Secretary, Unions NSW |
| | Mr Joshua Strutt | Chief Executive Officer and Principal Solicitor, Immigration Advice & Rights Centre |
| | Mr Jonathan Cook | Organiser, Australian Workers' Union |
| | Mr Bernard Govind | Senior Industrial Officer, Shop, Distributive and Allied Employees' Association (NSW Branch) |
| | Mr Matt Journeaux | Federal Secretary, Australasian Meat Industry Employees' Union, AMIEU QLD, WA, NT Branch Secretary |
| | Mr Justin Smith | Federal President, Australasian Meat Industry |

| Date | Name | Position and Organisation |
|---|---|---|
| | | Employees' Union, AMIEU Newcastle, Northern, South Australian and Tasmanian Branch Secretary |
| | Mr John Harvie | Mayor of Murray River Council |
| | Mr Neil Gorey | Deputy Mayor of Murray River Council |
| | Mrs Helma Gorey | Individual (appearing alongside Murray River Council) |
| | Cr Khal Asfour | Vice President Metropolitan/Urban, Local Government NSW |
| | Mr David Reynolds | Chief Executive, Local Government NSW |
| | Cr Dallas Tout | Mayor, Wagga Wagga City Council, and Member, Mayoral Alliance for the Pacific (MAP) |
| | Mr Aleem Ali | Chief Executive Officer, Welcoming Australia |
| | Mr Ken Dachi | Coordinator, Welcoming Australia |
| | Cr George Weston | Mayor, Leeton Shire Council |
| | Mrs Jackie Kruger | General Manager, Leeton Shire Council |
| | Mr Moceica Matai Turaga | Lived Experience Consultant, Domus 8.7 Remediation Service |
| | Ms Alison Rahill | Executive Officer and ACAN Program Manager, Australian Catholic Antislavery Network |
| | Ms Natasha Murphy | Learning & Development Manager, Parish Administration Centre, St Agnes' Parish, Catholic Diocese of Lismore |
| | Ms Kylie Cullen | Catholic Immigration Manager, Archdiocese of Sydney |
| | Fr Khalid Marogi | National Director, Australian Catholic Migrant and Refugee |

| Date | Name | Position and Organisation |
|---|---|---|
| | | Office – Clergy Life and Ministry, Australian Catholic Bishops Conference |
| | Dr Mark Zirnsak | Senior Social Justice Advocate, Uniting Church in Australia |
| | Rev Alimoni Taumoepeau | Team Leader Intercultural Ministry and Climate Action for Uniting Church Synod NSWACT |
| | Mrs Ema Vueti | President, Pacific Island Council of Qld Inc |
| | Ms Malaemie Fruean OAM | Chair, NSW Council for Pacific Communities |
| | Mr Tarek Koroisamanunu | Regional Representative, NSW Council for Pacific Communities |
| | Dr Martijn Boersma | Associate Professor, Discipline of Work and Organisational Studies, University of Sydney Business School |
| | Dr Hannah Tonkin | Women's Safety Commissioner, NSW Department of Communities and Justice |
| **Wednesday 18 June 2025**<br>**Cabaret Room**<br>**The Gem Hotel, Griffith** | Witness B | Individual with lived experience |
| **Thursday 19 June 2025**<br>**Cabaret Room**<br>**The Gem Hotel, Griffith** | Mr Ken Dachi | Coordinator, Welcoming Australia |
| | Mr Paul Maytom | Chairman, Leeton Multicultural Support Group |
| | Cr Doug Curran | Mayor, Griffith City Council |
| | Mr Brett Stonestreet | General Manager, Griffith City Council |
| | Ms Carmel La Rocca | President, Multicultural Council of Griffith |
| | Pastor Seremaia Rokosuka | Wagga Fellowship Inc |

| Date | Name | Position and Organisation |
|---|---|---|
| | Mrs Patricia Cox | President, Soroptimist International Griffith |
| | Mrs Elizabeth Mead | Secretary, Soroptimist International Griffith |
| | Ms Kirrilly Salvestro | Deputy CEO, Linking Communities Network Ltd |
| | Ms Madeleine Rossiter | Links for Women Manager, Linking Communities Network Ltd |
| | Ms Khadija Hassan | Lead Migration Support Programs, Australian Red Cross |
| | Ms Anita McRae | Senior Manager, Priority Populations, Murrumbidgee Primary Health Network |
| | Dr Trudi Beck | General Practitioner and member of Murrumbidgee Primary Health Network's Wagga Wagga Clinical Council |
| **Friday 12 September 2025**<br>**Macquarie Room**<br>**Parliament House, Sydney** | Ms Jenelle Joseph | Tana Projects Limited |
| | (Waskam) Emelda Davis | Chair, Peak Body for Australian South Sea Islanders (Port Jackson) |
| | Witness B | Individual with lived experience |
| **Thursday 11 December 2025**<br>**Blue Room**<br>**C.ex Coffs, Coffs Harbour** | Ms Biba Honnet | Migrant & Settlement Manager, St Vincent de Paul Society NSW |
| | Mr Giles Fryer | Senior Solicitor, Workplace Rights Services, Legal Aid NSW |
| | Mr James Blaxland | Senior Solicitor, Workplace Rights Services, Legal Aid NSW |
| | Ms Carla Chung | Migrant Support Worker, Australian Catholic Religious Against Trafficking in Humans (ACRATH) |
| | Dr Deirdre Little | Catholic Women's League Australia – NSW Inc. |

| Date | Name | Position and Organisation |
|---|---|---|
| | Ms Ruth Dooley | Catholic Women's League Australia – NSW Inc. |
| | Mrs Margaret Fox | Volunteer, Lilyrose Pregnancy Support |
| | Mrs Bev Downes | Volunteer, Lilyrose Pregnancy Support |
| | Dr Valerie Delpech | North Coast Director of Population and Public Health, Mid North Coast Local Health District |
| | Ms Alexandra Wade | Clinical Nurse Consultant – Liver Clinic, Mid North Coast Local Health District |
| | Mr Michael Laing | Senior Community Planner, Coffs Harbour City Council |
| | Dr Ljubov (Luby) Simson | Councillor, Nambucca Valley Council |
| | Miss Valelia 'Coco' Pereira | Coffs Coast Multicultural Society |
| | Mrs Paese Malia Sykes | Coffs Coast Multicultural Society |
| **Friday 12 December 2025**<br>**Blue Room**<br>**C.ex Coffs, Coffs Harbour** | Witness C | Individual with lived experience |
| | Witness D | Individual with lived experience |
| | Witness E | Individual |
| | Witness F | Individual |
| **Friday 20 March 2026**<br>**Macquarie Room**<br>**Parliament House, Sydney** | Hon Sophie Cotsis MP | Minister for Industrial Relations, and Minister for Work Health and Safety |
| | Mrs Marina Rizzo | Executive Director, Premier's Department Industrial Relations (PDIR) |
| | Mr Ian Galvin | Director, Policy, Premier's Department Industrial Relations (PDIR) |
| | Dr Petrina Casey | Executive Director, Strategic and Corporate Services, SafeWork NSW |
| | Witness G | Individual with lived experience |

| Date | Name | Position and Organisation |
|---|---|---|
| | Mr Steve Dargavel | Labour Hire Licensing Commissioner, Victorian Labour Hire Authority |

# Appendix 3 Minutes

**Minutes no. 12**
Wednesday 18 September 2024
Modern Slavery Committee
Room 814, Parliament House, Sydney at 9.06 am

**1. Members present**
Dr McGirr, *Chair*
Mrs Ayyad (via teleconference)
Mr Borsak
Mrs MacDonald

**2. Apologies**
Ms Leong, *Deputy Chair*
Mr Donnelly
Dr Kaine

**3. Previous minutes**
Resolved, on the motion of Mrs MacDonald: That draft minutes no. 11 be confirmed.

**4. Correspondence**
The committee noted the following items of correspondence:

*Received*

- 29 August 2024 – Email from Dr Tiffany McComsey, Chief Executive Officer, Kinchela Boys Home Aboriginal Corporation to the committee, inviting committee members to attend the 100th Anniversary of the Kinchela Boys Home
- 13 September 2024 – Email from Briony Camp, Policy and Campaigns Lead, International Justice Mission Australia to Chair, enquiring about the scope of the review of the Modern Slavery Act 2018.

*Sent*

- 10 September 2024 – Letter from Chair to Dr James Cockayne, NSW Anti-slavery Commissioner, thanking him for the briefing and training session on 2 August 2024 and requesting assistance in nominating lived experience witnesses for the review of the Modern Slavery Act 2018
- 10 September 2024 – Letter from Chair to Minh Dang, Executive Director, Survivor Alliance, requesting assistance in nominating lived experience witnesses for the review of the Modern Slavery Act 2018
- 10 September 2024 – Letter from Chair to Sophie Otiende, Chief Executive Officer, Global Fund to End Modern Slavery, requesting assistance in nominating lived experience witnesses for the review of the Modern Slavery Act 2018.

**5. Briefing with the Anti-slavery Commissioner**
Dr James Cockayne, Anti-slavery Commissioner and his office provided a briefing on his report entitled 'Be Our Guests: Addressing urgent modern slavery risks for temporary migrant workers in rural and regional NSW'.

Dr Cockayne was accompanied by:

- Ms Sophia Kagan, Principal Policy Adviser, Labour Migration, Office of the Anti-slavery Commissioner
- Mr Moe Turaga, Survivor Advocate, Member, Anti-slavery Commissioner's Advisory Panel
- Ms Biba Honnet, Team Leader, North Coast Settlement Services, St Vincent de Paul Society, Member, Anti-slavery Commissioner's Advisory Panel
- Mr Ken Dachi, Multicultural Affairs Adviser, Leeton Shire Council
- Mr Tim O'Connor, Communications and Engagement Manager, Office of the Anti-slavery Commissioner.

**6. Adjournment**

The committee adjourned at 9.48 am until Tuesday 29 October 2024, Room 814, Parliament House (hearing – Review of *Modern Slavery Act 2018*).

Shaza Barbar
**Committee Clerk**

**Minutes no. 13**
Thursday 10 October 2024
Modern Slavery Committee
Via videoconference at 1.01 pm

**1. Members present**

Dr McGirr, *Chair*
Ms Leong, *Deputy Chair*
Mrs Ayyad (from 1.06 pm)
Mr Donnelly
Dr Kaine
Ms Voltz

**2. Apologies**

Mrs MacDonald
Mr Borsak

**3. Correspondence**

The committee noted the following items of correspondence:

*Received*

- 17 September 2024 – Email from Sally Irwin, Founder, The Freedom Hub, enquiring about compensation available to individuals with lived experience of modern slavery who participate in the review of the *Modern Slavery Act 2018*
- 19 September 2024 – Email from Alan Dayeh, NSW Anti-Slavery Commission Advisory Panel Member, asking what provisions or processes are available to individuals who participate in the review of the *Modern Slavery Act 2018* who are victims yet cannot afford to miss any time from work
- 25 September 2024 – Letter from Dr James Cockayne, NSW Anti-slavery Commissioner to the committee, suggesting potential witnesses for the review of the *Modern Slavery Act 2018*
- 27 September 2024 – Email from Mr Tim O'Connor, Communications and Engagement Manager, Office of the Anti-slavery Commissioner, to the Chair seeking an opportunity for the Anti-slavery Commissioner to brief all MPs on the report entitled *Be Our Guests:*

*Addressing urgent modern slavery risks for temporary migrant workers in rural and regional NSW*

- 3 October 2024 – Email from Shae Meddings, National Risk & Assessment Manager, Converge International, to the secretariat providing a proposal and quote for counselling support to witnesses participating in the review of the Modern Slavery Act 2018
- 8 October 2024 – Letter from Dr Joe McGirr, Ms Jenny Leong and Dr Sarah Kaine, requesting a meeting of the Modern Slavery Committee to consider a proposed self-reference into modern slavery risks faced by temporary migrant workers in rural and regional New South Wales
- 9 October 2024 – Letter from Dr James Cockayne, NSW Anti-slavery Commissioner to the Chair, providing a report of Canada's Standing Senate Committee on Social Affairs, Science and Technology entitled 'Act Now: Solutions for temporary and migrant labour in Canada' for the committee's consideration of a new inquiry into modern slavery risks faced by temporary migrant workers in rural and regional New South Wales

Resolved, on the motion of Dr Kaine: That the committee keep the correspondence from Dr James Cockayne suggesting potential witnesses for the review of the *Modern Slavery Act 2018*, dated 25 September 2024, confidential, as per the request of the author.

**4. Consideration of terms of reference**

The Chair tabled a letter proposing the following terms of reference for an inquiry into modern slavery risks faced by temporary migrant workers in rural and regional New South Wales:

That the Modern Slavery Committee inquire into and report on modern slavery risks faced by temporary migrant workers in rural and regional New South Wales, and in particular:

a. lived experience of temporary migrant workers in rural and regional New South Wales working in agriculture, horticulture, meat processing and other sectors reliant on temporary migrant labour
b. incidence, causes and extent of forced labour, deceptive recruiting, gender-based violence, sexual servitude and labour trafficking
c. wage related violations such as underpayment and excessive deductions
d. structural factors that make temporary migrant workers vulnerable to exploitation
e. worker conditions and labour practices of direct employers and labour hire companies, including the adequacy of regulations governing both
f. adequacy of monitoring, compliance and enforcement of workplace laws, including health and safety laws
g. support and resources needed by local communities, NSW Government frontline agencies and non-government service providers to support at-risk and vulnerable temporary migrant workers, including education, training and cultural capability needs
h. the impact of visa settings and conditions of employment on temporary migrant workers in rural and regional New South Wales
i. adequacy of interjurisdictional/cross-government cooperation and data sharing in the provision of accommodation, medical care and other essential services to temporary migrant workers
j. potential protections for temporary migrant workers through State based interventions
k. any other related matters.

Resolved, on the motion of Mr Donnelly: That the terms of reference be amended by:

- omitting 'wage related violations such as underpayment and excessive deductions' and inserting instead ' violations relating to wages, allowances, superannuation, leave entitlements, workers compensation, piecework payments, such as underpayment, excessive deductions and debt bondage arrangements'
- inserting after item (e) ' confiscation of passports and other personal identification'.

Resolved, on the motion of Ms Leong: That the committee adopt the terms of reference as amended.

## 5. Conduct of the inquiry into modern slavery risks faced by temporary migrant workers in rural and regional New South Wales

### 5.1 Closing date for submissions

Resolved, on the motion of Mr Donnelly: That the closing date for submissions be 31 January 2025.

### 5.2 Stakeholder list

Resolved, on the motion of Dr Kaine:

- the secretariat circulate to members the Chair's proposed list of stakeholders to be invited to make a submission
- members have two days from when the Chair's proposed list is circulated to make amendments or nominate additional stakeholders
- the committee agree to the stakeholder list by email, unless a meeting of the committee is required to resolve any disagreement.

### 5.3 Hearing dates

Resolved, on the motion of Ms Leong: That the timeline for hearings, including engagement with individuals with lived experience, be considered by the committee following the receipt of submissions. Further, that hearing dates be determined by the Chair after consultation with members regarding their availability.

### 5.4 Translation of committee materials into languages other than English

Resolved, on the motion of Ms Voltz: That committee materials promoting the inquiry and explaining the submission process be translated into languages other than English to overcome any language barriers to participation, with Ms Voltz to provide a list of relevant languages to the secretariat.

## 6. Briefing of all MPs on the Anti-slavery Commissioner's *Be Our Guests* report

The committee considered correspondence to the Chair advising that the Commissioner would like to hold a briefing with all MPs (via videoconference) on his latest report on working conditions for temporary migrant workers in New South Wales, namely *Be Our Guests: Addressing urgent modern slavery risks for temporary migrant workers in rural and regional NSW*.

The Chair also noted that the United Nations Special Rapporteur on Contemporary Forms of Slavery will be visiting Australia in November 2024 and his office has been made aware of the upcoming visit.

Resolved, on the motion of Ms Leong: That:

- the committee host a special breakfast presentation from the United Nations Special Rapporteur on Contemporary Forms of Slavery for all MPs at NSW Parliament
- the Chair liaise with the Anti-slavery Commissioner to recommend that his office approaches the NSW Attorney-General regarding the all MP briefing on the *Be Our Guests* report.

## 7. Review of the *Modern Slavery Act 2018*

### 7.1 Proposed witnesses

The committee noted that the list of proposed witnesses was circulated via email, and that it agreed to:

- Prioritise individuals with lived experience of modern slavery before seeking input from individuals with experience in supporting or advocating for survivors of modern slavery
- Contact the Survivor Advisory Council to seek nominations as per the NSW Anti-slavery Commissioner's suggestion.

Resolved, on the motion of Ms Leong: That the committee prioritise speaking to individuals with lived experience of modern slavery that occurred in New South Wales before seeking input from individuals with lived experience of modern slavery that occurred interstate or overseas.

### 7.2 Compensation for inquiry participants

The committee considered correspondence from Sally Irwin, The Freedom Hub, asking whether compensation will be available to inquiry participants and from Alan Dayeh, NSW Anti-slavery Commission Advisory Panel, asking what provisions or processes are available to individuals who are victims yet cannot afford to miss any time from work.

In considering the questions from Sally Irwin and Alan Dayeh, the committee noted that:

- In consultation with the Chair, the secretariat did some preliminary research on this issue, to assist the committee with its deliberations on this matter.
- As far as the secretariat is aware, no Legislative Council committee (nor any parliamentary committee of an Australian legislature) has ever paid inquiry participants for voluntarily giving evidence or writing a submission, despite many sensitive inquiries that have heard from individuals with lived experience, including inquiries into birth trauma, the Stolen Generations and gay hate crimes. Paying inquiry participants for their time would therefore set a significant precedent for the Legislative Council.
- The payment of inquiry participants raises a number of challenging practical and ethical considerations. For example, would all participants with lived experience be compensated or only some? How would a committee determine the amount to pay individuals? What is the possible impact on inquiry participants from the same inquiry or a different inquiry who do not receive financial payment? How would compensation be determined for submission authors? Would the secretariat liaise with individual inquiry participants regarding payment or with the relevant organisation that is supporting them?
- Committee secretariats currently take steps to reduce any barriers to the effective participation of stakeholders in inquiries and/or to seek to ameliorate any disadvantages that may stem from their participation. For example, by reimbursing witnesses for travel or offering onsite parking or accommodation if required. The committee can also take evidence via videoconference or meet with witnesses before or after work.

Resolved, on the motion of Mr Donnelly: That the secretariat write to Sally Irwin and Alan Deyah advising that:

- under Legislative Council rules and practice, there is no capacity at present for committees to compensate individuals for participating in inquiries
- the committee is alert to the issue and will be considering it further at a future time
- there are other supports available to witnesses to ameliorate any disadvantages that may stem from their participation.

The committee noted that it would consider the issue of witness compensation further by the committee in the new year.

**7.3 Counselling support for witnesses**

The committee deferred consideration of the proposal and quote from Converge International until such time that the secretariat provides further information about NSW Parliament's policy for procurement.

**8. Adjournment**

The committee adjourned at 1.54 pm until Tuesday 29 October 2024 (hearing with individuals with lived experience – Review of the *Modern Slavery Act 2018*).

Anthony Hanna
**Committee Clerk**

**Minutes no. 18**
Wednesday 30 April 2025
Modern Slavery Committee
Macquarie Room, Parliament House, Sydney at 10.00 am

**1. Members present**

Dr McGirr*, Chair*
Ms Leong*, Deputy Chair*
Mrs Ayyad (via videoconference from 10.13 am)
Mr Donnelly (until 12.15 pm)
Dr Kaine
Mrs MacDonald

**2. Apologies**

Mr Borsak
Ms Voltz

**3. Previous minutes**

Resolved, on the motion of Dr Kaine: That minutes no. 17 be confirmed.

**4. Correspondence**

The committee noted the following items of correspondence:

*Received*

- 24 February 2025 – Email from Ms Adeline Dumoulin, Deputy Head, Multilateral Project Team, Commonwealth Parliamentary Association UK, to the Chair thanking him for the committee's contribution to the CPA UK handbook entitled *Legislating Against Modern Slavery in Supply Chains*
- 27 February 2025 – Email from Mr Timothy O'Connor, Communications and Engagement Manager, Office of the NSW Anti-slavery Commissioner, to the secretariat enquiring about options for people with lived experience to make a written submission after the submission closing date for the inquiry into modern slavery risks faced by temporary migrant workers in rural and regional New South Wales
- 3 March 2025 – Correspondence from the NSW Anti-slavery Commissioner, Dr James Cockayne, to the Hon Damien Tudehope MLC, about modern slavery risks in the NSW Government's procurement of electric buses
- 11 March 2025 – Email from Ms Lynette LaBlack, representative of Save Our Surroundings Riverina/National Rational Energy Network, to the Chair regarding modern slavery risks

in supply chains for the Oxley Bridge Road Solar Electricity Generating Works in Uranquinty
- 13 March 2025 – Email from Ms Sarah Schricker, representative of the Survivor Connections Steering Committee, to the Chair announcing the launch of their new resource, namely the Relational Remedy Framework
- 17 March 2025 – Email from Mr Nick Fabbri, Senior Associate, Cabinet Office, to the secretariat advising that the NSW Government will not make a submission to the inquiry into modern slavery risks faced by temporary migrant workers in rural and regional New South Wales
- 18 March 2025 – Email from Mr Mark Franklin, President, Multicultural Communities Council NSW, to the Chair regarding addresses made by the Chair, the NSW Anti-slavery Commissioner and the Mayor of Wagga Wagga Council at a recent public meeting in Wagga Wagga
- 19 March 2025 – Email from Mr Jack Manners, Communications and Reporting Officer, Commonwealth Parliamentary Association UK, to the Chair announcing publication of the CPA UK handbook entitled *Legislating Against Modern Slavery in Supply Chains*
- 21 March 2025 – Letter from the NSW Anti-slavery Commissioner, Dr James Cockayne, to the Chair enclosing his public statement on the NSW Government's response to the *Review of the Modern Slavery Act 2018 – Part 2*
- 26 March 2025 – Correspondence from Ms Sarah Schricker, representative of Survivor Connections, to the NSW Attorney-General regarding the NSW Government's response to the *Review of the Modern Slavery Act 2018 – Part 2*
- 14 April 2025 – Email from Dr Hannah Tonkin, Women's Safety Commissioner, NSW Department of Communities and Justice, to the secretariat declining the committee's invitation to appear at the hearing on 30 April 2025 for the inquiry into modern slavery risks faced by temporary migrant workers in rural and regional New South Wales, and asking whether she could appear at a hearing later in the year
- 10 April 2025 – Letter from the NSW Anti-slavery Commissioner, Dr James Cockayne, to the Chair, asking to share his appearance time with Ms Sophia Kagan, Principal Policy Advisor on Labour Migration within the Commissioner's Office, for the hearing on 30 April 2025 for the inquiry into modern slavery risks faced by temporary migrant workers in rural and regional New South Wales the upcoming Sydney hearing
- 16 April 2025 – Email from Mr Tim Caesar, Director, Cabinet, Legislation and Parliamentary Strategy Branch, Commonwealth Attorney-General's Department, to the secretariat declining (on behalf of all Commonwealth Government agencies invited) the committee's invitation to appear at the hearing on 30 April 2025 for the inquiry into modern slavery risks faced by temporary migrant workers in rural and regional New South Wales
- 17 April 2025 – Email from Mr Michael Shaw, Director, Community Policy, Multicultural NSW to the secretariat, declining the invitation to appear at the hearing on 30 April 2025 for the inquiry into modern slavery risks faced by temporary migrant workers in rural and regional New South Wales.

## 5. Inquiry into modern slavery risks faced by temporary migrant workers in rural and regional New South Wales

### 5.1 Public submissions

The committee noted that the following submissions were published by the committee clerk under the authorisation of the resolution appointing the committee: submission nos. 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 31(a), 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49 and 51.

**5.2 Partially confidential submissions**

Resolved, on the motion of Mr Donnelly: That the committee authorise the publication of submission no. 2, with the exception of potential adverse mention which is to remain confidential, as per the recommendation of the secretariat.

**5.3 Confidential submissions**

Resolved, on the motion of Mrs MacDonald: That the committee keep the following submissions confidential, as per request of the authors and in accordance with Schedule 1, cl 7 of the *Modern Slavery Act 2018*: submission nos. 16 and 50.

**5.4 Submission closing date and extensions**

The committee noted that it agreed via email to:

- extend the submission closing date from 31 January 2025 to 28 February 2025
- extension requests from:
    - Be Slavery Free for a further extension until 21 March 2025
    - the Migrant Justice Institute for a further extension until 14 March 2025
    - the NSW Young Lawyers Human Rights Subcommittee for a further extension until 7 March 2025
- authorise the secretariat to grant other extension requests for a period of up to two weeks from the submissions closing date of 28 February 2025.

**5.5 Translation of committee materials into additional languages**

Resolved, on the motion of Ms Leong: That the terms of reference, submission guide and guide to engaging with the committee be translated into Bahasa Indonesia, Bahasa Malay, Tagalog, Tetun/Portuguese (Timor Leste).

**5.6 Approach to engaging with people with lived experience**

The committee noted that it agreed via email to the following proposal to engaging with people with lived experience for the duration of the inquiry:

- written submissions from people with lived experience remain open for the duration of the inquiry, until evidence-gathering must close for report writing purposes on a date to be determined by the Chair in consultation with members
- the committee identify witnesses with lived experience:
    - through any relevant submissions
    - by requesting assistance from relevant/local organisations, with specific organisations to be determined by the Chair on a case-by-case basis in consultation with members
- once identified, the secretariat circulate a list of potential witnesses for members' consideration and agreement via email
- once the committee has agreed to the witness list, the secretariat speak with each witness to:
    - determine their preferences for engaging with the committee (for example, whether they would like to appear *in camera* or publicly)
    - ask if they require any particular supports or adjustments (for example, attending with a support person or having pre-determined questions)
    - provide a briefing on what to expect
- the secretariat follow up these conversations with a written invitation
- on the day of the meeting/session, individuals are to be offered the opportunity to meet with members informally and familiarise themselves with the meeting room before proceedings start
- the secretariat de-brief with each witness and send them a thank you letter on behalf of the Chair

- the committee engage Converge International Consultants, the NSW Parliament's Employment Assistance Program (EAP) service provider, to provide counselling services and support on site during the meetings and, with the permission of the individual, post-meeting follow-up
- the committee conduct hearings/meetings in smaller rooms and take an informal/conversational approach to questioning where possible
- the committee engage translation services where required
- the secretariat re-purpose the briefing document used for the review of the *Modern Slavery Act 2018* (Part 2) to create a more general briefing document outlining how people with lived experience can meet with the committee to share their experiences (which can be used for all future Modern Slavery Committee inquiries)
- the briefing document be translated into Dari, Pashto, Urdu, Hazaragi, Persian (Farsi), Turkish, Arabic, Tamil, Bislama, Fijian, Chinese (Mandarin), and Korean, and any other languages as determined by the committee.

### 5.7 Committee activity

The committee noted that it previously agreed via email that Wednesday 30 April and Thursday 1 May be used as Sydney-based hearings to hear from key organisations, and that regional visits to hear from people with lived experience be conducted on 18, 19 and 20 June, and 23, 24 and 25 September.

The committee noted that it subsequently agreed via email to reschedule day two of the Sydney hearings due to a conflict with a previously unscheduled activity in the Chair's electorate.

### 5.8 Witness requests for public hearing on 30 April 2025

The committee noted that it previously agreed via email to:

- a request from the NSW Anti-slavery Commissioner, Dr James Cockayne, to share his appearance time with Ms Sophia Kagan, Principal Policy Advisor on Labour Migration within the Commissioner's Office
- a request from the Office of the Australian Anti-slavery Commissioner, Mr Chris Evans, that Ms Laura McManus, attend as a witness alongside him.

### 5.9 Request to appear *in camera* on 30 April 2025

Resolved, on the motion of Mr Donnelly: That:

- in accordance with Schedule 1, clause 7 of the *Modern Slavery Act 2018,* the committee take evidence *in camera,* from a witness with lived experience at the hearing on 30 April 2025
- support people for the witness and a counsellor from Converge International Consultants be admitted into the room for the *in camera* hearing.

The committee noted that it agreed via email to ask pre-determined questions to the witness.

### 5.10 Committee visit to Griffith on 18, 19 and 20 June

The committee noted that it previously agreed via email that:

- Griffith be confirmed as the location for the committee's regional visit on 18, 19 and 20 June
- the committee seek the assistance of the Multicultural Council of Griffith, the NSW Anti-slavery Commissioner and Mr Ken Dachi of Leeton Shire Council to identify potential witnesses with lived experience to meet with the committee in Griffith.

### 5.11 Public hearing

Resolved, on the motion of Mr Donnelly: That the allocation of questions to be asked at the hearing be left in the hands of the Chair.

The public and the media were admitted.

The Chair made an opening statement regarding the proceedings and other matters.

The following witnesses were sworn and examined:

- Dr James Cockayne, NSW Anti-slavery Commissioner
- Ms Sophia Kagan, Principal Policy Advisor, Labour Migration, Office of the NSW Anti-slavery Commissioner (via videoconference).

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Ms Yuvashri Harish, Coordinator, Employment Rights Legal Service
- Ms Tess Deegan, Acting Principal Solicitor, Kingsford Legal Centre
- Mr Sean Stimson, Senior Solicitor, International Student Legal Service NSW, Redfern Legal Centre
- Ms Peta Zoubakin, Law Graduate, International Student Legal Service NSW, Redfern Legal Centre
- Ms Seri Feldman-Gubbay, Senior Solicitor, Employment Practice, Redfern Legal Centre
- Ms Isobel McGarity, Supervising Senior Solicitor, Refugee Advice and Casework Service
- Ms Mursal Rahimi, Solicitor, Refugee Advice and Casework Service.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Mr Ismail Ibrahim, A/G NSW State Director, Australian Red Cross
- Ms Lina Garcia-Daza, Senior Manager, Migration Support Program, Australian Red Cross
- Ms Jessi Claudianos, Director, Migration Support Program National Operations, Australian Red Cross (via videoconference)
- Ms Carolyn Kitto OAM, Co-Director, Be Slavery Free (via videoconference)
- Mr Fuzz Kitto, Co-Director, Be Slavery Free (via videoconference)
- Professor Jennifer Burn AM,Director, Anti-slavery Australia
- Ms Chloe Saker, Lawyer, Anti-Slavery Australia
- Associate Professor Laurie Berg, Co-Director of Migrant Justice Institute and Associate Professor, UTS Faculty of Law.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Mr Chris Evans, Australian Anti-slavery Commissioner
- Ms Laura McManus, Director, Australian Anti-slavery Commissioner's Office.

The evidence concluded and the witnesses withdrew.

The following witness was sworn and examined:

- Professor Tomoya Obokata, UN Special Rapporteur on contemporary forms of slavery (via videoconference).

The evidence concluded and the witness withdrew.

The public hearing concluded at 3.30 pm.

The public and media withdrew.

**5.12 *In camera* hearing**

The committee proceeded to take evidence *in camera*.

Persons present other than the committee: Shaza Barbar, Stephen Fujiwara, Reeti Pandharipande, Kirsty Gray, support people, audio-visual broadcast operators and Hansard reporters.

The Chair made an opening statement regarding the proceedings and other matters.

The following witness was worn and examined:

- Witness A.

The evidence concluded and the witness withdrew.

The *in camera* hearing concluded at 4.30 pm.

**5.13 Letter to Attorney General and Minister for Industrial Relations**

Resolved, on the motion of Ms Leong: That the Chair write to the Attorney General and the Minister for Industrial Relations to:

- express concern about the evidence received at the hearing on 30 April 2025 about the state's regulatory gap in labour hire practices
- request information on the current regulatory framework
- urge the NSW Government to address the regulatory gap as a matter of priority.

**6. Adjournment**

The committee adjourned at 5.00 pm until Monday 2 June 2024, Parliament House, Sydney (public hearing – Modern slavery risks faced by temporary migrant workers in rural and regional New South Wales).

Stephen Barry Fujiwara
**Committee Clerk**

**Minutes no. 19**
Monday 2 June 2025
Modern Slavery Committee
Macquarie Room, Parliament House, Sydney at 8.46 am

**1. Members present**

Dr McGirr, *Chair*
Ms Leong, *Deputy Chair*
Mrs Ayyad (via videoconference)
Mr Donnelly
Dr Kaine
Mrs MacDonald
Ms Voltz (via videoconference)

**2. Previous minutes**

Resolved, on the motion of Dr Kaine: That draft minutes no. 18 be confirmed.

**3. Correspondence**

The committee noted the following items of correspondence:

*Received*

- 1 May 2025 – Letter from Dr James Cockayne, NSW Anti-slavery Commissioner, to Chair, providing supplementary information following evidence on 30 April 2025, including suggestions of individuals with lived experience and other stakeholders in Griffith who could engage with the committee
- 6 May 2025 – Email from Dr Anna Boucher, Associate Professor, Government and International Relations, Sydney University, to committee secretariat, declining the invitation to appear at a hearing on 2 June 2025
- 13 May 2025 – Letter from Dr James Cockayne, NSW Anti-slavery Commissioner to the Hon Michael Daley MP, NSW Attorney General, CC the Chair, regarding the welfare of an individual who may be a victim of modern slavery
- 19 May 2025 – Email from Dr James Cockayne, NSW Anti-slavery Commissioner, to the secretariat, attaching a letter from himself to the Hon Michael Daley MP, NSW Attorney General, dated 29 April 2025, regarding the application of the non-punishment principle and lessons from recent cases
- 14 May 2025 – Email from Bethan Thomas, Project Officer, Commonwealth Parliamentary Association UK, to Chair, providing an update on the project titled 'Strengthening Parliamentary Oversight and Effectiveness in Tackling Gender-based Violence and Modern Slavery'
- 15 May 2025 – Email from Tim Caesar, Director, Cabinet, Legislation and Parliamentary, Strategy and Governance Branch, Attorney-General's Department, on behalf of seven Australian Government Departments, to committee secretariat declining the invitation to appear at a hearing on 2 June 2025
- 20 May 2025 – Email from Kristen Johns, Organiser, Australian Workers' Union, to the committee, declining to nominate witnesses with lived experience of modern slavery due to time frame, suggesting a contact in Barham, and offering to suggest businesses for the committee to visit if they wish.

*Sent*

- 2 May 2025 – Letter from the Chair to Witness A, thanking them for their contribution to the inquiry into temporary migrant workers in rural and regional New South Wales
- 12 May 2025 – Letter from the Chair to the Hon Michael Daley MP, NSW Attorney General, urging the NSW Government to address concerns about labour hire practices
- 12 May 2025 – Letter from the Chair to the Hon Sophie Cotsis MP, Minister for Industrial Relations, urging the NSW Government to address concerns about labour hire practices
- 15 May 2025 – Letter from the Chair to Ken Dachi, Multicultural Affairs Advisor, Leeton Shire Council, seeking nominations of potential witnesses with a lived experience of modern slavery
- 15 May 2025 – Letter from the Chair to Carmel La Rocca, President, Multicultural Council of Griffith, seeking nominations of potential witnesses in Griffith with a lived experience of modern slavery
- 15 May 2025 – Letter from the Chair to Kristen Johns, Organiser, Australian Workers' Union, seeking nominations of potential witnesses in Griffith with a lived experience of modern slavery
- 19 May 2025 – Letter from the Chair to Mrs Helen Dalton MP, Member for Murray, seeking nominations of individuals with a lived experience of modern slavery in the region, and businesses or industry representatives who may be interested in attending a private industry roundtable
- 19 May 2025 – Letter from the Chair to Hon Sussan Ley MP, Member for Farrer, seeking nominations of individuals with a lived experience of modern slavery in the region, and

businesses or industry representatives who may be interested in attending a private industry roundtable
- 19 May 2025 – Letter from the Chair to Hon Michael McCormack MP, Member for Riverina, seeking nominations of individuals with a lived experience of modern slavery in the region, and businesses or industry representatives who may be interested in attending a private industry roundtable.

Resolved, on the motion of Mr Donnelly: That the following correspondence sent to individuals who contributed to the inquiry into modern slavery risks faced by temporary migrant workers in rural and regional New South Wales be kept confidential:

- 2 May 2025 – Letter from Dr Joe McGirr, Chair to Witness A, thanking them for their contribution to the inquiry into temporary migrant workers in rural and regional New South Wales.

## 4. Inquiry into modern slavery risks faced by temporary migrant workers in rural and regional New South Wales

### 4.1 Letters from the Anti-slavery Commissioner to the Attorney General

The committee considered the following correspondence from the NSW Anti-slavery Commissioner to the Attorney General:

- 13 May 2025 – Letter from Dr James Cockayne, NSW Anti-slavery Commissioner to the Hon Michael Daley MP, NSW Attorney General, CC the Chair, regarding the welfare of an individual who may be a victim of modern slavery
- 19 May 2025 – Email from Dr James Cockayne, NSW Anti-slavery Commissioner, to the secretariat, attaching a letter from himself to the Hon Michael Daley MP, NSW Attorney General, dated 29 April 2025, regarding the application of the non-punishment principle and lessons from recent cases.

Resolved, on the motion of Ms Leong: That:
- the Chair write to the Attorney General:
    - urging him to address issues raised in the letters from the NSW Anti-slavery Commissioner, dated 29 April 2025 and 13 May 2025, as a matter of urgency
    - requesting a response to the Chair's letter, dated 12 May 2025 to the Attorney General and Minister for Industrial Relations, urging the NSW Government to address concerns about labour hire practices
- the Chair approach the Attorney General directly to discuss the issues raised in the letters from the Anti-slavery Commissioner.

The committee defer consideration of the publication status of the letters.

### 4.2 Committee activity in Griffith

The committee noted that that it previously agreed via email on 13 May 2025 that the Chair write to:
- the NSW Anti-slavery Commissioner, requesting that he approach certain potential witnesses with lived experience of modern slavery to see if they would be available to give evidence to the committee in Griffith
- Kristen Johns, Organiser, Australian Workers Union, to seek suggestions for potential witnesses with lived experience of modern slavery in the Riverina.

The committee noted that it previously agreed via email on 19 May 2025 that:
- the Chair write to Mrs Helen Dalton MP, Member for Murray, Hon Michael McCormack MP, Member for Riverina, and the Hon Sussan Ley MP, Member for Farrer to request:

suggestions for witnesses with lived experience of modern slavery in the region and suggestions for businesses or industry representatives who may be interested in attending a private industry roundtable by invitation
- the committee undertake travel to Griffith on 18-19 June 2025 as per the Chair's draft itinerary.

### 4.3 Public submission

The committee noted that the following submission was published by the committee clerk under the authorisation of the resolution appointing the committee: submission no. 53.

### 4.4 Partially confidential submissions

Resolved, on the motion of Ms Leong: That the committee authorise the publication of submission nos. 52 and 54 with the exception of potential adverse mention or sensitive information which is to remain confidential, as per the recommendation of the secretariat.

### 4.5 Public hearing

Resolved, on the motion of Mrs MacDonald: That the allocation of questions to be asked at the hearing be left in the hands of the Chair.

The public and the media were admitted.

The Chair made an opening statement regarding the proceedings and other matters.

The following witnesses were sworn and examined:

- Ms Claire McClelland, Chief Executive Officer, Australian Fresh Produce Alliance
- Mr Cameron Brown, Public Affairs, Australian Fresh Produce Alliance
- Ms Rachel Elliott, General Manager - Sustainability Impact Narrative & Human Rights, Woolworths Group (via videoconference)
- Ms Rachel Mackenzie, Chief Executive Officer, Berries Australia (via videoconference).

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Mr Thomas Costa, Assistant Secretary, Unions NSW
- Mr Joshua Strutt, Chief Executive Officer and Principal Solicitor, Immigration Advice & Rights Centre
- Mr Jonathan Cook, Organiser, Australian Workers' Union
- Mr Bernard Govind, Senior Industrial Officer, Shop, Distributive and Allied Employees' Association (NSW Branch)
- Mr Matt Journeaux, Federal Secretary, Australasian Meat Industry Employees' Union, AMIEU QLD, WA, NT Branch Secretary
- Mr Justin Smith, Federal President, Australasian Meat Industry Employees' Union, AMIEU Newcastle, Northern, South Australian and Tasmanian Branch Secretary.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Mr John Harvie, Mayor of Murray River Council
- Mr Neil Gorey, Deputy Mayor of Murray River Council
- Mrs Helma Gorey, Individual (appearing alongside Murray River Council)
- Cr Khal Asfour, Vice President Metropolitan/Urban, Local Government NSW
- Mr David Reynolds, Chief Executive, Local Government NSW.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Cr Dallas Tout, Mayor, Wagga Wagga City Council, and Member, Mayoral Alliance for the Pacific (MAP)
- Mr Aleem Ali, Chief Executive Officer, Welcoming Australia
- Mr Ken Dachi, Coordinator, Welcoming Australia (via videoconference)
- Cr George Weston, Mayor, Leeton Shire Council (via videoconference)
- Mrs Jackie Kruger, General Manager, Leeton Shire Council (via videoconference).

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Mr Moceica Matai Turaga, Lived Experience Consultant, Domus 8.7 Remediation Service
- Ms Alison Rahill, Executive Officer and ACAN Program Manager, Australian Catholic Antislavery Network
- Ms Natasha Murphy, Learning & Development Manager, Parish Administration Centre, St Agnes' Parish, Catholic Diocese of Lismore
- Ms Kylie Cullen, Catholic Immigration Manager, Archdiocese of Sydney
- Fr Khalid Marogi, National Director, Australian Catholic Migrant and Refugee Office – Clergy Life and Ministry, Australian Catholic Bishops Conference.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Dr Mark Zirnsak, Senior Social Justice Advocate, Uniting Church in Australia
- Rev Alimoni Taumoepeau, Team Leader Intercultural Ministry and Climate Action for Uniting Church Synod NSWACT
- Mrs Ema Vueti, President, Pacific Island Council of Qld Inc (via videoconference)
- Ms Malaemie Fruean OAM, Chair, NSW Council for Pacific Communities
- Mr Tarek Koroisamanunu, Regional Representative, NSW Council for Pacific Communities.

The evidence concluded and the witnesses withdrew.

The following witness was sworn and examined:

- Dr Martijn Boersma, Associate Professor, Discipline of Work and Organisational Studies, University of Sydney Business School.

The evidence concluded and the witnesses withdrew.

The following witness was sworn and examined:

- Dr Hannah Tonkin, Women's Safety Commissioner, NSW Department of Communities and Justice.

The evidence concluded and the witness withdrew.

The public hearing concluded at 3.45 pm.

The public and media withdrew.

### 4.6 Correspondence

The committee noted the following item of correspondence:

- 2 June 2025 – Email from Mr Ken Dachi, Coordinator, Welcoming Australia, providing suggestions for individuals with lived experience of modern slavery who could engage with the committee.

The committee deferred consideration of witnesses suggested by Mr Dachi pending advice from the secretariat regarding any potential legal issues that could arise.

**4.7 Relevant media article**

The committee noted that the Chair circulated via email an ABC article titled 'Home abortions and hiding pregnancy, research reveals hard realities for migrant workers', dated Monday 2 June 2025.

**5. Adjournment**

The committee adjourned at 3.53 pm until Wednesday 18 June 2025 (regional hearing – temporary migrant workers inquiry).

Emily Whittingstall
**Committee Clerk**

**Minutes no. 20**
Wednesday 18 June 2025
Modern Slavery Committee
Cabaret Room, The Gem Hotel, 201-207 Banna Ave, Griffith, at 2.25 pm

**1. Members present**

Dr McGirr, *Chair*
Ms Leong, *Deputy Chair*
Mrs Ayyad
Mr Donnelly (via videoconference)
Dr Kaine
Mrs MacDonald

**2. Apologies**

Mr Borsak
Ms Voltz

**3. Previous minutes**

Resolved, on the motion of Dr Kaine: That draft minutes no. 19 be confirmed.

**4. Correspondence**

The committee noted the following items of correspondence:

***Received***

- 28 May 2025 – Letter from Dr James Cockayne, the NSW Anti-slavery Commissioner to Dr McGirr and Ms Leong, providing the report entitled 'Report 1: Which steps are reasonable?' regarding the government's procurement of electric buses
- 29 May 2025 – Email from Joanne Harney, Policy Officer, Local Government NSW, advising that Mayor Claire Pontin is unable to attend the hearing on Monday 2 June 2025
- 2 June 2025 - Email from Brendan Pearce, Senior Adviser – External Engagement (Government), Australian Red Cross, nominating Ms Khadija Hassan, Lead Migration Support Programs, Australian Red Cross to attend the hearing on Thursday 19 June 2025 instead of Ms Fiona Grosser
- 2 June 2025 - Email from Kristen Johns, Organiser, The Australian Worker' Union (AWU) NSW Branch, declining the committee's invitation to attend the hearing on Thursday 19 June 2025

- 5 June 2025 – Letter from Minister Cotsis to the Chair, responding to the Chair's letter regarding evidence presented to the Modern Slavery Committee about labour hire providers operating in New South Wales
- 5 June 2025 – Email from Emily Cascarino, Senior Policy and Project Officer, Office of the NSW Anti-slavery Commissioner, advising that certain witnesses are not likely to be suitable witnesses to meet with the Modern Slavery Committee in Griffith in June
- 6 June 2025 – Email from Mr Grant Mistler, submission author 3, requesting a written response from the Chair and Deputy Chair regarding a request outlined in his submission to reintroduce accommodation minimum standards
- 6 June 2025 - Email from Peter Mares, Adjunct Senior Research Fellow, Monash School of Media, Film and Journalism, informing the committee of his intention to observe the hearing in Griffith on Thursday 19 June from the public gallery
- 11 June 2025 – Email from an individual, declining the committee's invitation to appear at a private informal roundtable in Griffith on Thursday 19 June 2025
- 12 June 2025 – Email from an individual, declining the committee's invitation to appear at a private informal roundtable in Griffith on Thursday 19 June 2025
- 13 June 2025 – Email from Ms Vickie Burkinshaw, President, Wagga Women's Health Service, advising that she can no longer appear at the hearing on Thursday 19 June 2025
- 16 June 2025 – Email from Ms Chloe Saker, Lawyer, Anti-slavery Australia, advising that a witness with lived experience who was scheduled to appear at the Griffith hearing would prefer to appear at a hearing during the committee's travel to the Mid-North Coast
- 16 June 2025 – Letter from Dr Jame Cockayne, NSW Anti-slavery Commissioner to the Chair, providing advice about options for seeking support or assistance that witnesses could access if needed
- 17 June 2025 – Letter from Mr Joshua Strutt, CEO and Principal Solicitor, Immigration Advice and Rights Centre to the Chair, providing advice about potential disclosures of individuals who may be in breach of their visa conditions.

***Sent***

- 29 May 2025 – Letter from the Chair to Dr James Cockayne, NSW Anti-slavery Commissioner, requesting his support to contact four witnesses with lived experience of modern slavery
- 3 June 2025 - Letter from the Chair to the Attorney General, Hon Michael Daley MP, following up on correspondence from the Anti-slavery Commissioner and ongoing issues relating to labour hire in New South Wales
- 13 June 2025 – Letter from the Chair to Dr James Cockayne, NSW Anti-slavery Commissioner, confirming witnesses with lived experience and requesting advice, ahead of the committee's visit to Griffith, about potential disclosures individuals who may be in breach of their visa conditions
- 13 June 2025 – Letter from the Chair to Mr Joshua Strutt, Chief Executive Officer and Principal Solicitor, Immigration Advice & Rights Centre, requesting advice, ahead of the committee's visit to Griffith, about potential disclosures individuals who may be in breach of their visa conditions.

Resolved, on the motion of Ms Leong: That the following correspondence be kept confidential:

- 2 June 2025 – Email from Ken Dachi, Welcoming Australia, providing details of three individuals with a lived experience of modern slavery

- 5 June 2025 – Email from Emily Cascarino, Senior Policy and Project Officer, Office of the NSW Anti-slavery Commissioner, advising that certain witnesses are not likely to be suitable witnesses to meet with the Modern Slavery Committee in Griffith in June
- 29 May 2025 – Letter from Chair to Dr James Cockayne, NSW Anti-slavery Commissioner, requesting his support to contact four witnesses with lived experience of modern slavery
- 16 June 2025 – Email from Ms Chloe Saker, Lawyer, Anti-slavery Australia, advising that a witness with lived experience who was scheduled to appear at the Griffith hearing would prefer to appear at a hearing during the committee's travel to the Mid-North Coast.

Resolved, on the motion of Ms Leong: That the Chair write to Mr Grant Mistler, submission author 3, thanking him for his correspondence and advising that the committee will consider all evidence received before drafting its final report.

## 5. Inquiry into modern slavery risks faced by temporary migrant workers in rural and regional New South Wales

### 5.1 Potential issues arising from the committee engaging with individuals with lived experience of modern slavery who may be in breach of their visa conditions

The committee noted that at its last meeting, the committee sought advice on how to proceed if it were to hear evidence from witnesses with lived experience of modern slavery who may be in breach of their visa conditions.

The secretariat provided initial advice via email on 4 June 2025. The Deputy Chair raised a number of questions for the committee's consideration. The secretariat provided further advice on 12 June 2025.

The committee noted that it agreed via email to:

- seek advice from the Immigration Advice and Rights Centre and the New South Wales Anti-slavery Commissioner about what the committee should do if, during its visit to Griffith, a) someone discloses that an individual is currently being subjected to modern slavery and b) the committee becomes aware that someone is in breach of their visa conditions
- not proceed with hearing from witnesses who may be in breach of their visa conditions at this stage
- proceed with hearing from two witnesses suggested by the Anti-slavery Commissioner who are on valid visas and have received their own independent legal advice.

Resolved, on the motion of Ms Leong: That the secretariat:

- prepare, for the committee's consideration, a brief seeking independent legal advice regarding engaging with individuals with lived experience of modern slavery who may be in breach of their visa conditions
- identify who the committee could seek this independent legal advice from.

### 5.2 Labour hire practices in New South Wales

The Chair reported back to the committee about his meeting with the Attorney-General and proposed that the committee meet with the Minister for Industrial Relations.

Resolved, on the motion of Dr Kaine: That the committee seek an urgent meeting in the next sitting week with the Minister for Industrial Relations to further discuss evidence presented to the committee about labour hire providers operating in New South Wales.

Resolved, on the motion of Dr Kaine: That the committee: draft an interim report including initial time sensitive findings and recommendations on labour hire practices in New South Wales.

### 5.3 Public hearing on Friday 12 September 2025

The committee noted that it previously agreed via email to schedule a hearing on Friday 12 September 2025 to hear from members of Parliament from the Pacific via videoconference.

Resolved, on the motion of Dr Kaine: That the committee invite Ms Jenelle Joseph, Tanna Projects Ltd to give evidence at the hearing on Friday 12 September 2025.

### 5.4 *In camera* hearing

Resolved, on the motion of Mr Donnelly: That:

- in accordance with Schedule 1, clause 7 of the *Modern Slavery Act 2018*, the committee take evidence *in camera*, from a witness with lived experience at the hearing on 18 June 2025
- a counsellor from Converge International Consultants be admitted into the room for the *in camera* hearing.

The committee proceeded to take evidence *in camera*.

Persons present other than the committee: Shaza Barbar, Emily Whittingstall, Reeti Pandharipande, a counsellor, audio-visual broadcast operators and Hansard reporters.

The Chair made an opening statement regarding the proceedings and other matters.

The following witness was sworn and examined:

- Witness B.

Witness B tabled the following documents:

- Document titled 'Challenges faced by temporary visa holders due to systemic oversight'
- Personal diary entries relating to work undertaken on temporary migrant visa.

The evidence concluded and the witness withdrew.

The *in camera* hearing concluded at 3.35 pm.

### 5.5 Further evidence from Witness B

Resolved, on the motion of Ms Leong: That the committee invite Witness B to give further evidence *in camera* at its hearing on Friday 12 September 2025.

### 5.6 Tabled documents

Resolved, on the motion of Ms Leong: That the committee accept and keep confidential the following documents tendered by Witness B:

- Document titled 'Challenges faced by temporary visa holders due to systemic oversight'
- Personal diary entries relating to work undertaken on temporary migrant visa.

## 6. Adjournment

The committee adjourned at 3.51 pm until Thursday 19 June 2025 (regional hearing – temporary migrant workers inquiry).

Emily Whittingstall
**Committee Clerk**

**Minutes no. 21**
Thursday 19 June 2025
Modern Slavery Committee
Cabaret Room, The Gem Hotel, 201-207 Banna Ave, Griffith, at 8.44 am

**1. Members present**
Dr McGirr, *Chair*
Ms Leong, *Deputy Chair*
Mrs Ayyad
Mr Donnelly (via videoconference)
Dr Kaine
Mrs MacDonald

**2. Apologies**
Mr Borsak
Ms Voltz

**3. Inquiry into modern slavery risks faced by temporary migrant workers in rural and regional New South Wales Correspondence**

**3.1 Public hearing**
Resolved, on the motion of Dr Kaine: That the allocation of questions to be asked at the hearing be left in the hands of the Chair.

The public and the media were admitted.

The Chair made an opening statement regarding the proceedings and other matters.

The following witnesses were sworn and examined:

- Mr Ken Dachi, Coordinator, Welcoming Australia
- Mr Paul Maytom, Chairman, Leeton Multicultural Support Group
- Cr Doug Curran, Mayor, Griffith City Council
- Mr Brett Stonestreet, General Manager, Griffith City Council.

Mr Maytom tabled the following documents:
- Images of injuries sustained by and living conditions of temporary migrant workers
- Emails chain between Mr Paul Maytom and the Department of Employment and Workplace Relations (DEWR) staff regarding issues associated with disengaged PALM workers.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Ms Carmel La Rocca, President, Multicultural Council of Griffith
- Pastor Seremaia Rokosuka, Wagga Fellowship Inc.

The following witness was examined on their former oath:
- Mr Ken Dachi, Coordinator, Welcoming Australia.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Mrs Patricia Cox, President, Soroptimist International Griffith
- Mrs Elizabeth Mead, Secretary, Soroptimist International Griffith
- Ms Kirrilly Salvestro, Deputy CEO, Linking Communities Network Ltd

- Ms Madeleine Rossiter, Links for Women Manager, Linking Communities Network Ltd
- Ms Khadija Hassan, Lead Migration Support Programs, Australian Red Cross.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Ms Anita McRae, Senior Manager, Priority Populations, Murrumbidgee Primary Health Network
- Dr Trudi Beck, General Practitioner and member of Murrumbidgee Primary Health Network's Wagga Wagga Clinical Council.

The evidence concluded and the witnesses withdrew.

The public hearing concluded at 12.05 pm.

The public and media withdrew.

### 3.2 Private industry roundtable

The committee held a private roundtable with business and industry representatives.

Resolved on the motion of Ms Leong: That the secretariat circulate a copy of the corrected transcript to the participants on the private industry round table for their comment.

### 3.3 Tabled documents

The committee deferred consideration of the following documents tendered by Mr Maytom:

- Images of injuries sustained by and living conditions of temporary migrant workers
- Emails chain between Mr Paul Maytom and the Department of Employment and Workplace Relations (DEWR) staff regarding issues associated with disengaged PALM workers.

## 4. Adjournment

The committee adjourned at 2.35 pm until Friday 12 September 2025 at Parliament House, Sydney (public hearing – temporary migrant workers inquiry).

Emily Whittingstall
**Committee Clerk**

**Minutes no. 22**
Friday 27 June 2025
Modern Slavery Committee
Room 814, Parliament House, Sydney at 9.06 am

## 1. Members present

Dr McGirr, *Chair*
Ms Leong, *Deputy Chair*
Mrs Ayyad
Dr Kaine (via videoconference)
Mrs MacDonald
Ms Voltz

## 2. Apologies

Mr Borsak
Mr Donnelly

## 3. Inquiry into modern slavery risks faced by temporary migrant workers in rural and regional New South Wales

### 3.1 Meeting with Hon Sophie Cotsis MP, Minister for Industrial Relations

The committee met with the Minister for Industrial Relations to discuss regulation of labour hire companies in New South Wales. The Minister was accompanied by:

- Ms Ayshe Lewis, Chief of Staff, Minister for Industrial Relations
- Mr Ian Galvin, Director, Industrial Relations Policy, Premier's Department Industrial Relations
- Ms Marina Rizzo, Executive Director, Premier's Department Industrial Relations
- Mr Joe Tizzone, Policy Adviser, Industrial Relations Policy, Premier's Department Industrial Relations
- Dr Petrina Casey, Executive Director, Strategic and Corporate Services, SafeWork NSW.

### 3.2 Chair to contact the Hon Ryan Park MP, Minister for Health and Minister for Regional Health

Resolved, on the motion of Ms Leong: That the Chair contact the Minister for Health and Minister for Regional Health to discuss the evidence the committee heard from Ms Anita McRae of the Murrumbidgee Primary Health Network and Dr Trudi Beck of the Murrumbidgee Primary Health Network's Wagga Wagga Clinical Council on 19 June 2025.

## 4. Adjournment

The committee adjourned at 9.50 am until Friday 12 September 2025 (hearing for the temporary migrant workers inquiry, Parliament House, Sydney).

Anthony Hanna
**Committee Clerk**

**Minutes no. 23**
Friday 12 September 2025
Modern Slavery Committee
Macquarie Room, Parliament House, Sydney at 9.22 am

## 1. Members present

Dr McGirr, *Chair*
Ms Leong, *Deputy Chair*
Mrs Ayyad (via videoconference)
Mr Borsak
Mrs MacDonald
Ms Voltz (via videoconference)

## 2. Apologies

Mr Donnelly
Dr Kaine

## 3. Previous minutes

Resolved, on the motion of Mrs MacDonald: That draft minutes nos. 20, 21 and 22 be confirmed.

## 4. Correspondence

The committee noted the following items of correspondence:

*Received*

- 27 June 2025 – Email from Hon John Deane Kuku MP, Member of the National Parliament of Solomon Islands and Minister of Education and Human Resources Development to the secretariat, noting the invitation to participate via videoconference the next public hearing of the Modern Slavery Committee on Friday 12 September 2025, but advising he is unable to participate as he will not be located in Honiara and therefore will not have access to videoconferencing
- 26 June 2025 – Email from Lucy Forbes, Principal Policy Manager, NSW Anti-slavery Commissioner, sharing a report into compliance of the horticulture sector with workplace laws published by the Fair Work Ombudsman
- 30 June 2025 – Email from Witness B to the secretariat, accepting the invitation to give evidence to the committee on Friday 12 September, and providing for the committee's awareness advice of topics they propose to discuss with the committee at the appearance
- 15 July 2025 – Email from the Hon Esromy Immanu'el MP, Member of the Parliament of the Republic of Fiji, Assistant Minister for Finance, to the secretariat, advising he has referred the invitation to give evidence to the public hearing scheduled for 12 September 2025 to the responsible ministry (the Ministry of Employment, Productivity and Workplace Relations) for their participation due their involvement in labour mobility programs
- 21 July 2025 – Letter from Dr James Cockayne, NSW Anti-slavery Commissioner to the Chair, providing an update on recent correspondence with the Hon Ged Kearney MP, Australian Government Assistant Minister for Social Services and Assistant Minister for the Prevention of Family Violence
- 29 July 2025 – Email from Lynden Bartrim, Office of Minister Ryan Park MP, Minister for Regional Health, regarding a submission that may have been drafted by NSW Health with input from Dr Trudi Beck but not provided to the inquiry
- 31 July 2025 – Email from Witness B to the Chair, providing note of thanks
- 4 August 2025 – Email from Hon Alvick Maharaj MP, Member of the Parliament of the Republic of Fiji, to the secretariat, advising that he is not able to accept the invitation to appear via videoconference at the public hearing scheduled for 12 September 2025, due to a conflicting travel schedule
- 17 August 2025 – Email from Mr Ken Dachi, Welcoming Australia, providing a document comprising a position paper and action plan regarding the PALM scheme
- 28 August 2025 – Letter from the Anti-slavery Commissioner to the Chair, bringing to the attention of the Modern Slavery Committee the recently released report of the United Nations Special Rapporteur on contemporary forms of slavery, Professor Tomoya Obokata, following his country visit to Australia in 2024, and offering to discuss the report's implications with the Committee
- 27 August 2025 – Email form Mr Andrew Grant, Co-Founder and CEO, Trust Provenance, offering to provide an overview of a phone app for workers to help address risks of modern slavery, and providing an attachment with details of the concept
- 8 September 2025 – Email from Meg Connor, Senior Advocacy Officer, Secretariat to the Australian Parliamentary Group on Population and Development (APGPD), inviting the Modern Slavery Committee to attend an online briefing on Monday 22 September 2025 focusing on the sexual and reproductive health needs of Pacific and Timorese labour migrants in Australia and hosted by the Australian Parliamentary Group on Population and Development (APGPD)
- 8 September 2025 – Email from Tim O'Connor, Office of the NSW Anti-slavery Commissioner, advising that the Commissioner is no longer able to meet with the

Modern Slavery Committee on Friday 12 September 2025, and noting that the Commissioner is hopeful of arranging an alternative time to meet in the coming weeks.

***Sent***

- 14 July 2025 – Letter from Chair to Hon Sophie Cotsis MP, Minister for Industrial Relations and Minister for Work Health and Safety, formalising agreed actions arising from the meeting, and re-iterating need to urgently address regulation of labour hire in NSW
- 11 August 2025 – Letter from the Chair to Mr Steven Reynolds, Clerk of the Legislative Council and Clerk of the Parliaments, requesting legal advice be sought from the Crown Solicitor's Office regarding any potential reporting obligations members may have when receiving evidence from witnesses with lived experience who may be undertaking work in breach of visa conditions.

Resolved, on the motion of Mrs MacDonald: That the following correspondence received from individuals who contributed to the inquiry into modern slavery risks faced by temporary migrant workers in rural and regional New South Wales be kept confidential:

- 30 June 2025 – Email from Witness B to the secretariat, accepting the invitation to give evidence to the committee at the next hearing date, and providing for the committee's awareness advice of topics they propose to discuss with the committee at the appearance
- 31 July 2025 – Email from Witness B to the Chair, providing note of thanks.

Resolved, on the motion of Mrs MacDonald: That the Chair write to the Minister for Industrial Relations to follow up previous correspondence regarding the regulation of labour hire in New South Wales.

## 5. Inquiry into modern slavery risks faced by temporary migrant workers in rural and regional New South Wales

### 5.1 Submissions

The committee noted that the following submissions were published by the committee clerk under the authorisation of the resolution appointing the committee: submission nos. 6a and 54a.

### 5.2 Answers to questions on notice and supplementary questions and additional information

The committee noted that the following answers to questions on notice and supplementary questions, and attachments were published by the committee clerk under the authorisation of the resolution appointing the committee:

- additional information provided by Mark Zirnsak, Senior Social Justice Advocate, Uniting Church in Australia, comprising a report entitled 'The Gains and Pains of Working Away from Home: The Case of Pacific Temporary Migrant Workers in Australia and New Zealand' jointly published by the World Bank Group and The Australian National University in 2023, authored by Dung Doan, Matthew Dornan, and Ryan Edwards, received 3 June 2025
- answers to supplementary questions from Dr Martijn Boersma, Associate Professor, Discipline of Work and Organisational Studies, University of Sydney Business School, received 23 June 2025
- answers to supplementary question nos. 1 to 3 from Murray River Council, received 24 June 2025
- answers to supplementary questions from Local Government NSW, received 3 July 2025
- answers to a supplementary question from the Federation of Catholic Bishops Conferences of Oceania, received 2 July 2025, dated 3 July 2025
- answers to supplementary questions from Cr Dallas Tout, Mayor, City of Wagga Wagga, received 4 July 2025

- answers to supplementary questions from Claire McClelland, CEO, Australian Fresh Produce Alliance, received 4 July 2025
- answers to supplementary questions and additional information from Aleem Ali, CEO, Welcoming Australia, received 4 July 2025
- joint answers to questions on notice from The Uniting Church in Australia, Synod of Victoria and Tasmania; the Pacific Islands Council of Queensland Inc; and the NSW Council for Pacific Communities, provided by Mark Zirnsak, Senior Social Justice Advocate, Uniting Church in Australia on 7 July 2025
- answers to questions on notice and supplementary questions from Mr Matt Journeaux, Federal Secretary, The Australasian Meat Industry Employee's Union, received 7 July 2025
- answers to questions on notice and supplementary questions from Kai He, Research and Political Campaigner, Australian Workers Union, received 7 July 2025
- answers to supplementary questions from Justin Smith, Federal Secretary, Australasian Meat Industry Employee's Union, dated 7 July 2025 and received 9 July 2025
- answer to a supplementary question from Anita McRae, Senior Manager Priority Populations, Murrumbidgee Primary Health Network, received 15 July 2025
- answers to supplementary questions from Unions NSW and the Immigration Advice Rights Centre (IARC), received 18 July 2025
- answers to supplementary questions from Linking Communities Network Ltd, received 22 July 2025
- answers to supplementary questions from Mr Ken Dachi, Welcoming Australia, received 23 July 2025
- answers to supplementary questions from Dr Trudi Beck, General Practitioner and Member, Wagga Wagga Clinical Council, Murrumbidgee Primary Health Network, received 24 July 2025
- answer to a supplementary question from Ms Carmel La Rocca, Multicultural Council of Griffith, received 20 August 2025
- answer to a supplementary question Mr Paul Maytom, Leeton Multicultural Support Group, received 22 August 2025.

Resolved, on the motion of Mrs Leong: That the committee keep the following answers to supplementary questions and additional information kept confidential as per request of the authors, and in accordance with Schedule 1, clause 7 of the Modern Slavery Act 2018:

- answer to supplementary question no. 4 from Murray River Council, received 16 June 2025.

### 5.3 Consideration of tabled documents from hearing on Thursday 19 June 2025

Resolved, on the motion of Ms Leong: That the committee:

- publish, with the exception of contact details, the email chain between Mr Paul Maytom and the Department of Employment and Workplace Relations (DEWR) staff regarding issues associated with disengaged PALM workers, tendered by Mr Maytom
- keep confidential the images of injuries sustained by and living conditions of temporary migrant workers, tendered by Mr Maytom.

### 5.4 Request for legal advice about the committee's reporting obligations

The committee previously resolved that the secretariat prepare, for the committee's consideration, a brief seeking independent legal advice regarding engaging with individuals with lived experience of modern slavery who may be in breach of their visa conditions, including suggested legal experts from whom the committee could seek advice.

The committee noted that it agreed via email on 7 August 2025 to the brief circulated on behalf of the Chair and that legal advice be sought from the Crown Solicitor's Office.

The committee noted that the Crown Solicitor's Office is preparing the legal advice.

### 5.5 Conduct of inquiry

The committee noted that it previously agreed via email on 10 July 2025 that:

- the regional visit to the Mid North Coast previously confirmed for 23-25 September be postponed to 10-12 December 2025
- the Chair write to the Minister for Industrial Relations setting out the agreed outcomes and actions arising from the committee's 27 June discussion with the Minister and Departmental representatives regarding the lack of labour hire regulation in New South Wales
- the interim report on labour hire regulation in New South Wales be deferred pending the Minister's response.

### 5.6 Public hearing

Resolved, on the motion of Ms Leong: That:

- questioning be left in the hands of the chair
- in accordance with Schedule 1, clause 7 of the *Modern Slavery Act 2018*, the committee take evidence *in camera*, from a witness with lived experience at the hearing on 12 September 2025
- any support people for the witness and a counsellor from Converge International Consultants be admitted into the room for the *in camera* hearing.

The public and the media were admitted.

The Chair made an opening statement regarding the proceedings and other matters.

The following witnesses were sworn and examined:

- Ms Jenelle Joseph, Tana Projects Limited
- (Waskam) Emelda Davis, Chair, Peak Body for Australian South Sea Islanders (Port Jackson).

(Waskam) Emelda Davis tendered the following documents:

- a document titled 'Resolutions of Council, Councillor Davis', containing various City of Sydney resolutions from 2022 – 2024
- a Pacific Islands Forum Secretariat document titled ‘Comprehensive Assessment of Regional and Sub-Regional Labour Mobility Arrangements in the Pacific’ dated December 2022.

The evidence concluded and the witnesses withdrew.

The public hearing concluded at 10.20 am

The public and the media withdrew.

### 5.7 *In camera* hearing

The committee proceeded to take evidence in camera.

Persons present other than the committee: committee secretariat, support people, audio-visual broadcast operators and Hansard reporters.

The Chair made an opening statement regarding the proceedings and other matters.

The following witness was examined on their former affirmation:

- Witness B.

The evidence concluded and the witness withdrew.

The *in camera* hearing concluded at 11.31 am.

### 5.8 Tabled documents

Resolved, on the motion of Mrs MacDonald: That the committee accept and publish parts of the following document relevant to the inquiry, tendered by (Waskam) Emelda Davis, in consultation with her:

- a document titled 'Resolutions of Council, Councillor Davis', containing various City of Sydney resolutions from 2022 – 2024.

Resolved, on the motion of Mrs MacDonald: That the committee accept and publish the following document tendered by (Waskam) Emelda Davis:

- a Pacific Islands Forum Secretariat document titled 'Comprehensive Assessment of Regional and Sub-Regional Labour Mobility Arrangements in the Pacific' dated December 2022.

### 5.9 Invitation to Australian Government Department of Workplace Relations to provide private briefing

Resolved, on the motion of Ms Leong: That the Chair write to the Australian Government Department of Workplace Relations requesting a private briefing with the committee on matters relating to the PALM scheme, working holiday visas and disengaged workers.

## 6. Adjournment

The committee adjourned at 11.33 am until Wednesday 10 December 2025 (travel to Mid North Coast for temporary migrant workers inquiry).

Stephen Barry Fujiwara
**Committee Clerk**

**Minutes no. 24**
Thursday 11 December 2025
Modern Slavery Committee
Blue Room, C.ex Coffs, 2-6 Vernon Street, Coffs Harbour at 9.16 am

## 1. Members present

Dr McGirr, *Chair*
Ms Leong, *Deputy Chair*
Mr Donnelly
Dr Kaine
Mrs MacDonald
Ms Voltz

## 2. Apologies

Mrs Ayyad
Mr Borsak

## 3. Previous minutes

Resolved, on the motion of Ms Leong: That draft minutes no. 23 be confirmed.

## 4. Correspondence

The committee noted the following items of correspondence:

*Received*

- 22 September 2025 – Letter from Marina Rizzo, Executive Director, Industrial Relations, Premier's Department, responding to a letter from the Chair to the Hon Sophie Cotsis MP, Minister for Industrial Relations, dated 14 July 2025 regarding labour hire regulation in New South Wales

- 9 October 2025 – Email from (Waskam) Emelda Davis, founder and chair of Australian South Sea Islanders Port Jackson, attaching a copy of the ASSIPJ Modern Slavery Inquiry Report 9th November 2025
- 21 October 2025 – Email from Jack Dolan, Executive Assistant to Ms Natalie James, Secretary, Australian Government Department of Employment and Workplace Relations, advising that a response to the committee is being prepared regarding arranging a meeting between representatives from DEWR and the Modern Slavery Committee
- 30 October 2025 – Email from Dr James Cockayne, NSW Anti-slavery Commissioner, to the Chair and Deputy Chair, submitting NSW Anti-slavery Commissioner's FY2024-2025 Annual Report: Building Freedom Together for distribution to the committee
- 11 November 2025 – Email from Chloe Saker, on behalf of Professor Jennifer Burn AM, Director of Anti-Slavery Australia, recommending a witness with lived experience for Coffs Harbour hearing
- 12 November 2025 – Letter from Office of Dr James Cockayne, NSW Anti-Slavery Commissioner, recommending individuals with lived experience to appear at the Coffs Harbour hearing
- 19 November 2025 – Email from an individual, declining an invitation to attend the private industry roundtable in Coffs Harbour
- 21 November 2025 – Email from an individual, declining an invitation to attend the private industry roundtable in Coffs Harbour
- 25 November 2025 – Email from Brendan Pearce, Senior Specialist Government Engagement with the Australian Red Cross, declining an invitation to attend the public hearing in Coffs Harbour
- 26 November 2025 – Email from Father Joe D'Souza, Parish Administrator, Coffs Harbour, declining an invitation to attend the public hearing in Coffs Harbour
- 26 November 2025 – Email from an individual, declining an invitation to attend the private industry roundtable in Coffs Harbour
- 26 November 2025 – Email from Anthea Gilmore, Legal Counsel for Port Macquarie Hastings Council, declining an invitation to attend the public hearing in Coffs Harbour
- 27 November 2025 – Email from Joanna Reeve, Government Relations, The Salvation Army Australia, declining an invitation to attend the public hearing in Coffs Harbour
- 28 November 2025 – Email from Giles Fryer, Senior Solicitor, Workplace Rights Service, Legal Aid NSW, recommending individuals with lived experience to appear at the Coffs Harbour hearing
- 1 December 2025 – Email from Serge Rindo, Organiser with the Australian Workers' Union, declining an invitation to attend the public hearing in Coffs Harbour
- 2 December 2025 – Email from Bryanna Boyd, Executive Support, Clarence Valley Council, declining an invitation to attend the public hearing in Coffs Harbour
- 4 December 2025 – Letter from the Hon Sophie Cotsis MP, Minister for Industrial Relations, to the Chair, providing information on labour hire regulation in NSW and the Premier's Department of Industrial Relations' intention to convene a Working Group
- 5 December 2025 – Letter from Narelle Mills, Executive Integration & Partnerships, Murrumbidgee Primary Health Network, to the Chair, providing an update on the Multicultural Health Needs Assessment in the Murrumbidgee region
- 10 December 2025 – Email from Vigeeta Chauhan, Regional Manager – Coffs Harbour & Surrounds, SSI, advising that she can no longer attend the hearing on 11 December 2025.

***Sent***

- 22 September 2025 - Letter from the Chair to Ms Natalie James, Secretary, Department of Employment and Workplace Relations, requesting that representatives from the

Australian Government meet with the committee to discuss successes and evidence of concerning issues with the PALM Scheme from the perspective of the Australian Government

- 3 October 2025 – Letter from the Chair to the Hon Sophie Cotsis MP, Minister for Industrial Relations, requesting clarification on the Premier's Department of Industrial Relations' intention to convene a Working Group
- 7 October 2025 – Email from the secretariat to Ms Natalie James, Secretary, Department of Employment and Workplace Relations, following up on correspondence sent on 22 September 2025, inviting representatives from DEWR to meet with the committee in a private briefing
- 21 October 2025 – Email from the secretariat to Ms Natalie James, Secretary, Department of Employment and Workplace Relations, following up on correspondence sent on 7 October 2025 from the Chair, requesting Ms James advise a suitable person for the committee Secretariat to coordinate with to confirm details of a meeting between representatives from DEWR and the committee in a private briefing
- 5 November 2025 – Letter from the Chair to Professor Jennifer Burn AM, Director of Anti-Slavery Australia, requesting assistance identifying individuals with lived experience to give evidence at a hearing in Coffs Harbour in December
- 5 November 2025 – Letter from the Chair to Dr James Cockayne, NSW Anti-Slavery Commissioner, requesting assistance identifying individuals with lived experience to give evidence at a hearing in Coffs Harbour in December
- 5 November 2025 – Letter from the Chair to Alison Rahill, Executive Officer and ACAN Program Manager with the Australian Catholic Antislavery Network, requesting assistance identifying individuals with lived experience to give evidence at a hearing in Coffs Harbour in December
- 5 November 2025 – Letter from the Chair to Miss Michelle Pederson, President of the Catholic Women's League Australia – New South Wales Inc, requesting assistance identifying individuals with lived experience to give evidence at a hearing in Coffs Harbour in December
- 17 November 2025 – Email from the secretariat to Mr Chris Evans, Australian Anti-slavery Commissioner, requesting assistance to obtain a briefing from the Department of Employment and Workplace Relations
- 1 December 2025 – Letter from the Chair to Mr Gurmesh Singh MP, Member for Coffs Harbour, advising that the committee will be visiting the electorate of Coffs Harbour and holding a public hearing and a private roundtable on 11 December
- 1 December 2025 – Letter from the Chair to Mr Pat Conaghan MP, Member for Cowper, advising Mr Conaghan that the committee will be visiting Coffs Harbour and holding a public hearing and a private roundtable on 11 December.

Resolved, on the motion of Dr Kaine: That the committee keep the following items of correspondence confidential as they contain the names of proposed witnesses with lived experience or individuals proposed to attend the private industry roundtable:

- 19 November 2025 – Email from an individual declining an invitation to attend the private industry roundtable in Coffs Harbour
- 21 November 2025 – Email from an individual, declining an invitation to attend the private industry roundtable in Coffs Harbour
- 26 November 2025 – Email from an individual, declining an invitation to attend the private industry roundtable in Coffs Harbour
- 28 November 2025 – Email from Giles Fryer, Senior Solicitor, Workplace Rights Service, Legal Aid NSW, recommending individuals with lived experience to appear at the Coffs Harbour hearing

- 11 November 2025 – Email from Chloe Saker, on behalf of Professor Jennifer Burn AM, Director of Anti-Slavery Australia, recommending a witness with lived experience for Coffs Harbour hearing
- 12 November 2025 – Letter from Office of Dr James Cockayne, NSW Anti-Slavery Commissioner, recommending individuals with lived experience to appear at the Coffs Harbour hearing.

## 5. Inquiry into modern slavery risks faced by temporary migrant workers in rural and regional New South Wales

### 5.1 Crown Solicitor's advice

The committee noted that it received legal advice from the Crown Solicitor in regards to its obligation to report information concerning criminal or unlawful conduct that it becomes aware of during the course of an inquiry.

Resolved, on the motion of Ms Leong: That the committee authorise the publication of the Crown Solicitor's advice, dated 23 September 2025, regarding reporting obligations, so that it may be made available to other committees and referred to in procedural publications.

### 5.2 Request for support from the Australian Anti-Slavery Commissioner to obtain a briefing from the Department of Employment and Workplace Relations

The committee noted that, following multiple attempts to seek a briefing from the Department of Employment and Workplace Relations, it agreed via email that:

- the secretariat, on behalf of the Chair, write to Mr Chris Evans, Australian Anti-slavery Commissioner, requesting assistance to obtain a briefing from DEWR
- the Chair provide to Mr Evans a copy of all correspondence to date from the Chair/committee to DEWR to facilitate his support in obtaining the briefing.

The Chair provided an update on his discussions with Mr Evans.

### 5.3 Committee activity

The committee noted that it previously agreed via email to schedule a public hearing, a private industry roundtable, and an *in camera* hearing in Coffs Harbour, Mid-North Coast NSW from 11 to 12 December 2025.

### 5.4 Public hearing

Resolved, on the motion of Ms Leong: That the allocation of questions to be asked at the hearing be left in the hands of the Chair.

The public and the media were admitted.

The Chair made an opening statement regarding the proceedings and other matters.

The following witnesses were sworn and examined:

- Ms Biba Honnet, Migrant & Settlement Manager, St Vincent de Paul Society NSW
- Mr Giles Fryer, Senior Solicitor, Workplace Rights Service, Legal Aid NSW
- Mr James Blaxland, Senior Solicitor, Workplace Rights Service, Legal Aid NSW.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Ms Carla Chung, Migrant Support Worker, Australian Catholic Religious Against Trafficking in Humans (ACRATH)
- Dr Deirdre Little, Catholic Women's League Australia – NSW Inc.
- Ms Ruth Dooley, Catholic Women's League Australia – NSW Inc.

- Mrs Margaret Fox, Volunteer, Lilyrose Pregnancy Support
- Mrs Bev Downes, Volunteer, Lilyrose Pregnancy Support.

Dr Little tendered the following documents:

- Background information, details of difficulties faced by clients, and case studies authored by Judy Alcock RN, Lilyrose Pregnancy Support
- Letter providing a breakdown of costs related to pregnancy care, dated 7 August 2020.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Dr Valerie Delpech, North Coast Director of Population and Public Health, Mid North Coast Local Health District
- Ms Alexandra Wade, Clinical Nurse Consultant - Liver Clinic, Mid North Coast Local Health District.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Mr Michael Laing, Senior Community Planner, Coffs Harbour City Council
- Dr Ljubov (Luby) Simson, Councillor, Nambucca Valley Council.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Miss Valelia 'Coco' Pereira, Coffs Coast Multicultural Society
- Mrs Paese Malia Sykes, Coffs Coast Multicultural Society.

The evidence concluded and the witnesses withdrew.

The public hearing concluded at 1.12 pm.

The public and the media withdrew.

Mr Donnelly left the meeting.

### 5.5 Private industry roundtable

The committee held a private roundtable with business and industry representatives.

### 5.6 Tendered documents

Resolved, on the motion of Mrs MacDonald: That the committee accept and publish the following documents tendered during the public hearing:

- Background information, details of difficulties faced by clients, and case studies authored by Judy Alcock RN, Lilyrose Pregnancy Support, tendered by Dr Deirdre Little, Catholic Women's League Australia – NSW Inc.
- Letter providing a breakdown of costs related to pregnancy care, dated 7 August 2020, tendered by Dr Deirdre Little, Catholic Women's League Australia – NSW Inc.

### 5.7 Interim report

Resolved, on the motion of Mrs MacDonald: That the committee table an interim report in 2026 including findings and recommendations on:

- labour hire regulation
- access to healthcare
- responsibilities of SafeWork NSW and the SafeWork NSW Commissioner
- the need for the NSW Government to advocate to the Federal Government to provide information in relation to the PALM Scheme.

### 5.8 Future committee activity

The committee noted that it previously agreed to hold a hearing in early 2026 to hear from a witness with lived experience.

Resolved, on the motion of Mrs MacDonald: That the committee invite industry bodies to give evidence at a hearing in early 2026.

Resolved, on the motion of Ms Leong: That the committee invite the Hon Sophie Cotsis MP, Minister for Industrial Relations and relevant representatives from the Premier's Department to give evidence at a hearing in early 2026.

## 6. Adjournment

The committee adjourned at 5.10 pm until 9.00 am on Friday 12 December 2025 (*in camera* hearing – temporary migrant workers inquiry).

Emily Whittingstall
**Committee Clerk**

**Minutes no. 25**
Friday 12 December 2025
Modern Slavery Committee
Blue Room, C.ex Coffs, 2-6 Vernon Street, Coffs Harbour at 9.00 am

## 1. Members present

Dr McGirr, *Chair*
Ms Leong, *Deputy Chair*
Dr Kaine
Mrs MacDonald
Ms Voltz

## 2. Apologies

Mrs Ayyad
Mr Borsak
Mr Donnelly

## 3. Inquiry into modern slavery risks faced by temporary migrant workers in rural and regional New South Wales

### 3.1 *In camera* hearing

Resolved, on the motion of Ms Voltz: That:

- in accordance with Schedule 1, clause 7 of the *Modern Slavery Act 2018*, the committee proceed to take evidence *in camera* from witnesses who have requested that they appear *in camera*
- any support people, counsellors from Converge International Consultants and interpreters be admitted into the room while witnesses with lived experience give evidence.

#### *Approach to questions*

The committee noted that it agreed via email to ask pre-determined questions to Witness D.

The committee noted that the preference of Witness C is for free flowing questions.

The committee proceeded to take evidence *in camera.*

Persons present other than the committee: committee secretariat, Hansard reporters and an interpreter.

The Chair made a statement regarding the proceedings and other matters.

The following witness was sworn and examined:

- Witness C.

An interpreter from Multicultural NSW was present. They were admitted and sworn

The evidence concluded and the witness and interpreter withdrew.

A counsellor joined the meeting.

The following witness was sworn and examined:

- Witness D.

An interpreter from Multicultural NSW was present. They were admitted and sworn.

The evidence concluded and the witness, interpreter and counsellor withdrew.

The following witnesses were sworn and examined:

- Witness E
- Witness F.

The evidence concluded and the witnesses withdrew.

The *in camera* hearing concluded at 11.53 am.

**3.2 Expungement of transcript**
Resolved, on the motion of Ms Leong: That the name of an individual with lived experience of modern slavery be expunged from the transcript of evidence dated 12 December 2025.

**4. Adjournment**
The committee adjourned at 12.00 pm, *sine die*.

Emily Whittingstall
**Committee Clerk**

**Minutes no. 26**
Friday 20 March 2026
Modern Slavery Committee
Macquarie Room, Parliament House, Sydney at 9.15 am

**1. Members present**
Dr McGirr, *Chair*
Ms Leong, *Deputy Chair*
Mr Donnelly
Dr Kaine
Mrs MacDonald

**2. Apologies**
Mrs Ayyad

**3. Previous minutes**
Resolved, on the motion of Mr Donnelly: That draft minutes nos. 24 and 25 be confirmed.

**4. Correspondence**

The committee noted the following items of correspondence:

*Received*

- 10 December 2025 – Email from an organisation, declining an invitation to attend the private industry roundtable in Coffs Harbour
- 11 December 2025 – Email from an individual, declining an invitation to attend the *in camera* hearing on Friday 12 December 2025
- 17 December 2025 – Letter from Ms Tania Rishniw, Acting Secretary, Department of Employment and Workplace Relations to the Chair, responding to a letter from the Chair dated 22 September 2025
- 17 December 2025 – Text message from Witness D to the secretariat, providing additional information to the committee
- 19 December 2025 – Email from Witness E to the secretariat, attaching documents providing additional information to the committee
- 6 January 2026 – Letter from Mr Christopher Evans, Australian Anti-Slavery Commissioner, to Ms Tania Rishniw, Acting Secretary of the Department of Employment and Workplace Relations, CC the Chair, requesting that the Department of Employment and Workplace Relations provide a formal briefing to the Modern Slavery Committee
- 20 February 2026 – Email and relevant letters from Professor Jennifer Burn, Director, Anti-Slavery Australia to the Chair, requesting assistance on behalf of Witness D
- 24 February 2026 – Email from Peter Mares, Adjunct Senior Research Fellow, Monash School of Media, Film and Journalism to the Chair, providing a copy of his report titled 'Improving PALM: The Pacific Australia Labour Mobility Scheme' and relevant attachments
- 4 March 2026 – Email from Ayshe Lewis, Chief of Staff, Office of the Hon Sophie Cotsis MP to the secretariat, requesting that a representative from SafeWork NSW attend the hearing on 20 March 2026 alongside the Minister
- 9 March 2026 – Letter from the NSW Anti-Slavery Commissioner to the Australian Federal Police Commissioner, CCing the Chair, regarding the Iranian women's football team.

*Sent*

- 22 December 2025 – Text message to Witness D, from the secretariat, responding to their initial correspondence
- 22 December 2025 – Letter from the Chair to Witness C, thanking them for their contribution to the inquiry into temporary migrant workers in rural and regional New South Wales
- 22 December 2025 – Letter from the Chair to Witness D, thanking them for their contribution to the inquiry into temporary migrant workers in rural and regional New South Wales.

Resolved, on the motion of Mrs MacDonald: That the committee keep the following items of correspondence confidential as they contain the names of individuals with lived experience or individuals proposed to attend an *in camera* hearing or private industry roundtable:

- 10 December 2025 – Email from an organisation declining an invitation to attend the private industry roundtable in Coffs Harbour
- 11 December 2025 – Email from an individual declining an invitation to attend the in camera hearing on Friday 12 December 2025
- 17 December 2025 – Text message from Witness D to the secretariat, providing additional information to the committee
- 20 February 2026 – Email and relevant letters from Professor Jennifer Burn, Director, Anti-Slavery Australia to the Chair, requesting assistance on behalf of Witness D

- 22 December 2025 – Text message to Witness D, from the secretariat, responding to their initial correspondence
- 22 December 2025 – Letter from the Chair to Witness C, thanking them for their contribution to the inquiry into temporary migrant workers in rural and regional New South Wales
- 22 December 2025 – Letter from the Chair to Witness D, thanking them for their contribution to the inquiry into temporary migrant workers in rural and regional New South Wales.

Resolved, on the motion of Mrs MacDonald: That the committee keep confidential the correspondence from Witness E, as per the request of the witness and in accordance with Schedule 1, clause 7 of the *Modern Slavery Act 2018*.

## 5. Inquiry into modern slavery risks faced by temporary migrant workers in rural and regional New South Wales

### 5.1 Submissions

The committee noted that the following submissions were published by the committee clerk under the authorisation of the resolution appointing the committee: submission nos. 55 and 56.

### 5.2 Public answers to questions on notice and supplementary questions

The committee noted that the following answers to questions on notice and supplementary questions were published by the committee clerk under the authorisation of the resolution appointing the committee:

- answers to supplementary questions from Gary Koh, Executive Assistant, Civil Law, Legal Aid New South Wales, received 12 January 2026
- answers to supplementary questions from Dr Ljubov Simson, Councillor, Nambucca Valley Council, received 12 January 2026
- answers to questions on notice and supplementary questions from Biba Honnet, Migrant & Settlement Manager, St Vincent de Paul Society NSW
- answers to questions on notice and supplementary questions from Peter Tippett, Senior Business Partner, Parliament and Cabinet, Executive and Ministerial Services, NSW Health, received Friday 30 January 2026
- answers to questions on notice from Mr Michael Laing, Senior Community Planner, City of Coffs Harbour, received 4 February 2026
- answers to supplementary questions from Mr Michael Laing, Senior Community Planner, City of Coffs Harbour, received 5 February 2026.

### 5.3 Confidential/partially confidential answers to questions on notice

Resolved, on the motion of Dr Kaine: That the committee authorise the publication of answers to questions on notice and additional information from Ms Carla Chung, Migrant Support Worker, Australian Catholic Religious Against Trafficking in Humans (ACRATH), received 30 January 2026, with the exception of identifying information, which is to remain confidential, as per the recommendation of the secretariat.

Resolved, on the motion of Mr Donnelly: That the committee authorise the publication of answers to questions on notice from Dr Deirdre Little, Medical Director, Lilyrose Antenatal Clinic and Pregnancy Support Centre, received 16 January 2026, with the exception of identifying information.

### 5.4 Correspondence with Anti-Slavery Australia

The committee noted that it agreed via email on 16 March 2026 that the Chair respond to Anti-Slavery Australia declining the request for assistance on behalf of Witness D and

noting that the focus of the committee is to make recommendations to government regarding systemic issues relating to modern slavery rather than advocating on behalf of individuals.

### 5.5 Stocktake of inquiry documents

Resolved, on the motion of Mrs MacDonald: That the committee keep the following items of correspondence confidential as they contain the names of individuals with lived experience or individuals proposed to attend the private industry roundtable:

- 1 May 2025 – Letter from Dr James Cockayne, NSW Anti-slavery Commissioner, to Chair, providing supplementary information following evidence on 30 April 2025, including suggestions of individuals with lived experience and other stakeholders in Griffith who could engage with the committee
- 11 June 2025 – Email from an organisation declining the committee's invitation to appear at a private informal roundtable in Griffith on Thursday 19 June 2025
- 12 June 2025 – Email from an organisation, declining the committee's invitation to appear at a private informal roundtable in Griffith on Thursday 19 June 2025.

### 5.6 Committee engagement with the Federal Government

The committee noted the following timeline of the committee's engagement with the Federal Government:

- 9 April 2025 – Email sent from the secretariat to federal Attorney-General's Department, inviting them to give evidence at a hearing on 30 April 2025 on a panel alongside the Australian Federal Police, Department of Social Services, Department of Home Affairs, Department of Employment and Workplace Relations, Fair Work Ombudsman and Department of Foreign Affairs and Trade
- 16 April 2025 – Email received from the federal Attorney-General's Department, declining an invitation to attend a hearing on 30 April 2025 on behalf of federal departments and agencies
- 6 May 2025 – Email sent from the secretariat to the federal Attorney-General's Department, inviting them to give evidence at a hearing on 2 June 2025 alongside the Australian Federal Police, Department of Social Services, Department of Home Affairs, Department of Employment and Workplace Relations, Fair Work Ombudsman and Department of Foreign Affairs and Trade
- 15 May 2025 – Email received from the federal Attorney-General's Department, declining an invitation to attend a hearing on 2 June 2025 on behalf of federal departments and agencies
- 22 September 2025 – Letter sent from the Chair to Ms Natalie James, Secretary, Department of Employment and Workplace Relations, on behalf of the committee, requesting that representatives from the Department of Employment and Workplace Relations and any other relevant Australian Government departments attend a briefing with the committee
- 22 September 2025 – Email received from Jack Dolan, Executive Assistant to the Secretary, Department of Employment and Workplace Relations, confirming receipt of the letter from the Chair on behalf of Secretary James
- 7 October 2025 – Email sent from the secretariat to Ms Natalie James, Secretary, Department of Employment and Workplace Relations, following up on the letter sent from the Chair, on behalf of the committee, requesting a briefing
- 21 October 2025 – Email sent from the secretariat to Ms Natalie James, Secretary, Department of Employment and Workplace Relations, following up on previous correspondence regarding the committee's request for a briefing

- 21 October 2025 – Email received from Jack Dolan, Executive Assistant to the Secretary, Department of Employment and Workplace Relations, confirming receipt of the Chair's original correspondence and advising that a response is being prepared
- 2 December 2025 – The Chair met with Mr Christopher Evans, Australian Anti-Slavery Commissioner, regarding the committee's attempts to engage with the Federal Government
- 10 December 2025 – Email sent from the Chair to Mr Christopher Evans, Australian Anti-Slavery Commissioner, attaching copies of all correspondence between the committee and the Department of Employment and Workplace Relations to date
- 17 December 2025 – Letter received from Ms Tania Rishniw, Acting Secretary, Department of Employment and Workplace Relations, to the Chair, responding to the Chair's correspondence dated 22 September 2025
- 6 January 2026 – Letter from Mr Christopher Evans, Australian Anti-Slavery Commissioner, to Ms Tania Rishniw, Acting Secretary, Department of Employment and Workplace Relations, CC the Chair, requesting that the Department of Employment and Workplace Relations provide a formal briefing to the Modern Slavery Committee
- 27 January 2026 – Email from the Chair to the office of the Australian Anti-Slavery Commissioner, attaching correspondence received from the Department of Employment and Workplace Relations on 17 December 2025 for the Commissioner's information
- 18 March 2026 – Email from the Chair to the office of the Australian Anti-Slavery Commissioner seeking an update on the committee's request for a briefing with the Department of Employment and Workplace Relations.

Resolved, on the motion of Ms Leong: That the Chair write to the relevant Minister to follow up about the committee's recent correspondence with the Department of Employment and Workplace Relations.

### 5.7 Public hearing

The public and the media were admitted.

The Chair made an opening statement regarding the proceedings and other matters.

The Chair noted that Members of Parliament swear an oath to their office, and therefore do not need to be sworn prior to giving evidence before a committee.

The Hon Sophie Cotsis MP, Minister for Industrial Relations, and Minister for Work Health and Safety was admitted and examined.

The following witnesses were sworn and examined:

- Ms Marina Rizzo, Executive Director, Premier's Department Industrial Relations (PDIR)
- Mr Ian Galvin, Director, Policy, Premier's Department Industrial Relations (PDIR)
- Dr Petrina Casey, Executive Director, Strategic and Corporate Services, SafeWork NSW.

Minister Cotsis tendered the following document:

- Opening statement.

The evidence concluded and the witnesses withdrew.

### 5.8 *In camera* hearing

Resolved, on the motion of Ms Leong: That:

- in accordance with Schedule 1, clause 7 of the *Modern Slavery Act 2018*, the committee proceed to take evidence *in camera* from a witness with lived experience on Friday 20 March 2026

- any support people, a counsellor and an interpreter be admitted into the room while the witness with lived experience gives evidence.

The committee noted that the witness, Witness G, indicated their preference for pre-arranged questions. The committee noted that it previously agreed via email to ask pre-determined questions to witnesses with lived experience who indicate their preference for pre-arranged questions.

The committee proceeded to take evidence *in camera*.

Persons present other than the committee: committee secretariat, Hansard reporters, audiovisual and broadcast staff, a support person, a counsellor and an interpreter.

The following witness was sworn and examined:

- Witness G.

An interpreter from Multicultural NSW was present. They were admitted and sworn.

The evidence concluded and the witness withdrew.

The *in camera* hearing concluded at 11.25 am.

### 5.9 Public hearing

The public and the media were readmitted.

The following witness was sworn and examined:

- Mr Steve Dargavel, Labour Hire Licensing Commissioner, Victorian Labour Hire Authority.

Mr Dargavel tendered the following document:

- Presentation entitled 'A labour hire licensing lens on Modern Slavery'.

The evidence concluded and the witness withdrew.

The public hearing concluded at 12.30 pm.

### 5.10 Tendered documents

Resolved, on the motion of Mr Donnelly: That the committee accept and publish the following documents tendered during the public hearing:

- Opening statement, tendered by Hon Sophie Cotsis MP, Minister for Industrial Relations, and Minister for Work Health and Safety
- Presentation entitled 'A labour hire licensing lens on Modern Slavery', tendered by Mr Steve Dargavel, Labour Hire Licensing Commissioner, Victorian Labour Hire Authority.

### 5.11 Interim and final report

The committee considered its approach to its final report, noting that it previously agreed via email on 18 February 2026 that:

- the committee hold a report deliberative on Friday 19 June 2026
- the committee table its interim report by Friday 26 June 2026.

Resolved, on the motion of Dr Kaine: That the committee no longer proceed with an interim report, and instead table a final report by early August.

## 6. Adjournment

The committee adjourned at 12.39 pm.

Emily Whittingstall
**Committee Clerk**

**Minutes no. 27**
Tuesday 9 June 2026
Modern Slavery Committee
Room 1254 (and via videoconference), Parliament House, 10.34 am

**1. Members present**
Dr McGirr, *Chair* (via videoconference)
Ms Leong, *Deputy Chair* (via videoconference)
Mr Donnelly
Dr Kaine (via videoconference)
Mrs MacDonald (via videoconference)

**2. Apologies**
Ms Voltz

**3. Previous minutes**
Resolved, on the motion of Mr Donnelly: That draft minutes no. 26 be confirmed.

**4. Correspondence**
The committee noted the following items of correspondence:

*Received*

- 20 March 2026 – Email from Mr Christopher Evans, Australian Anti-Slavery Commissioner, to the Chair, providing an update on his request that the federal Department of Employment and Workplace Relations provide a briefing to the committee
- 22 March 2026 – Letter and attachments from the NSW Anti-slavery Commissioner to the Chair and Deputy Chair, regarding managing modern slavery risks in NSW Government's procurement of electric vehicles
- 30 April 2026 – Letter from Hon Amanda Rishworth MP, Minister for Employment and Workplace Relations, responding to a letter from the Chair dated 30 March 2026 and confirming that representatives from the Department of Employment and Workplace Relations will provide the committee with a private briefing
- 20 May 2026 – Email from Associate Professor Laurie Berg, Co-Executive Director, Migrant Justice Institute, requesting that the Migrant Justice Institute's submission be replaced with a revised version due to the data in the submission having now been published
- 1 June 2026 – Email from Associate Professor Laurie Berg, Co-Executive Director, Migrant Justice Institute, to the Chair, providing information regarding a recent report released by the Migrant Justice Institute titled 'Off the Books: Inside Australia's Hidden System of Migrant Worker Exploitation' and a revised submission.

*Sent*

- 23 March 2026 – Letter from the Chair to Professor Jennifer Burn AM, Director, Anti-Slavery Australia, responding to her correspondence requesting assistance on behalf of Witness D
- 30 March 2026 – Letter from the Chair to Hon Amanda Rishworth MP, Minister for Employment and Workplace Relations, following up about the committee's recent correspondence with the Department of Employment and Workplace Relations
- 30 March 2026 – Letter from the Chair to Witness G, thanking them for their contribution to the inquiry into temporary migrant workers in rural and regional New South Wales.

Resolved, on the motion of Mrs MacDonald: That the committee keep the following items of correspondence confidential as they contain the names of individuals with lived experience:

- 23 March 2026 – Letter from the Chair to Professor Jennifer Burn AM, Director, Anti-Slavery Australia, responding to her correspondence requesting assistance on behalf of Witness D
- 30 March 2026 – Letter from the Chair to Witness G, thanking them for their contribution to the inquiry into temporary migrant workers in rural and regional New South Wales.

## 5. Inquiry into modern slavery risks faced by temporary migrant workers in rural and regional New South Wales

### 5.1 Public submission

The committee noted that the following submission was published by the committee clerk under the authorisation of the resolution appointing the committee: revised version of submission no. 53.

### 5.2 Confidential submission

Resolved, on the motion of Mr Donnelly: That in accordance with Schedule 1, clause 7 of the *Modern Slavery Act 2018*, the committee keep submission no. 57 confidential, as per the request of the author.

### 5.3 Answers to questions on notice and supplementary questions

The committee noted that the following answers to questions on notice and supplementary questions were published by the committee clerk under the authorisation of the resolution appointing the committee:

- answers to questions on notice and supplementary questions from the Office of the Hon Sophie Cotsis MP, Minister for Industrial Relations, Minister for Work Health and Safety, received 21 April 2026
- answers to questions on notice and supplementary questions from Mr Steve Dargavel, Victorian Labour Hire Licensing Commissioner, received 23 April 2026.

### 5.4 Approach to *in camera* evidence in the final report

Resolved, on the motion of Mrs MacDonald: That, similar to the approach adopted for the report on the Review of the Modern Slavery Act – Part 2, the committee refer to unpublished *in camera* evidence, without identifying or footnoting individual sources, in the report on modern slavery risks faced by temporary migrant workers in rural and regional New South Wales, subject to the written consent of witnesses, in accordance with Schedule 1, Clause 7 of the *Modern Slavery Act 2018*.

### 5.5 Private briefing with the federal Department of Employment and Workplace Relations

The committee met with representatives from the Department of Employment and Workplace Relations (DEWR) and the Department of Foreign Affairs (DFAT) to receive a private briefing regarding the PALM scheme, in relation to reports of modern slavery experienced by temporary migrant workers in rural and regional New South Wales. Attendees from DEWR and DFAT included:

- Ms Lisa Schofield, Acting Deputy Secretary, Employment and Workforce Group, DEWR
- Mr Jason Stott, First Assistant Secretary, Pacific Labour Operations Division, DEWR
- Ms Felicity Rowe, Assistant Secretary, PALM Integrity Branch, DEWR
- Dr Patrick Bryson, Assistant Secretary, PALM Delivery Branch, DEWR
- Ms Jan Hutton, First Assistant Secretary, Pacific Integration Division, DFAT

- Ms Fleur Calcutt, Director, Pacific Labour Policy, Pacific Labour Policy and Engagement Branch, DFAT
- Mr Marlon Butler, Director, Country Engagement and Support, Pacific Labour Policy and Engagement Branch, DFAT.

**6. Adjournment**
The committee adjourned at 11.35 am.

Emily Whittingstall
**Committee Clerk**

**Minutes no. 28**
Monday 22 June 2026
Modern Slavery Committee
Room 1043, Parliament House, Sydney at 1.06 pm

**1. Members present**
Dr McGirr, *Chair*
Mrs Ayyad (via videoconference)
Dr Kaine (via videoconference)
Mrs MacDonald
Ms Voltz

**2. Apologies**
Ms Leong, *Deputy Chair*
Mr Donnelly

**3. Correspondence**
The committee noted the following items of correspondence:

*Received*

- 15 June 2026 – Email from Witness A to the secretariat, providing written consent for their confidential evidence to be referred to in a general way, without identifying information, in the committee's final report
- 16 June 2026 – Email from Witness B to the secretariat, providing written consent for their confidential evidence to be referred to in a general way, without identifying information, in the committee's final report.

Resolved, on the motion of Mrs Ayyad: That the committee keep the following items of correspondence confidential as they contain the names of individuals with lived experience:

- 15 June 2026 – Email from Witness A to the secretariat, providing written consent for their confidential evidence to be referred to in a general way, without identifying information, in the committee's final report
- 16 June 2026 – Email from Witness B to the secretariat, providing written consent for their confidential evidence to be referred to in a general way, without identifying information, in the committee's final report.

**4. Inquiry into the modern slavery risks faced by temporary migrant workers in rural and regional New South Wales**

**4.1 Confidential submission**

Resolved, on the motion of Ms Voltz: That in accordance with Schedule 1, clause 7 of the *Modern Slavery Act 2018*, the committee keep submission no. 58 confidential, as per the request of the author.

**4.2 Response to information contained within confidential submission no. 58**
Resolved, on the motion of Ms Voltz: That the committee:

- seek legal advice on the operation of Schedule 1, clause 6(1) of the *Modern Slavery Act 2018*, which sets out the committee's power to 'send for persons, papers and records', and how the committee may use this power if other investigations into matters raised within submission no. 58 are ongoing
- write to the author of submission no. 58 to clarify to whom information contained within the submission has been referred to, and where a non-response has been received, whether this information has been subsequently shared to oversight agencies.

**5. Adjournment**
The committee adjourned at 1.26 pm.

Shaza Barbar
**Committee Clerk**

**Draft minutes no. 29**
Thursday 30 July 2026
Modern Slavery Committee
Room 1254, Parliament House, Sydney at 2.00 pm

**1. Members present**
Dr McGirr, *Chair*
Ms Leong, *Deputy Chair* (via videoconference)
Mrs Ayyad (via videoconference)
Mr Borsak (via videoconference)
Mr Donnelly
Dr Kaine (via videoconference)
Mrs MacDonald
Ms Voltz

**2. Previous minutes**
Resolved, on the motion of Mrs MacDonald: That draft minutes nos. 27 and 28 be confirmed.

**3. Correspondence**
The committee noted the following items of correspondence:

***Received***[495]

- 24 June 2026 – Email from Stephanie Visintin, Executive Officer to Mr Jason Stott, First Assistant Secretary, Pacific Labour Operations Division, Employment and Workforce Group, Australian Government Department of Employment and Workplace Relations, providing further information following a private briefing with the committee

[495] Following the report deliberative, on 3 August 2026, the committee received an email from Jennifer Burn, Director, Anti-slavery Australia, forwarding an email from Witness D providing written consent for their confidential evidence to be referred to in a general way, without identifying information, in the committee's final report. The committee agreed via email on 5 August 2026 to keep this correspondence confidential, as it contains the name of an individual with lived experience of modern slavery.

- 24 June 2026 – Email from Witness G to the secretariat, providing written consent for their confidential evidence to be referred to in a general way, without identifying information, in the committee's final report
- 25 June 2026 – Email from Ms Chloe Saker, Lawyer, Anti-Slavery Australia, to the secretariat, regarding matters relating to Witness D's participation in the inquiry
- 29 June 2026 – Email from Stephanie Visintin, Executive Officer to Mr Jason Stott, First Assistant Secretary, Pacific Labour Operations Division, Employment and Workforce Group, Australian Government Department of Employment and Workplace Relations, requesting that the further information provided on 24 June 2026 be kept confidential
- 30 June 2026 – Letter from Dr James Cockayne, NSW Anti-slavery Commissioner, to the Chair, providing additional information regarding his confidential submission
- 7 July 2026 – Letter from Dr James Cockayne, NSW Anti-slavery Commissioner to the Chair, attaching a letter to the Australian Federal Police
- 8 July 2026 – Letter from Ms Karen Smith, NSW Crown Solicitor, to the Acting Clerk, advising that she is unable to provide legal advice regarding the committee's power to send for persons, papers and records
- 9 July 2026 – Email from Witness C to the secretariat, providing written consent for their confidential evidence to be referred to in a general way, without identifying information, in the committee's final report, and attaching a clarification to their confidential transcript
- 13 July 2026 – Email from the secretariat, at the request of the Chair, to the committee, circulating a report by The McKell Institute, titled 'Exploitation Magnet: Why the Absence of Labour Hire Licensing in NSW is Attracting Unscrupulous Employment Practices'
- 21 July 2026 – Email from Ms Chloe Saker, Lawyer, Anti-Slavery Australia, providing written consent from Witness D to share their confidential transcript with their lawyers
- 22 July 2026 – Email from India Roberts-Smillie, Communications Manager, Office of the NSW Anti-slavery Commissioner, advising of media plans.

***Sent***

- 23 June 2026 – Letter from the Chair to the NSW Anti-slavery Commissioner, requesting additional information regarding his confidential submission
- 7 July 2026 – Letter from the Chair to Mr Steven Reynolds, Clerk of the Parliaments, requesting that he obtain legal advice from the Crown Solicitor's Office about the committee's power to send for persons, papers and records
- 7 July 2026 – Letter from Mr Steven Reynolds, Clerk of the Parliaments, on behalf of the Modern Slavery Committee to Ms Karen Smith, NSW Crown Solicitor, requesting legal advice about the committee's power to send for persons, papers and records.

Resolved, on the motion of Mr Donnelly: That the committee keep the following items of correspondence confidential as they contain the names of individuals with lived experience:

- 24 June 2026 – Email from Witness G to the secretariat, providing written consent for their confidential evidence to be referred to in a general way, without identifying information, in the committee's final report
- 25 June 2026 – Email from Ms Chloe Saker, Lawyer, Anti-Slavery Australia, to the secretariat, regarding matters relating to Witness D's participation in the inquiry
- 9 July 2026 – Email from Witness C to the secretariat, providing written consent for their confidential evidence to be referred to in a general way, without identifying information, in the committee's final report, and attaching a clarification to their confidential transcript
- 21 July 2026 – Email from Ms Chloe Saker, Lawyer, Anti-Slavery Australia, providing written consent from Witness D to share their confidential transcript with their lawyers.

Resolved, on the motion of Mrs MacDonald: That the committee keep the following items of correspondence confidential, as per the request of the authors and in accordance with Schedule 1, clause 7 of the *Modern Slavery Act 2018*:

- 24 June 2026 – Email from Stephanie Visintin, Executive Officer to Mr Jason Stott, First Assistant Secretary, Pacific Labour Operations Division, Employment and Workforce Group, Australian Government Department of Employment and Workplace Relations, providing further information following a private briefing with the committee
- 30 June 2026 – Letter from Dr James Cockayne, NSW Anti-slavery Commissioner, to the Chair, providing additional information regarding his confidential submission
- 7 July 2026 – Letter from Dr James Cockayne, NSW Anti-slavery Commissioner to the Chair, attaching letter to the Australian Federal Police.

Resolved, on the motion of Mr Donnelly: That the following correspondence be kept confidential as per the recommendation of the secretariat:

- 13 May 2025 – Letter from Dr James Cockayne, NSW Anti-slavery Commissioner to the Hon Michael Daley MP, NSW Attorney General, CC the Chair, regarding the welfare of an individual who may be a victim of modern slavery
- 19 May 2025 – Email from Dr James Cockayne, NSW Anti-slavery Commissioner, to the secretariat, attaching a letter from himself to the Hon Michael Daley MP, NSW Attorney General, dated 29 April 2025, regarding the application of the non-punishment principle and lessons from recent cases.

## 4. Inquiry into modern slavery risks faced by temporary migrant workers in rural and regional New South Wales

### 4.1 Submission 44a

The committee noted that it previously agreed via email on 15 July 2026 to keep the following submission confidential, in accordance with Schedule 1, clause 7 of the *Modern Slavery Act 2018*, until Monday 3 August 2026 at 4.00 pm, after which it will be published, as per the request of the author: submission no. 44a.

Resolved, on the motion of Mr Donnelly: That the committee authorise the publication of submission no. 44a on Monday 3 August 2026 at 4.00 pm, as per the request of the author.

### 4.2 Distribution of an *in camera* transcript

The committee noted that it previously agreed via email on 8 July 2026 that the secretariat communicate with Witness D's lawyers at Anti-Slavery Australia, on behalf of the witness, and that Witness D's lawyers be provided with a copy of the *in camera* transcript, subject to the written consent of the witness.

Resolved, on the motion of Ms Leong: That, if the committee does not receive written consent from Witness D for their confidential evidence to be referred to in a general way, without identifying information, in the committee's final report by Monday 3 August 2026, any references to this witness's evidence be removed from the final report.

### 4.3 Use of translation apps or AI tools to translate in camera transcripts

The committee noted that it previously agreed via email on 3 July 2026 to ask witnesses who may wish to translate their *in camera* transcript into their own language, to be cautious if using translation apps or AI tools, as this may affect the confidentiality of the transcript.

### 4.4 Transcript clarification

Resolved, on the motion of Mrs Ayyad: That the committee authorise the secretariat to insert a footnote in the *in camera* transcript from 12 December 2025, clarifying the evidence of Witness C as requested.

### 4.5 Translation of Chair's foreword and recommendations

Resolved, on the motion of Mrs MacDonald: That the committee:

- authorise the translation of the Chair's foreword and recommendations within its final report into Fijian, Nauruan, Solomon Islands pidgin, Tetum, Tongan, Bislama, Gilbertese, Samoan, Tok Pisin, Tuvaluan, Japanese and Chinese (Mandarin)
- authorise the publication of these translated documents on the inquiry webpage.

### 4.6 Correspondence from the Crown Solicitor

The committee previously resolved to seek legal advice on the operation of Schedule 1, clause 6(1) of the *Modern Slavery Act 2018*, which sets out the committee's power to 'send for persons, papers and records', and how the committee may use this power if other investigations into matters raised by the NSW Anti-slavery Commissioner are ongoing.

In response to the request for legal advice, the Acting Clerk received correspondence from the Crown Solicitor dated 8 July 2026, advising that she is unable to accept instructions on behalf of the Modern Slavery Committee unless consultation with the Attorney General has taken place and there is no objection by the Attorney General to the advice being provided to the committee.

The Crown Solicitor also noted that she is appearing for the Attorney General in proceedings before the High Court in *President of the Legislative Council of NSW v Cullen & Ors.* She advised that, at present, she considers that there is a real risk of an actual or apprehended conflict arising if she were to accept instructions from the committee on its powers in relation to witnesses while she is also appearing for the Attorney General in the *Cullen* case.

Resolved, on the motion of Mr Donnelly: That:

- the committee not to seek legal advice on the operation of Schedule 1, clause 6(1) of the *Modern Slavery Act 2018* until proceedings before the High Court in *President of the Legislative Council of NSW v Cullen & Ors* are complete
- the committee write to the Modern Slavery Committee of the 59th Parliament, suggesting that it consider contacting the NSW Anti-slavery Commissioner for an update on matters contained within submission no. 58, and, subject to the Commissioner's update, consider any further action.

### 4.7 Relevant media attention

The committee noted that the Chair received correspondence from the Office of the NSW Anti-slavery Commissioner, indicating its plans to issue a media release and hold a media briefing.

### 4.8 Consideration of Chair's draft report

**Chapter 1**

**No amendments.**

**Chapter 2**

**No amendments.**

**Chapter 3**

Mr Donnelly moved: That paragraph 3.94 be amended by omitting '36' and inserting instead '63.'

**Question put and passed.**

**Chapter 4**

Mrs MacDonald moved: That Recommendation 9 be amended by inserting 'maternity,' before 'reproductive and sexual health services in regional and rural New South Wales'.

**Question put and passed.**

**Chapter 5**

Dr Kaine moved: That paragraph 5.62 be amended by inserting the actual number of calls before 'to this hotline in the 12 months prior to February 2025.'

**Question put and passed.**

**Chapter 6**

**No amendments.**

Resolved, on the motion of Mr Donnelly: That:

The draft report as amended be the report of the committee and that the committee present the report to the House;

The transcripts of evidence, tabled documents, submissions, correspondence, answers to questions taken on notice, supplementary questions relating to the inquiry be tabled in the House with the report;

Upon tabling, all unpublished attachments to submissions be kept confidential by the committee;

Upon tabling, all unpublished minutes, transcripts of evidence, tabled documents, submissions, correspondence, answers to questions taken on notice related to the inquiry be published by the committee, except for those documents kept confidential by resolution of the committee;

The committee secretariat correct any typographical, grammatical and formatting errors prior to tabling;

The committee secretariat be authorised to update any committee comments where necessary to reflect changes to recommendations or new recommendations resolved by the committee;

The report be tabled on Thursday 6 August 2026.

The Chair to advise the secretariat and members if they intend to hold a press conference, and if so, the date and time.

**5. Adjournment**

The committee adjourned at 3.02 pm, *sine die*.

Emily Whittingstall
**Committee Clerk**

# Appendix 4 Legal advice

# Crown Solicitor's Office

# ADVICE

## MODERN SLAVERY COMMITTEE – WHETHER OBLIGATION TO REPORT UNLAWFUL CONDUCT

### Executive summary

1. You seek my advice on whether the Modern Slavery Committee (the Committee) is legally obliged to report information concerning criminal or unlawful conduct that it becomes aware of during the course of an inquiry, received for the purposes of that inquiry.

2. I consider that the Committee does not have a legally enforceable obligation of that kind. To the extent that s 316 of the *Crimes Act* might on its face give rise to such an obligation, I prefer the view that parliamentary privilege would prevent a Committee member from being prosecuted under that provision.[1] I also consider that staff assisting would not be able to be prosecuted either. My conclusions do not, in the end, depend on whether the criminal or unlawful conduct involves exploitation, or is engaged in because of exploitation (or not). I note other matters that the Committee should be cognisant of at [49]-[56].

### Background

3. The Committee is a joint statutory Committee, constituted under the *Modern Slavery Act 2018* (the *MS Act*).[2] Its functions are to "inquire into and report on matters relating to *modern slavery*" and "report to both Houses of Parliament on matters relating to *modern slavery*".[3] It is not, however, authorised "to investigate a matter relating to particular conduct".[4] I note that the *MS Act* contains provisions dealing with the provision of confidential evidence to the Committee,[5] including secrecy provisions.[6]

4. In October 2024, the Committee established an inquiry into modern slavery risks faced by temporary migrant workers in rural and regional New South Wales (the Inquiry).[7] You instruct me that the Committee is cognisant that, during the Inquiry, it may come into

[1] I consider that this would apply to s 316A of the *Crimes Act* as well.

[2] See ss 21-23, and sch 1 to the *MS Act*.

[3] *Modern Slavery Act 2018* (the *MS Act*), s 22(1)(a)-(b) (emphasis added).

[4] Specifically, it is not so authorised by the division of the *MS Act* constituting it (*MS Act*, s 22(2)).

[5] See generally cl 7 of sch 1 to the *MS Act*.

[6] See cl 7(3)-(4) of sch 1 to the *MS Act*.

[7] The terms of reference are available at: https://www.parliament.nsw.gov.au/lcdocs/inquiries/3079/Terms%20of%20reference%20-%20Modern%20slavery%20risks%20faced%20by%20temporary%20migrant%20workers%20in%20rural%20and%20regional%20New%20South%20Wales.pdf. The risks identified in the Inquiry terms of reference include: "incidence, causes and extent of forced labour, deceptive recruiting, gender-based violence, sexual servitude and labour trafficking".

contact with, or receive disclosures about, individuals who are undocumented, in breach of visa conditions and/or engaging in criminal conduct as a result of being exploited.

5. You instruct me that the Committee has received:

   (a) Evidence that a number of temporary migrant workers under a particular labour mobility scheme have disengaged from that scheme due to exploitation or unacceptable living or social conditions, and some have subsequently worked outside of their visa conditions.

   (b) A suggestion from a stakeholder to hear evidence from three unnamed individuals with lived experience who are currently reliant on 'unlawful work'.

## Analysis

6. In the analysis that follows, I assume that the Committee receives the relevant information during an inquiry, and for the purposes of that inquiry.[8] I also confirm that my advice is confined to whether there is a *legal* obligation to report information.

7. I note that questions 1, 2 and 4 all concern legal obligations to report that may be owed, in certain circumstances, by any members of the Committee (or the Committee as a whole), whereas question 3 is concerned with the position of staff assisting the Committee. It is convenient then to address questions 1, 2 and 4 first.

### Question 1: Whether legal obligation to report criminal or unlawful activity involving exploitation

8. Your first question concerns circumstances where the Committee receives evidence of criminal or unlawful activity, such as allegations of employers, employees or other third parties exploiting individuals. You ask, in these circumstances, whether the Committee is legally required to report serious indictable offences in accordance with s 316 of the *Crimes Act*; or otherwise required to report criminal or unlawful activity that does not meet the definition of a serious indictable offence under s 316.

#### *Question 1 (a) – s 316 of the Crimes Act*

9. Section 316(1) of the *Crimes Act* provides that an adult is guilty of an offence (emphasis added):

   (a) who knows or believes that a ***serious indictable offence*** has been committed by another person, and

   (b) who knows or believes that he or she has information that might be of material assistance in securing the apprehension of the offender or the prosecution or conviction of the offender for that offence, and

   (c) who fails without reasonable excuse to bring that information to the attention of a member of the NSW Police Force or other appropriate authority,

[8] That is, my analysis is not confined to information learned because it is given as evidence during a Committee hearing.

A "serious indictable offence" is one "punishable by imprisonment for life or for a term of 5 years or more", except where the offence is a "child abuse offence (within the meaning of section 316A)".[9] There is a question as to whether Commonwealth offences are caught by that expression, but it is unnecessary to answer that question for present purposes.

10. It is conceivable that the Committee may receive information of suspected State offences that are "serious indictable offences" for the purposes of s 316(1)(a), where its functions include inquiring into and reporting on matters relating to *modern slavery*.[10]

11. I observe that:

    (a) In proving a contravention of s 316(1), it is not necessary to establish that the accused knew that the underlying offence was a serious indictable offence.[11]

    (b) Section 316(1A) contains one ground on which a person has a reasonable excuse for the purposes of s 316(1)(c),[12] relevant only to sexual or domestic violence offences. That ground, however, expressly does not limit the grounds on which a reasonable excuse can be established.[13]

    (c) Section 316(4) provides that the approval of the Director of Public Prosecutions is required to commence a prosecution against a person, if the relevant knowledge or belief was formed, or information obtained, "in the course of practising or following a profession, calling or vocation prescribed by the regulations". None of the "professions, callings or vocations" prescribed in cl 4 of the *Crimes Regulation 2020* (made pursuant to s 316(5) of the *Crimes Act*), however, are relevant to this advice.

    (d) The maximum penalty for an offence under s 316 is a term of imprisonment contingent on the maximum penalty associated with the serious indictable offence that is the subject of s 316(1)(a), ranging from two to five years.[14]

## *Parliamentary privilege*

12. I assume, for the purposes of this part of the analysis, that the Committee has learned of information that *prima facie* engages the operation of s 316.[15] In my view, for the

[9] *Crimes Act* s 316(6). The carve out is explained by child abuse offences (a definition including, but not limited to, offences punishable by at least 5 years imprisonment) being the subject of s 316A. I briefly discuss s 316A below.

[10] Noting that: (a) Modern slavery is defined to include "any conduct constituting a modern slavery offence" (*MS Act*, s 5(1)(a)); (b) Modern slavery offence is defined partly in terms of offences specified in sch 2 to the *MS Act* (*MS Act* s 5(1)); and (c) The schedule contains, among offences under State and Commonwealth laws, various serious indictable offences under the State Crimes Act.

[11] *Crimes Act*, s 313.

[12] Where "(a) the information relates to a sexual offence or a domestic violence offence against a person (the alleged victim), and (b) the alleged victim was an adult at the time the information was obtained by the person, and (c) the person believes on reasonable grounds that the alleged victim does not wish the information to be reported to police or another appropriate authority."

[13] *Crimes Act*, s 316(1B).

[14] Two years if the maximum penalty is not more than 10 years imprisonment; three years if the maximum penalty is more than 10 years, but not more than 20 years; and five years if more than 20 years.

[15] The analysis that follows does not depend on the offence being one involving exploitation. Nor does it depend on whether the offence is committed by a perpetrator or victim of exploitation.

reasons outlined below, parliamentary privilege[16] would prevent the courts from hearing a prosecution of a Committee member under s 316.

13. My analysis is informed by two related sources of parliamentary privilege.

### *Exclusive cognisance*

14. The doctrine known as the **"exclusive cognisance"** of the Parliament, has been described as "the exclusive right of each House of Parliament to manage its own internal affairs".[17] Courts "have declined to recognise authority over any matter that is properly considered to be within the scope of the exclusive cognisance of Parliament".[18]

15. Declining to exercise jurisdiction has been described as "appropriate or necessary" where the judicial proceedings are so "closely connected with proceedings in Parliament" to warrant that course.[19] There may, however, be instances where the courts and Parliament have "overlapping" jurisdiction.[20]

### *Article 9 of the Bill of Rights 1688*

16. Article 9 of the *Bill of Rights 1688*[21] provides (in contemporary language) that "the freedom of speech and debates or proceedings in Parliament ought not to be impeached or questioned in any Court or place out of Parliament".[22]

17. Article 9 has been described in the High Court as having prescribed "constitutional norms",[23] or as "embodying 'general constitutional principle[s]'".[24] It has also been said that Article 9 can be seen as forming a part of the wider principle of exclusive cognisance.[25]

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[16] In the sense described in *Legislative Council Practice*, 2nd edition, at 59. That is, "the sum of certain immunities, rights and powers enjoyed by the individual Houses of the Parliament of New South Wales, together with their members and committees, as constituent parts of the Legislature".

[17] *President of the Legislative Council of Western Australia v Corruption and Crime Commission (No 2)* [2021] WASC 223, at [138] (Hall J) (*PLC v CCC (No 2)*), citing *R v Chaytor* [2010] UKSC 52; [2011] 1 AC 684, at [63].

[18] *Attorney-General for the State of Tasmania v Casimaty* [2024] HCA 31 (*Casimaty*), at [51] (Edelman J). I note that Edelman J observed that "the expression 'exclusive cognisance' has been used in different ways" but made clear that he used it "to describe a principle that wholly encompasses, and extends beyond, Art 9 of the *Bill of Rights*".

[19] See *Obeid v R* (2017) 96 NSWLR 155, at [135], [146] (Bathurst CJ) (*Obeid No 2*), citing *R v Chaytor* at [122]. See also *Casimaty*, at [103] (Edelman J).

[20] *See Obeid v R* (2015) 91 NSWLR 226, at [54] (*Obeid No 1*), citing *R v Chaytor* at [122].

[21] 1Wm & Mary Sess 2 c2. The continued application of Art 9 in NSW has been preserved by s 6 (read with sch 2) of the *Imperial Acts Application Act 1969*.

[22] See *Obeid No 1*, at [53]; *Obeid No 2*, at [320] (Leeming JA); see also *PLC v CCC (No 2)*, at [92]-[97], albeit in a Western Australian context.

[23] *Egan v Willis* (1998) 195 CLR 424, at [23] (Gaudron, Gummow and Hayne JJ).

[24] *Egan v Willis*, at [24] (Gaudron, Gummow and Hayne JJ), quoting *Cam and Sons Pty Ltd v Ramsay* (1960) 104 CLR 247, at 258 (Dixon CJ).

[25] Cf *Casimaty*, at [51] (Edelman J).

18. The term "question" has been relevantly described as meaning examining judicially, calling to account, challenging, accusing, asking, inquiring or investigating,[26] or calling into question, disputing or opposing.[27]

19. The term "impeach" has been relevantly described as meaning "impede, hinder, or prevent", or "detrimentally or prejudicially affect, or impair",[28] or simply, "impair".[29]

*Further analysis*

20. Membership of a House of Parliament does not confer any general immunity from the application of criminal or civil law.

21. The application of parliamentary privilege can, however, prevent certain matters from being determined by a court, or restrict the manner in which such matters may be determined, where there is a sufficient connection between those matters and proceedings in Parliament.

22. In *Obeid v R (No. 2)*,[30] for example Bathurst CJ noted (at [135]) that in *R v Chaytor* "the Supreme Court made it clear" (citing at [83], [108]) "that the House of Commons does not assert an exclusive jurisdiction to deal with criminal conduct". The Chief Justice also observed that in *Obeid v R (No. 1)*,[31] the Court (at [40]) cited the passage from the judgment of Lord Rodger in *Chaytor* (at [108]) "to the effect that if the conduct questioned would constitute an offence under the ordinary criminal law of England, then the offence can be prosecuted in the criminal courts in the usual way".

23. The Chief Justice then stated that: (at [135]; emphasis added)

> An exception to that principle will arise where **the existence of the parliamentary privilege makes it impossible to fairly determine the issues** between the parties (see *Prebble* [*v Television New Zealand Ltd* [1995] 1 AC 321] at 338), in which case the proceedings should be stayed, or if the proceedings in fact interfered with **the freedom of the House of Parliament to conduct its legislative and deliberative business without interference from the court**: *R v Chaytor* at [61]; *Egan v Willis* (1996) 40 NSWLR 650 at 664, 676; *Egan v Willis* (1998) 195 CLR 424; [1998] HCA 71 at [31]–[32]. If the case does not fall within such exceptions, there is no reason for a court to decline to exercise jurisdiction. Indeed, not to do so in many such cases would constitute an affront to the administration of justice.

24. The Chief Justice also observed that (at [139]), in *Obeid v R (No. 1)* (at [52]-[53]):

> the Court pointed out that the indictment did not in terms make allegations of any conduct within the walls of Parliament relating only to the internal

[26] *Erglis*, at [32] (Jerrard JA), at [84] (Fryberg JA).

[27] *Erglis*, at [84] (Fryberg JA).

[28] *Rowley v O'Chee* [2000] 1 Qd R 207, at 222-223 (McPherson JA) (*Rowley*). See also *Erglis v Buckley* [2004] 2 Qd R 599, at [6] (McPherson JA), [59] (Jerrard JA), [83] (Fryberg JA). I note that Fryberg JA added in *Erglis* (at [83]) "to challenge, call in question, cast an imputation upon, attack; to discredit, disparage".

[29] *Rowley*, at 223, citing *Laurance v Katter* [2000] 1 Qd R 147, at 204.

[30] See reference at fn 19.

[31] See reference at fn 20.

> practices of the chamber. It was also pointed out that even on the broadest view of Article 9 of the *Bill of Rights*, the indictment in no way impeaches speech within Parliament or any proceedings within Parliament

25. In the present circumstances, however, there would be a strong connection with the proceedings in Parliament. Any prosecution under s 316 would relate to an alleged failure to disclose information obtained by the Member in the course of, and for the purposes of, the proceedings in Parliament[32].

26. There would, in my view, be a strong basis to conclude that any prosecution under s 316, in these circumstances, would impermissibly interfere "with the freedom of the House of Parliament to conduct its legislative and deliberative business [(in the present case, particularly deliberative)] without interference from the court".[33]

27. It would seem very likely that witnesses would be less amenable to coming forward to give evidence to the Committee, even on a confidential basis, if aware that members of the Committee would be legally obliged to report that information to the Police Force or to another appropriate authority. Similarly, members could be expected to be less inclined to make certain inquiries which might result in them being obliged to report the information.

28. Consequences of this kind could be seen to "impeach" the proceedings of the Committee, contrary to Article 9, in the sense outlined at [19] above.

29. It is also difficult to see how any such prosecution could proceed without "questioning" of the proceedings of the Committee, contrary to Article 9. The proceedings would be expected to involve consideration, for example, of whether information reported to Parliament was *sufficiently credible* to warrant a report to the Police or an appropriate authority. It is also difficult to see how a court could avoid calling into question the decision (whether express or implicit) by the Committee *not to resolve to disclose* the information to the relevant authorities.[34]

30. I note that in *Casimaty*,[35] Edelman J of the High Court commended a functional approach to Article 9. His Honour preferred the view that the protection of Article 9 only extends:[36]

> so far as is 'necessary to protect legislators in the discharge of their legislative and deliberative functions, and the legislative assembly's work in holding the government to account for the conduct of the country's business'.

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[32] The Committee proceedings are proceedings in Parliament, as also observed in *Legislative Council Practice*, 2nd edition, at 95.

[33] Cf *Obeid No 2*, at [135], citing *R v Chaytor*, at [61], *Egan v Wilis* (1996) 40 NSWLR 650, at 664, 676, and (1998) 195 CLR 24, at [31]-[32].

[34] A prosecution might also need to question or critically examine the circumstances in which the Committee received the information.

[35] Reference at fn 18 above.

[36] Quoting from *Chagnon v Syndicat de la fonction publique et parapublique du Québec* [2018] 2 SCR 687; 2018 SCC 39, at [27]. The reference to "country" can be understood as to the relevant polity, here New South Wales.

31. His Honour relatedly observed that:

> Art 9 … ensures the efficient and effective discharge of parliamentary business, without a real or substantial prospect of chilling effect arising from, or by, legal challenge.

32. This functional approach is, in my view, consistent with my analysis above about the adverse impact on the functioning of the Committee if s 316 were to apply in the present circumstances.

33. It is, therefore, not necessary consider here whether his Honour's analysis has the effect of supplementing, or replacing, the approach in the appellate authorities referred to above regarding the meaning of the terms "impeached" and "questioned" in Article 9.

34. Parliamentary privilege would also, in my view, inform the analysis of what constitutes a "reasonable excuse"[37] for the purposes of s 316, in circumstances where the relevant information was obtained in the course of, or incidental to, proceedings in Parliament. Even if (contrary to my preferred view) s 316 would otherwise apply in the present circumstances, I think that the operation of parliamentary privilege would compel a conclusion that the "without reasonable excuse" element of the offence could not be proven. This conclusion may be even plainer if the information is received as evidence by the Committee in a manner attracting the operation of the non-disclosure provisions in cl 7(3)-(4) of sch 1 to the *MS Act*.

### *Question 1 (b) Whether some other obligation to report*

35. I do not consider that the Committee has a legally enforceable obligation to report other forms of criminal or unlawful activity for the following reasons.[38]

36. I note that s 316A(1) of the *Crimes Act* provides that:

> (1) An adult—
>
> (a) who knows, believes or reasonably ought to know that a child abuse offence has been committed against another person, and
>
> (b) who knows, believes or reasonably ought to know that he or she has information that might be of material assistance in securing the apprehension of the offender or the prosecution or conviction of the offender for that offence, and
>
> (c) who fails without reasonable excuse to bring that information to the attention of a member of the NSW Police Force as soon as it is practicable to do so,
>
> is guilty of an offence.

If the Committee received information of a "child abuse offence" for the purposes of that provision, my analysis of parliamentary privilege concerning s 316 would apply with

[37] The absence of a reasonable excuse ("without reasonable excuse") is, consistently with an opinion of the Solicitor General, an element of the offence under s 316, rather than a defence to it.

[38] This analysis does not depend on the offence or unlawful conduct involving exploitation, nor does it depend on whether the conduct is engaged in by a perpetrator or victim of exploitation.

equal force. I have otherwise not located another provision in the *Crimes Act* that I consider would oblige a person to report unlawful or criminal conduct.

37. Furthermore, I have not identified a provision in the *Migration Act* generally obliging a person to report information concerning offences under that Act, or concerning breaches of obligations owed under, or conditions imposed pursuant to, that Act. I have also not identified a provision in the *Crimes Act 1914* (Cth) or the schedule to the *Criminal Code Act 1995* (Cth), that I consider imposes a general obligation to report information of criminal offending or unlawful conduct.

38. I note for completeness that Commonwealth officials have broad powers under the *Migration Act* to compel the production of information or documents relevant to the investigation of certain offences under that Act.[39] It is not presently necessary to consider the interaction between those investigative powers and parliamentary privilege.[40]

## Questions 2 & 4: Whether obligation to report certain criminal/unlawful conduct

39. Question 2 is whether the Committee has an obligation to report to any relevant authorities if it becomes aware of individuals who are undocumented, in breach of their visa conditions, and/or engaging in criminal or unlawful conduct *as a result of being exploited*. Question 4 is very similar, except that it applies where the individuals have *not* experienced exploitation.

40. It is convenient to address these questions together, which are essentially answered by my analysis above. My analysis in response to Question 1 – which was concerned with conduct involving exploitation **of** an individual – applies equally where the conduct was engaged in **by** such an individual, whether or not as a result of the exploitation of that person.[41]

41. To the extent that s 316 of the *Crimes Act* might be *prima facie* engaged in relation to offences engaged in by a person because of exploitation or otherwise, my analysis based on parliamentary privilege above is applicable. My analysis at Question 1(b) above otherwise applies.

42. I note relevantly to both questions 2 and 4 that it is no longer an offence for temporary visa holders to work outside of their work-related visa conditions, nor for unlawful non-citizens to work. Those offence provisions (formerly in s 235 of the *Migration Act*) were repealed by the *Migration Amendment (Strengthening Employer Compliance) Act 2024* (Cth), which commenced 1 July 2024. The repeal of those provisions confines the range

[39] See e.g. s 478B(1) of the *Migration Act*. See also s 18(1) regarding unlawful non-citizens.

[40] I note, however, that at the Commonwealth level, a memorandum of understanding has been entered into on the process to be followed where the Australian Federal Police execute search warrants in relation to a member of federal Parliament.

[41] I note the excerpt you provided me with from *Modern Slavery: A guide for NSW judicial officers*, Judicial Commission of New South Wales, at 35, where it is noted that "Victim-survivors of modern slavery may be forced to commit unlawful activities in the course of, or as a consequence of, their exploitation". I note however at 36 the observation that "[p]resently, there is no non-punishment provision for criminal offending in Australia's domestic legal framework".

of evidence of offences that the Committee might hear during the Inquiry, irrespective of whether the work was engaged in because of exploitation or not.[42]

### Question 3: Whether staff assisting owe legal obligations

43. Your third question raises the issue of whether parliamentary privilege, or other principles, mean that staff assisting the Committee - like, in my view, Committee members - do not owe a legally enforceable obligation under s 316 (or s 316A) of the *Crimes Act*. I prefer the view that they do not owe an obligation of that kind. The precise analysis may, however, vary with the circumstances.

44. If staff assisting owed a legally enforceable obligation under s 316 then that would most clearly adversely affect the work of the Committee where the Committee had resolved to keep the subject evidence confidential, or might be considering (or be expected to consider) whether to take that step. In those circumstances, there would be an apparent conflict between the decision (or potential decision) of the Committee to keep the evidence confidential, and an obligation of staff to disclose that information to an appropriate authority.

45. The potential for adverse effects can also be seen in the various ways in which staff may become aware of relevant information. For example:

    (a) Committee staff often engage directly with witnesses and potential witnesses. Those discussions may include evidence that a witness is willing, or might be willing, to give. There is potential then for witnesses to be less forthcoming in those discussions, or to be dissuaded from giving evidence altogether, or for staff to limit their inquiries about possible evidence. Effects of those kinds would impair the work of the Committee in inquiring into the matters referred to it.

    (b) Other Committee staff may learn of relevant information only because it is given as evidence at an *in camera* hearing – such as audio-visual and Hansard staff. If such staff might be required to disclose certain information, even if Committee members are not, then witnesses would be expected to be similarly reticent in their evidence. In addition, any decision by the Committee to keep such information wholly confidential would be undermined if committee staff were required to disclose the information to the relevant authorities.

46. Accordingly, for staff assisting to owe a legally enforceable obligation under s 316 might be regarded as adversely affecting the work of the Committee, such that a prosecution would "impeach" Committee proceedings. The above analysis would also appear to prevent a prosecution on a functional approach to Article 9.

[42] It is, however, an offence to coerce or allow non-citizens to work, or to refer non-citizens for work, in certain circumstances (See generally subdiv C of Div 12 of pt 2 of the *Migration Act*, headed "Offences and civil penalties in relation to work by non-citizens"). There are aggravated versions of the allowing and referring offences, and an element of those is the presence of exploitation (See *Migration Act*, ss 245AD and 245AEB. The offences created by those provisions have maximum penalties of 5 years imprisonment, or 900 penalty units, or both.)

47. It is not necessary then to express a settled view on whether the questioning limb of Article 9 would be engaged. It might be argued that calling into question a decision of a staff member to not make a disclosure would not sufficiently involve calling into question proceedings in parliament. Against that, it may be observed that staff assisting would likely learn of information either during, or in circumstances reasonably incidental to, the conduct of Committee proceedings, and in the exercise of authority flowing from the Committee. There may then be a sufficient connection to proceedings in parliament. There may be additional ways in which the questioning limb could be infringed – for example, seeking to call into question the truth of the report in the first place – if made in a context sufficiently connected to proceedings in parliament.

48. Finally, I note that even if s 316 otherwise applied to staff assisting, such staff may have a "reasonable excuse" for the purposes of that provision, including because parliamentary privilege may inform the operation of that element of the offence provision (see generally my analysis at [34] above, although there may be differences in its application to staff assisting).

## Question 5: Additional observations

49. Your final question is whether there are any other related matters the Committee should be cognisant of when engaging with or becoming aware of individuals who are undocumented workers, in breach of their visa conditions and/or engaged in criminal or unlawful conduct, whether or not as a result of being exploited.

50. There are, no doubt, a variety of non-legal matters the Committee may wish to take into account in such circumstances. These are matters for the Committee, assisted (no doubt) by advice from the staff assisting the Committee. I would, however, make three further legal observations.

51. **First**, the conclusion reached in this advice – that the Committee does not owe a legally enforceable *obligation* to report certain information to the authorities – does not, of course, prevent the Committee from choosing to do so in what it considers to be an appropriate case.[43] If considering whether to make a disclosure, the Committee should, in particular, make sure that it complies with the confidentiality provisions in cl 7 of sch 1 to the *MS Act*, noting especially the prohibitions against disclosure in sub-clauses (3) and (4) (subject to sub-cl (6)).

52. **Secondly**, it would be prudent for a potential witness who is concerned about the possible subsequent use of evidence or information that they give to the Committee to obtain their own independent legal advice. That may be particularly important if a witness offers to give evidence on condition of it being heard in *in camera*.

[43] I note the guidance set out in *Legislative Practice*, 2nd ed, at p 825, included with your instructions, but these are not matters for me to comment upon.

53. There are limits to the extent to which parliamentary privilege would protect the interests of a witness who provides self-incriminating evidence[44] or information to the Committee, which is then published or otherwise disclosed by the Committee, or by any of its members or staff.

54. Parliamentary privilege would prevent that information from being used against the individual in any criminal or civil proceedings. Parliamentary privilege would not, however, ordinarily appear to prevent the *use* of any such evidence or information by the executive government[45] of this State, the Commonwealth or any state or territory, in a criminal investigation or the exercise of any statutory powers affecting the interests of the individual.

55. **Thirdly**, Committee members and staff should endeavour, as far as practicable, to ensure that information provided to and received by the Committee is within the terms of reference of the specific inquiry and, in particular, within the scope of the functions of the Committee under the *MS Act*.

56. This advice, as outlined above, is prepared on the basis that the information has been provided for the purposes of the Committee's inquiry proceedings. More difficult questions about the application of parliamentary privilege would arise, however, if the Committee were to receive and deal with information outside the scope of its statutory functions under the MS Act.[46]

Karen Smith
**Crown Solicitor**

[44] Of a kind which identifies, or enables the identification of, the witness.

[45] The executive governments of a polity are not a "place out of Parliament" for the purposes of Article 9.

[46] Although the circumstances were quite different, the decision in *Crime and Corruption Commission v* Carne (2023) 412 ALR 380 is an instance where parliamentary privilege was found not to apply because, at least primarily, the relevant actions of the statutory Committee were not authorised by the statute.