

## **FILIPINO FAMILY THANKS CHURCH FOR SUPPORT THROUGH LANDMARK INQUEST**

The Filipino family at the centre of a landmark coronial inquest have thanked the Catholic Archdiocese of Sydney for the support her family received throughout their ordeal.

21-year-old Jerwin Royupa was recruited to work in Australia in rural NSW in 2019 by operators of a sham training program. He died from injuries sustained after he exited a moving vehicle driven by his employer, only five weeks after his arrival.

In delivering her findings on Friday 16 January, NSW Deputy Coroner Rebecca Hosking referred the brief of evidence from the inquest to the Australian Federal Police, whose responsibility it is to investigate modern slavery offences under the Australian Criminal Code.

The inquest is believed to be the first to consider concerns of forced labour since the introduction of modern slavery crimes in 2013.

Addressing the media outside the NSW Coroners Court after the findings were delivered, Jerwin's sister Jessa Royupa thanked the Domus team, who she said had been with her family from the beginning.

"Thank for your compassionate hearts, your care and your leadership in advocating for the most vulnerable. Thank you for bringing hope to us when we needed it most," Ms Royupa said.

The Royupa family authorised Domus 8.7 to release a statement on behalf of the family. (see below)

Domus 8.7 Lived Experience Lead Moe Turaga hailed the inquest as a landmark in Australia's response to forced labour, a form of modern slavery.

"Our hearts go out to the Royupa family. They have fought bravely for this inquest, and they have been waiting for answers about Jerwin's death for such a long time. Despite a thorough inquest, many of their questions remain unanswered, due to investigative failures that have been highlighted by the Coroner," Mr Turaga said.

Mr Turaga said the inquest had exposed a shameful lack of safeguards in Australia against forced labour. He called for the urgent strengthening of Australia's modern slavery laws.

"The Coroner's findings reveal the failure of the Department of Home Affairs to perform basic due diligence checks on a visa sponsor, which put Jerwin in a situation where he was isolated, afraid and didn't know who to call for help."

“The tragedy of Jerwin’s death needs to be a turning point. Government agencies dealing with migrant workers must learn the lessons of this inquest.”

“The inquest has shown serious flaws in government oversight of the people who sponsor and employ migrant workers. There are thousands of migrant workers in Australia on these and similar visa categories. How many more vulnerable workers are in similar situations to those that Jerwin found himself in?” Mr Turaga said.

Jerwin Royupa travelled to Australia from the Philippines in February 2019. He had recently graduated from university with a degree in agriculture, and had been offered what was described as “a scholarship” to take part in a trainee program at a winery in NSW. He was recruited through Facebook by his employer’s business partner in the Philippines.

However, when Jerwin arrived for his training at an isolated property in rural NSW, he was assigned manual labour tasks for up to 10 hours a day, without any of the learning opportunities that were supposed to be part of his traineeship. The employer took Jerwin’s passport and told him that he would not receive the payment that he had been promised.

Jerwin told his family and friends about his treatment. Within 24 hours of a local Filipino contacting the Fair Work Ombudsman on Jerwin’s behalf, Jerwin sustained injuries that proved to be fatal. No charges have been laid in Australia in response to the incident, but his family in the Philippines successfully campaigned for a coronial inquest.

Public hearings for the inquest were held in Albury, NSW from 25 November to 5 December 2024. Mr Turaga and Domus 8.7 Executive Officer Alison Rahill attended the Inquest’s public hearings to support members of the Royupa family as potential victims of forced labour.

The Coroner also recommended that the Department of Home Affairs review its oversight of temporary activity sponsors, to ensure that traineeship and other visas are not used for labour exploitation.

While the coronial findings are not a definitive finding of forced labour, Domus 8.7 staff’s own assessments of Jerwin’s situation have shown a high exposure to forced labour risk factors.

“The International Labor Organisation recognises 11 indicators of forced labour. When assessing potential modern slavery victims, Domus 8.7 specialists look for up to 135 risk factors across these indicators. In Jerwin’s case, we identified 65 risk factors of forced labour,” Alison Rahill explained.

“Given the poor understanding of forced labour indicators revealed by the inquest, government agencies must work with Australia’s Anti-Slavery Commissioners, the Fair Work Ombudsman and frontline agencies to safeguard workers.”

Another recommendation of the Coroner is that NSW Police undergo mandatory modern slavery training in areas where there is a high risk of forced labour.

“There is an urgent need for training law enforcement and frontline workers, to address a poor understanding of migrant workers’ rights and the indicators of forced labour,” Moe Turaga said.

“Workers need to be assessed as potential victims of forced labour. Too often law enforcement are fixated on a person’s visa status.”

“Migrant workers are often afraid of talking to police. My colleagues and I believe that, in many cases, the Fair Work Ombudsman would be a more effective agency in responding to potential victims of forced labour than law enforcement.”

Moe Turaga was himself a victim of deceptive recruitment and forced labour in Australian horticulture. He said that extreme labour abuse is common in the horticultural sector.

“I was brought to Australia to pick fruit many years ago and worked for two years without pay. Too little has changed since then.”

“I regularly get calls from workers in distress. They are working in substandard – and in some cases slavery-like conditions,” Mr Turaga said. “This happens across a range of visa categories where workers are tied to the one employer. To leave a bad job, they have to find a new sponsor.”

“The definition of forced labour is ‘the bad job you can’t leave’ – and that is the situation that the Australian Government is responsible for.”

“This country desperately needs a national labour hire licensing scheme. Otherwise sponsors, particularly labour hire providers, will continue to get away with the kind of extreme exploitation we have seen in Jerwin’s case.”

The Royupa family has approved Domus 8.7 to release the following statement in relation to the coronial inquest and its findings.

## **A STATEMENT BY JESSA JOY ROYUPA, JERWIN'S SISTER**

Almost seven years ago, my little brother Jerwin left our family home in the Philippines with hopes and dreams in his heart.

He came to Australia to learn new skills in his chosen profession of agriculture. Jerwin wanted to use these skills to support our parents. Five weeks after he arrived in Australia, our beloved Jerwin was dead. Ever since then, my family and I have been trying to find out why.

In her findings, the Coroner has told Jerwin's story. That is very important to us. Today is still a sad and painful day. Jerwin was a young man with everything to live for. Everyone loved him.

Many Filipinos work overseas, and we know the risks involved. My sister Jamaica worked in the Middle East and North Africa – she came home safely.

We all thought Jerwin would be safe in Australia. He was not.  
We know that Jerwin was deceived by a sham training program.  
We know that he was fearful of his employer.

Many questions about Jerwin's death remain unanswered. His employers – who sponsored his visa - took an exemption from giving evidence. They were given many opportunities and extensions to explain what actually happened.

As the Coroner's findings make clear, numerous Australian agencies – state and federal - failed Jerwin – both in his life, and in his death. The situation Jerwin arrived into, was not a learning environment. It was not a safe environment.

Yet the Department of Home Affairs approved his sponsors' application without any due diligence into the legitimacy of his employer's training program, and without any consideration of his sponsor's employment history.

I believe that Jerwin would be alive today if Home Affairs staff had made rigorous checks on the sponsor.

I believe that Jerwin would be alive today if there was a clear pathway for migrant workers to seek help.

I welcome the Coroner's recommendations. The matter now sits with the Australian Federal Police.

We want Jerwin's life to leave a legacy. As a grieving sister, I appeal to the Australian Government.



You have to do much more - to keep people who come to work here - safe.

No family should have to experience the kind of heartbreak we have been through.

Jerwin is not the first foreign worker to die in Australia. Australia's reputation as a safe destination for workers is on the line. You must do better.

I want to thank my Legal Aid team Christine Melis and Sheeza Naz for their passionate and principled support, and the NSW Deputy Coroner and Counsel Assisting for the diligent way they have conducted this inquest.

On behalf of my family, I want to thank everyone who has generously given their love to us in our grief at Jerwin's tragic passing.

I especially thank members of the Australian Filipino community, for their support and encouragement.

Finally, I give my heartfelt thanks to the Catholic Archdiocese of Sydney for its support - through Domus 8.7 Remediation Service. And the Domus team who have been with us from the beginning - Alison, Jenny, Moe, Matt, Kate and Laura – thank for your compassionate hearts, your care and your leadership in advocating for the most vulnerable.

Thank you for bringing hope to us when we needed it most.

-- ENDS --

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