

Submission
No 21

**INQUIRY INTO MODERN SLAVERY RISKS FACED BY
TEMPORARY MIGRANT WORKERS IN RURAL AND
REGIONAL NEW SOUTH WALES**

Organisation: St Vincent de Paul Society NSW

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Dr Joe McGirr, MP
Chair, Modern Slavery Committee
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Dear Committee Chair,

St Vincent de Paul Society NSW (the Society NSW) welcomes the opportunity to make a submission to the Modern Slavery Committee's Inquiry on the modern slavery risks faced by temporary migrant workers in rural and regional New South Wales (the Inquiry). All people residing in Australia should be treated with dignity, afforded the same human rights, and granted access to help when needed, especially if they find themselves in unpredictable and precarious situations.¹

The Society NSW is a leading provider of frontline services and in-community support through our members' direct assistance. Our North Coast Settlement Service provides settlement services to humanitarian entrants and other vulnerable migrants, including culturally appropriate case work, advocacy, referrals and group sessions.² Our 4000 members support temporary visa holders across NSW by providing companionship and direct assistance, including clothing, furniture, food and electricity vouchers. In recognition of the service barriers faced by vulnerable migrants, the Society NSW allocates 10% of our crisis accommodation and case management support to people on temporary visas, regardless of residency or visa type.

This submission was developed following consultation with Biba Honnet, Manager of the North Coast Settlement Service (NCSS), staff from the St Vincent de Paul Society Canberra/Goulburn and members from the Riverina region. The submission will respond generally to the Inquiry's terms of reference, with specific focus on Term (h) as it relates to support and resources needed by local communities.

¹ St Vincent de Paul Society NSW, *Social Justice Statement: Improved Access for People on Temporary Visas* (2024) https://cms.vinnies.org.au/media/as3dvppz/sj_statement_2024_temp-visas_web.pdf?path=as3dvppz%2Fsj_statement_2024_temp-visas_web.pdf. See also: Society NSW, *Modern Slavery Statement 2023* (2024) https://cms.vinnies.org.au/media/cg0pml1d/modern_slavery_statement_2023_final.pdf?path=cg0pml1d%2Fmodern_slavery_statement_2023_final.pdf.

² To learn more about North Coast Settlement Service visit: Society NSW, 'North Coast Settlement Service' (2025) <https://www.vinnies.org.au/nsw/find-help/inclusion/north-coast-settlement-service>.



To better support temporary visa holders, including the cohort who have become disengaged or undocumented,³ in regional and rural areas of NSW at risk of or experiencing modern slavery, the Society NSW recommends the NSW Government:

1. Increase funding to existing community organisations, migrant settlement services, Specialist Homelessness Services, and domestic violence service providers to meet the actual demand for specific supports and crisis accommodation for temporary migrant workers and their families.
2. Set up regional Migrant Worker Centres, with associated outreach services and caseworkers, to serve as central points for all migrant workers in regional and rural areas to access resources and referrals to social services, legal and other support services.
3. Amend the *Modern Slavery Act 2018 (NSW)* and provide adequate funding to give the Office of the Anti-Slavery Commissioner formal powers to investigate claims of modern slavery or abusive practice experienced by temporary migrants.
4. Advocate Federal Government to:
 - a. Amend the PALM program to facilitate universal portability between employers,
 - b. Increase eligibility to the Fair Entitlement Guarantee, Medicare and other social security benefits to PALM workers and other temporary visa holders, and
 - c. Expand eligibility to Settlement Engagement and Transition Support Programs to all temporary visa holders and increase funding accordingly to meet additional need.

Improving community capacity to support temporary migrant workers

The Society NSW is gravely concerned by the widespread modern slavery risks faced by temporary migrant workers across regional and rural NSW. Successive reports have revealed the desperation and abusive practices experienced by workers and their families.⁴ We have seen the need presented by this cohort as they seek support from the NCSS, from members through direct assistance and from the Society NSW's other services, including homelessness and domestic violence services.⁵

³ These include migrants who first obtained visas via the following streams: Pacific Australia Labour Mobility scheme, Working Holiday Maker program, bridging visa holders, Pacific Engagement and settled migrants including refugees.

⁴ Commonwealth of Australia, *Report of the Migrant Workers' Taskforce* (March 2019) <https://www.dewr.gov.au/download/14482/report-migrant-workers-taskforce/29660/report-migrant-workers-taskforce/pdf>; Commonwealth of Australia, *Review of the Migration System Final Report* (2023) Chp. 9, <https://www.homeaffairs.gov.au/reports-and-pubs/files/review-migration-system-final-report.pdf>; Coates, B., Wiltshire, T. and T. Reysenbach, *Short-changed: How to stop the exploitation of migrant workers in Australia* (May 2023) Grattan Institute <https://grattan.edu.au/wp-content/uploads/2023/05/Short-changed-How-to-stop-the-exploitation-of-migrant-workers-in-Australia.pdf>.

⁵ See for example: Society NSW, *Annual Report 2023/2024* (November 2024) pp. 3, 28, 37 <https://cms.vinnies.org.au/media/ooibvmmw/nsw-annual-report-23-24-web.pdf?path=ooibvmmw%2Fns-annual-report-23-24-web.pdf>.



Communities must be adequately funded and supported to host migrant workers and their families. Equipping local communities also involves creating a ‘joined up’ approach to service provision, and organisations, such as the Society NSW, should be specifically resourced to support temporary migrant workers who are particularly vulnerable.⁶ At present, many organisations absorb the costs associated with supporting this cohort.

Government has indicated that it intends to welcome more migrant workers and their dependents, including through the Pacific Australia Labour Mobility (PALM) Scheme and permanent streams such as the Pacific Engagement Visa.⁷ To support this growing population, the NSW Government should consider identifying areas with high or increasing populations of temporary migrant workers and:

- a) Assessing whether local government-funded services (including migrant settlement services and Specialist Homelessness Services) can adequately deliver supports to this cohort (irrespective of visa eligibility) and allocating specific funding streams to temporary migrant workers to meet any shortfalls.
- b) Providing targeted training in culturally safe practices and identifying signs of forced labour to local prospective employers, NSW Police Force, health and social service providers and other community organisations and stakeholders.⁸
- c) Rolling out Migrant Worker Centres, including outreach services, to coordinate local supports and services and provide culturally safe resources to increase awareness among temporary migrant workers and the wider community of protections and supports available to this cohort.⁹

Community support and access to local services should be offered to people who have been forced into situations in which they have been forced to ‘disengage’ with visa programs or become undocumented and face “heightened risks of modern slavery”.¹⁰ Exclusionary criteria

⁶ As recommended by the Office of the NSW Anti-Slavery Commissioner (OASC) in *Be Our Guests: Addressing urgent modern slavery risks for temporary migrant workers in rural and regional New South Wales* (2024) Office of the NSW Anti-Slavery Commissioner, p. 30
https://dcj.nsw.gov.au/documents/legal-and-justice/anti-slavery-commissioner/plans-and-discussion-papers/Be_Our_Guests_-_Addressing_urgent_modern_slavery_risks_for_temporary_migrant_workers_in_rural_and_regional_New_South_Wales.pdf.

⁷ Commonwealth of Australia, *Review of the Migration System Final Report* (2023) p. 163.

⁸ Ibid, p. 8; International Labour Organisation, *ILO Indicators of Forced Labour* (2012)
<https://www.ilo.org/publications/ilo-indicators-forced-labour>.

⁹ The Society NSW welcomes the opening of the first Migrant Workers Centre, however, notes that the need in regional and rural areas for similar centres is pressing: Coates, B., Wiltshire, T. and T. Reysenbach (2023) p. 4; Ritenis, A., ‘NSW Government set to deliver the state’s first Migrant Workers Centre’ (19 July 2024) *Sydney Times* <https://www.sydneymtimes.net.au/state-politics-and-government/nsw-state-government/nsw-state-news/nsw-government-set-to-deliver-states-first-migrant-workers-centre/>; This similarly applies to other visa holders, including Working Holiday Makers: Migrant Workers Centre, ‘Submission to the Joint Standing Committee on Migration Regarding the Inquiry into the Working Holiday Maker Program’ (July 2020) p. 2
https://assets.nationbuilder.com/mwc/pages/792/attachments/original/1649735584/MWC_2020_submission_WHM_main_submission.pdf?1649735584.

¹⁰ OASC, *Be Our Guests* (2024) p. 5.



for this cohort to access social services, such as proof of engagement with visa programs, risk many people falling in between the gaps, further increasing their risk of experiencing exploitation.

The Society NSW also believes that the NSW Government has a role to play in advocating to Federal Government to address the systemic inequities that further expose temporary migrant workers to modern slavery risks. One of the clearest examples of the power imbalance between employers and temporary migrant workers is the lack of portability between employers.¹¹ Expanding eligibility to access the Settlement Engagement and Transition Support Program,¹² Medicare, the Fair Entitlement Guarantee and other social security benefits,¹³ will provide a holistic safety net to meet other needs, including health, childcare, income support, community connectedness and cultural supports.

Finally, the Office of the NSW Anti-Slavery Commissioner (OASC) plays a key role in providing accountability for people who have experienced modern slavery in NSW. The OASC should be invested with powers to investigate modern slavery claims as without these it is a “constraining factor on [the Office’s] ability to deliver progress”.¹⁴ The OASC should also receive adequate funding to exercise these powers as well as fulfil its role as a pivotal referral centre to support services.¹⁵

How could we better support temporary migrant workers?

The urgency of addressing modern slavery risks faced by temporary migrant workers in Australia was most recently highlighted by the UN Special Rapporteur on contemporary forms of slavery.¹⁶ The Special Rapporteur specifically recommended that state governments “*ensure that [civil society, workers’ organisation and other actors] are able to deliver much needed services effectively*”.¹⁷

Domestically, there is widespread agreement that temporary visa holders should have access to greater community, health and social service supports, including Medicare.¹⁸ This is particularly necessary with the implementation of the PALM program’s dependents pilot

¹¹ Coates, B., Wiltshire, T. and T. Reysenbach (2023) p. 21.

¹² Specifically primary PALM visa holders (*as well as their dependents* in the family accompaniment pilot) and other disengaged or undocumented workers.

¹³ Coates, B., Wiltshire, T. and T. Reysenbach (2023) p. 4.

¹⁴ OASC, *Engaging for Freedom: NSW Anti-slavery Commissioner’s Annual Report 2023-2024* (October 2024) p. 12 https://dcj.nsw.gov.au/documents/legal-and-justice/anti-slavery-commissioner/plans-and-discussion-papers/engaging_for_freedom-oasc_annual_report_fy2024.pdf.

¹⁵ *Ibid*, p. 8.

¹⁶ It should be noted that the Special Rapporteur’s only regional in-person visit was to the Riverina region.

¹⁷ *Ibid*, p. 5.

¹⁸ For example, a poll conducted by the Australia Institute found that 68% of respondents agreed that PALM visa holders should have access to Medicare: The Australia Institute, *The PALM Scheme: Labour rights for our Pacific Partners* (December 2023) p. 21 <https://australiainstitute.org.au/wp-content/uploads/2023/12/P1478-The-PALM-Scheme-Web.pdf>.



program, as more families would benefit from access to the Child Care Subsidy and Family Tax Benefit.¹⁹

For women on temporary visas fleeing domestic and family violence, the need to bolster their access to services and support is particularly pressing.²⁰ With eligibility barriers to accessing social housing and many other homelessness and housing supports, they are particularly vulnerable. The National Advocacy Group on Women on Temporary Visas Experiencing Violence have called for: improvement to the migration system to facilitate access to protections, services and justice for all women; expanded eligibility for social security; expanded eligibility and access to social housing; long-term and sustainable funding for specialist and legal services to support women on temporary visas.²¹

Looking overseas and internationally

New Zealand

In 2020, the impact of New Zealand's Recognised Seasonal Employer (RSE) Scheme acknowledged that the success of the program rested on shifting focus from employers to understanding RSE workers' experiences of working and living in New Zealand.²² This shift required developing best practice according to: amending worker conditions and workers having a greater 'voice' to express their concerns and exercise their rights. Improving conditions and protections required:

- Increasing earnings to increase remittances (in light of rising deductions for accommodation, transport and other costs of living);
- Costs for accommodation and transport being adjusted according to the standard of accommodation and facilities and travel distances being considered;
- Universal access to Wi-Fi in all accommodation settings as well as affordable mobile data; and

¹⁹ Ibid.

²⁰ See The Society NSW, *NSW Social Justice Statement: Improved Access for People on Temporary Visas* (2024) https://cms.vinnies.org.au/media/as3dvppz/sj_statement_2024_temp-visas_web.pdf?path=as3dvppz%2Fsj_statement_2024_temp-visas_web.pdf. This is particularly pertinent as women workers and dependents require health services and accommodation that are appropriate to improve their sense of safety and security: Petrou, K., Doan, D. and U. Casabonne, 'How can we increase Pacific women's participation in labor mobility?' (15 March 2023) *World Bank Blogs* <https://blogs.worldbank.org/en/eastasiapacific/how-can-we-increase-pacific-womens-participation-labor-mobility#:~:text=Travelling%20with%20family%20or%20community,significant%20enabler%20for%20women's%20participation.>

²¹ National Advocacy Group on Women on Temporary Visas Experiencing Violence, *Blueprint for Reform: Removing barriers to safety for victims/survivors of domestic and family violence who are on temporary visas* (October 2022) p. 3 <https://awava.org.au/wp-content/uploads/2023/06/Blueprint-for-reform-vJUN2023.pdf>.

²² Nunns, H., Bedford, C. and R. Bedford, *RSE Impact Study: Synthesis Report* (May 2020) p. 20 <https://www.immigration.govt.nz/documents/statistics/rse-impact-study-synthesis-report.pdf>.



- Pastoral care and access to local community services (swimming pools, libraries etc.).²³

To give a ‘voice’ to workers, researchers recommended both increasing understanding of worker rights through workshops, advice from Community Legal Centres and anonymous complaint mechanisms.²⁴

Canada

Qualitative research on housing conditions for international agricultural workers’ housing in Ontario recommended that collaboration and partnerships between local municipalities, employers, community organisations, and advocacy groups would allow for pooling of resources, exchange of best practice and development of a comprehensive and synchronised strategy to meet housing, transport, cultural connectedness and other integrated needs of workers.²⁵

International Labour Organisation (ILO)

The ILO has outlined that to address the vulnerabilities for migrant workers, states must respect, protect and fulfil migrant workers’ rights to ensure:

- Freedom of choice in employer;
- Housing that meets appropriate standards, and if relevant, rents that are reasonable in relation to wages earned and localised price indexes;
- Skills-building and life-long learning, through access to local classes or certification in the relevant sector; and
- Addressing information gaps, through central referral mechanisms that are accessible to migrant workers in their own language, free of charge and partnered with local institutions and services.²⁶

Reflecting on the Society NSW’s experience

The Society NSW’s internal data and anecdotal evidence reflect that there is a cohort of temporary visa holders in regional and rural areas seeking assistance from services and members.

Evidence from staff from the Society NSW and the St Vincent de Paul Society Canberra/Goulburn suggests that a lack of appropriate language supports and briefings inhibit

²³ Ibid, p. 21.

²⁴ Ibid, p. 22.

²⁵ Oyewale, D. *Evaluation of the Impact of the Provincial Policy Statement on International Agricultural Workers’ Housing in Ontario* (May 2024) University of Guelph, p. 96
<https://atrium.lib.uoguelph.ca/server/api/core/bitstreams/78fe40e6-b78d-4922-bfe8-396fffc7e13e/content>.

²⁶ International Labour Organisation, *Temporary labour migration: Unpacking complexities – Synthesis Report* (2022) pp. 48-51
https://www.ilo.org/sites/default/files/wcmsp5/groups/public/%40ed_protect/%40protrav/%40migrant/documents/publication/wcms_858541.pdf.



all migrants' ability to integrate in communities in NSW and become aware of the supports and protections they may benefit from.²⁷

While English language classes may be offered, in regional and rural NSW, where public transport is unavailable or other transport options are exorbitantly expensive, non-English speaking migrant workers are effectively locked out from information that could assist them to seek support when they experience exploitation.

Other staff have flagged concerns that communities with employers who have expressed interest in hosting PALM workers and their dependants as part of the pilot program are simply not 'ready'. They cite a lack of:

- Local service infrastructure,
- Accessible services, and
- Cultural awareness.

These factors will inevitably increase the isolation and vulnerability of any future temporary migrant workers who come to these communities.

When temporary migrant workers, especially those forced to become disengaged or undocumented, are at risk of or experiencing homelessness or are fleeing gender-based violence, local services are not resourced to provide support to this cohort. Local services either absorb the associated costs to support them or are forced to turn them away.

At present, neither services nor communities are adequately resourced or appropriately trained to best support temporary migrant workers, especially those who have faced exploitation and are forced into 'disengagement' or those who become undocumented.

Conclusion

The Society NSW urges the Modern Slavery Committee to recommend increasing investment in supports and strengthening protections for temporary migrant workers in regional and rural communities across NSW. With an appropriate and adequate safety net, temporary migrant workers will continue to make significant contributions to our communities without facing modern slavery risks.

The Society NSW looks forward to continuing to support temporary migrant workers to deliver multidisciplinary and collaborative support to ensure that the dignity and well being of all migrants, their family members and supporters are realised. Local stakeholders require adequate funding and training to be ready to welcome migrants into their communities and ensure that they are ready to deliver, or able to refer people to, the appropriate safety nets to intensify support when migrants find themselves in precarious or vulnerable situations.

²⁷ This reflects the experience of other non-English speaking temporary migrant workers: Senate Select Committee on Job Security, *Final Report: Matter of possible privilege* (2022) Commonwealth of Australia p. 9
https://parlinfo.aph.gov.au/parlInfo/download/committees/reportsen/024915/toc_pdf/Finalreportmatterofpossibleprivilege.pdf;fileType=application%2Fpdf.



St Vincent de Paul Society
NSW
good works

Collective support must be ongoing, fulfilled throughout migrants' journeys. It begins from the time before they leave home, during their stay in Australia, and in many cases on their arrival back home.

Working together we can deliver a more just and inclusive NSW. Everyone matters - every day.

Yours sincerely,

Niamh Mannion

Executive Director

Vinnies Services

About the St Vincent de Paul Society NSW

The St Vincent de Paul Society NSW is a member and volunteer-based organisation that has been assisting people experiencing disadvantage and hardship in NSW for 140 years.

The St Vincent de Paul Society NSW currently has close to 12,000 members and volunteers across the state, giving tirelessly of their time. In total, we have 368 local member networks, referred to as conferences, present in communities across NSW.

Our members, volunteers and staff assist people experiencing disadvantage with resources including food parcels and vouchers, financial assistance, help with energy bills and other expenses, budget counselling, school items for children, and the provision of other material items such as furniture, clothing, bedding and any other household items.

The St Vincent de Paul Society NSW is also a leading provider of frontline services, with 100 local services across the state. These deal with a range of issues including homelessness, domestic and family violence, disability, disaster relief, youth wellbeing, refugee and migrant inclusion, rehabilitation and addiction.