

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

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Date Received: 28 February 2025



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SYDNEY
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Submission

Parliament of New South Wales Modern Slavery Committee

Inquiry into ‘Modern slavery risks faced by temporary migrant workers in rural and regional New South Wales’.

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February 2025

This submission to the Inquiry into *Modern slavery risks faced by temporary migrant workers in rural and regional New South Wales* draws on published works, including academic studies, reports, and policy documents to examine what conditions affect exploitation risks for migrant workers in rural Australia and how these risks can be addressed. The submission finds that migrant workers in rural areas face multiple interconnected challenges that can lead to and exacerbate poor working conditions. For example, workers with temporary visas often struggle with geographic isolation and language barriers, which limit their ability to seek help or report violations. Research also identified gaps in regulatory oversight and labour market practices that limit workers capacity to challenge unfair treatment. Studies consistently identify visa status, wage underpayment, and weak enforcement as key risk factors. While the severity of these issues varies across regions and worker groups, these factors consistently increase workers' vulnerability to exploitation. The identified risk factors span both structural (e.g., regulatory enforcement gaps, supply chain pressures) and individual (e.g., language barriers, discrimination, intersectionality) levels, suggesting the need for multi-level interventions. Due to the complex nature of exploitation faced by migrant workers in rural Australia, multifaceted approaches to address these risks are needed. It is pivotal that government agencies, trade unions, civil society groups, retailers, labour hire providers, accommodation providers, and growers coordinate their efforts to improve the patchwork of responses that has historically allowed exploitation to persist.

Recommendations

1: Worker Protections at State and Federal Level

The NSW Government should consider how it could supplement Federal support schemes for people experiencing slavery-like conditions, with the aim of strengthening engagement in rural areas. It could also advocate with the Federal government to amend schemes like the PALM and Working Holiday Maker program, for instance by extending protective benefits to all participants, such as the Fair Entitlements Guarantee, Medicare, other social security measures and settlement services that temporary visa holders are excluded from accessing. There should be a close assessment of any conditional visa extensions relating to work in regional areas as such conditions can create unreasonable leverage that unscrupulous employers may exploit.

2: Strengthening Labour Hire Regulation

A robust licensing scheme for third-party employment agencies in NSW is essential, particularly in higher-risk sectors such as horticulture and meat processing. Given that federal reforms are slow to take effect, a state-based labour hire authority could fill the regulatory void. This body would establish a system of ongoing oversight, require transparent registration practices, and deliver genuine consequences—ranging from financial penalties to licence revocations—for providers that flout labour standards. If suppliers or growers knowingly engage unlicensed intermediaries, they should likewise face repercussions.

3: Data sharing and Reporting Pathways

Many workers in rural areas remain largely invisible to regulators and service providers. Data-sharing can help to expose entrenched problems by engaging with nonprofits that work with migrant communities, and by listening to migrant labourers, solutions tailored to the unique ethics and geographic contours. A well-funded hotline, managed directly or indirectly by the NSW Anti-Slavery Commissioner, offers a reliable means of channelling complaints and requesting assistance. This could function like the hotline the Fair Work Ombudsman currently operates to gather intelligence to guide their strategic enforcement activities, and data could potentially be shared between the NSW Anti-Slavery Commissioner and the Fair Work Ombudsman. In addition, new platforms for anonymous digital reporting may yield aggregated data to reveal

exploitative trends and pinpoint specific hotspots. Such feedback loops can move beyond the handful of cases that typically surface through formal complaints, giving enforcement bodies a clearer picture of systematic mistreatment. Investing in local infrastructure, whether through more robust policing units trained to identify trafficking or through legal aid outreach, can also fill the gaps that allow forced labour to thrive unnoticed.

4: Housing Strategy in Rural Areas

Dependence on employers and accommodation providers linked to employers for housing, including working hostels and some caravan parks, creates a situation in which migrant workers may feel unable to leave abusive or unsafe jobs for fear of becoming homeless. Changes to the NSW long-term housing strategy, focusing on the unique accommodation needs of seasonal or temporary workers, would help break this cycle. This could incentivise cooperation between state agencies, local councils, and private investors, to spur the development of regulated dormitories or communal living facilities in areas that are notorious for labour shortages. When combined with reporting on worker accommodations and routine checks for overcrowding or unsafe conditions, such measures could bring rural housing options closer to acceptable standards, thereby reducing one of the main levers of exploitation.

5: Proactive Planning for Climate Change Impacts

Climate change is reshaping rural Australia by increasing droughts, floods, and heatwaves, which disrupt agricultural work patterns and strain farm budgets. These pressures, in turn, create heightened risks for migrant labourers who already face various interconnected challenges. As employers attempt to manage financial uncertainty, they may reduce wages, cut hours, or neglect health and safety measures. A proactive, multi-stakeholder strategy—led by government, industry associations, unions, and community groups—should include a long-term climate change adaptation strategy, focused on mandating safeguards around sudden loss of income and opportunities for future employment (e.g., among working holiday makers who need to work 88 days in their first year to earn visa extension) due to extreme weather events, heat safety protocols, and other forms of psychosocial hardship experience by migrant labourers. Such steps would ensure Australia's agricultural sector and other rural sectors adapt responsibly to ongoing environmental challenges.

6. Intersectionally-Conscious Protocols and Policies

Any new protocol or policy to safeguard migrant agricultural workers should incorporate an intersectional lens, ensuring it recognises that vulnerabilities differ based on overlapping factors like race, gender, visa category, and language capacity. This means implementing explicit anti-discrimination measures, providing targeted support services for underrepresented groups, and mandating cultural and gender-sensitivity training for employers and regulators. By acknowledging the compound nature of these disadvantages, stakeholders can better safeguard workers who might otherwise face several dimensions of discrimination.

Method

Guided by the research question "How do conditions experienced by migrant workers in rural Australia contribute to the risk of exploitation and modern slavery?", we searched across academic databases to retrieve a total of 499 papers most relevant to the query.

We then proceeded to screen these papers using the following criteria:

- **Population and Setting:** Does the study focus on temporary migrant workers in rural/regional Australia or a comparative region?
- **Working Conditions:** Does the study examine working conditions, accommodation, or social circumstances of these workers?
- **Exploitation Focus:** Does the study analyse exploitation risk factors, labour violations, or modern slavery indicators?
- **Geographical Context:** Was the research conducted within Australia, or can the findings be transposed to the Australian context?
- **Population Focus:** Does the study specifically address migrant populations rather than general labour conditions?
- **Remediation:** Does the paper outline actions that can be taken to address the identified issues and risks?

We considered all screening questions and made a holistic judgement about whether to screen in or omit papers. This resulted in the inclusion of 102 papers in total.

Summary of Modern Slavery Risk Factors

Risk Factor	Prevalence	Impact Level	Contributing Conditions
Temporary visa status	High	High	Visa work requirements, fear of deportation, limited rights
Geographic isolation	Moderate	High	Limited access to services, reduced oversight, dependence on employers
Language barriers	High	Moderate to High	Poor understanding of rights, difficulty accessing information and support
Precarious employment	High	High	Seasonal work, piece-rate payments, use of labor hire companies
Inadequate accommodation	Moderate	Moderate	Tied housing, substandard living conditions, isolation
Wage theft	High	High	Inadequate state enforcement, union representation barriers, visa conditionality
Racial discrimination	Moderate to High	Moderate to High	Labour market segmentation, structural racism
Lack of union representation	High	Moderate to High	Difficulties organizing rural workers, decline in union power
Regulatory enforcement gaps	High	High	Low risk of detection, inadequate penalties, resource constraints
Supply chain pressures	High	Moderate to High	Demand for low-cost labor, tight delivery schedules, margin pressures

Modern Slavery Risk Factors

Rural Australia is a challenging environment for migrant workers because of overlapping conditions that can heighten their vulnerability to exploitation. Geographic isolation and minimal regulatory oversight often intersect with precarious visa arrangements, language barriers, and industry-specific practices. This section explores these multifaceted risk factors illustrating the complexity of modern agricultural labour and the urgency of implementing protective measures.

Geographic Isolation

Impact on worker mobility

Farm work in remote regions of Australia often renders backpackers and other temporary migrants effectively immobile, since they may find themselves too distant from large population centres to access alternative job opportunities or the necessary social and informational resources to understand and assert their rights (Anderson, 2018; Kaya Barry, 2020; Kossen et al., 2021). Some workers may enter these rural settings believing they will secure an Australian “outback” experience, only to discover that sparse infrastructure and long travel distances leave them cut off from the broader networks that foster safe and fair working conditions (Petrou & Connell, 2018, 2023a, 2023b). Isolation of this kind not only reduces the chances of leaving an exploitative employer but also heightens dependence on local intermediaries or labour hire companies that may be more inclined to obscure, rather than clarify, the standards of lawful employment (Berg & Farbenblum, 2017; Farbenblum & Berg, 2017; Underhill & Rimmer, 2016).

Challenges for worker organisation

These geographic constraints also complicate collective efforts to improve working arrangements. Trade unions and migrant advocacy groups striving to reach scattered horticultural hubs wrestle with the high cost of travel and the logistical challenges of sustaining a presence in small, far-flung townships (Li, 2022). Migrant workers who are unfamiliar with the region’s legal and administrative frameworks are even more likely to find themselves unrepresented and uninformed, a problem that intensifies their vulnerability to underpayment, dangerous working conditions, and other indicators of labour exploitation (Reilly et al., 2018; van den Broek et al., 2019).

Visa Dependencies

Power Imbalances

A distinctly uneven landscape emerges from Australia's varied visa classifications, which segment workers by imposing rigid distinctions on those entitled to certain benefits or protections (Boucher, 2018; Wright & Clibborn, 2020). Workers on visas that require a set quota of rural employment—particularly Working Holiday Visa holders—often face the threat of lost immigration status if they fail to meet exacting work requirements (Anderson, 2018; Reilly et al., 2018). These high-stakes obligations create exploitable power differentials between employers and employees, since workers may fear that reporting mistreatment or leaving a substandard job could endanger their visa prospects (Velayutham, 2013; Farbenblum & Berg, 2017; Berg & Farbenblum, 2023).

Precariousness of Temporary Visas

Under certain schemes, especially those that grant no direct pathway to permanent residency, migrant workers cope with a sense of profound uncertainty about their future in Australia (Tham et al., 2016; Berg et al., 2022). These and other problems were identified in the independent Review of the Migration System published in April 2023, which concluded that aspects of Australia's migration system were "broken". Inequalities embedded within the temporary visas system that, for instance, denied temporary visa holders access to social security and limited their mobility within the labour market, contributed to their mistreatment and marginalisation (Parkinson et al., 2023). Furthermore, refugees and asylum seekers on temporary protection visas often contend with bureaucratic hurdles and lengthy decision-making processes that force them to accept poor conditions for fear of removal or non-renewal of their visas (Jeong, 2022; Ziersch et al., 2021). Because immigration status can be revoked or stalled, workers simply endure unsafe or exploitative situations and refrain from challenging employers whose cooperation they need for visa sponsorship (Howe et al., 2018, 2020).

Restricted Mobility

Seasonal work programs set boundaries on where a migrant may live or work, effectively curbing the individual agency needed to resist exploitative practices (Dun & Klocker, 2017; Petrou & Connell, 2018). Visa stipulations that tie individuals to a specific employer or region

can create an “un-free precariat,” since workers are not entirely coerced into labour but also not truly free to leave under intolerable circumstances due to their lack of agency (Boese & Campbell, 2013; Wright & Clibborn, 2020; Petrou & Connell, 2023a). When upward or lateral job mobility is blocked, the capacity to resist wage theft or excessive working hours diminishes, further entrenching workplace power imbalances (Boucher, 2021).

Language Barriers

Impact on Workplace Safety

Migrant workers coming from low to middle-income countries sometimes underestimate the risks involved in certain horticultural tasks, partly due to limited exposure to detailed occupational health and safety training in their home and host settings (Reid et al., 2013, 2014). Language gaps aggravate this deficit, because essential safety signage, verbal instructions, and procedural explanations are simply not comprehensible to those who lack strong English proficiency (Underhill & Rimmer, 2015). The dangers intensify when minor injuries or near misses go unreported, making it harder for employers and regulators alike to identify systematic hazards (Boucher, 2018; Ziersch et al., 2021).

Knowledge Gaps

Language barriers and lack of institutional support commonly discourages migrant workers from accessing Fair Work resources that might empower them to identify and report exploitation (Farbenblum & Berg, 2017; Fudge & Tham, 2019). Misunderstandings abound when they attempt to navigate complex tax systems, legal processes, or union membership applications, especially without culturally and linguistically accessible support (Goodall, 2015). The near-complete absence of state-provided settlement support for temporary visa holders compounds these problems (Wright et al., 2022). As a result, some workers fail to recognize deceptive recruiting tactics or wage theft until months into their employment, by which time they may be in debt or have jeopardized their immigration status (Berg & Farbenblum, 2017; Farbenblum & Berg, 2018).

Employment Arrangements

Role of Intermediaries

Contracting out labour to third-party agencies removes accountability from the principal employer, rendering workers more vulnerable to exploitative practices such as underpayment, delayed wages, or spurious deductions (Forsyth, 2019; Howe et al., 2020). Unscrupulous labour hire firms can capitalize on limited regulatory oversight in rural regions, where there is often minimal scrutiny from government agencies and union networks (Underhill & Rimmer, 2016, 2017; Hedwards et al., 2017). This fragmented chain of responsibility allows employers to delegate blame and hinder direct communication between worker and end-user.

Industry-Specific Challenges

The horticulture sector, renowned for seasonal peaks and troughs, requires a flexible workforce willing to accept irregular hours and piece-rate payments that may fall below minimum wage thresholds (Underhill & Rimmer, 2015, 2016; van den Broek et al., 2019). With urgent harvest timetables, farmers around the world and in Australia often seek the most cost-effective labour solutions, leaving short-term visa holders with few alternatives but to acquiesce (Scaturro, 2021). Moreover, the informal nature of many such arrangements, including pay in cash or ambiguous written agreements, increases the likelihood of wage theft and erodes pathways for complaint and remedy (Underhill et al., 2019).

Supply Chain Pressures

Retailers and major distributors apply strict standards and delivery timelines, compelling firms operating upstream to cut corners, especially concerning labour costs (Szörényi, 2016; Simpson et al., 2021). Growers competing for contracts among major retailers, whose concentrated market share limits opportunities for suppliers to sell their produce elsewhere, may feel pressured to exploit employees to sustain profit margins, raising the likelihood of compromised worker safety measures and subpar living conditions (Marmo, 2019). In regions where agricultural operations are distant from oversight bodies, these pressures multiply and place migrant workers in precarious roles with minimal external recourse (Barnes et al., 2023; Nishitani et al., 2023)

Living Conditions

Tied Accommodation

Rural employers frequently arrange on-site or partner-managed accommodation known as “working hostels,” in which rent is automatically deducted from worker pay (Kaya Barry, 2020; Kaya, 2024). While marketed as convenient or cost-efficient, these tied-lodging situations limit migrants’ ability to exit an unsafe job if they cannot locate independent housing. For backpackers and other transient workers, relocation might mean losing both an income and a roof over their heads (Petrou & Connell, 2018; Raby et al., 2023)

Housing Challenges for Vulnerable Groups

Certain groups—such as newly arrived asylum seekers, survivors of trafficking, or those with uncertain legal status—struggle to find appropriate housing free from exploitative power dynamics (Schloenhardt & Jolly, 2010; Raby et al., 2023). The severe deficit of social or transitional housing in many rural areas forces individuals to remain in exploitative work environments as the only means of ensuring stable shelter (Ziersch et al., 2021). This cyclical pattern reinforces modern slavery risks and intensifies dependence on unscrupulous employers or labour hire agents for even the most basic human needs (Berg & Farbenblum, 2023).

Payment Practices

Wage Theft

Exploitation in the form of underpayment, or complete non-payment, of wages remains rampant across Australian horticulture and meat processing (Berg & Farbenblum, 2017; Clibborn, 2019; Parkinson et al., 2023). Workers subjected to wage theft may accumulate significant debts in covering food, rent, and other essentials, rendering them more susceptible to re-exploitation (Nolan & Boersma, 2019). Those lacking union representation, fluency in English or fearing backlash from employers or authorities often do not file complaints, thereby allowing exploitative patterns to persist (Clibborn & Wright, 2018; Farbenblum & Berg, 2017).

Piece-Rate System

Although piece-rate compensation purportedly rewards higher output, it can hide abuses when minimum wage protections are overlooked or actively circumvented (Underhill & Rimmer, 2016; Howe et al., 2020). Migrants are conscious of visa obligations, and anxious to please employers, are frequently left to endure physically taxing conditions for pay that amounts to far below award rates (Underhill & Rimmer, 2015). While the Horticulture Award was varied to allow piece rates only above the hourly minimum rate, there is an ongoing requirement to monitor psychosocial health and safety, especially when workers feel compelled to exceed prudent work limits (Daly et al., 2019).

Regulatory Enforcement

Barriers to Reporting

Many migrants—especially those with tenuous legal status—hesitate to engage with agencies like the Fair Work Ombudsman due to fears of deportation, distrust of institutions, or simple unawareness of their rights (Farbenblum & Berg, 2017; Segrave, 2019). The reporting process itself can be inaccessible, involving complex online forms and multiple layers of documentation that intimidate non-native English speakers (Zou, 2015). In some cases, unscrupulous employers further discourage action by threatening to inform immigration authorities of any alleged infractions (Clibborn, 2015).

Inadequate Deterrence

Enforcement efforts are often hampered by limited inspection resources and low maximum penalties that fail to dissuade exploitative conduct (Underhill & Rimmer, 2016; Forsyth, 2017, 2019). Even when legal actions do occur, fines imposed have historically been negligible compared to the profits gained through unlawful labour practices (Simmons et al., 2022). This imbalance sends a dangerous signal to prospective violators: that the financial advantages of noncompliance might outweigh the risks (Farbenblum & Berg, 2018). Although fines have increased, it is worth noting the higher importance of enforcement compared to the threat of penalties when effecting deterrence (Clibborn & Hanna-Osborne, 2023; Hardy, 2021).

Industry-Specific Challenges

Certain sectors, like horticulture and meat processing, exhibit structural vulnerabilities that allow predatory employers to flourish (Hedwards et al., 2017; Scaturro, 2021). Migrant workers—often lacking stable community ties and protective networks—are disproportionately targeted, and current legislation struggles to respond effectively to their unique needs in remote settings (Wright & Clibborn, 2020). In many instances, unscrupulous operators exploit these enforcement gaps to recruit and cycle through new arrivals, perpetuating a revolving door of exploitation (van den Broek et al., 2019).

Labour Market Dynamics

Demand for Precarious Workers

Australia's horticulture industry, like many agricultural sectors in high-income nations, has come to rely heavily on precarious migrant labour for short-term, intensive harvesting cycles (McLaughlin & Weiler, 2016; Underhill & Rimmer, 2016). Employers often view these migrants as more “flexible,” which typically means more willing to accept erratic hours and minimal benefits (Howe et al., 2019). Because many rural communities face local labour shortages, the resulting segmentation of the workforce cements migrant vulnerability, enabling forms of exploitation that rarely affect more permanent or better-protected employees (Clibborn, 2015)

Structural Economic Shifts

As Australian labour regulations have gravitated toward neoliberal, market-driven frameworks, employer power has increased, governmental oversight has declined and union influence in rural areas has waned (Fudge & Tham, 2019; van den Broek et al., 2019). These shifts intensify existing supply chain pressures and reduce worker protections, providing fertile ground for exploitative contracts and subpar living conditions (Tazreiter & Burrige, 2022). In a nutshell, heightened competition collides with lower regulatory supervision to produce a climate where unscrupulous employers can operate with relative impunity (Howe et al., 2020; Wright & Clibborn, 2020)

Migration Policy Perspective

Over the last three decades, an incremental narrowing of migrant worker rights has created a de facto guest-worker state, where mobility and bargaining power are curtailed by visa conditions (Wright & Clibborn, 2020). Earlier eras of more robust permanent migration pathways have been replaced by complex systems of temporary visas, each imposing fresh restrictions that weaken migrants' agency to negotiate fair terms (Boucher & Wright, 2023). The result is a labour market in which migrant workers remain locked in low-wage, unsafe positions, pushing them ever closer to the threshold of modern slavery (Berg, 2015; Barnes et al., 2023). Major reforms to migration policy have been introduced since 2023 aiming to reduce employer mistreatment of temporary visa holders (Wright & Clibborn, 2024). However, these reforms need further time to take effect and for their impact to be fully understood.

Cultural Disconnection

Racialization of Work

Pacific Islanders and other racialized migrant communities frequently describe being singled out for demeaning tasks, receiving lower pay, or facing bullying in the workplace (Li, 2015; Nishitani & Lee, 2022). These differential treatments are often justified by employers through misguided stereotypes that certain nationalities are "suited" to gruelling or particular forms of manual labour (Dufty & Liu, 2016), which can serve as a proxy for employers' preferences for more vulnerable, acquiescent workers (Howe et al., 2019). Tied to ideas of race or ethnicity, these assumptions deepen the sense of marginalization and can silence those who fear retribution for speaking out (Petrou & Connell, 2023b).

Workplace Discrimination

Overt racism and other forms of targeted hostility are not uncommon in rural Australian worksites (Reid et al., 2013; Li, 2015). Migrant employees segmented in poor quality jobs and subjected to discriminatory remarks or aggressive behaviour frequently feel isolated from colleagues, limiting the possibility of group solidarity (Dias-Abey, 2024). For those without robust local support systems, persistent harassment may push them to return home prematurely or remain trapped in exploitative conditions, too intimidated to complain (Groutsis et al., 2024).

Intersectionality

Intersecting factors—ethnicity, gender, visa type, or refugee background—can compound the disadvantages migrant workers face in rural Australia (Hawkes et al., 2021). Female workers, in particular, risk exposure to both labour abuses and gender-based violence, a topic that is often overlooked in broader discussions about workplace exploitation (Howe, 2016; Maciotti et al., 2020; Howe et al, 2022). Without targeted protections that account for the interplay of these different vulnerabilities, many migrants remain in precarious positions that threaten not only their labour rights but their personal safety (Radford et al., 2025).

Conclusion

This submission has examined the conditions affecting exploitation risks for migrant workers in rural Australia and how these risks can be addressed. Migrant workers in rural areas face multiple interconnected challenges, compounded by a lack of regulatory oversight and conditional visa rules, which can lead to and exacerbate low quality employment, workplace mistreatment and social and economic marginalization. The identified risk factors span both structural (e.g., regulatory enforcement gaps, supply chain pressures) and individual (e.g., language barriers, discrimination, intersectionality) levels, suggesting the need for multi-level interventions. Due to the complex nature of mistreatment and marginalization that migrant workers in rural Australia face, multifaceted approaches to address these risks are needed. It is pivotal that government agencies, trade unions, civil society groups, retailers, labour hire providers, accommodation providers, and growers coordinate their efforts to improve the patchwork of responses that has historically allowed mistreatment and marginalization to persist.

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