

## Calls for amnesty for undocumented workers, as new report recommends 'one-off' visas in agriculture

By national regional affairs reporter [Jess Davis](#)

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The horticulture industry has been struggling with a labour shortage exacerbated by international border closures. (ABC News: Jess Davis)

There is a renewed push for undocumented workers in Australia to be given an amnesty or "status resolution", with concern this group of people could miss out on the COVID-19 vaccine.

It comes as a new report recommends the Australian government provide visas to undocumented agrifood workers in a one-off program.

The agricultural workforce strategy, commissioned by the federal government in 2019 and released today, makes 37 recommendations to solve ongoing labour shortages in the industry.

There are an estimated 100,000 undocumented workers in Australia and about two-thirds are employed in agriculture.

Undocumented workers are those who don't have a current working visa, and are thereby working without authorisation, or illegally. They form an unseen workforce in Australia in everything from cleaning to hospitality and farm work.

Immigration lawyer for the United Workers Union Sanmati Verma said the pandemic had hit undocumented workers particularly hard and that would continue with the vaccine rollout.

"The experience of undocumented workers has been truly awful during the pandemic," she said.

### Key points:

- There's an estimated 100,000 undocumented workers in Australia
- About two-thirds, or 75,000 of those, work in agriculture
- A group of Nationals MPs is proposing a one or two-year visa, for these workers to transition to

"Of course, if you're undocumented, you don't have access to Medicare. But if you have no source of income, you can't afford that medical care."



nmami Verma says undocumented workers are unlikely to go forward for a vaccine. *(Supplied)*

The federal government has guaranteed everyone, no matter their visa status, a vaccine — but their details will be recorded.

"People who are undocumented who are outside the scope of Commonwealth-provided or government-provided medical services won't come forward to receive the vaccine," Ms Verma said.

Joanna Howe, a senior lecturer of law at the University of Adelaide, studies illegal workers in the horticulture industry and said it was a public health risk.

"There are certainly public health risks that the government may assume that it's vaccinated, broadly, the Australian community, but then there are these pockets that escaped," Dr Howe said.

"They've got no incentive to come forward. In fact, they're extremely fearful of accessing the vaccine."

Dr Howe said now was the time to fix the problem.



Joanna Howe said the pandemic provides an opportunity to fix the problem of undocumented workers. *(Supplied)*

"I think there's a very strong argument that status resolution is the way forward here both from a public-health-urgency perspective, but also in terms of the labour shortages that the [horticulture] industry is facing, and also from a humanitarian need," she said.

### **Industry groups getting on board**

The Victorian Farmers Federation proposed the idea of an amnesty or status resolution a number of years ago; president Emma Germano said she was heavily criticised at the time.

"Industry has been really wary of trying to wedge anybody with the notion of amnesty or, you know, undocumented workers having status resolution," she said.

"There's a lot more support around ... private conversations, I guess, then people coming out publicly."



Historian Farmers Federation president, Emma Germano wants undocumented workers to be given status resolution. (ABC Centralia: Edén Hynninen)

## Nationals MPs get on board

The idea of an amnesty has been bandied around for the last decade without any political traction, but that seems to be changing.

Anne Webster, the Nationals MP for Mallee in north-west Victoria, is leading a group of four national MPs who now support the idea.

She said she was working with industry groups to come up with a proposal that would see undocumented workers transition to a one or two-year visa.

"I think that the pandemic provides that perfect moment in history, if you like that, hopefully, we will never revisit, where we can get this right.

"I cannot understand how it could be negative to have people who actually documented paying taxes ... engaging in a real way [that] benefits communities."





Anne Webster is leading a group of four National MPs working on a proposal for an amnesty. *(Supplied)*

But Dr Howe said for any policy to get off the ground, it would need bipartisan support and long-term visa opportunities to ensure undocumented workers came forward.

"What we really need is for the Coalition and the Labor Party to both acknowledge that this is the dark underbelly of the horticulture industry."

Minister for Agriculture David Littleproud said an amnesty for undocumented workers in horticulture was a good idea, but must be weighed up against national security concerns.

"So I'll take the advice from the Home Affairs Minister. We have to make sure that while it would be a project that would have some value, you have to put that up against the national security lens."

In a statement, the Department of Home Affairs said it did not support the idea of giving visas to unlawful non-citizens.

"Broad regularisation of the status of unlawful non-citizens may perversely encourage non-compliance with migration law.

"Despite the closure of the Australian border, pull factors encouraging illegal immigration are still relevant."