INTERNET

Hansard transcripts of public hearings are made available on the internet when authorised by the committee.

To search the parliamentary database, go to:

http://parlinfo.aph.gov.au
Joint Standing Committee on Foreign Affairs, Defence and Trade

Thursday, 13 February 2020

Members in attendance: Senators McCarthy, Sheldon and Mr Drum, Dr McVeigh, Mr Ted O'Brien, Ms O'Neil, Mr Pasin, Ms Vamvakinou.
WITNESSES

AL-KHAFAJI, Mr Mohammad, Chief Executive Officer,
Federation of Ethnic Communities' Councils of Australia ................................................................. 1

SILAGA, Ms Mellisa, Social Cohesion Officer/Pacific Islands Community Leader,
Ethnic Council Shepparton & District ........................................................................................................ 1
CHAIR (Dr McVeigh): I declare open this public hearing of the Trade Subcommittee of the Joint Standing Committee on Foreign Affairs, Defence and Trade. This is a public hearing for the subcommittee's inquiry into Australia's trade and investment relationship with Pacific island countries. These are public proceedings, although the subcommittee may agree to a request to have evidence heard in camera or may determine that certain evidence should be heard in camera. I remind witnesses that in giving evidence to the subcommittee they are protected by parliamentary privilege. It is unlawful for anyone to threaten or disadvantage a witness on account of evidence given to a committee, and such action may be treated by either house of parliament as a contempt. It is also a contempt to give false or misleading evidence to a committee.

I now welcome witnesses. I thank you for your submissions and for your willingness to engage with the committee. We welcome that. I invite you each to make a brief opening statement before we proceed to general discussion. We might start with you, Melissa.

Ms Silaga: I think Mohammad wanted to start. That's what he told me last night.

CHAIR: My apologies. Mohammad, over to you.

Mr Al-Khafaji: Thank you, everyone. I just wanted to briefly say that FECCA has started looking at issues relating to Pacific islanders in Australia. This has not been something that FECCA has looked at in terms of policy development or advocacy in the past, but we are looking at this because we have been speaking to a lot of communities in Australia and they have a view that they're not represented. There isn't a voice that they can have their issues heard through. So FECCA has made a call to look into those issues in a bit more depth. We have only just started looking at these issues in the past year. We would like to do more. As part of our consultation we hope that we can uncover more issues and hopefully we can resolve them together. The submission today to the subcommittee is just a start. We don't know a lot about the issues. But I think it's really important for us to make a submission on behalf of the Pacific islander community. It's also important for someone with this experience to be present so they can share their personal experience. Thank you, Melissa, for joining us today.

Ms Silaga: No worries.

CHAIR: Thank you. Melissa, did you want to make any comments to start?

Ms Silaga: No. I just thank you for the opportunity for allowing me to be there. I got the invitation from FECCA to be here, so we weren't quite sure that this was on the table, but we are grateful that they put it through so that I can be here on behalf of the community and have a voice.

CHAIR: Thank you. Again, you're most welcome.

Mr DRUM: Mohammad, Damian Drum from Shepparton. From the people that I talk to regularly, the seasonal worker program, which is predominantly targeted towards the Pacific nations, is very, very popular. It offers our farmers more or less the same workers year on year, so there's a lot less skilling up and a lot less training involved, but it is relatively expensive with the farmers more or less having to stump up the airfares and organise the accommodation. So it is reasonably expensive, but it is very popular. Is that your experience when you talk to your people?

Mr Al-Khafaji: From what we've been hearing, the businesses on the ground heavily rely on the citizen workers, especially the Pacific islanders. Hence, I think you're right that it is very, very popular, because most people don't want those jobs, and people who do come out to Australia from the Pacific island communities see this as an opportunity to establish themselves, to support their families back home and whatnot. So, in theory, that works. Unfortunately, in some of the consultation with communities, we've been told that some people end up with less than they started with when they go back home, especially if you think about all the costs that are involved, the health care and all of that that goes with it. We just had a sense that some of these people are on minimum wage, and sometimes they're at risk of exploitation more than others just because they're not Australian citizens. Although there are some safeguards, you do hear about cases that get reported to the Fair Work Ombudsman every now and then. It does prey on the vulnerability of the communities. Some people just don't know what their rights are or what is offered to them.
Mr DRUM: Are we talking about a very small minority? Is it regular? What do you think is the extent of this inappropriate or fraudulent behaviour? What's the extent of this exploitation? Is it significant, is it minuscule or is it somewhere in between?

Mr Al-Khafaji: Great question. I think part of the problem is that we just don't know the extent of the problem. From the brief communications that we've had so far—and, again, we've only just started doing consultations with Pacific islander communities in the past year—it seems to be a few odd cases here and there. Nevertheless, I think it is important to make sure that we collect data and we actually understand the extent of this problem. Obviously, FECCA tries to get on top of these issues and we encourage people to report them, but there is also a lot of underreporting because those communities might feel that if they speak up against it, then they will not come back next year or they might get into trouble or whatever.

Ms Silaga: From a community member on the ground, the extent of the exploitation of both the PLW—I think it is—and the SWL is quite broad; it's everywhere and it's not small. Is it consistent? Yes. Does it happen on one orchard or three orchards or 20 orchards? It happens right through Australia. I've been working closely on research with Dr Victoria Stead from Deakin University, who has been in the Goulburn Valley area for the last four years researching the Vanuatu community and all the Pacific islanders who are working in seasonal work. Everybody is grateful. Nobody is complaining that this is a bad opportunity. However, there are parts of the schemes that are exploiting our people—and that's due to how high the costs are to the farmers but also to our people, because it gets taken out of their income. So they are offered minimal wage and then it's taken away from them. By the time they go home, they could walk out of Australia with A$11,000, which translates—and I will speak on behalf of the Samoan people—as maybe 20,000 to 25,000 tala. That is a lot more than they had when they came here; however, in research terms, the amount of money that they take away after being here for six months is kind of known as modern slavery, at best.

So we offer them a scheme to come in and help our farmers, to enable our farmers to profit—and they are grateful to help our farmers—but what they take away is very little for the time that they are here. On top of that, they are leaving their families for six months. Nobody gets to bring their wife or their children over here—and that's lonely; there's no connection. They try to make connections in the community; however, they have to spend all day on the farm and then, by the time they get home, they are tired—so, again, isolation.

Mr PASIN: My question goes to research. It strikes me that a lot of what we are operating on is anecdotal evidence and that there is a paucity of research. Mohammad and Melissa, I expect you've turned your minds to what research we need to do in order to make evidence based decisions. Can you please enlighten the committee on your thinking around that space? Ultimately, serious decisions need to be based on serious research. I apologise because I have to leave shortly, but I wanted the committee to hear what you are thinking in terms of how we should collect that data.

CHAIR: Just to add to that: you made reference to Dr Victoria Stead; so that might be part of your response.

Ms Silaga: Some of that research has already begun, with face-to-face interviews with seasonal workers who come out to the area. Capturing their voices in terms of documentary has been a barrier, because everyone is afraid that, if they share their story, they will be seen as ungrateful. So, as much as they want to have a say, they are also afraid to—and I think that's with any research. I believe that in New Zealand employers do a survey at the end of the period when they have seasonal workers come in, and data is gathered that way; however, it is one-sided. As a researcher you would want proper money invested in this. As a government, we're investing in bringing people over—we need them—but we also need some sort of evaluation at the end of it.

Mr PASIN: The department runs the program. Does it run any evaluation program at the beginning, during and after? Surely there's some degree of engagement.

Ms Silaga: I think there's a vigorous process involved in them being able to become a seasonal worker, employee, or employer.

Mr PASIN: Sure. But is there any engagement after they've been employed, during their stay and on exit—an exit interview, for example?

Ms Silaga: I'm going to say no, from an on-the-ground level, but FECCA might have more information.

Mr Al-Khafaji: I think that question should be put to the department, but—

Mr PASIN: I appreciate that we could ask the department, but I meant from your perspective. They will no doubt tell us that absolutely there is, but I'm really asking for a grassroots level response, as Melissa pointed out, on whether this is occurring.
Mr Al-Khafaji: We wouldn't know. Obviously, we engage with people on the ground who do this kind of work, and we will continue to ask those questions. But, to answer your earlier question about what we could do in terms of research or a lack thereof, from FECCA's perspective, we have only three to four policy staff that look after multicultural policy in a broad sense. We try to find out the needs of new and emerging communities in all sorts of policy areas. We've decided to take on the Pacific islander issue, because we've been hearing from more and more community members that they need some assistance and help to have their voices heard. At FECCA, we try to upskill and make sure that the communities on the ground have the advocacy skills to be able to advocate for themselves. With 3½ staff, we can't do that. If there is a recommendation from our end, and it might be selfish, it would be that we need more funding to be able to have more staff so we can look into these issues a little bit more in depth rather than just giving you guys anecdotal evidence. Also, funding is needed for communities on the ground so they can establish their community associations, their legal centres and whatnot and can advocate for themselves and not rely on organisations, like FECCA, for example, which doesn't specialise in Pacific islander issues.

CHAIR: Thanks, Mohammad.

Ms VAMVAKINOU: Good morning. I'm going to ask about the New Zealand program and why it appears to be considered fairer. Before I do that, are you aware of the 44th Parliament's report by the Joint Standing Committee on Migration? We did a very extensive inquiry into the Seasonal Worker Program which came up with recommendations and identified fault lines in areas. It might be a good source to look at, for both our committee and FECCA, Mohammad and Melissa. I'm very worried that we haven't actually made any improvements. This scheme is actually meant to be of benefit to the people in the South Pacific. It's not meant to short-change them; it's actually meant to improve their opportunities and their economic prosperity. I gather you are now becoming aware of some of this material, but, for the benefit of everyone, it would be very interesting to see how we might compare with New Zealand. I don't remember the committee actually looking at the New Zealand program. I'd like to know whether, Home Affairs, DFAT and Employment—those three major departments—would have to carry some responsibility for research and review of the program. There's New Zealand, and it's a way for us to look at another example and whether it might be working better.

Mr Al-Khafaji: Thank you. That's a really good question. We do have our counterparts in New Zealand that we can collaborate with to try to figure out if there are some improvements that we could make. Again, it's the issue of resources. You're right: this program was set up as a foreign aid program to make sure that we help our neighbours to establish themselves and get on their feet, but what it's turned into is cheap labour for Australian jobs that most Australians don't want to do. We're just a little bit worried about where that could lead.

Ms VAMVAKINOU: Thank you.

Senator McCarthy: Good morning. I go to your submission and higher education needs. You talk about the HECS-HELP loans in a little bit of detail. Would you like to share with the committee any specific examples that come to mind in terms of why you put that in the submission?

Ms Silaga: Yes. I believe FECCA's put this in the submission because I did a presentation at a FECCA conference late last year. I'm a product of a fruit picker. I'm a fruit picker myself. I'm second-generation fruit picker in the Goulburn Valley. I was born in New Zealand but raised in Australia. I was fortunate enough that my family brought us over here before the February 2001 law. I became a permanent resident and was able to get citizenship, and therefore was able to access and get a higher education. Thank you, Australia, for not changing the law before then. Since February 2001, every New Zealander and every Pacific islander who comes into the country does not have the privilege that I had. Therefore, our youth today finishes high school and their families working in the orchards cannot afford to feed them, clothe them or educate them in higher education. Our kids end up back in the orchards or they end up at the abattoirs or they end up in prison. Those are the three factors for our people. They cannot aspire to higher education because they can't afford it. They cannot access loan, like I have accessed, to be able to pay for higher education. So they are stuck. They may have access to GOTAFE diplomas, which are free at the moment. But they still have to tick the boxes on whether they qualify for that free certificate even though they are a New Zealand citizen. Many of our kids don't have access to Centrelink. Once they are out of high school, I believe, Newstart is not available to them because of their passport.

Senator McCarthy: Because of their status.

Ms Silaga: Because of their status. So if a child came here after 2001, at the age of four, and lived here and never left this country, they could never get a higher education even if they wanted to. They get to high school and that's it. Yes, they can choose to go back to New Zealand to get an education. But what life do they have there? They have never identified themselves as a Kiwi other than on a passport. They have always known Australia as their home. To uproot the whole family—we don't travel by ourselves; we always go as a family—is
ridiculous and difficult. And then to re-establish in New Zealand—the economy there is so different. We call Australia 'the land of milk and honey'. That's why we all migrated this way from New Zealand. That's why that's on the table—because we have no access to funds to help our kids get higher education. So they get a high school degree, and maybe a diploma from GOTAFE, and that's about it.

**Senator McCARTHY:** Mellisa, do you have the figures on how many people would be caught in the situation? Could you provide that to the committee at a later date?

**Ms Silaga:** I can provide it at a later date. Based on my research, there are more than 5,000 Pacific islanders living in the Goulburn Valley at the moment, of whom 88 per cent work in the orchards or the abattoirs. And 45 per cent of our youth are currently in high school, with 20 per cent of them dropping out because they don't want to go to year 12. They may go to a trade if they can. However, the pressure from their parents is to get a job and make some money for the family. There is no expectation to get them to higher education because they know off the bat that they can't afford it. Of the 5,000 Pacific islanders in our area, between 250 and 500 of us are permanent residents and citizens of Australia. The rest of them are all on the special category visa that is awarded to New Zealanders when they arrive in the country.

**Senator SHELDON:** I am not expecting you to comment about this particular circumstance—though you are welcome to make some comments if you would like to. A number of workers in Tonga have recently been in the papers—exploitation. Their living conditions are overpriced and substandard. Also, accommodation has been provided by local politicians, which makes it even more galling. But one of the comments that have been reported in the ABC is that one of the workers said they've paid for their own airfares to come to Australia, and I note the comments before. Is it a common practice for workers to pay for their own airfares to come to Australia for this seasonal work?

**Mr DRUM:** Could it be a misunderstanding about the factors that I think the farmer has—

**Senator SHELDON:** I was asking Ms Silaga.

**Ms Silaga:** I think you have two programs running at the moment. For the PLW, I believe they pay for everything for them to come. For the SW scheme, when they're approached, whether by Australian companies or by a third party that is coming on behalf of an Australian farmer, they're given certain questions, one of which is: can you pay for your airfare? If a family is able to come up with the fare, they will pay for their fare to come here; where there is no money for them to pay their way into this scheme, then they pay for it here and, in return, they have to pay it back. I'm not sure whether they continue taking that out even if they've paid; however, that report from the ABC indicates that they are, but I can't be sure. I do know, though, that the PLW pays everything but, with the SW, there's an option.

**Senator SHELDON:** That's a substantial amount of money, I would imagine. They're having somebody pay for those airfares or having an airfare paid for them and having to pay it back. So, to me, it's bonded labour because you're obliged, then, to pay this.

**Ms Silaga:** As I understand it, the scheme is made so that our people can't move. You're brought in by a farmer; you've got to stay there and work there. Even if the fruit is bad or the money from that farmer at that time is bad, you cannot move. You belong to that farmer; you have to work there for whatever the wage is at that time.

**Senator SHELDON:** What experience, both positive and negative, have you seen? Have you seen a program where people have been educated about their rights, and have you seen a program where people have quite clearly not been educated about their rights? What's the spread of knowledge?

**Ms Silaga:** I believe in the last five years that has changed. You can get a third-party family that is working with orchardists here. For example, I know of a family that has worked on an orchard in Greater Shepparton for over 30 years. The employer has asked them to go to Samoa and hand-pick individuals to be brought over, because they've trusted this employee for over 30 years. For over five years I've seen them educate people; they go to Samoa, tell them everything straight up, bring them here, set up their bank accounts, make sure they are aware of all the rules. And then they are also carers, in a way, for the orchards, making sure that they uphold their end of the visa obligations that they have here. That is a positive, in a way. However, the third party still does not
have control over how much they are paid at the end of the day; that still is with the farmers. Prior to that there was nothing, other than what a government official on the other side of the island told them, and that was minimal information. I think the tag line they use in Samoa is: you can go from being a hut-living family to living in a brick home if you get an opportunity to come and work seasonal work here.

Mr Al-Khafaji: Can I just add a couple points here? From what we're hearing, this is no different to any exploitation of other migrant workers in Australia. A lot of the education is actually left to the people themselves. Those who are working on the ground are left to self-educate and also to share that learning with their colleagues and with their communities. I think that has been worrying us for a while. We've been advocating for rebalance of power, because at the moment the employer has an unfair advantage over these workers. Like you said, some of the accommodation that is organised by the employer is overinflated and that comes out of the wage at the end of the day, or, if there is any exploitation, the workers can't move to another employer because of the visa obligation that's tied to that employer.

We're seeing similar things happening at the moment with some of the migrant workers who are in regional towns that are affected by the bushfires. They're are out of work, and potentially they're not meeting their obligations of working in regional towns, because there is no work. People are out there volunteering to work with local community organisations and the bushfire recovery to be counted as part of their work requirements. So those issues are very, very similar, and I would encourage you guys to have a look at the extensive parliamentary inquiries that have been done around migrant working exploitation.

Mr DRUM: This is quite confronting for me, because this is in my backyard and Mr Pasin's as well. There are a range of problems here. I think if we were talking very truthfully, throughout the Riverina, the Goulburn Valley, the Sunraysia, all through that high productivity area, we could roughly estimate that there might be 10,000 people working there that don't have the right visas. As a government we could go in there and we could slam the book at these people, and that would just send our industries broke. So we understand that we've got a whole range of labour problems, and we don't really have the solutions and the answers.

I haven't had this presented to me previously. In fact, in my opening remarks I said that this is a very popular program but a little bit expensive. But I hear what Melissa is saying, that, in a sense, it's nearly a form of controlled labour—slave labour. If we make it more expensive for the farmers, there is a real risk that they will abandon this program and simply go for the backpacker program, which frustrates our farmers because they have to train them and they have no control over the quality of workers that they are getting. I'm just trying to think about where the potential solutions are, because they are limited as to what they can pay. I've always been of the opinion that this is quite popular with Pacific islander people. I wasn't aware that many of them are leaving our country, Albania—three million people—and it's considered somewhat of a risk to bring Albanians in for work.
because they may not want to go home. This is the challenge that I know we have with the Albanian people. I don't know whether we have the same fears about—

Ms Silaga: My people desire to make money for themselves so they can do better back home, and they will always go back home because that's home. We've lived here our whole lives. My father still considers going home every six months at the end of the season, because that's his home. When he dies he doesn't want me to bury him here; he wants me to put him on a plane and bury him in Samoa because that's his home, even though he's an Australian citizen.

CHAIR: In that response—just before I go to Mr Pasin—you posed a question, which we obviously note as part of the evidence for consideration in this inquiry. Mr Pasin.

Mr PASIN: I want to drill down on a few things that are being asserted, because I'm not sure that they are consistent with my knowledge of the scheme. Like Mr Drum, I have large numbers of Pacific islanders in my community. First of all, words like 'bonded labour' have been used. It's my understanding that an entrant under the scheme can pay for their own trip and be free of the responsibility to repay that sum. That's true. Secondly, at any point in time, once that debt—because that's what it is—is repaid they are free to move between employment opportunities. I'm just very concerned that where there is illegal activity it needs to be dealt with. But I don't get a sense that this illegal activity is the norm, in my patch at least.

Melissa and Mohammad, one of the reasons we can't run a program the likes of which you talked about—your father hosting and these things, and I don't mean this to be directly related to your family—is we need a scheme of registration. What we need is for people who are doing the wrong thing to be notified, for that behaviour to be notified to the government, so, therefore, their ability to participate in the scheme is taken away from them. That is the most powerful measure in this scheme. If we don't have that registration mechanism, it does afford the opportunity for abuses.

I am concerned, from what I hear from you, that people are unwilling to raise a complaint for fear of the economic consequences of doing so. That's real. I appreciate that, and it's something as a committee we should be cognisant of, but there needs to be an opportunity for anonymous information to be provided to authorities, like Fair Work et cetera, so that these registrations can be withdrawn. Unless we drive out those that are inappropriately seeking to benefit from the scheme, unfortunately, your people will continue to return to Samoa and we've missed the opportunity of this scheme, which is, in my view, to do two things—and much more important than picking fruit—that is, to continue to develop a relationship between Australia and its Pacific island neighbours.

I think the committee, through you, Chair, needs to take note of that. I'm very interested to learn that there is, in your view, widespread abuse of this. But I think it important that we find some way of making sure people understand that there is a registration scheme. The reason for that registration scheme is to seek to avoid this, by operating a specific, in general, deterrent to employers who are very heavily reliant on this program, that they might lose the privilege in participating in it.

Ms Silaga: I agree.

CHAIR: Mohammad?

Mr Al-Khafaji: Thank you for that. I don't think anyone would disagree with what you just said. I think the problem is that a lot of these people are powerless. I think there is a power imbalance between the employer and the employee. If we can remove or rebalance or have a third party that can administer and conduct audits, or act as a conduit and make sure that people are getting paid the right amount and the employees are meeting their requirements at no cost to either of the parties, I think that would work. Also, somebody mentioned if we impose too much burden on this particular program then farmers will go back to the backpacker program. I would say the programs should not be any different. If people are going back to the backpacker program because it's easier to exploit people then there is another problem there that we need to look at. No-one should feel that this program is easier because I get more control over how I can pay people less. The same set of rules should apply across these programs and I think the power imbalance needs to be addressed here.

Senator SHELDON: I want to put some options, as the committee is considering what are some of the steps and as we start developing reports and whatnot. There have been a number of comments put forward about consequences. I'll pick up your point there, Mohammad, it does come back to a question of I'll say enforcement but it also comes back to a question of education. I'm interested in some of the other committee members' views on these comments as well. If there's market competition and they're trying to onsell to retailers and it is on price and somebody is competing on exploited labour then the people doing the right thing, or wishing to do the right thing, don't get the opportunity to sell their product to the retailers. It comes to a question of common
enforcement. Whether it be backpackers, whether it be these programs that we're involved with, it does come to a point of education so that those farmers that either are or want to do the right thing are able to do the right thing, or continue to do the right thing. It think that's probably one of the critical questions that we need to be also considering. When we do that, then how do we get a broad enough education process of workers to know their rights, so they're part of the whistleblowing process of making sure these rights exist as well?

I've noted in a number of inquiries that many well-intended farmers, and in many cases labour providing companies, need the system cleaned up. They're being unfairly competed with because they're trying to do the right thing or are doing the right thing. It does come back to a very fundamental question of enforcement.

I'll just put this out there, and that is that Nike, of course, are a large conglomerate. It has factories all around the world. It has agreements with international labour organisations. They have national agreements, including in this country, where there is enforcement of labour rights, organising rights, education rights for workers so they can provide a product which is slavery free. I've had a number of personal experiences in work that we've done with Nike both in cooperation and in having to expose Nike over many years. What there has been successfully is that there has been consistent enforcement by third-party labour organisations. When you can do that around the world in factories from Bangladesh to various other hot labour spots where people are being exploited I think we should be able to come up with a scheme here that can work for the farmers and can work for the workers. And it can make sure that the retailers aren't taken advantage of, because that's where I would call them economic employers, because they're the ones who are actually forcing the price in the market—the price they're not prepared to pay, rather than the price that they're prepared to pay that avoids exploitation.

CHAIR: Obviously, you've raised those comments for discussion in the subcommittee. While we've got our witnesses here I suggest that we will consider that and all other issues of evidence in this whole inquiry. I seek Mohammad and Mellisa's comments on what you've just said. We will go discuss that as a committee in the remainder of our inquiry.

Ms Silaga: I would welcome what you've suggested here for this program. I'm still 100 per cent behind the programs as they are, being able to provide for our people. I'm not going to sit here and say, 'Take it away,' because that would be unfair. However, a third party able to be a part of that, ensuring that these things are in place and are not going to put our people in positions where they feel like they're not getting enough or they're getting very little is a good recommendation to put forward. I would, however, add to that recommendation the idea that we ensure whatever third party we put in always includes our Pacific island people in the discussion and in these third-party organisations that are going to bring our people and those who are passionate—not just any Pacific islander, because you could get any in doing that job, but ensuring that they also are people connected to their community locally and have Australia's and their people's best interests at heart. That would be my only recommendation to add to that.

CHAIR: Thank you. Mohammad, any comments?

Mr Al-Khafaji: I would just quickly say that I would encourage the committee to look into the visa requirements around these programs as well and explore any potential conditions that people might take advantage of. We have also heard from the Australian Union of Workers, who work very closely with fruit pickers and whatnot, and I would encourage you also to hear what they have to say.

CHAIR: Thank you. The committee notes all of that evidence and the commentary about the system—as Mr Pasin was saying, registration and ways in which we can ensure that people aren't fearful of stating concerns et cetera. I want to go back to this question of data and research. Mellisa, early in your evidence you referred to Deakin University. For the subcommittee's interest, can you talk about what that work is?

Ms Silaga: Deakin University's research is around horticulture and how the seasonal work and the Pacific Labour Scheme is working for the Pacific islanders. I believe the research has been going for three years. I think it's still going, because she's still doing work with us out in Shepparton. It's gathered a lot of information, both good and not so good.

Mr DRUM: What was her name?

Ms Silaga: Dr Victoria Stead. In a portion of a book that she has given me she has been able to identify a few things such as connection to past. I forget what it's called, but back in Australia's history there was a bit of this kind of slave labour work in Queensland, and it has moved forward to what it is today.

CHAIR: For the committee's interest: her work is engaging with Pacific islanders. Does she engage with, for example, farmers?

Ms Silaga: Yes. She's been out to orchards in the Goulburn Valley, had discussions about where they live and interacted with the workers on the ground.
CHAIR: Thank you. Are there any further queries?

Ms VAMVAKINOU: I don't know whether we did delineate the differences between the working holiday program, the Seasonal Worker Program and New Zealanders and Pacific islanders who have come to Australia to live. Have we made those delineations? Each one of those programs—

Ms Silaga: They are very different.

Ms VAMVAKINOU: They are very different. They may be all experiencing similar things, however, and it would be very important to know that. For the purposes, however, of our response, we need to be able to be very conscious that they are different programs and different circumstances, which is why I think we should also look—in conjunction with Deakin University—at the migration committee's report at least on the Seasonal Worker Program which did identify large numbers of issues, especially for those workers, and recommendations were made. I'm not sure how many were taken up by government—I can't remember now—but I think we should revisit that area to assist in the overall collection of information. I just wanted to make that point, thank you.

Senator SHELDON: Mellisa and Mohammad, a quick question—it might need quite a bit of thought. In trying to deal with the labour issues, what sort of whistleblower protections which may cut across visa and other matters do you think people would need to encourage them to come forward about exploitation that may be occurring at some individual farms they've been working on? What would you suggest are some whistleblower protections—in light of the fears—that would encourage people to come forward about requesting their rights?

Ms Silaga: I think that part of any of these schemes is left out in the information sessions to be quite honest. Being on the ground, I know firsthand that our people don't get told that they can have a say in the negative things that are reported. So it's education around that area and ensuring that our third parties, who are Pacific islanders bringing our people in, know that.

CHAIR: And that goes to your comments about fear.

Ms Silaga: Yes.

Mr Al-Khafaji: Any whistleblower system needs to ensure that the complainant remains anonymous. There needs to be a third party that is trusted, and people who potentially blow the whistle need to be reassured that they will not be in trouble, sent back home or whatever. So they need to be protected and have the assistance to be able to transition from, for example, one employer to another and not fear: if I make a complaint, then I'm going to lose my job and they're going to send me back home.

CHAIR: I guess those are similar comments in many ways to what Mr Pasin was saying earlier before he had to leave. Given the time, colleagues, I do need to wrap the meeting up. Do we have any other queries?

Senator SHELDON: Just one: there is a seasonal worker program that runs in the US for agricultural workers and it does have disputes and complaints procedures. There are obligations about people being able to access the scheme again for seasonal workers, if they've been part of a complaints system so there are actually some mechanisms there which would be worthwhile having a look that.

Mr DRUM: The farmers that I talk to that use this program would like to see it expanded to other countries, not just Pacific islanders. What are your thoughts on potentially expanding this program?

Ms Silaga: If it's going to allow other people the opportunity to make a difference in their homes and lives back home, I wouldn't be against it; just don't take the Pacific islanders out of it while you're expanding it because they need it.

Ms VAMVAKINOU: Just very quickly: for those who live in Australia, New Zealand and the Pacific islands—and I have a lot in my community—remittance is a key feature of those communities' commitment and that also adds, I imagine, and I'm asking the question, additional burdens and pressures.

Ms Silaga: So they send quite a bit of that money back home. Some of them will take the full 11 grand at the end of it and some will take three grand back because they've already sent most of it back. That's an added pressure—what they have to do. But that's what they're here for: they're here to work for their family.

CHAIR: I'll move to wrap the meeting up. Mohammad and Mellisa, do you have any closing comments you wish to make?

Ms Silaga: Thank you for the opportunity, and I hope that I can be part of any improvements to this program in the future.

CHAIR: Thank you.

Mr Al-Khafaji: Thank you for the opportunity. I hope that we can one day see the back of worker exploitation regardless of which program we're talking about.

---

JOINT STANDING COMMITTEE ON FOREIGN AFFAIRS, DEFENCE AND TRADE
CHAIR: Again, I thank you both. That concludes today's hearing. Your willingness to make yourselves available for this subcommittee and providing evidence is much appreciated. I don't know whether we had any questions on notice on the way through—the secretariat can follow that up with our witnesses, and we can discuss this. As a subcommittee, you will be sent a copy of the transcript of your evidence to which you may suggest any corrections. With that, I declare this public hearing closed. Thank you.

Committee adjourned at 10:56