



ACAN Urges Visa Reform

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ACAN adds its voice to introduce better protections and pathways to seek remedy for people on temporary visas who experience exploitation in Australia. Over 40 organisations and unions have joined together for *Breaking the Silence* - a proposal for whistleblower protections to enable migrant workers to address exploitation as part of the Government's review of the Migration Act. The initiative is led by the [Migrant Justice Institute](#) and [Human Rights Law Centre](#).

These protections would increase the opportunity for international students and thousands of people on temporary visas working in Catholic schools and educational facilities, in hospitals, aged-care and disability services, offices, community service centres and as labour-hire on Catholic-owned construction sites to seek help without fear of losing their visa.

- *Breaking the Silence* sets out a blueprint for two key reforms:
- A protection against visa cancellation for exploited migrant workers who take action against their employer and have breached their work conditions;
- A short-term visa (Workplace Justice visa) to allow exploited migrant workers to remain in Australia and pursue a claim against their employers, with visa security and the ability to work.

ACAN Program Manager Jenny Stanger says, “The evidence from numerous government inquiries, investigative media and academic research is clear – exploitation of people on temporary visas is rampant in Australia. The majority of those who experience abuse do not complain because the threat of visa cancellation disempowers and disables them from enforcing their rights. Exploitation paves the way to modern slavery so support for this proposal should be viewed as a preventative strategy.” As students and other migrant workers return it is crucial that government listens to people with lived experience and take action to enable them to enforce their rights.”

The proposed protections will benefit migrants on a range of temporary visas, as well as those who have overstayed a visa. For example:

- An exploited international student who has worked more than 40 hours a fortnight in breach of their visa (often to make ends meet on unlawfully low wages) would be willing to bring a claim against their employer and recover the wages they are owed because they have certainty that their visa would not be cancelled.
- A sponsored worker whose employer illegally demanded the migrant pay back the sponsorship fee could access a short-term visa to recover this unlawful payment, before finding another sponsor for a new work visa.
- An exploited backpacker who is about to leave Australia but didn't want to report sexual harassment during their fruit-picking job could access a short-term visa to stay for a short period to hold their employer to account before returning home.

These proposals will also benefit the organisations and businesses that:

- pay their workers correctly and want a level playing field;
- are taking steps to detect and address exploitation and modern slavery in their supply chains;
- Federal and state governments that want to strengthen enforcement of labour laws;
- unions that seek to engage and recruit migrant workers;
- consumers that want greater assurance that goods and services are not produced through exploitation of migrant workers;
- all workers in Australia, when employment standards are more likely to be enforced

“There are so many heartbreaking stories of vulnerable people on temporary visas being used and abused by employers. This proposal aligns with Catholic Social Teaching on dignity in work, dignity of the person and Laudato Si' goals. It makes sense for ACAN to seek to advance the rights of migrant workers,” Ms Stanger said.

Access Breaking the Silence here: <https://bit.ly/3ICFO2w>