

Submission
No 36

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

Organisation: Federation of Catholic Bishops Conferences of Oceania

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28 February 2025

Inquiry into modern slavery risks faced by temporary migrant workers in rural and regional New South Wales

Introduction to the Federation of Catholic Bishops Conferences of Oceania (FCBCO)

The FCBCO is the regional grouping that comprises four national and international Catholic Bishops conferences in the Pacific region. The four episcopal conferences are the Australian Catholic Bishops Conference (ACBC), the New Zealand Catholic Bishops Conference (NZCBC), the Catholic Bishops Conference of Papua New Guinea and Solomon Islands (CBCPNGSI) and the Episcopal Conference of the Pacific (CEPAC).¹

The FCBCO represents approximately nine million Catholics across 80 dioceses, in 21 countries across the Indo-Pacific. The FCBCO Conference leaders gather to provide and encourage collaboration across the Indo-Pacific region, which has been a source of rich insights for more than 30 years. This submission is provided at the direction of the FCBCO Executive, comprising members from across all four episcopal conferences.

To inform this submission, the FCBCO Executive consulted widely across its network, including individual interviews with regionally-based Catholic parishes and parishioners who support temporary migrant workers in regional NSW, the Catholic Archdiocese of Sydney's Anti-Slavery Taskforce, as well as national and international partners who have expertise in migration and modern slavery across the Indo-Pacific region.

The FCBCO welcomes this inquiry, and recognises the contribution that temporary migrant workers make to both the NSW and Australian economy. However, it is also aware of the urgency for significant reform to address the exploitative and harmful conditions to which temporary migrant workers are exposed, which is rightly described by this inquiry as akin

¹ CEPAC includes the Cook Islands, Fiji, French Polynesia, Guam, Kiribati, Marshall Islands, the Federated States of Micronesia, Nauru, New Caledonia, the Northern Mariana Islands, Niue, Palau, Samoa, Tonga, Tuvalu, Vanuatu, and Wallis and Futuna.



to modern slavery. It notes the growing evidence base² that details the poor working conditions, inadequate wages or wage theft, overcrowded and substandard accommodation, forced labour, deceptive recruiting practices and physical and sexual assaults that many temporary migrant workers face. The FCBCO commends the NSW Parliament for conducting this inquiry and expresses a hope that it will lead to sustained efforts to provide urgently needed reform to the conditions under which temporary migrant workers live and work in NSW specifically, and indeed all Australia.

Terms of Reference and Summary of Recommendations

The terms of reference for this inquiry are wide ranging and extensive. This submission will provide comment on the following four items listed under the Terms of Reference:

- 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*
- d) structural factors that make temporary migrant workers vulnerable to exploitation*
- 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*
- l) any other related matters.*

This submission focuses on four main points. The first three points relate to terms of reference (a), (d), and (h). The fourth point regarding the spiritual and pastoral care of temporary migrant workers relates to term of reference (j). The four points address:

1. Improving working conditions and delivering community support services
2. Provision of housing and transportation
3. Providing better local connections, and improving linguistic and cultural proficiency
4. Creating pathways for the spiritual and pastoral care of temporary migrant workers

The FCBCO recognises that the Australian Government has tried to put in place safeguards to uphold the dignity and rights of migrant workers who come to Australia, including some provisions for pastoral care.

The consultation process for this submission included stakeholders in rural and regional NSW, many of whom have extensive experience in supporting temporary migrant workers. However, the consultations revealed a strong view that the safeguards that have been put in place by the Australian Government are not meeting their objective.

² NSW Anti-Slavery Commissioner [Be Our Guests: Addressing urgent modern slavery risks for temporary migrant workers in rural and regional New South Wales](#) (NSW Anti-Slavery Commissioner, September 2024); The Senate, Economic Reference Committee [Systemic, sustained and shameful Unlawful underpayment of employees' remuneration](#), 2022 ; The Senate, [Select Committee on Temporary Migration report](#), September 2021.



Recommendations

To reduce the risks of modern slavery faced by temporary migrant workers in NSW, the FCBCO makes the below recommendations:

Recommendation 1

- That the NSW Government should continue to work closely with the Australian Government on key aspects of the *Migration Strategy* which affect temporary migrant workers who are at risk of modern slavery in regional and rural NSW. The action areas of most relevance to the purposes of this inquiry, and should receive particular attention, are:
 - (i) Tailoring regional visas and the Working Holiday Maker program to support regional Australia and its workers;³ and
 - (ii) Tackling worker exploitation and the misuse of the visa system.⁴

Recommendation 2

- That the NSW Government should adopt a labour hire licensing scheme, or support adoption of a national labour hire licensing scheme, if the Australian Government determines to establish such a scheme.⁵
- That the labour hire licensing scheme should, in addition to monitoring and compliance on employers to treat their workers in accordance with relevant Australian legislation, also consider provisions such as safe and suitable housing, transportation (when necessary), and providing time off for religious observance and pastoral care.

Recommendation 3

- That the NSW Government consider leveraging its regional networks and partnerships with NGOs, and community organisations, including Church groups in particular, to design and deliver a program to provide temporary migrant workers with local connectors that assist with settling new arrivals, providing localised support, and a pathway into the local community. Such a program could include assistance with the provision of English language proficiency support, and pastoral care.

³ Item 6 under “Realising our Vision” in the Australian Government’s *Migration Strategy* (Commonwealth of Australia, December 2023) 84-89.

⁴ Item 4 under “Realising our Vision” in the Australian Government’s *Migration Strategy*, 72-77.

⁵ The Australian Government has committed to implementing all recommendations of the Report of the Migrant Workers’ Taskforce, Recommendation 14 which recommends the Government establish national labour hire regulation: Australian Government, *National Labour Hire Regulation: Towards a single national scheme Consultation paper* (March 2023) 2.



Consultation Insights & Findings

Improving working conditions & Delivering community support services

Regional NSW plays a vital role in the New South Wales (NSW) economy, significantly contributing to the state's economic output and the well-being of and prosperity of its many rich and diverse communities. Large businesses, and in particular farmers, in NSW play a crucial role in ensuring food security by providing a consistent supply of fresh produce. Their efforts support local economies, particularly in rural areas, and also help to feed many other parts of the world via the State's exports. The dedication and hard work of NSW farmers are essential to maintaining the prosperity and quality of life for the community.

The FCBCO recognises that regulation plays an important role in a robust economy, and any new regulations needs to consider productivity to ensure continued growth and efficiency in the sector. However, this should never be at the expense of adequate safety and protections for the workforce.

Much of the experiences of temporary migrant workers is undertaken in relatively isolated farms or orchards, distanced from many community, religious, and government support services. This isolation renders it difficult to monitor whether worker rights are being protected, across conditions such as ensuring there is a safe working environment, that hours of work are reasonable, that workers are paid an adequate wage and being given appropriate safety equipment, and that living conditions including housing and transportation are safe and adequate. In extreme scenarios there have been fatalities from unsafe working conditions for temporary migrant workers in New South Wales. The NSW Anti-Slavery Commissioner's *Be Our Guests* report identified that as of 30 June 2023, the annual number of deaths among PALM visa holders had more than quadrupled from seven deaths in 2021-2022 to 29 deaths in 2022-2023. There were also 233 critical incidents resulting in injuries to PALM workers within the same timeframe.⁶

Without the presence of a sufficiently resourced compliance system to ensure monitoring, reporting, and enforcement of workplace conditions, the risk of such instances recurring persists. This is why the NSW Government should consider introducing a mechanism of accountability, such as a labour hire licensing scheme. A labour hire licensing scheme, similar to that already implemented in Queensland, Victoria, South Australia, and the ACT, would mandate that all labour hire providers must be licensed to operate, ensuring compliance with legal standards and protecting workers from exploitation.⁷ Such a scheme would introduce a system, and move towards a culture, of accountability amongst

⁶ NSW Anti-Slavery Commissioner *Be Our Guests: Addressing urgent modern slavery risks for temporary migrant workers in rural and regional New South Wales* (NSW Anti-Slavery Commissioner, September 2024) 17.

⁷ Queensland Government, Labour Hire Licensing Queensland "Licensing", <https://www.labourhire.qld.gov.au/licensing>.



the section of employers who do not do the right thing by their workers; it would mandate penalties for employers who do not comply with their legal obligations, and move positively towards reducing the incidence of exploitation and modern slavery among temporary migrant workers.

As demand for overseas workers is likely to continue to remain high in a tight labour market,⁸ this mechanism would ensure that only employers who can comply with set standards have access to the growing pool of temporary migrant workers. While such schemes are yet to deliver their full potential, introducing the force of the law would insert the Government authoritatively into what has been an underperforming sector on care for the migrant workforce.

Provision of Housing and Transportation

It is well known that there is a housing crisis in Australia and its effects permeate even regional and rural parts of NSW. Increasing access to safe and affordable housing is a priority for all Governments in Australia, and there is no simple solution to the problem. While sympathetic to the challenge of providing more homes, and finding a reliable workforce to deliver them as NSW's population continues to accelerate, temporary migrant workers experience a particular form of distress from a lack of safe, suitable housing. Overcrowding of multiple workers in limited space is common. Often the houses do not provide adequate protection from the elements in summer or winter.

In rural settings, the accommodation may be far away from the place of work. Driving a vehicle is essential in the regions, where access to public transportation is extremely limited. Migrant workers, arriving in NSW without transportation of their own, are left reliant on what the employer can provide, which is often insufficient.

Extensive consultation revealed that these circumstances lead to further potential areas of exploitation by employers, with reports of some charging exorbitant prices for substandard accommodation and transport, for mandating people eat from the onsite canteen, at which the food can be inflated in price. While there is growing urgency to devote resources to deliver safe, housing for all residents of NSW, it is critical to also factor in the sizeable transient workforce of temporary migrants, who come to NSW, often only seasonally. To allow migrant workers to come to NSW, or any part of Australia, to make an active contribution to our rich regional industries, including agriculture and other primary industries, without providing the essential and basic resources, such as an adequate, safe house to reside in, poses an immediate risk to their personal wellbeing, and subsequently on the productive capacity of the regional economy, and the social harmony of the local community.

To alleviate the burden of the provision of housing on the NSW Government, this submission proposes that the NSW Government considers requiring businesses to provide

⁸ Australian Bureau of Statistics, "Labour Force, Australia, January 2025", <https://www.abs.gov.au/statistics/labour/employment-and-unemployment/labour-force-australia/jan-2025>, 20 February 2025.



adequate housing as a condition under a labour hire licensing scheme. This measure would alleviate a fundamental pain point for working migrants, and provide the additional stability within the NSW economy and community.

Creating Pathways for the Spiritual and Pastoral Care of Migrant Workers

The incidence of religious affiliation and practice is much higher in Pacific Islands than it is in Australia. The Department of Foreign Affairs and Trade research recognises that Christianity, specifically, forms a major part of Pacific culture, with approximately 95 per cent of Pacific Islanders identifying as Christians.⁹ The FCBCO has observed a range of migrant experiences which often places Catholic and other Christian migrants among those people whose faith and religious life is in danger, particularly during the initial stage of their migration experience.

Migrant workers experiencing this form of social dislocation and isolation also carries a broader societal risk, as the social consequences of disconnected migrants can lead to increases in anti-social behaviour, internal fracturing, and a reduction in the quality of life of migrants and the wider Australian communities in which they live and work. In addition, stories of survivors of modern slavery point out that the first step in them being able to identify that they were in a situation of modern slavery and get assistance was when they reached to a person at a church or a religious service.¹⁰ Therefore, mandating that temporary migrant workers have time off to attend religious services of their choice increases the chance of them finding help if they are experiencing modern slavery.

A provision inserted into existing regulation, or delivered within a labour hire scheme, could mirror similar provisions established by the New Zealand Government, which directs employers to allow workers to seek pastoral care, which includes time off for spiritual care and religious observances.¹¹ It should also be a requirement that pastoral care is not provided by the employer but by an appropriate third party. This would send a strong signal that holistic care of Pacific peoples is a central focus of the Government. This could be buttressed by updating the communications, policies, and publicly available content on migrant scheme programmes to promote the Government's commitment to supporting migrants' enduring connection to their country, their culture, and their faith.

Providing better local connections, and improving linguistic and cultural proficiency

Language barriers are a major contributing factor to the modern slavery risks that temporary migrant workers face in NSW. There are some provisions in place to combat this, such as pre-departure briefings and on-arrival briefings. However, because those

⁹ Australian Government Department of Foreign Affairs and Trade, "Case study: Faith in gender equality in the Pacific" 1 December 2016, <https://www.dfat.gov.au/news/news/Pages/faith-in-gender-equality-in-the-pacific>.

¹⁰ Isabella Ross, "Moe Turaga was a modern slavery victim on an Australian farm for 2 years before escaping", *ABC News*, 9 January 2025, <https://www.abc.net.au/news/2025-01-09/what-is-modern-slavery-nsw-migrant-workers-commissioner/104589016>.

¹¹ New Zealand Immigration "Pastoral Care Guide: Recognised Seasonal Employer" July 2017, <https://www.immigration.govt.nz/documents/employer-resources/rse-employer-pastoral-care-guide.pdf>.



briefings are provided in English, migrant workers still struggle to understand the information that is being presented to them. Culturally, they are unlikely to say they did not understand for fear of being rude, or for the more substantive reason of needing the money the job provides. Incoming workers have noted what a difference it made when the terms and conditions of the work are explained to them in their own language. When contracts are translated into the local language and given to the worker they are far more clear and effective.

One parish provides colloquial English classes on a Sunday and they find these to be well attended and more useful to the attendees than formal English classes. The NSW Government should consider ways to increase access to parish-based English classes, with one possibility being to align classes to coincide with worker rostered days off, or at times workers can attend – such as after religious observances.

This is a key priority under the Action Plan for the Federal Government’s *Migration Strategy 2023*, to help migrant workers understand their rights to reduce exploitation, as noted in the Federal budget reviews for immigration of May 2024.¹² This submission suggests the NSW Government advocate partnership with the Federal Government on the delivery of this budget line item, to ensure that language proficiency for temporary migrant workers in regional and rural NSW is prioritised.

The NSW Government also has the opportunity to leverage its extensive regional networks and expertise to provide new programmes that assist in overcoming the linguistic and cultural barriers migrant workers face. This submission proposes that the NSW Government set up a working group to explore the establishment of place-based, pilot programmes in discrete regional communities with substantial migrant worker populations. The concept could involve stakeholders from: Department of Primary Industries and Regional Development – leveraging their extensive regional networks of businesses and community leaders and providers; Multicultural NSW and NSW Police – leveraging their experience in developing CALD service models and experience with Multicultural Community Liaison Officers (MCLOs); and local NGO and Church communities – leveraging the points of entry, places of community gatherings, and trust they so often provide to incoming migrants.

The NSW Government has experienced success in delivering programs that could have relevant, applicable learnings to overcoming the linguistic and cultural barriers for migrant workers. The NSW Government’s successful regional program “The Welcome Experience”¹³ offers a model of a local connector service across many parts of Regional NSW, providing pathways to help essential workers specifically in their move to the regions. This program could be replicated in a similar way by appointing local NGOs as points of contact to assist migrant workers with getting settled – introducing them to the community,

¹² Parliament of Australia, “Immigration: Budget Resources – Net Overseas migration and migration planning levels” (May 2024)

https://www.aph.gov.au/About_Parliament/Parliamentary_departments/Parliamentary_Library/Budget/reviews/2024-25/Immigration.

¹³ NSW Government, “What is the Welcome Experience?”, <https://www.nsw.gov.au/regional-nsw/makethemove/welcome-experience>.



assist with sourcing basic household needs, helping them to find important locations, such as supermarkets, pharmacies, doctor's surgeries and making social connections – the services that any domestically migrating family would want to identify. The service could importantly help to connect migrants to contacts who speak their language, with sufficient cultural awareness. Leveraging program concepts such as the Growing Regions of Welcome (GROW) could also provide further learning applicable to the migrant worker context.¹⁴

If appropriately resourced, community organisations and religious service providers could also take an active part in the framework that supports migrant workers successfully entering into regional communities to live and work for the period of their visa. This could extend to supports such as: assisting with language proficiency and technology access, transport, and religious and cultural activities.

CatholicCare Social Services in the Maitland Newcastle Diocese was one of the few migration agents that did pro bono work in this space, supporting more than 200 people up to December 2024.¹⁵ This particular service was forced to close due to an unsuccessful grant bid, highlighting the need for any model of support to have stable funding.

In some circumstances, it might also be appropriate to enable some service providers to share data or other information to the NSW Government on the support they provide to migrant workers, as part of monitoring the conditions they experience. On a visit to Australia in 2024, Professor Tomoya Obokata, the UN Special Rapporteur on contemporary forms of slavery also advocated that frontline services be supported so they can identify and effectively support victims of modern slavery.¹⁶

Over time, these partnerships could extend to delivery of place-based programs for the community, to provide the opportunity to develop the cultural competency within the community more broadly.

Conclusion

The recommendations outlined in this report aim to enhance the support and protection of temporary migrant workers in regional and rural New South Wales. Firstly, it is essential for the NSW Government to collaborate closely with the Australian Government on its *Migration Strategy*, focusing on tailoring regional visas and the Working Holiday Maker

¹⁴ NSW Government, Multicultural NSW, “NSW Grow”,

¹⁵ Romy Stephens, “Visa applicants in limbo as Newcastle’s CatholicCare refugee hub closes” *ABC News*, 13 December 2024, <https://www.abc.net.au/news/2024-12-13/catholiccare-migration-service-closure-concerns/104717458>.

¹⁶ United Nations Human Rights Office of the High Commissioner, “Australia: UN expert urges to strengthen due diligence among businesses and ensure equal protection of those vulnerable to contemporary forms of slavery”, 27 November 2024, <https://www.ohchr.org/en/press-releases/2024/11/australia-un-expert-urges-strengthen-due-diligence-among-businesses-and>



program to better support regional Australia and its workers, with particular attention to addressing worker exploitation and misuse of the visa system.

Secondly, the adoption of a labour hire licensing scheme, whether at the state or national level, is a crucial mechanism to enforce reform. Such a scheme should ensure compliance with Australian legislation and include provisions for safe housing, transportation (when necessary), and creating spaces and pathways for religious observance and pastoral care.

Lastly, leveraging regional networks and partnerships with NGOs and community organisations, including Church groups, can provide valuable localised support for temporary migrant workers. A new, place-based program could assist with settling new arrivals, offering English language proficiency support, and providing pastoral care, thereby facilitating their integration into the local community.

These measures will collectively contribute to a more supportive and fairer environment for temporary migrant workers, ensuring their well-being and integration into the community.