



28 February 2022

Senator the Hon Kristina Keneally,  
Shadow Minister for Immigration and Citizenship  
Via email: [senator.keneally@aph.gov.au](mailto:senator.keneally@aph.gov.au)

Dear Senator,

The NSW Council for Civil Liberties (NSWCCL) has some concerns about the treatment of temporary migrants, people who come to Australia to undertake work in order to send money home to support their families. These people's visa conditions tie them each to a single sponsoring employer, such that if they leave those employers they lose their visas and have to return home.

A recent ABC podcast dealt with an investigation into some most unsatisfactory consequences of this arrangement. It found that a number of unscrupulous employers take advantage of the workers, charging excessive amounts for board and lodging, requiring unpaid overtime, and deducting from their wages sums for actual and imagined misdemeanours. The ABC's inquiry found that workers were reluctant to complain about these employers due to fears that their visas would be cancelled. And this could indeed happen. We have also heard reports of workers' passports being 'held' by their employers, thus depriving them of the opportunity to travel freely.

The Migration Amendment (Protecting Migrant Workers) Bill 2021 [Provisions] would have been a good place to fix this situation, by amending the act to allow migrant workers to change employers without loss of their visas. Unfortunately, this was not included. NSWCCL calls on you either to sponsor amendments to that bill, or to propose or support a further bill to deal with this scandal.

NSWCCL notes a number of proposals to amend the bill made in submissions by the Salvation Army and the Uniting Church in Australia Synod of Victoria and Tasmania (jointly); by the Australian Law Council; and by the Australian Council of Trade Unions. We support the general thrust of these proposed amendments, to protect migrants who have reason to complain from the risk of visa cancellations, to provide a new class of visa like that provided in New Zealand, and to ensure that employers, in their turn, do not have their right to procedural fairness limited.

Yours sincerely,

Pauline Wright  
President  
NSW Council for Civil Liberties

NSWCCL