

Submission
No 45

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

Organisation: Australian Catholic Anti-slavery Network

Date Received: 2 March 2025



NSW PARLIAMENT MODERN SLAVERY COMMITTEE

**Inquiry into modern slavery
risks faced by temporary
migrant workers
in rural and regional NSW**

**DOMUS
8.7
SUBMISSION**

DOMUS 8.7 MODERN SLAVERY REMEDIATION SERVICE

www.domus87.org.au

Dr Joe McGirr MP
Chair NSW Parliament Modern Slavery Committee
Member of the Legislative Assembly
Member for Wagga Wagga
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28 February 2025

Submission to the Inquiry into the NSW Parliamentary Inquiry into modern slavery risks faced by temporary migrant workers in rural and regional NSW

On behalf of the Australian Catholic Anti-Slavery Network ACAN and the Domus 8.7 modern slavery remediation service, I thank the NSW Parliament Modern Slavery Committee for the opportunity to make this submission to the Inquiry into modern slavery risks faced by temporary migrant workers in rural and regional NSW. This Inquiry is an important and timely initiative into the conditions of some of the most vulnerable members of the NSW workforce.

Our submission, as with all our work, is underpinned by the values of Catholic Social Teaching, which proclaims the inherent dignity of all human life; a society in which the vulnerable are able to flourish; and urges Catholics to stand in unity with the powerless or disadvantaged.

This submission is also informed by the ACAN and Domus teams' extensive contact with people impacted by modern slavery in Australia and around the world.

ACAN Consultant and Domus 8.7 adviser Moe Turaga is one of Australia's leading advocates for people with lived experience modern slavery. In 2024, Moe addressed corporate audiences on more than 20 occasions about his personal experience of modern slavery in the Australian horticultural sector. He also gave evidence about modern slavery at state and federal parliamentary inquiries and works closely with both Australia's anti-slavery commissioners.

ACAN Executive Manager Jenny Stanger is an internationally renowned expert and trainer on modern slavery who established The Salvation Army Australia's safe house for victims of human trafficking and modern slavery in 2007. Jenny and other Domus staff are directly engaged in supporting temporary migrant workers in possible situations of modern slavery on a daily basis.

ACAN Executive Officer Alison Rahill has decades of experience building relationships of trust with vulnerable workers, identifying and assisting victims of wage theft, labour exploitation, forced labour, debt bondage, deceptive recruitment and human trafficking. Alison worked for the anti-slavery human rights group Walk Free and The Salvation Army's Freedom Partnership to End Modern Slavery. In the latter role, she managed a federal grant to raise awareness of modern slavery in regional and rural hotspots areas.

At the time of writing this submission, Domus 8.7 has recorded 31 referrals, of which 18 people have been assessed with modern slavery indicators. These cases have occurred across occupations such as hospitality, horticulture, construction, waste and recycling, food manufacturing, hotel housekeeping, and cleaning.

As well as addressing the Inquiry's criteria, this submission goes into some detail about ACAN's experience of developing an overarching modern slavery risk management framework. We share this detail to demonstrate that it is possible for a large, diverse and dispersed network to respond to modern slavery risk by implementing systems and activities that can be accurately monitored.

Domus 8.7 has also embedded case management systems to support people at risk of modern slavery we encounter and provide remedy to in the course of risk management activities. These case management systems give us a secure platform to provide remediation services, as well as to ability to measure and benchmark our remediation work. This includes capturing a range of data points when assessing clients against more than 100 indicators of modern slavery.

If a wide range of Catholic organisations can put these systems in place, NSW Government agencies must also be capable of doing so. This will require a strong commitment on behalf of NSW Government leaders to an organisational culture that puts people at the centre of its substantial procurement ecosystem.

Luckily NSW is better placed than any other Australian government of responding to temporary migrant workers at risk of modern slavery, thanks to the work of its energetic Anti-slavery Commissioner Dr James Cockayne. Dr Cockayne and his team are producing comprehensive advice, that, if actioned, should ensure NSW agencies lead the way in ethical procurement among the Australian public sector.

Recommendations

Noting that three key objects of the NSW Modern Slavery Act are:

- to combat modern slavery
- to provide assistance and support for victim-survivors of modern slavery
- to provide for the detection and exposure of modern slavery

ACAN and Domus 8.7 make the following recommendations to reduce the risk of harm to temporary migrant workers in NSW.

Recommendation 1

Require key NSW public sector agencies – especially those providing frontline services - to adopt policies, procedures and training to identify and safely refer potential victims of modern slavery to support and services.

Recommendation 2

Implement a labour hire licensing scheme similar to the schemes in operation in Victoria and Queensland

Recommendation 3

Allocate funding for mainstream social and community services to provide support for people impacted by modern slavery. Support services must be able to be deployed flexibly across rural and regional 'hotspots' and be informed by people with lived experience

Recommendation 4

Implement the NSW Anti-slavery Commissioner's Guidance of Reasonable Steps to manage modern slavery risks in operations and supply chains. Invest in a whole-of-government supplier data sharing solution (digital platform) to enable transparent procurement practices and effective modern slavery risk management in the operations and supply chains of the NSW public sector

Recommendation 5

Work with the federal government and at COAG level to address issues related to temporary migrant workers

ACAN and Domus 8.7 staff strongly encourage the NSW Government to take a significant leadership role in responding to the challenges of modern slavery across the workforce.

ACAN and Domus 8.7 advisers and program managers will make themselves available to provide further information to the Modern Slavery Committee in person if required.

Yours faithfully

Alison Rahill
Executive Officer
Australian Catholic Anti-slavery Network
Domus 8.7 remediation service

Case studies

The Modern Slavery Committee's inquiry into modern slavery risks faced by temporary migrant workers in rural and regional New South Wales has asked stakeholders to address specific criteria in presenting details of modern slavery.

ACAN and Domus 8.7 make discrete observations about the Inquiry's criteria italics below (on page 8 of this submission).

For the purposes of this submission ACAN and Domus 8.7 staff are also sharing two real life scenarios involving workers in regional/rural NSW. The safety and security of victim survivors is always at the forefront of our minds, so names and scenarios have been de-identified.

Case study 1 – Management Trainee “Edward”

After graduating with an undergraduate agricultural degree in his home country, Edward was offered a position overseas as a 'management trainee' on a farm in rural NSW.

Before departing his home country, the recruiter promised Edward a monthly allowance of \$750, with housing, wifi and food included. Edward also understood that 70% of his role on the farm would be management training and 30% practical application.

The employer in rural NSW sponsored Edward to come to Australia on a Subclass 407 training visa. Shortly after arriving at the farm, the employer confiscated Edward's passport.

Edward worked as a general farm labourer, 10 hours a day, 6 days a week. After one month of work, Edward asked the employer for his allowance. The employer said that Edward would not be paid any allowance until all sponsorship expenses were repaid, after which his allowance would be \$150 a month.

Edward communicated with his family letting them know he was afraid of his employer and feared for his safety. After raising a complaint, the employer cut the wifi and electricity to the accommodation on the farm building where Edward lived.

Edward showed multiple indicators of forced labour, specifically, deceptive recruitment, withholding wages, excessive hours of work, seizure of identity documents, geographic and social isolation, threats of punishment, specifically denunciation to authorities, visa sponsorship cancellation and deportation.

Shortly after complaining about his work conditions, Edward passed away as a result of critical injuries sustained in an incident in the middle of a work day.

Despite concerns raised immediately after Edward's death, his family were alarmed that NSW Police did not investigate or consider Edward as a potential victim of crime. The NSW Coroner did not consider the circumstances surrounding or leading up to the critical incident.

Edward's employer did not notify SafeWork NSW of his death despite the mandatory reporting requirement¹. SafeWork NSW made no independent investigation about Edward's death, but accepted NSW Police's word that the critical incident was not work related. Edward's employer did not notify icare as required². Edward's family did not receive any grief counselling, financial assistance or death benefits.

Case study 2 – A modern slavery remediation scenario

Michael, the CEO of a waste management business contacted Domus 8.7 to share concerns about a competitor. This competitor continues to win contracts. One of Michael's staff reported to management that some workers are from India and are probably working without permission in Australia.

Michael doesn't want the workers to get into any trouble. But he says his business cannot compete. Michael's staff member has the phone number of one of the workers.

Assessment Domus 8.7 staff make an initial assessment, by coaching Michael's staff member who has agreed to reach out to the workers. Contact is made. The workers agree to meet with Domus staff at their accommodation.

The workers are actually asylum seekers from Sri Lanka, on bridging visas with work rights. Domus staff observe very poor living conditions. It turns out the workers are being subcontracted, and are being underpaid.

The contractor has told the workers not to go out. The workers retain their own passports, but have to pay a lawyer \$2,500 every three months to renew their visas. They are also paying \$90 a week each to the contractor to live in a warehouse with no cooking facilities or rooms. They use a hot plate, a rice cooker, sleep on mattresses on the floor and share one bathroom.

¹ <https://www.safework.nsw.gov.au/notify-safework/incident-notification>

² <https://www.icare.nsw.gov.au/employers/make-a-claim/in-the-event-of-a-fatality>

Domus staff visit on two more occasions to assess the men's needs and build trust, including with the assistance of a Sri Lankan Catholic priest who speaks their language. Consent is obtained to act on the workers' behalf.

Service Planning and Implementation: Domus staff organise to remove the workers from the warehouse into safe accommodation and create a service plan in collaboration with each worker to address their needs. The workers' most urgent need is to find other employment.

Outcomes: The workers are compensated by the waste company including refunds for their visa application fees and rent from the warehouse owner. The workers are referred to migration legal advice for their asylum claims.

Before exiting the service, the workers consent to share a de-identified outcomes report to better inform future procurement processes. They also consent to Michael, the CEO who originally reported the information to Domus 8.7, being informed about the actions taken.

Michael is able to offer employment to two of the workers in his business. The other workers keep in touch with the service and now have their proper wages and entitlements while awaiting resolution of their asylum applications. Michael includes the case outcomes report in his next Modern Slavery Statement.

Addressing the Inquiry's criteria

ACAN and Domus 8.7 make discrete observations about the Inquiry's criteria in italics below.

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

- *Temporary migrant workers are vulnerable to labour exploitation regardless of the sector. Agriculture, horticulture and meat processing are industries and sectors with a longstanding history of labour abuses including modern slavery. Domus staff have also encountered workers with indicators of forced labour in fisheries, car mechanics, waste management and recycling, construction, hotel housekeeping, restaurants, factories, food processing, personal care support, retail, warehousing and cleaning.*
- *Vulnerability of temporary migrant workers is driven by the power imbalance that exists, both perceived and real, created by Australia's visa structure and status. The Australian visa system grants the employer/sponsor power over the migrant worker, who has multiple dependencies on the employer for sponsorship, accommodation, transport, employment of other friends and relatives. The worst employers monetise these dependencies, effectively creating a situation of modern slavery.*
- *Broad claims of "reliance" on temporary migrant labour should be treated with scepticism. Domus staff observe a longstanding preference across a number of sectors to engage temporary migrant workers over local workers, because underpayment and gouging for accommodation, transport, sponsorship, PPE etc. is a more profitable business model. These employers tend to avoid independent local workers, who may be more willing to exercise their rights.*

Regional job placement service agencies have shared with Domus staff their experience of the difficulty placing local unemployed people with horticulture producers in the New England region, due to employers' preference for migrant labour.

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

- *The experience of Domus staff is that forced labour, deceptive recruitment and labour trafficking is commonplace throughout regional and rural NSW. The extent is difficult to*

estimate due to an absence of the skills and experience among frontline staff required to identify people with indicators of forced labour and respond appropriately. There is also a lack of prioritisation of modern slavery risk among NSW public sector leadership. Training of frontline services staff would increase the reporting of incidence and extent of forced labour.

- *Migrant workers face extensive barriers to raising issues of concern, including gender, culture, violence, fear or mistrust of authorities, shame and threats. Migrant workers would be less vulnerable to exploitation if they had greater opportunity to connect with informal regulators through programs of social inclusion and intentional outreach.*
- *Regional and rural communities are well placed to respond, engage and support migrant workers at risk of forced labour and/or modern slavery. Support programs for visa-holders at a local level would best be delivered by leveraging the extensive resources of mainstream social and community services.*

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

- *Domus 8.7 staff regularly encounter underpayments and gouging on deductions in people who approach us for assistance.*
- *The violations listed in c) are all forced labour indicators that would be considered as part of an assessment for modern slavery, within the context of a worker's situation. Other considerations include whether multiple dependencies with the employer exist, employer-employee power dynamics and whether the worker believed they could leave the job without suffering penalty.*
- *Capability and capacity of formal and informal regulators remains a barrier to detection of workers with indicators of forced labour.*
- *Training of formal and informal regulators would increase the reporting of incidence and extent of forced labour rather than directing workers to seek assistance from the Fair Work Ombudsman*

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

- *Australia's visa system*
The Pacific Australia Labour Mobility (PALM) scheme is an example of power imbalance caused by a visa structure. Any bonded visa sponsorship arrangement that disempowers or makes leaving a job difficult, further entrenches vulnerability to exploitation.

- e) worker conditions and labour practices of direct employers and labour hire companies, including the adequacy of regulations governing both
- *Analysis of the statistics presented in Attachment Aⁱ of this submission show the high rate of incidence of death and critical injury of PALM workers engaged by labour hire service providers compared to workers in direct employment. :*
 - *Table 10 – PALM participant fatalities by engagement type*
Direct Employer 9
Labour Hire 36
Total 45 deaths
 - *Table 17 – PALM participant critical incidents & injuries by engagement type*
Direct Employer 31
Labour Hire 202
Total 233 critical incidents & injuries
 - *The absence of a labour hire licensing scheme and register in NSW means that operators complying with the Fair Work National Employment Standards have difficulty competing with operators that underpay workers*
 - *This in turn makes NSW attractive to labour hire service providers that may have been subject to penalties or sanctions³ in either Queensland and Victoria. Both these states have character test thresholds as part of their licensing.*
 - *The lack of a licensing scheme creates barriers for prospective employees to undertake basic due diligence when considering an employment or sponsorship offer.*
 - *The lack of a licensing scheme also makes it difficult for prospective customers / buyers to undertake basic due diligence when considering engaging a labour hire service provider as a supplier*
- f) confiscation of passports and other personal identification
- *The fear that a migrant worker feels when not in possession of their passport cannot be underestimated. Being caught by authorities with no way of proving identity, forces many migrant workers to remain 'bonded' in bad situations until they can retrieve their passport.*
 - *Employers and/or sponsors often withhold migrant worker's passports for 'safe-keeping'. One solution implemented overseas many years ago that allows workers to keep control of their*

³ <https://www.abf.gov.au/about-us/what-we-do/sponsor-sanctions/register-of-sanctioned-sponsors>

identity documents and personal valuables is the installation of lockers at the workplace or worker accommodation.

- *Training of frontline services staff should include withholding identity documents as an indicator of modern slavery and safe remedy pathways for people showing indicators of forced labour*
- *The NSW Crimes Act could be amended to include an offense of withholding another person's identity documents without consent*

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

- *NSW public sector procurement practices should lead by example, commencing with a public commitments to ensuring workers in operations and supply chains are not subject to labour exploitation and a transparent commitment to the continuous improvement of modern slavery risk management demonstrated by reporting against clear benchmarks*

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

- *In 2018, the Australian Government funded the Freedom Links initiative, which was led by current Domus 8.7 program managers. The initiative delivered awareness raising training to frontline workers in the NSW Riverina region including – NSW Health, NSW Police, SafeWork NSW, local council inspectors, farm industry peak bodies, faith communities, social and community services. Insights from Freedom Links are still applicable and can be provided to the Committee on request.*
- *One of the insights from the Freedom Links program was the crucial role played by the permanent population, people who interface with temporary migrant workers is essential in building capacity and capability of an informal regulator. Faith communities already have a relationship of trust with migrant workers and can provide a safe haven, a place to seek refuge, support and assistance. However, there also needs to be access to formal supports for migrant workers, provided by professional case managers employed by social and community services.*
- *The current funding model for NGOs does not reflect the true cost of service delivery nor is the funding flexible. The net result is that social and community services are operating beyond capacity and are unable to accommodate new cohorts of vulnerable people without increased funding and flexibility.*

- *There is currently no NSW government funding for NGOs to support at-risk and vulnerable temporary migrant workers in local communities*
-
- i) the impact of visa settings and conditions of employment on temporary migrant workers in rural and regional NSW
 - 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
-
- *Citing the PALM scheme as an example. The government department with responsibility for administering the scheme, DEWR, does not notify any local government with information about the pending arrival of workers into regional or rural areas.*
 - *If a notification was provided to Local Government in a timely manner with adequate resourcing, a suitable response could be implemented, such as:*
 - *worker accommodation standards and compliance checks, this would prevent unsafe properties from being used as migrant worker accommodation*
 - *by-laws introduced to prohibit more than 5 unrelated adults per sewerer toilet living in a dwelling to prevent overcrowding and sanitation problems*
 - *intentional safety checks such as transport vehicles and WHS compliance*
 - *orientation to the local community, welcome and outreach events could be arranged*
 - *Any person undertaking due diligence of PALM approved employer lists⁴ would have difficulty due to the absence of ABNs.*
 - *There are multiple areas of potential collaboration with the federal government and at COAG level to address issues related to temporary migrant workers in regional and rural NSW. These could include:*
 - *Data-sharing to support PALM workers*
 - *Addressing systemic visa structural issues that create vulnerability to labour exploitation*
 - *Funding for social and community services*

⁴ <https://www.palmscheme.gov.au/current-employers>

Background Information

Who is ACAN?

The Australian Catholic Anti-slavery Network ACAN was established to resource Catholic organisations to meet their reporting obligations under Australia’s Modern Slavery Act, which came into force in 2019.

ACAN staff have developed and deliver a Modern Slavery Risk Management program that is being followed by over 50 Catholic organisations, including the following with significant operations in NSW:

Catholic Archdiocese of Sydney	Australian Catholic University
Sydney Catholic Schools	Dominican Education Australia
CatholicCare Sydney	EREA NSW Colleges
Catholic Diocese of Maitland-Newcastle	Marist Schools Australia
Catholic Schools Diocese of Maitland-Newcastle	Catholic Healthcare Ltd
CatholicCare Social Services Hunter-Manning	Catholic Cemeteries and Crematoria
Catholic Education Canberra Goulburn	Calvary Care
Catholic Education Diocese of Broken Bay	Southern Cross Care NSW & ACT
Catholic Education Diocese of Armidale	St John of God Health Care
Catholic Education Diocese of Bathurst	St Vincent de Paul Society NSW
Catholic Education Diocese of Wagga Wagga	St Vincent de Paul Housing
Catholic Education Diocese of Wollongong	St. Vincent’s Health Australia
Catholic Education Network	St. Vincent’s Hospital Sydney
Catholic Schools NSW	St Vincent’s Care Services
Catholic Schools Parramatta Diocese Ltd	University of Notre Dame Australia
Diocese of Lismore Catholic Schools	

By July 2025, ACAN staff will have guided the risk management response and submission of 198 Modern Slavery Statements by Australian Catholic entities, covering 115 ABNs.

ACAN Modern Slavery Risk Management program

The ACAN Modern Slavery Risk Management program covers capacity building and training, as well as providing templates for internal processes, policies and procedures relating to modern slavery risk management.

The main activity of staff supporting the Modern Slavery Risk Management program is supplier engagement.

All Catholic organisations participating in the Modern Slavery Risk Management program share their supplier spend data. Data is collected through self-declarations and other tools - an ACAN Supplier Survey, a supplementary survey and Sedex Self Assessment Questionnaires. Information is also gathered from any corporate social compliance audits and completion rates of e-learning modules.

ACAN staff then apply a taxonomy prioritisation tool to the data set to generate an engagement plan for each organisation.

Participants are provided with a comprehensive analysis of their procurement. This includes saliency and materiality scoring to help prioritise. In simple terms, this scoring focuses the organisational response on suppliers the organisation can reach and influence.

Managing risk efficiently

ACAN's Modern Slavery Risk Management program encourages Catholic organisations to focus on risks in their operations first, as internal change is easier to leverage.

Procurement teams are also given access to an ACAN pre-qualified supplier directory.

Workers engaged by labour services providers on sites present the highest modern slavery risk in operations, especially in the following industries:

- construction
- facilities management
- cleaning and security
- labour hire services (for example, personal care workers)

Using ethical data sharing platforms

An ethical data sharing platform that allows aggregation of data across organisations and their suppliers is a crucial tool to measure and benchmark continuous improvement.

When ACAN receives supplier survey responses, they are analysed by ACAN staff, who subsequently recommend next steps to suppliers and monitor progress in implementation. Smaller and low risk suppliers are invited to attend ACAN's capacity building webinars. Large scale suppliers or those operating in high-risk categories may receive a recommendation to onboard to Sedex, a global ethical supply chain data-sharing platform.

ACAN staff have found the Sedex platform essential in the accountable monitoring of risk management activities, and in assessing continuous improvement across ACAN's diverse and dispersed network.

The ACAN Program developed a tool to measure maturity of participant organisations – an exercise to ensure that organisational leaders and governance staff have a clear picture about areas of work to prioritise.

As the NSW Government considers how best to manage modern slavery risk across its many suppliers, ACAN's recommendation is that the government invest in an appropriate 'digital solution'.

The 15,000 public sector employees engaged in procurement activities in NSW need a single source of truth – from a digital solution that tracks hundreds of data points across the procurement ecosystem. Excel spreadsheets are not a viable system for modern slavery risk management.

As NSW government agencies begin to implement of the NSW Anti-slavery Commissioner's Guidance on Reasonable Steps, a digital solution will be essential to track progress in responding to the full range of modern slavery risks.

Domus 8.7 remediation service

The major current point of difference between the Catholic and the public procurement ecosystems is the ready availability of remediation advice and services to organisations who find people at risk of modern slavery in their operations and supply chains.

Domus 8.7 was established by the Catholic Archdiocese of Sydney in February 2020 to provide advice and services to anyone impacted by modern slavery in ACAN operations and supply chains. The name is derived from Domus, the Latin word for 'home', combined with United Nations Strategic Development Goal 8.7. 8.7 is the Strategic Development Goal that covers the eradication of forced labour, modern slavery and child labour.

The establishment of Domus was a response to the federal *Modern Slavery Act 2018 (Cth)*, which includes the requirement to report on an organisation’s remediation process.

This requirement of the federal Modern Slavery Act is consistent with United Nations Guiding Principle 22 on Business and Human Rights about Remediation. Principle 22 states that:

“Where business enterprises identify that they have caused or contributed to adverse impacts, they should provide for or cooperate in their remediation through legitimate processes.”

The Domus 8.7 team that provides this advice and remediation services is involved in everything from identification and assessment of people with indicators of modern slavery to safe extraction and remediation – only within Australia.

The Domus team also works closely with ACAN participants in remedy planning. Remedy planning is working out how an organisation will respond, when they find people in their operations or supply chains, who are impacted by modern slavery or slavery-like conditions.

Training

Knowing what to look for is a precursor to finding people living in modern slavery.

When any organisation finds people impacted by modern slavery in their operations or supply chains, it is often the result of training into what to look for and how to respond safely. ACAN and Domus 8.7 training materials cover indicators or red flags and who the main at-risk groups are.

However, the most important point to emphasise is that victims need to receive the right kind of support at the right time. People responding need to make sure they are not making the situation worse for anyone.

Domus 8.7 always clearly advises anyone observing indicators of forced labour to seek expert advice first, and not to raise concerns directly with the contractor or people associated with organising and directing the workers.

Leveraging lived experience and expert advice

In recent years the advocacy of people with lived experience of modern slavery has helped enormously in quantifying the real risks of modern slavery in Australia. Most people who experience modern slavery

want to make sure that what happened to them isn't repeated. There's a genuine interest in sharing experiences and feeding that back to organisations.

ACAN and Domus employ a person with lived experience of modern slavery in Australian horticulture as a specialist consultant.

Domus 8.7 staff are social and community service professionals who commit to providing:

- i. A trauma-informed, rights-based and person-centred response to people impacted by modern slavery
- ii. Needs assessments, service plans and implementation support to address any harms
- iii. Coordinated, comprehensive and culturally appropriate care across the following service domains:
 1. Physical health
 2. Housing & transport
 3. Financial
 4. Legal rights
 5. Mental health
 6. Education & employment
- iv. Holistic and timely opportunities for remedy
- v. Empowerment of people impacted to participate in supply chain risk mitigation and business improvement processes.
- vi. Reducing the risk of client re-exploitation/harm prevention.

Remediation Readiness Assessment

Domus 8.7 also routinely provides Remediation Readiness Assessments for program partners. The team assesses an organisation's readiness to respond to cases of modern slavery includes a governance review.

As part of an Assessment, staff review an organisation's grievance mechanisms and their effectiveness.

An effective grievance mechanism requires an organisation to have a process to deal with instances of modern slavery and instances of labour rights abuse. Domus 8.7 provides a documented remediation process that includes participation of workers, victims and survivors.

Why do they need it? The Modern Slavery Act (Cth) states organisations need a documented procedure to identify when the entity has caused, contributed to or is directly linked to adverse impact. This documented procedure must include relevant responsibilities to remediation, documented timelines, and responsibilities for resolving issues.

As part of a referral Domus 8.7 will assess whether a party has caused, contributed to or is directly linked to modern slavery.

Domus 8.7 captures data from remediation processes at different points along the way as we track progress of remediation, so we can provide a comprehensive evaluation within defined metrics. This allows us to assess the effectiveness of remediation efforts going forward.

The Domus 8.7 case management system includes 135 indicators of modern slavery.

Our social and community service professionals have a conversation with the client. It's not an interrogation. They listen, in order to elicit indicators, without seeking evidence. They also assume that what the person is saying is true.

The intention of the conversation is to effectively identify indicators to assess the person's eligibility for assistance. No written statements are taken.

The Domus 8.7 case management system allows our team to track any assistance that is provided. Financial, time wise, every single element of resource is trackable, including documented consent of clients. All this information is hosted on a secure digital platform.

Domus 8.7 tracks 135 indicators across 12 pillars - vulnerability, deception, exploitation, work arrangements, wages and entitlements, living conditions, documents, physical coercion, psychological coercion, financial coercion, choice and control.

For example, financial coercion covers excessive deductions, inflated fees, coercive control and deception in relation to setting up bank accounts, forced criminality, coercion or deception related to cash payments (money laundering), cash back schemes, no Australian bank account, no access to money, you can have a bank account, but no ATM card, arbitrary or disciplinary fines, illegal payments as a means of control.

Along with the case management function, our case management system also offers the potential to identify larger trends. When we're assessing a potential victim, we document all these things – what we call “elements of risk” and how a client has responded.

Other indicators we can track include psychological control: threats, shame, getting moved around, disorientation, isolation, punishment and privileges, intimidation, untreated injuries, withholding medical care, communication controls, being forced to do domestic work, restricted phone access, surveillance, withholding food, being hungry.

The key point of these measures is to assess if the person has choice and control. At Domus 8.7 we make an independent assessment as to whether a person has indicators of modern slavery. Only the judicial system can determine if someone is a victim of modern slavery crimes.

For any organisation that makes a referral – Domus 8.7 provides a rapid remediation proposal, business responsibility and leverage, mitigation insights, an assessment, an outcome and case management. All of these data collection points give us the ability to access high level insights into modern slavery cases in a range of industries.

We also provide remediation prevention, which is unique in NSW. Where someone may be vulnerable to exploitation, we can support them with a safety net to transition them to a safer situation. We don't say "come back when your situation is worse".

ⁱ Standing Committees on Education and Employment
QUESTION ON NOTICE
Budget Estimates 2023 - 2024
Outcome: Employment and Workforce
Department of Employment and Workplace Relations Question No. SQ23-001188

Standing Committees on Education and Employment

QUESTION ON NOTICE Budget Estimates 2023 - 2024

Outcome: Employment and Workforce

Department of Employment and Workplace Relations Question No. SQ23-001188

Senator Tony Sheldon provided in writing.

PALM Fatalities and Injuries

Question

For each of the last 3 years, please advise:

1. The number of short- and long-term PALM (or its predecessor PLS and SWP) workers in the country each year, including the numbers for their country or origin, industry of employment and gender.
2. Total number of fatalities and long-term injuries each year including for each scheme (short-term PALM, long-term PALM, SWP, and PLS)
3. For those who have suffered fatalities, please advise:
 - a. Country of origin
 - b. Industry of employment
 - c. Approved employer name and ABN
 - d. Employment subgroup (Labour Hire or Direct Employment)
 - e. State and region in which the injury or fatality occurred
 - f. Age and gender
 - g. Cause of death (heart attack, MVA, self harm etc)
4. For those who have suffered long-term or serious injuries, please advise:
 - a. Country of origin
 - b. Industry of employment
 - c. Approved employer name and ABN
 - d. Employment subgroup (Labour Hire or Direct Employment)
 - e. State and region in which the injury or fatality occurred
 - f. Age and gender
 - g. Cause of death (heart attack, MVA, self harm etc)

Answer

1. All data is as at 30 June 2023.

Table 1 – Participants in country by program

Time Period	Seasonal Program (SWP / PALM Short-term)	Longer-Term Program (PLS / PALM Longer-term)	Total
2020-21	10,149	2,952	13,101
2021-22	15,676	8,462	24,138
2022-23	26,054	13,590	39,644
Total	51,879	25,004	76,883

Table 2 – Participants in country by country of origin

Country of Origin	30-Jun-21	30-Jun-22	30-Jun-23	Total
Fiji	991	2,391	5,259	8,641
Kiribati	431	614	1,338	2,383
Nauru	12	9	5	26
PNG	135	569	1,457	2,161
Samoa	1,287	4,142	4,980	10,409
Solomon Islands	1,177	3,311	4,717	9,205
Timor-Leste	1,200	2,018	4,401	7,619
Tonga	3,320	4,291	6,742	14,353
Tuvalu	32	29	82	143
Vanuatu	4,516	6,764	1,0663	21,943
Total	13,101	24,138	39,644	76,883

Table 3 – Participants in country by industry

Industry	30-Jun-21	30-Jun-22	30-Jun-23	Total
Agriculture	10,941	17,449	28,051	56,441
Meat Processing	2,003	5,737	9,451	17,191
Accommodation	43	364	915	1,322
Residential Care Services /Aged & Social and other Health Care Services	68	289	733	1,090
Other	46	299	494	839
Total	13,101	24,138	39,644	76,883

Table 4 – Participants in country by gender

Gender ¹	30-Jun-21	30-Jun-22	30-Jun-23	Total
Male	10,789	19,124	30,758	60,671
Female	2,312	5,014	8,886	16,212
Total	13,101	24,138	39,644	76,883

¹ Based on the gender breakdown of visa arrivals in each respective year applied to PALM participants in country.

- The following tables include data on fatalities and incidents incurred while engaged under the PALM scheme, not necessarily related to the participant's engagement in the scheme. The Department is advised that there is one fatality currently under investigation by work safety authorities.

The Department does not hold data specific to short-term or long-term injury.

Table 5 – PALM participant deaths by program

Time Period	Seasonal Program (SWP / PALM Short-term)	Longer-Term Program (PLS / PALM Longer-term)	Total
2020-21	n.p.	<5	9
2021-22	<5	<5	7
2022-23	13	16	29
			45

Table 6 – Critical Incidents reported regarding injuries to PALM participants by program

Time Period	Seasonal Program (SWP / PALM Short-term)	Longer-Term Program (PLS / PALM Longer-term)	Total
2020-21	16	44	60
2021-22	29	66	95
2022-23	32	46	78
			233

3. The following tables include information in relation to the fatality of a PALM participant by category in which the participant was engaged under the PALM scheme, not necessarily related to their engagement in the scheme.

A breakdown of data on PALM participants who have suffered fatalities in the last 3 years is below.

Table 7 – PALM participant fatalities by country of origin

Country Of Origin	No. of Fatalities
Fiji	7
Kiribati	<5
Samoa	8
Solomon Islands	6
Timor-Leste	<5
Tonga	7
Vanuatu	12
Total	45

Table 8 – PALM participant fatalities by industry of engagement

Industry of engagement	No. of Fatalities
Agriculture	27
Meat and Meat Product Manufacturing and Other industries	18
Total	45

Table 9 – PALM participant fatalities by Approved Employer Name and ABN

Approved Employer Name	ABN	No. of Fatalities
ADCO Holdings Pty Ltd	21 097 414 910	<5
Connect Group (Aust) Pty Ltd	99 510 917 559	<5
HILLWOOD BERRIES PTY LTD	86 600 385 975	<5
Jobs Australia Enterprises Ltd	81 673 634 329	<5
Labour Solutions Australia Pty Ltd	76 008 137 782	<5
Linx Employment Tas Pty Ltd	77 162 415 689	<5
MADEC Australia	48 086 804 015	<5
Mulpha Hotels Pty Ltd	17 070 662 627	<5
NQ Powertrain Pty Ltd	34 143 330 590	<5
OASIS NEWMAN OPERATIONS PTY LTD	33 612 952 477	<5
Owen Pacific Workforce Pty Ltd	41 158 702 893	<5
Pinata Farms Pty Ltd	35 209 582 822	<5
PlantGrowPick Pty Ltd	50 149 839 930	<5
Regional Workforce Management Pty Ltd	49 601 595 091	9
Riverland Labour Hire Pty Ltd	78 621 385 573	<5

Approved Employer Name	ABN	No. of Fatalities
Rugby Employment Pty Ltd	32 096 900 604	<5
Tasmanian Berries Pty Ltd	83 168 549 442	<5
The Trustee for CR Hansen Family Trust No2	15 391 529 317	<5
The Trustee for Golden Banana Services Trust	89 393 893 181	<5
The Trustee for Suvarnabhoomi Discretionary Trust	16 102 266 894	<5
The Trustee for The Casotti Enterprises Trust	48 062 604 465	<5
Warrigal Care	34 002 392 636	<5
Total	-	45

Table 10 – PALM participant fatalities by engagement subgroup

Engagement subgroup	No. of Fatalities
Direct Employer	9
Labour Hire	36
Total	45

Table 11 – PALM participant fatalities by state and region in which fatality occurred

State	Local Government Area	No. of Fatalities
NSW	Central Coast (NSW)	<5
	Gunnedah	<5
	Port Macquarie-Hastings	<5
	Queanbeyan-Palerang Regional	<5
	Sydney	<5
	Tamworth Regional	<5
	Upper Hunter Shire	<5
	Wagga Wagga	<5
	Wentworth	<5
NT	Katherine	<5
QLD	Bundaberg	<5
	Cassowary Coast	<5
	Goondiwindi	<5
	Lockyer Valley	<5
	Mackay	<5
	Mareeba	<5
	South Burnett	<5
	Southern Downs	<5
	Whitsunday	<5
SA	Adelaide Plains	<5
	Renmark Paringa	<5
TAS	Devonport	<5
	Huon Valley	<5
	Launceston	<5
	Meander Valley	<5
	Sorell	<5
VIC	Hobsons Bay	<5
	Mildura	<5
	Swan Hill	<5
	Wyndham	<5
WA	Esperance	<5
	Kalamunda	<5

	Katanning	<5
	Manjimup	<5
	Perth	<5
	Rockingham	<5
	Woodanilling	<5
Total	-	45

Table 12a – PALM participant fatalities by age

Age Group	Total
22-29	13
30-39	19
40-49	n.p.
50-59	<5
Total	45

Table 12b – PALM participant fatalities by gender

No. of Female Fatalities	No. of Male Fatalities	Total
8	37	45

Table 13 – PALM participant fatalities by cause of death

Cause of Death	No. of Fatalities
Boating Accident	<5
Car Accident	10
Medical Condition	10
Under Investigation*	17
Other**	n.p.
Total	45

* One fatality is currently under investigation by work safety authorities

** Other includes causes such as drownings, snake bite etc

4. There are a range of factors that may result in the injury of a PALM participant. The following tables include information in relation to the injury of a PALM participant by category in which the participant was engaged under the PALM scheme, not necessarily related to their engagement in the scheme.

The Department does not hold data specific to short-term or long-term injury.

The number of critical incidents reported regarding injuries to PALM participants for the last 3 years is below.

Table 14 – Critical incidents reported regarding injuries to PALM participants by country of origin

Country Of Origin	No. of Injury Incidents
Fiji	64
Kiribati	15
Nauru	<5
Papua New Guinea	7
Samoa	44
Solomon Islands	26
Timor-Leste	6

Country Of Origin	No. of Injury Incidents
Tonga	13
Tuvalu	<5
Vanuatu	53
Total	233

Table 15 – Critical incidents reported regarding injuries to PALM participants by industry of employment.

Industry of employment	No. of Injury Incidents
Accommodation	<5
Agriculture, Fishing, Forestry and Logging	90
Meat and Meat Product Manufacturing	132
Residential Care Service	n.p.
Total	233

Table 16 – Critical incidents reported regarding injuries to PALM participant by Approved Employer

Approved Employer Name	ABN	No. of Injury Incidents
Regional Workforce Management Pty Ltd	49 601 595 091	109
Jobs Australia Enterprises Ltd	81 673 634 329	27
Kyshan Pty Ltd	61 059 235 782	10
Labour Solutions Australia Pty Ltd	76 008 137 782	9
MADEC Australia	48 086 804 015	7
NQ Powertrain Pty Ltd	34 143 330 590	6
ADCO Holdings Pty Ltd	21 097 414 910	5
Linx Employment Tas Pty Ltd	77 162 415 689	5
Superior Production Company Pty Ltd	23 069 718 216	<5
Warrigal Care	34 002 392 636	<5
Harvey Industries Group Pty Ltd	64 117 597 985	<5
JBS Australia Pty Limited	14 011 062 338	<5
Mulpha Hotels Pty Ltd	17 070 662 627	<5
Rock Ridge Farming Pty Ltd	18 153 578 735	<5
HealthX Group Pty Ltd	20 155 858 969	<5
Usinch Pty Ltd	24 060 571 673	<5
Owen Pacific Workforce Pty Ltd	41 158 70 2893	<5
The Trustee for the Borrello Family Trust	45 546 531 608	<5
PlantGrowPick Pty Ltd	50 149 839 930	<5
Hilltop Meats Pty Ltd	82 143 273 349	<5
The Trustee for Golden Banana Services Trust	89 393 893 181	<5
The Trustee for The J T & P Moon Discretionary Trust	13 658 330 700	<5
The Trustee for Suvarnabhoomi Discretionary Trust	16 102 266 894	<5
Whales Regional Workforce Pty Ltd	21 628 170 650	<5
Epona Pty Ltd	23 001 044 293	<5
Agri-Labour Australia Pty Ltd	23 142 526 216	<5
Toren Fishing & Trading Pty Ltd	24 009 601 101	<5
Manbulloo Management Pty Ltd	24 116 279 871	<5
Simfresh Pty Ltd	28 075 859 728	<5
Treviso Farm Management Pty Ltd	31 144 899 276	<5
Rugby Employment Pty Ltd	32 096 900 604	<5
Mercy Services	34 095 335 309	<5

Approved Employer Name	ABN	No. of Injury Incidents
Castro Orchards Pty Ltd	37 624 435 801	<5
Fruitico Pty Ltd	49 608 313 604	<5
D.L Bombaci & F.S Bombaci	55 749 20 5733	<5
Australian Lamb (Colac) Pty Ltd	56 087 919 944	<5
K&S Contracting (QLD) Pty Ltd	57 613 061 028	<5
Hamilton Island Enterprises Limited	61 009 946 909	<5
Howe Farming Enterprises Pty Ltd	63 099 827 791	<5
Pickers & Pruners Labour Hire Pty Ltd	70 623 917 608	<5
RESPECT GROUP LIMITED	74 121 263 545	<5
Geoffrey Thompson Orchards Pty Ltd	78 004 371 653	<5
GFH Enterprises Pty Ltd	78 146 263 425	<5
Australian Regional and Remote Community Services Limited	88 167 926 132	<5
Abacus Fisheries Company Pty Ltd	95 009 149 179	<5
The Trustee for The Connect Group Unit Trust	99 510 917 559	<5
Total	-	233

Table 17 – Critical incidents reported regarding injuries to PALM participants by engagement type.

Engagement subgroup	No. of Injury Incidents
Direct Employer	31
Labour Hire	202
Total	233

Table 18 – Critical incidents reported regarding injuries to PALM participants by state in which incident occurred

State	No. of Injury Incidents
NSW	76
NT	5
QLD	85
SA	10
TAS	9
VIC	29
WA	19
Total	233

Critical incident regional data is not available in a consistently reportable manner.

Age and gender data in relation to incidents resulting in injury are not collected in a reportable manner.

Cause of death is not a category for injury related data. Refer to Answer 3.

Note: In order to protect individuals' privacy, identified populations less than 5 are reported as "<5" and other data that would allow these populations to be derived are not provided "n.p."