

Ending the Hypocrisy – “Modern Day Slave Labour” in the Fruit Picking Industry in Australia

By Vicknaraj Thanarajah, Fides Lawyers

Opening Statement

My Name is Vicknaraj Thanarajah. I am a Lawyer practising Commercial Law with Fides Lawyers in Melbourne who migrated from Malaysia 10 years ago. With me is Mr Saiful Hasam a Malaysian Journalist and Editor from Utusan Malaysia, who has flown in from Malaysia to assist this honourable inquiry. I thank the members of this inquiry in inviting us to speak at this hearing, and our objective here is to provide some insight and information based on an expose which was a result of investigations by Mr Saiful of Utusan Malaysia and Nick McKenzie of the Age and ABC’s 7.30 report last October. We feel honoured to be allowed to share some valuable information which was the result of this expose, which is relevant to function and term of reference of this inquiry.

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Before going in to the salient facts allow me to digress in providing a background on our expose and how we collectively manage to uncover crucial facts first hand evidence of the shoddy practices pertaining to Fruit Pickers which I aptly term Modern day Slave Labour practice that is rather rife in the industry.

Background

Late last year, I assisted a Malaysian (named Rowi) on a pro-bono basis who was a victim of delay and to an extent stereotyping by the Australian Bureaucratic and Justice administrative process. As a summary, he was incarcerated among harden prisoners in Victoria for Dangerous Driving which was due to an accident that had no fatalities and only involved his vehicle.

The result of this accident was the rear tyre of his car blew while he was driving 90KM per hour on a 110KM speed limit. As a result, he lost control of the car and it crashed on the side of the road. After the Crash, he called the Police. Subsequent to the questioning, the police laid 14 charges on this fellow and he spent approximately 258 days in prison awaiting a hearing. The police alleged that he was driving at 140 KM Per Hour although there was an expert report to prove that he was driving within the speed limits the police maintained they were right, with no supporting evidence or witness. (Interestingly they also destroyed the car which had a version of a blackbox in it before the hearing date.) So it boiled down to the determination of the experts.

He reached out to me via the Malaysian Consulate; although he was represented by the Australian Government Funded Legal Aid Lawyers. He was a fruit-picker from Swanhill who had overstayed his tourist visa for approximately 3 months when the accident occurred. After we managed to get him free from Prison, I had to get him free from the detention centre and this penniless young Malay man from Kelantan stayed with me for a few days till his flight was booked backed to Malaysia which was also funded by me personally. I did this because I felt the system had failed him, and to an extent he was a victim of stereotyping and discrimination. I took a personal interest in this case because, I could clearly see that this fellow was a victim of a series of unfortunate circumstances. It was his first offense of any sort and in my view he was on the verge of a mental breakdown as a result his prolonged incarceration. The only common link between us was the fact was that we were of Malaysian Origin in Australia; and like him I too came from a simple and humble family. Although every man has his own cross to bear, but I could relate to his suffering and his struggle.

During his stay with me I had several long chats with him (in Malay), and I was extremely curious why the Victorian rural police had treated him the way they did. I was curious because I needed to make sense of what had happened. There were approximately 3000-4000 Malaysians in a rural town that had approximately 12,000 people in population. The conduct of the rural police and ratio of population was something that was rather alien in modern day Australia.

During the many conversations with this young man I found out that this young man had been a victim of a fruit picking syndicate that preyed on victims from rural Malaysia and the existence of economic slavery was very much real and alive in Australia. This was not fiction. It was an intricate process that preyed on the ill-informed and uneducated that used some rather interesting means to carry out their illegal trade. It then dawned on me that a mate of mine a renowned journalist in Australia was also doing some investigation on a similar topic and a lot of interest in this issue.

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The bottom line was simple I was merely one person who did this out of passion and a sense of justice and I asked myself a few rhetorical questions;

1. What if I did not volunteer to assist him pro-bono what would have been the consequence to this young man?
2. What would the consequence be to the countless Malaysian who were caught up in this despicable trade of slave labour and to an extent human trafficking?
3. I did not have deep pockets to fund a one stop centre to assist all Malaysians that came my way and neither did the Malaysian Agencies based in Australia.

4. What would be the consequences to my Motherland, Malaysia and Malaysians if his story was not told; as to an outsider all these foreign fruit pickers seemed liked willing workers/victims in a willing industry and everything was hunky dory.

Some might even go on to say or prefer the narrative that they are taking away Australian Jobs From Australians. Some might say "Well it all depends on perspective doesn't it"? Well the answer would a resounding 'No!'. We don't get to choose between narratives to determine the truth. **There are only lies and the truth.**

This was far from the truth. I found out that the working conditions were and the living arrangement were rather shocking and deplorable. The Middlemen and the Syndicates were basically operating an indentured labour system which lured these victims in a cyclical process that took advantage of the harvest time. It was a multi-million dollar industry which was rotten at the core. Something had to be done, and it had to be done swiftly and efficiently as I did not have much resources to spare.

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All I had was my education, experience and some good friends with shared similar values.

I gathered all the facts and spoke to some of this fellow's mates who were still in the industry to verify the facts and intelligence. Rowi mates were helpful, and after assuring them personally that their identities were to be protected they came out of the woodwork and shared their experiences and light as to how these industry works. Rowi also had a sense of justice and realised that the only way to make something positive of his harrowing experience in Australia was to assist others in telling the whole unadulterated truth.

I called two of my mates from the Age/ABC and From Utusan Malaysia and our basic intent was to warn the rural folk from Malaysia as to the dangers and the truth of illegal fruit-picking in Australia. And thus commenced our adventure which resulted in one of the best 'Exposé' that I was privileged to be apart of.

Yes, a lot of personal time, money and effort was spent to make this happen. There was no personal benefit to me, it was not my job to do it, I was not paid for this project or this endeavour. I have no political aspirations, this was not about political mileage but it was my duty to my countrymen and profession as a Resident of Australia, my Malaysian heritage and as a Lawyer. Some may say I am stupid and idealistic for wasting my time, effort and money but I have no regrets. The knowledge and experience and friends that I have made via this adventure were invaluable.

Why is this Important - Diaspora a Different Perspective

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As of 30th March 2016 the percentage of Australian residents born overseas are one of its highest in Australian History. The latest statistics show that out of the current Australian Population 156,500 or 0.7 percent are from Malaysia. These are the legitimate migrants on record till to-date. (As of March 2016)

The above figures do not include the students who come here yearly to study or the illegal migrants.

According to the statistics for the months of September 2016, there are approximately 35,000 thousand people from Malaysia who visit Australia between August and September of 2016.

The above figures shows us a few crucial facts;

1. The Malaysian Diaspora in Australia is about 156K, and we have a sizeable presence in Australia being the top 10 diaspora in Australia;
2. The Monthly Malaysian Entrants Australia is the top 5 in Australia;

Therefore, whatever happens to the Malaysian community in Australia, has an impact not only to Malaysia reputation but also to the rest of the diaspora that have migrated here or has legitimate business interest in Australia, this includes a series of investments by Malaysian GLC in Australia, especially Victoria

It is also commonly known that Malaysia is the one of three Southeast Asian country with access to the electronic travel authority system under which Malaysian citizens – and applicants from most of the Western world – can get a three-month tourist visa online. This is probably the result of the excellent diplomatic relations that is shared between the two countries.

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Common sense would dictate that should there be in surge in abuse of this privilege this efficient process is endangered in being scrapped.

Based on the Covert Investigation conducted by the Age and Utusan Malaysia, it is known that the syndicates who lure Malaysian to work in Farms often promise them with additional payment these workers would have prospect of working in Australia for longer periods of times or even get Permanent Residence.

The methodology of the 'Con' is as follows;

1. Workers initially enter Australia via Tourist Visa which permits them to stay in Australia for 3 months without Working Rights; (at this juncture Local syndicates will usually charge up to RM2000 for this process notwithstanding the application fee is free.)

2. While In Australia, towards the end of the 3 month Period they will then apply for an extension of the Tourist Visa for an additional 2-3 months; (here the syndicates usually team up with unscrupulous migration agents who would charge up to RM2400 for this application)
3. Towards the end of this period they will lodge in a Bridging Visa Application and subsequently a Protection Visa Application (The agents here would charge an additional RM\$2400 although the application is generally free.)
4. The Bridging Visa application is a temporary Visa that allows the Migrants to remain in Australia while their Protection Visa is being processed. (The agents here would yet again charge an additional RM\$2400 although the application is generally free.)
5. Usually the Protection Visa would be lodge at the end of the expiry of the Bridging Visa which can be a period of 1 month to 3 months.
6. While the Protection Visa is Being Processed, the workers will be granted a subsequent Bridging Visa which is valid until a decision is granted for the Protection Visa. This can take an additional 6 months to a year at the minimum and up to 2 years. (the Charges by the syndicates would be approximate RM 24,000)

From the above we can deduced that these workers would have to allocate an average of RM800 per month as savings for cost payable to the syndicates and unscrupulous migration agents to remain in Australia monthly legitimately. What many do not realise is that even with this money spent, these migrants are not entitled to work under tourist and bridging visa.

The Crucial Question these workers need to ask is from a financial stand point, is this a worthwhile investment? The assumption is notwithstanding, slogging in the farms illegally with pitiful pay and in deplorable conditions the financial investments would assumingly lead to permanent residency.

Sadly, what the workers don't realise is that a majority of these Protection Visa or Asylum seeking visas are rejected after the long wait. They often end up as illegals and overstaying the period that they are entitled to do so under the law. The sad thing is inevitably a majority of these workers will be sucked in to this ring of deceit and false promises due to ignorance. These workers are often used as labour stock and cash machines by these unscrupulous syndicates.

According to the statistic published by the Department of Immigration in Australia, we can gather the following crucial facts;

- Asylum applications from Malaysians lodged while within Australia in the last financial year topped 3500, more than double the total for 2014-15 even though Malaysia is a stable and functioning state, new figures show.
- Immigration department figures show 87 per cent of these applications are refused. Of the reviews conducted by the Migration and Refugee Division of the Administrative Appeals Tribunal, 88 per cent validate the original decision.
- The tribunal processed more than 2000 reviews last financial year – a fourfold increase on 2014-15 – representing almost half of its protection claim caseload.
- Details of the recent flood of onshore asylum applications from Malaysia, which totalled just 294 in 2013-4, are contained in documents published on the department's website.

- In 2014-15, 1401 Malaysians applied for asylum from within Australia. That total surged to 3549 in the 2015-16 year.

The Australian on the 17th of November 2016 reported that mainly tourist visa holders from Malaysia who then apply for asylum and it is understood that many cite persecution from gangs and loan sharks of either Malaysian Chinese or Malaysian ethnicity, depending on the ethnicity of the applicant. Others have cited persecution for blowing the whistle on political or electoral corruption. This is a worrying trend that has an impact on the Perception of Malaysia overseas.

At this juncture we have to ask a crucial question- is the Blame solely on the workers due to them being willing victims due to their ignorance or complacency; as the saying goes ignorance of the law is no defence.

Well the answer is not as simple as you may think if you wish to know the real picture from all angles.

Apart from the above financial and legal considerations, these workers need to be aware of the political considerations that are associated with the Horticulture industry in Australia specifically the Fruit Picking Jobs.

The truth is, this is not a new issue; the Malaysians are just a latest wave of workers that are being used by the syndicates as work-stock. Prior to in recent years this there was an uproar on the abuse of Pacific Islanders as illegal workforce and as a result of an inquiry, the illegal workforce have significantly reduce from the Pacific Island.

It is my personal opinion the Malaysians are merely filling in a temporary gap left by the prior inquiry in relation to the Pacific islanders. What the Malaysian migrants need

to realise, that the labour dilemma is soon to be solve (at least in part); because a political solution has been reached recently.

The Immigration Department of Australia has launched a special class of visa (416) to enable Pacific islanders to work in the horticulture industry seasonally. This is supposed to commence by the 19th of November 2016.

Unfortunately Malaysia is not on the list as that particular visa caters for Pacific Islanders.

The hypocrisy of politics are blinding, the blatant fact remains that there is a need for workers in the horticulture industry especially in rural Australia, and the industry and the syndicates are filling that gap and need.

The syndicates take advantage on this legal and economic arbitrage simply because workers are voiceless because of their legal status in Australia.

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Rhetorically, Corporations, Farmers and Authorities, at the Federal, State and Local Government manage the blame efficiently and seamlessly each respectively pleading ignorance of the existence of such syndicates and illegal workforce.

This plea of ignorance is laughable, especially with the example of the case of Swan Hill a rural town in regional Victoria is swarming with Malaysians Workforce.

The issue and the challenge now is whether the Australia Government specifically the Minister responsible for Immigration is going to provide an empty political retort by conveniently electing to enforce a pre-existing law or a sound policy resolution that is sustainable and future proof for all those affected by the labour shortage.

For the sake Human Dignity and Decency, I challenge the Minister to extend the same opportunity for Malaysians to enable them to apply as seasonal workers in the Horticultural Industry. Alternative expand the quota of Sub Class 462 Work Holiday Visa which is currently fixed at 100 visa for Malaysian per annum. Bearing in mind that there are approximately 18 Thousand illegal workers, a 100 Working Holiday Visa just doesn't solve an issues.

The Solution

Following is some of my observations- There needs to be a multi-faceted approach is dealing with the solution. An approach reflecting policy and politics that that is innovative, proactive and efficient. If we are dealing with a multi million dollar industry, that has got deep pockets to evade liability being proactive and innovative from a policy and political stand point is the only sustainable method. The Model of the UK Anti Slavery Legislation is relevant, and a similar type of Commission needs to formed in Australia, preferably with a Specialised Tribunal deciding on specialised type cases.

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1. Respectfully, while I applaud the this Inquiry in opening up a transparent discourse in formulating the need of an Independent Commission dealing with Anti-Slavery, but I believe that unless a Commission is given extremely wide powers to investigate, prosecute the whole supply chain in its entirety, it will be a toothless tiger.

Further, crucially such a commission would also require special powers to cut through the epic bureaucracy that exist in government and would also require assistance and cooperation from multi agency like the Department of Immigration and Border Security to be efficient.

2. The role of being proactive is also required. If we examine how these workers are lured in to coming to Australia, I suggest we use a similar method to educate the public with simple language and info graphics.

To be blunt we need to have an effective Hearts and Mind campaign to curb this at the source. The recent observation is that there is often use of Web 2 technologies such as Facebook, WhatsApp messages apart from adverts in blogsites and also not forgetting adverts in brick and mortar places.

We need to use the same medium to get the message through that coming to Australia illegally just is not worth it financially. We need to understand the mindset of the victims and the syndicate to curb this problem. Traditional approaches in releasing Press Release on Department Websites or even the odd article in an Australian New Paper or Australia News is not solving the problem.

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Education and effective marketing of the truth is crucial. The Australian Narrative needs to be present in Markets where illegal workers are coming from. We need to be adaptable and innovative in our approach to crime or slavery prevention. This is the cost effective way, this is the sustainable way forward taking in to consideration budgetary constraints. Perhaps we should inculcate smart partnerships with foreign Governments, related Government agencies and media outlets to ensure that the information is disseminated effectively.

3. We also have to provide a real solution in dealing with the workers that are already present here illegally, respectfully an Amnesty is the only viable solution, coupled crucially with providing them temporary reasonable working rights. Amnesty **on its own is not the way forward, respectfully.**

4. We also need to be in a position to provide legitimate Witness Protection in an expedient manner to those who provide valuable intelligence against those who are still adopting slavery like practices. These workers can't go back where they came from, they are not looking for a free hand out, they want to work and they are ready to work and be with their families in Australia.

5. Prosecutions of Corporation, Farms and Individuals who flaunt Anti Slavery legislation needs to be done in a Public Manner, this would be a deterrent to those contemplating.

Thank You Kindly, Please Feel Free to Proceed to the Question and Answer Session

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Annexure 1

Translated Articles
Utusan Malaysia Special Coverage
15 November 2016



Malaysian Citizens Conned by Farm Labour Agents in Australia
“Modern Day Slave Labour” (Exclusive)

- High Salary Offered exceeding Rm9000 per month
 - Working Illegally in Australian Farms
 - Required to pay agents between Rm1500 to Rm4000
 - Bar Treatment subsequent to becoming victims and manipulation by sub-contractors
 - Main Targets of Syndicates are Rural Folks which predominantly are from Kelantan, Terengganu and Kedah
- Report on Page 5

Beware the agent's trap Many persecuted and trapped in Australia

INTRODUCTION

Thousands of Malaysians chasing their dreams of working on Australian farms find themselves persecuted and trapped in a modern slave system due to the manipulation of certain quarters. In order to expose these goings-on, Utusan Malaysia's reporter last October went undercover as a labourer by posing as an illegal worker at the Cutri Fruit farm in Woorinen, Swan Hill, Victoria. Over eight days, Saiful Haizan Hasam stayed in a house with 11 other workers and experienced back-breaking work on a nectarine and peach farm for four days.

This exclusive expose was the result of cross-boundary media cooperation involving Utusan Malaysia, Melbourne-based newspaper, The Age, and 7.30 Report by the Australian Broadcasting Corporation (ABC).

This is the first in a series of exposes to be published daily until Sunday.

Swan Hill, Australia, 14 Nov

The offer was outstanding. To only work on a field but be able to make a minimum of RM9,000 a month. The amount was sizeable, similar to what a professional would earn in Malaysia. It was advertised by the agents as working as you travel. The job was easy, only picking fruit – grapes, apples, nectarines and peaches.

Do not worry, everything is accounted for, from accommodation, work and transportation to and from the farm. You only need to pay. It is oh-so-easy.

Several agents contacted by this writer used the same modus operandi, namely by talking about how well-to-do farm workers were to pique interest.

The agents too made sure they looked the part when meeting prospects, by driving luxury cars, wear jewellery and expensive watches before showing bank slips of their savings from when they worked in Australia.

Most agents are themselves former farm workers in Australia and in fact know exactly what problems and trials await but do not fully disclose them.

They are also in close contact with groups of subcontractors who supply illegal workers to farms across Australia.

"A friend of mine who used to live here has gone back to Malaysia and is now an agent there, he wants to send workers under me, you can help if you want to.

"If you want to be an agent in Malaysia, you could too," said Pak Mor, an Indonesian man who had become the right-hand man for an Afghan contractor in Swan Hill known as Lee.

The agent's main priority is making a quick buck. Their service charges do not include ticket prices, visa applications and other logistic issues which amount to about RM1,500 to RM4,000. They make a net profit without having to work hard.

Their targets are kampong folk, especially from Kelantan, Terengganu and Kedah with most of them not being highly educated.

Besides putting up posters at coffee shops, these agents also make full use of the Internet by advertising in blogs and on Facebook.

Their tale is a pretty and perfect one, enticing future workers into even borrowing money from friends and family to pay for their services.

However, some agents completely sever ties once their victim boards the plane and are no longer contactable once the person has landed at his destination.

Being thrown out of the frying pan and into the fire, this disappointed lot then has no choice but to find work thus opening them to becoming victims of manipulative subcontractors involved in

securing workers for farm work.

When asked about fraudulent agents, they deflect attention from the issue including by using the excuse that their company is registered to the Malaysian Registrar of Societies and has a good track record.

However this is immaterial, as registered or not, fraudulent or not, they still break the law by sending Malaysian workers to Australia illegally, unbeknownst to the victim who thinks he is entering the country legitimately with the help of an agent.

These agents not only victimise Malaysian job-seekers but also taint the country's name, causing the Malaysian passport to be increasingly viewed suspiciously by Australian Immigration as too many of our people have been arrested for abusing their tourist visas.

This group is the main catalyst leading to Malaysians being made modern slaves in Australian farms. This problem is also known to Wisma Putra which is now studying and taking steps to stop it from spreading.

In fact the Malaysian Consul-General in Melbourne, Westmorland Palon has helped Malaysians cheated and trapped in Australia after falling victim to job agents for farm work.

'As if the sky caved in'
(Rowi's pain)

I found an advertisement for farm work in Australia posted at a shophouse in Sungai Petani and called the number stated. The agent asked to meet me, also in Sungai Petani.

The agent that came to meet me was stylish, wearing jewellery and showing me a bank statement, supposedly of earnings from previously working in Australia.

I was asked to prepare cash amounting to about RM4,000 as payment for his service as well as to cover the deposit for rented accommodation in Australia. This did not include flight fare and the costs for passport and visa application.

I took a flight from Penang International Airport to KLIA before heading to Melbourne. The agent sent me off at the airport in Penang and then, too, I handed over payment of RM4,000.

Another client of the agent's also boarded the flight with me. He too paid the same amount.

My nightmare began when I arrived in Melbourne. I contacted the agent but did not know what to do when he refused to answer my calls. I felt like the sky had caved in. I did not know what to do as it was my first time in Australia.

Luckily, at Southern Cross Station, I ran into a Malaysian farm worker on his way back to our country. After telling him my problem, he said: "You've been cheated. There is no work in Mildura this time of the year, even I have no work. Why don't you come back with me, it's obvious you've been cheated," he said.

But I had no money to buy a ticket home as what I had was not enough.

The man however helped by spreading my mobile number to his friends in other farms before a man called and directed me to Swan Hill, five hours away from Melbourne.

What had happened to me was not unusual in Australia. The truth is, a lot of Malaysians are cheated by agents such as these but are too ashamed to admit they are victims. However after several months of working on a farm, many other workers told me their experiences being cheated this way. Their tale was similar to mine. We were all victims of heartless people.

MOHAMMAD ROWI was the victim of a fraudulent agent which caused him a life of misery in Australia.

Tears on the farm
Cheated by agents

"Too many Malaysians come here and have no job. This is the fault of the agents back in Malaysia,

sending too many workers.

Agents in Malaysia get at least RM1,000 to RM1,500, net. But some of them are evil, they simply disappear as soon as their victims arrive in Australia, whatever problems you have here are not their concern anymore. It is that easy to play you.

There are cases where the agent gives a number of someone who will supposedly make work arrangements for you, but when you call the number it does not even exist. These types only want to take advantage of those who are ignorant by promising a thousand things.

In fact in Malaysia, you do not easily find farms and most people would have never even been on one. It is only here that they really know what it means to live on one."

ABU

Malaysian illegal worker living almost a year in Australia

BLOG COMMENTS

One blog also received comments on the reality on how difficult life is in Australia. Sadly, those chasing the Australian dream do not take heed as they believe completely their sweet-talking agents. The following are some reactions, slightly edited for publishing purposes.

Anonymous said

I am an Australian PR. Please do not bother coming here to work illegally. It pains me to see Malaysians (being cheated). They pay thousands of ringgit to agents. But work is minimal. They are usually cheated out of their salaries by agents and contractors. And live in fear, running from Immigration. It really is too good to be true.

I have helped a lot of Malaysians who have run out of money to eat. There are those who are homeless because they have no money to pay rent. My advice is, if you want to come here to work, do it the right way. Get a legitimate visa. If you come here illegally, using a tourist visa, it is not worth it. You cannot get rich picking fruit here.

One elderly lady and her daughter came here after pawning their jewellery, but once they got here they discovered there was not much work to be found. They were also cheated further by a contractor. It is only the agents and contractors who are actually rich.

Now there is a high alert against Malaysians, making it harder to get past Immigration at the airport because the Australian government knows that this is the method used by Malaysians, entering on a tourist visa and working illegally.

Just yesterday 34 Malaysians were arrested for working illegally as fruit pickers. It is such a shame to our country. If you want to get rich quickly, do 'halal' (proper) work. If your work is 'haram' (improper) then what you earn will also not last.

August 24 2016 at 9.31 pm

Nad said

Salam. My aunt left for Australia just at the end of May. She had no experience at all. Now it is winter, she has no income. I would really appreciate if you could suggest any work that she might be able to do this season. Because currently she does not even have enough money to come home. Please WhatsApp me at 012 2828***. Please help. Thank you.

June 8 2016 at 10.50 am

Anonymous said

Assalam sir, I am Mohd... I would like to ask if anyone could help me urgently. I am in Sydney but believe I have been cheated. I have been here a week and have yet to meet my agent's representative. I am left with only a little over A\$100. I cannot even buy a ticket home. If there is anyone here, it does not matter whether it is Sydney, Melbourne or anywhere, could you please help me. You can WhatsApp or text me at +61 42159***. Only Allah can repay the kindness of

whoever helps me. I am extremely desperate, even day to day living is difficult. Tq
May 16 2016 5.22 am

WHATSAPP CONVERSATION BETWEEN REPORTER, AGENT

W : Assalamualaikum sir, my name is Saiful. I would like to enquire about the work in Australia... Is it still available?

E : Wassalam, where are you from sir? Yes it still is.

W : I am from Kelantan

E: When do you plan to go?

W : If I ask you to handle everything, how much do I have to pay?

I am ready to leave end of this month, I just need to know my budget.

E : Now there is a promotion only until the end of this month. How many people, sir?

W : Two of us, me and a cousin... Is that 'all in' sir? I mean including work visa?

E : Not inclusive of hotel and pocket money

W : Ok I understand... but why will I have to stay at a hotel. Sorry for my questions, I am not used to this.

E: Because you will reach here at night

W : Oooo... so someone will meet us at the airport

E : From Melbourne to the farm takes about six to seven hours

W : That's far... where is that...

E : My man will only pick you up once you reach the town where the farm is

W : Ooo... meaning he will handle everything related to work, accommodation and transportation

E: Accommodation, transportation and work... everything

W : That is easy then... so salary is deducted for accommodation and transportation

E : Have you seen my page?

W : What page sir? I got your number from someone.

E : (sends link: information and details on work in Australia)

W : Ooo.. Facebook ... I am a little slow using the Internet hehe... I will take a look later. If I want to go, when do you think is the earliest.

E : Ok

W : And how do I meet you to make my payment

E : 26/11 or 27/11

W : Those dates are most suitable...

E : Confirmation needs to be done two weeks before going. Then start packing

W : That is true... it is a long trip

E : Under me, you just follow my orders... insyaallah (god willing) you will get there

W : Ok I am rather ignorant but my cousin and I are determined (to go)... How about payment, sir

E : (sends link: one week pay as a fruit picker ... net. Is it worth it? This is for the hardworking. If you are lazy you will not earn this much. It depends on you, your intent)

W : That is a lot... I could not earn that much in a month here

E : If you agree to the dates... you can send me a WhatsApp of your passport and bank-in the money.

W : I agree sir... ok I will send a WhatsApp of two passports. Should I bank in the full amount

E : Do it step by step... Let me first check flight tickets. Then only will I ask you to bank it in.

W : Oo ok ... I will wait for flight details.

TOMORROW follow Utusan Malaysia's investigation on the victimisation of illegal Malaysian farm workers by plantations, main contractors and subcontractors.

Annexure 1

Translated Articles
Utusan Malaysia Special Coverage
16 November 2016

RABU 16.11.16 16 SAFAR 1438

BIL 273 TAHUN KE-52 PP362/12/2012 (031409) RML50 (SEMENANJUNG) RM2.00 (SABAH/SARAWAK)

Nasib rakyat Malaysia di ladang buah Australia

DITINDAS, DIPERAH



- Rakyat Malaysia yang bekerja di ladang Australia ditindas.
- 'Diperah' tenaga dengan bayaran murah.
- Tinggal bersesak dalam rumah ladang.
- Sub-kontraktor potong gaji sesuka hati.

LAPORAN KHAS

BAHAGIAN 2

LAPORAN DI MUKA



SEKUMPULAN pekerja ladang dari Malaysia berahat sewaktu bekerja di sebuah ladang nektarin di Swan Hill, Victoria, Australia.

WAGYAWAN Utusan Malaysia, Saiful Huda, telah memuat naik sebagai penerbit khusus bagi membongkar masalah pekerja Malaysia di ladang Australia.

Pemangkin Fikiran Rakyat

www.utusan.com.my

UTUSAN MALAYSIA

Bersih 5.0: KPN beri amaran »4

Kita sudah bersedia dan jangan marah sekiranya tindakan diambil nanti. Antara masalah yang dihadapi adalah mereka tidak memberi notis secukupnya...

Wajah baharu Harimau Malaysia »36

RM40.1 juta, Porsche antara milik bekas CEO GLC

Jumlah wang sitaan milik bekas ketua pegawai eksekutif sebuah syarikat milik kerajaan yang didakwa rasuah meningkat kepada RM40.1 juta.

SPRM turut rampas kereta

Semalam, suspek bersama dua lelaki direman tujuh hari bagi membantu siasatan SPRM.

The Condition of Malaysian in Australian Fruit Farms
OPPRESSED AND CRUSHED

- Malaysian who work in Australian Farms Oppressed
- Their Labour Abused by Cheap Pay
- Staying in Crowded Farm Houses
- Whimsical salary Deduction by Sub-Contractors

SPECIAL REPORT

Part 2

Exclusive Story

RABU 16 NOVEMBER 2016

UTUSAN MALAYSIA - MUKA 7

LAPORAN KHAS

SAIFUL HAIZAN HASAM

BAHAGIAN 2

Rintihan dari ladang



DUA Honda Odyssey (MPV) yang diparkirkan untuk manipulasi peralihan hak milik ke ladang.

Manipulasi pengangkutan

Bila MPV seperti Honda Odyssey dengan harga RM6,519.01-9,778.52



Katakan caj RM19.56 x 7 pekerja = RM136.92 x 30 hari = **RM4,107.60 sebulan**

Ini tidak termasuk caj jika pekerja mau ke doktor untuk mendapatkan rawatan diperlukan



Pekerja ditindas, diperah



■ SWAN HILL IS NOW

TERLALU banyak rungutan daripada pekerja haram Malaysia bertubung ditandakan sub-kontraktor yang dikenali pemali sewaktu memeyar sebagai pekerja di ladang.

Amara yang sangat diperkatakan ialah sub-kontraktor melengkapkan gaji walaian mereka telah menerimanya daripada kontraktor utama dan ia turut melibatkan sub-kontraktor Malaysia.

Pernah berlaku gaji pekerja ditahan selama dua minggu ke sebulan kerana sub-kontraktor telah menggunakan duit gaji untuk bertukar. Apabila hilang duit di masa jadi, pekerja jadi mangsa.

Apabila pekerja terdesak, mereka mula bertubung daripada sub-kontraktor untuk membaris sewa rumah dan merampung kos makanan. Apabila jumlahnya meningkat, pekerja digelar 'tangga bal' oleh sub-kontraktor berkenaan.

"Sub-kontraktor memang pan-

Tunggu nak kena 'makan', kat sini orang tak peduli dah kita sesama negeri atau Malaysia. Ada peluang nak 'makan', dia sambar. Kawan sendiri pun jangan percaya kat sini."

OSMAN

dat, bila dah terikat pekerja tak boleh cari kerja di tempat lain. Macam sekarang, ditangka tak ada kerja kita-lah lah jadi sebulan masuk musim petik buah.

"Dia akan pegang kita, dia nak jadikan pekerja macam stok dia pada musim memetik buah nanti" jelas Osman yang baru dua bulan mencuba nasib di Australia.

Sub-kontraktor juga memotong gaji pekerja dengan alasan polisi kerajaan ada pokok ditolak oleh pemilik ladang kerana kualiti kerja yang teruk.

"Kalau seorang kerja potong tiga pokok sehari sepokok katakan AUD\$1.70 dan di bawah sub-kontraktor ada 30 pekerja. Kan sudah AUD\$153 sehari.

"Pabila pengurus ladang sendiri puji masa kita kerja, alih-alih sub-kontraktor kata peladang tolak. Nampak tak permainan dia," liuh Shukri, rakan serantau pemalis.

Korona Iru, Osman yang mampukan sakan setelah penalis meringankan terentang kepercayaan melabalkan jumlah jam bekerja atau pokok yang diselesaikan. Hal ini kerana penyimpanan rekod oleh penyelia di ladang agak barangkali selain persediaan untuk menuntut hak jika pembayaran gaji didapati berkurangan.

"Cara lain untuk peralihan hak memang tak ada. Stp gaji pun pakai

tulis tangan atas kertas buku nota. Baharu ditamalah status kita ini.

"Tunggu nak kena 'makan', kat sini orang tak peduli dah kita sesama negeri atau Malaysia. Ada peluang nak 'makan', dia sambar. Kawan sendiri pun jangan percaya kat sini," rungut Osman, lulusan universiti Kanada yang pernah bekerja sebagai pegawai bank.

Distipin sub-kontraktor turut menjadi topik perbualan kerana Iruah yang sudah 10 bulan bekerja di Australia tidak berguar hati apabila pernah kerap dihantar le-wak ke ladang.

"Orang pukul 7.30 pagi dah sampai, kami pukul 9 pagi lebih baru sampai. Mulalah kelam kabut cari row pokok yang orang belum masak.

"Situ lagi payak, sub-kontraktor senaka hal arah kami cuti sebab dia tak berkenan dengan harga upah kontraktor utama. Kalau rempah sengat, dia tak bagi kami kerja," katanya.

Macam gada! nyawa banan ladang jatuh dari rumah sebab semua dalam keadaan terak, tayar botak. Perish sekali tayar penci dalam hutan, bila cek, tayar ganti pun tak ada. Lagi teruk, alat buka tayar pun tak ada.

Kereta dah la berdebu, bawa orang letih. Bila nampak polis buat sekatan, rasa takut. Kita ni tak ada dokumen pun. Kalau hari-hari macam ni, boleh sakit jantung longkai potts.

Nak tak nak kena naik jaga sebab tak ada pengangkutan lain. Kalau kadang-kadang bila sampai ladang baru kita kerja tak ada. Sub-kontraktor suruh balik, bukan sahaja tak ada pendapatan sehari, lambang kereta kena toyar lagi. Memang terkena."

2321 Pekerja haram Malaysia 6 bulan di Australia

Manipulasi penginapan

Sewa rumah **RM652** seminggu dari ladang atau orang swam

Tompakan seramai mungkin pekerja sehingga mencah **20 orang**

Satu kepala dicaj **RM228-326** seminggu

20 orang x RM326 = **RM6,520**

(-) RM652 sewa sebulan = **RM5,868**

Jumlah untung bersih seminggu



Saya di Australia sudah macam-macam lumpat. Pernah ditukar di rumah ladang, sub-kontraktor suruh sampai 25 orang. Beranak-sesak nak tidur dan memasak. Bilik air ada satu. Basuh ala kadar, permas pun tak ada, malam mendakwa kesepukan sehingga menggejut.

Bila dah ramai, rumah pun tak bersih. Tapak lantakan, saya selalu duduk rumah ladang sebab bebas-stik. Kalau duduk kat luar ditak bantar, mudah nak beli barang dapur tapi rumah tak best.

Mama boleh lepak kat luar, macam mengoyak dalam rumah. Lagi teruk rapai. Takut kalau hingit, tiran 'mat saleh' buat report. Masak kelas Immigration serbu. Sub-kontraktor pula kedekut nak jimat elektrik. Tak bagi pakai barang elektrik terutama permas. Tak jawab dari Swan Hill, ada satu taman karavan di Wyah, nama kampung itu. Macam kampung Malaysia dah. Banyak karavan kat sana, kalau nak kendal orang, nak beresat. Bolehlah ditukar sana. Ditukar karavan dalam 4-5 orang. Masak, mandi, basuh baju semua kat luar. Nak basuh baju kena bayar AUD\$4.

Dadai kalau pun pernah, satu kontena panjang ditengah tiga. Xiri kanan jadi bilik kecil, musti-mustam campas. Tengah tengah tempat masak. Kalau MUM, memang tak berbaloi lah dengan sewa. Malah... lagi sebest tak ada beres-beres. Kena lah duduk di rumah sub-kontraktor sewa.

Rintihan dari ladang

Saya duduk bawah sub-kontraktor orang Sabah, kami fikir dia tak 'makan' kami sebab ramai yang kata dia okay. Memang saya pun harap tak dia untuk cari kerja.

Satu hari kami dibantar ke satu ladang (Ladang A) dan saya dapat tahu ada pekerja dari kampung lain dipagar upah AUD\$2.60 sepokok. Kami terkejut, ambil sub-kontraktor sebestlah kita gila gila, pokok yang sepatutnya dapat AUD\$2.60 dia bagi AUD\$1.40 sahaja.

Lepas tu saya berpakat dengan kawan saya nama Maz, kita lari lah. Ini baru tiga minggu lepas, saya balik rumah dan kemas beg dan cuba minta maaf, kami nak keluar dari sini (kerja dengan sub-kontraktor lain).

Marah betul sub-kontraktor, sampai dia mengert. "Menevial alu baru kena ke Ladang A."

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SHAHIDAM
Pekerja haram Malaysia 3 bulan di Australia

Pekerja dapat tulang

| PEMILIK LADANG | KONTRAKTOR UTAMA | SUB-KONTRAKTOR | PEKERJA |
|--|--|---|---|
| <ul style="list-style-type: none"> Menggunakan pekerja haram Mengijinkan kos Sebagai contoh, pemilik ladang membayar AUD\$20-25 sejam seorang kepada kontraktor utama AUDI bersenon RM3.26 | <ul style="list-style-type: none"> Menyerahkan kerja kepada beberapa sub-kontraktor Membayar kepada kontraktor AUD\$15 sejam seorang Kontraktor untung atas angin AUD\$4 sejam bagi setiap pekerja Contoh: 800 pekerja x AUD\$4 sejam = AUD\$3,200 sejam x 8 jam = AUD\$25,600 sehari AUD\$5,600 x 30 hari = AUD\$168,000 sebulan | <ul style="list-style-type: none"> Membayar kepada pekerja AUD\$8-13 sejam seorang Contoh: <ul style="list-style-type: none"> Katakan sub-kontraktor untung atas angin AUD\$5 sejam bagi setiap pekerja 80 pekerja x AUD\$5 = AUD\$400 sejam x 8 jam = AUD\$3,200 sehari AUD\$3,200 x 30 hari = AUD\$96,000 sebulan | <ul style="list-style-type: none"> Pekerja dibayar ikut jam <ul style="list-style-type: none"> AUD\$13 x 8 jam = AUD\$104 Katakan bekerja 20 hari sebulan x AUD\$104 = AUD\$2,080 sebulan Pecahan perbarjanan bulanan: <ul style="list-style-type: none"> Sewa bilik AUD\$400 sebulan Pengangkutan AUD\$35 20 hari = AUD\$700 Baki pendapatan AUD\$1,580 (tidak termasuk kos makanan dan keperluan, pengantaran balik wang ke Malaysia) Pekerja kontrak <ul style="list-style-type: none"> Satu pokok AUD\$150-250 (kerja mengurangkan buah) Purata ambil masa sejam untuk tiga pokok = AUD\$150 x 3 = AUD\$450 sejam x 8 = AUD\$3,600 Katakan bekerja 20 hari sebulan x AUD\$3,600 = AUD\$72,000 sebulan Pecahan perbarjanan bulanan: <ul style="list-style-type: none"> Sewa bilik AUD\$400 sebulan Pengangkutan AUD\$35 20 hari = AUD\$700 Baki pendapatan AUD\$220 (tidak termasuk kos makanan dan keperluan, pengantaran balik wang ke Malaysia) |

ESOK stori laporan Utusan Malaysia berhubung aspek perancangan dan kesan menyahgunakan visa pelancongan serta pengalaman pekerja Malaysia yang terdapat di bawah Immigration Australia.

Manipulation through transport
(graphics left to right clockwise)

Two multi-purpose vehicles (MPV) used to send illegal workers to farms

Purchase of MPV such as Honda Odyssey for RM6,519.01-9,778.52

Fare per worker to farm

RM19.56 (three minute distance)

RM32.60 (30 minute distance)

Assuming charges are RM19.56 x 7 workers = RM136.92 x 30 days

RM4,107.60 per month

This does not include charges for workers wanting to go into town for supplies

Workers oppressed, crushed

(Caption: Notebook belonging to a supervisor which records the amount of work done by each illegal worker under his watch)

This writer heard too many complaints from illegal Malaysian workers on the subcontractors during his time working undercover at the farm.

Among these included subcontractors handing out their salaries late despite already being received from the main contractor, and this included Malaysian subcontractors.

There had been situations where workers' salaries were delayed for two weeks to a month because the subcontractor had used the money for gambling. Workers further became victims when the money was lost at the gambling table.

Out of desperation, workers then begin borrowing money from the subcontractor to pay for rent and food. When this amount builds up, the worker is unwittingly tied down to the subcontractor.

"Subcontractors are smart, once tied down, these workers are unable to work elsewhere. Now, for instance, we estimate there will be no work for about 14 days before fruit-picking season starts.

"They tie us down to 'stock up' manpower during the fruit-picking season," said Osman who had only been in Australia two months.

Subcontractors also deduct workers' pay using the excuse that some trees worked on were rejected due to bad quality.

"If one person has three trees deducted per day, let us estimate that the charge should be A\$1.70 per tree and there are 30 workers under a subcontractor. Is that not A\$153 a day?

"This is despite the farm supervisor praising our work, but then suddenly the subcontractor claims rejection. This is how they play us," said Shukri, this writer's housemate.

Because of that, another housemate, Osman reminded of the importance of recording the number of hours worked on each tree. This was crucial as the records kept by the supervisor were not precise and one needed to be prepared if the pay they received was less than it should be.

"There is no other way to ensure your rights. Even our payslips are handwritten on notebook paper. So you should realise where you stand. You are a sitting duck, nobody cares if we are from the same state or country. You cannot even trust your own friends here," said Osman, a Canadian graduate who used to work as a bank officer.

Subcontractors' lack of discipline were also noted with Rizal who had been in Australia for 10 months voiced disappointment at constantly being sent late to the field.

"Other people are already there by 7.30 am, we only reach there after 9 am and then it's a mad rush to find available rows to work on.

"Another bad habit is subcontractors telling us to take the day off when they please just because they feel unhappy with the amount offered by the main contractor. If the price is too low, they do not allow us to work," he said.

(2nd story)

Scraps for the workers

Tears from the field

"I was placed under a Sabahan subcontractor, whom I thought would not take advantage of me as many others said he was ok. I relied a lot on him to get work.

One day we were sent to a field (Field A) where I found out workers from another group received A\$2.60 per tree. We were shocked, our subcontractor was really taking advantage of us, paying only A\$1.40 for trees that could have gotten us A\$2.60.

My friend, Maz, and I then decided to run away. This happened just three weeks ago, I went home and packed my bag and told (the subcontractor) sorry, but we are leaving (to work with another).

He was so angry, he shouted: "I regret bringing you to Field A!"

Shahdam

Illegal Malaysian worker

3 months in Australia

(graphics)

1) Farm owner

Uses illegal workers

Saves costs

For example the owner pays A\$20-25 per hour to one main contractor with A\$1 equalling RM3.26

2) Main contractor

Delegates work to several subcontractors

Each subcontractor receives A\$16 per hour

Contractor easily makes A\$4 per hour per worker

For example, 800 workers x A\$4 per hour = A\$3,200 per hour x 8 hours = A\$25,600 per day

A\$25,600 x 30 days = A\$768,000 per month

3) Subcontractor

Pays workers A\$8-13 per hour per person

For example, assuming a subcontractor easily makes A\$5 per hour for each worker

80 worker x A\$5 = A\$400 per hour x 8 hours = A\$3,200 per day

A\$3,200 x 30 days = A\$96,000 per month

4) Worker

a) Paid by the hour

Per hour A\$13 x 8 hours = A\$104

Assuming work is 20 days a month x A\$104 = \$2,080 per month

Breakdown of monthly expenditure:

Room rental A\$400 per month

Transport A\$5 x 20 days = A\$100

Balance A\$1,580 (not including cost of food and essentials, money sent back to Malaysia)

b) Contract worker

A\$1.50-2.50 per tree (fruit thinning)

Average one hour for three trees

A\$1.50 x 3 = A\$4.50 per hour x 8 = A\$36

Assuming work is 20 days a month x A\$36 = A\$720 per month

Breakdown of monthly expenditure:

Room rental A\$400 per month

Transport A\$5 x 20 days = A\$100

Balance A\$220 (not including cost of food and essentials, money sent back to Malaysia)

(Caption: Subcontractor's representative (left) handing out weekly pay to a Malaysian farm worker)

Tomorrow follow Utusan Malaysia's report on the legal aspects, consequences of abusing tourist visas and the experience of Malaysian illegals on the run from Australian Immigration.

(Far-right column)

Tears from the field

"We risk our lives if the farm is far from home as the cars used are in bad condition, including having bald tyres. Once our tyre punctured in the outback and upon checking we discovered there was not even a spare. Worse still, there were no tyre-changing tools either. The car was dirty and overloaded with passengers. We were afraid every time there was a roadblock. We had no documents. Experiencing this on a daily basis could give one a heart attack just seeing a policeman.

Like it or not we had no other mode of transportation. Sometimes when we reached the farm we were told there was no work for the day. The subcontractor would tell us to go home – not only would we earn nothing that day, we would still have to pay for transportation. Such a rip-off."

Zizi

Illegal Malaysian worker

6 months in Australia

Manipulation through housing

House rental

RM652

Per week on the farm or outside

Accommodates as many workers as possible, up to 20 people

Each person charged

RM228 – RM326 = RM6,520 (-) RM652 actual rent

RM5,868

net profit per week

"I have stayed in all sorts of places in Australia. I once lived on a farmhouse, the subcontractor housed 25 of us together. We constantly jostled to cook and sleep. There was only one bathroom. The house was purely basic accommodation with no heating, at night we would shiver from the cold.

The house was dirty with so many inhabitants. But I held on... I preferred the farmhouse because there was more freedom. It would be easier to buy provisions living nearer town, but the houses were not nice.

You cannot be seen outdoors, it is as if you are hiding inside the house. Curtains are drawn at all times. If you are noisy, your local neighbour might report you. It is the end if Immigration conducts a raid. Subcontractors are stingy with electricity. Electrical items especially heaters are not allowed.

Not far from Swan Hill is a caravan park in a place called Nyah. It is a Malaysian kampong of sorts. There are a lot of caravans, if you want to get to know people and socialise, you can stay there. Each caravan houses four to six people. Cooking, showering, laundry is all done outside. It costs A\$4 for laundry.

I even stayed in a cabin once, one long container divided into three. Either side was converted into tiny rooms, fitting only one mattress. If you think about it, it was not worth the rent paid. Too expensive. But because I had no car I had to live at the house provided by the subcontractor.

Mustafa

Illegal Malaysian worker

14 months in Australia

Annexure 1

Translated Articles
Utusan Malaysia Special Coverage
17 November 2016

KHAMIS 17.11.16 17 SAFAR 1438 BIL. 274 TAHUN KE-52 PP362/12/2012 (034409) RML50 (SEMANAJUNG) RM2.00 (SABAH/SARAWAK)

LAPORAN KHAS

BAHAGIAN 3

SANGGUP BERENANG, ELAK DITANGKAP

Nasib pekerja haram Malaysia di Australia

LAPORAN DIMUKA

PEKERJA haram dari Malaysia termungjung di jendela mengongkang nasib yang menimpanya di Australia.

Ada yang masuk hutan menyorok, bila *line clear* kita keluarlah. Kalau di ladang, kita mesti lari dalam pelbagai arah secara individu, jangan bergerak dalam kumpulan, apa kat depan, redah terus."

SHAHIDAM
Pekerja ladang dari Malaysia

WATAWAN
Utusan Malaysia: Satu majalah Harian di Kuala Lumpur dan bandar Swin Hill, Victoria, Australia.

Pemangkin Fikiran Rakyat www.utusan.com.my

UTUSAN MALAYSIA



BENTLEY
RM600,000



A. MARTIN
RM700,000



DAIMLER
RM200,000

Dipercayai diperoleh bekas CEO GLC melalui hasil suapan



Suami isteri murung culik bayi »7



Special Report
Part 3
Willing to Swim to avoid being Caught
The Condition of Illegal Malaysian Farm Workers in Australia

KHAMIS 17 NOVEMBER 2016

UTUSAN MALAYSIA - MUKA 5

LAPORAN KHAS

SAIFUL HAIZAN HASAM

BAHAGIAN 3

Siapakah pekerja ladang dari Malaysia?

21
tahun
paling
muda

60
tahun
paling
tua

4,000
Ariggaran pekerja haram dari Malaysia di kawasan Swan Hill dan petan berdekatan

Generasi muda lepasan SPM dan awal 20-an

Aka Betan kewangan dan komitmen

Tertarik dengan gaji lumayan yang ditawarkan, lebih senang mencari kehidupan yang lebih baik. Tahap pendidikan yang rendah.

Terdesak menyelesaikan hutang ah long dan bank.

Cuba mengasak disyariah murtis.

Dibuang kerja dan berdepan masalah rumah tangga. Lain daripada buruan ah long. Pesiilih jenayah yang mesra kan dari daripada polis.

DUA pekerja dari Malaysia ditangkap tiga untuk berpindah ke barisan pokok yang lain di ladang Cutri Fruit, Swan Hill, Victoria, Australia.

BEBERAPA penyelia memberi penerangan kepada sekumpulan pekerja dari Malaysia sebelum memulakan tugas di ladang Cutri Fruit, Swan Hill, Victoria, Australia.

Berenang, menyorok dalam hutan elak ditangkap

Pekerja Malaysia diburu imigresen

SWAN HILL 16 NOV.

BERANANG merentasi tasik dan menyorok di dalam hutan. Bertulah terdesaknya rakyat Malaysia yang bekerja secara haram apabila di Sempur Imigresen Australia.

Mereka hidup dalam ketakutan diburu dan perlu nakad serta lirikan meloloskan diri daripada keupayaan pihak berkuasa apabila berdepan dengan operasi.

Itika di Malaysia, kita menonton di televisyen bagaimana Imigresen Malaysia menyopok penempatan pekerja asing dari Indonesia dan Bangladesh. Suasana yang sama di sini, cuma yang diburu adalah rakyat Malaysia yang bekerja secara

Mana hang nak lari? Bila terdesak, mesti buat benda nekad, ada yang sampai berenang dalam tasik...

tidak sah. Naah orang kita sama dengan pendatang asing tanpa izin (PATI) di Malaysia. Menyodok.

Seorang pekerja Malaysia turut berkecuali pengalamannya berdepan dengan serbuan di kawasan ladang blueberry di utara Coff's Harbour yang menyebarkan 34 rakyat Malaysia termasuk dua kakak-beradik

tahan Ogos lalu. Sialaham, awal 50-an, yang berasal dari utara berikala, pasukan imigresen membuat serbuan secara teratur dengan membuat keupangan darat termasuk menggunakan anjing pengesanan.

Di udara pula, helikopter membuat litaran untuk mengesan pergerakan pekerja haram yang melarikan diri.

"Mama hang nak lari? Bila terdesak, mesti buat benda nekad, ada yang sampai berenang dalam tasik. Ramai yang selamat dengan cara ni."

"Ada yang masuk hutan kelu-arah. Kalau di ladang, kita mesti lari dalam pelbagai arah secara individu, jangan bergang dalam

kumpulan, apa kat depan, rodah terus," katanya.

Selapas mengempur ladang, Imigresen Australia juga membuat operasi di stesen-stesen kereta api bagi mengesan pekerja haram yang mahu melarikan diri ke kawasan lain.

Bagi pekerja yang merindai kemerdekaan sendiri, mest mereka lebih mudah namun bagi Sialaham dan rakan-rakannya, mereka taat abersah yang lebih baik.

"Aku yang tak ada kereta susah lah, sampai ke stesen kereta api tak turun terus, duduk dalam kereta kerosah dua, tiga-solalibing."

"Bila dah sah line clear, baru beli tiket legas tu menyorok dalam kereta dua sebelum kereta api sampai," dedahnya.



PEKERJA haram dari Malaysia bermunculan di jendela mengagap nasib yang membinanya di Australia.

Ramai dihantar balik seurus tiba

KEBANYAKAN pekerja ladang dari Malaysia tidak mempunyai keahamiran tentang undang-undang Imigresen Australia.

Malah, pegawai yang juga Pengarah Fides Lawyers, Jati Thanarajah yang berpangkalan di Melbourne dan boleh mengamalkan undang-undang di Malaysia dan United Kingdom, mengukut peraturan Imigresen Australia lebih kompleks.

Berikut lima soalan asas undang-undang Imigresen di Australia yang berkait dengan pekerja-pekerja ladang dari Malaysia.



RAJI THANARAJAH

Sama seperti orang yang ditahan di pintu masuk namun tempoh berada di pusat tahanan adalah lebih panjang dari seminggu ke tiga minggu.

Apa kesan kepada pemegang passport yang bersalah?

Sihaling masuk untuk tempoh tiga tahun dan selepas itu, Imigresen Australia berhak meneliti nilai anda jika mahu mendapatkan visa dengan syarat anda wajib membayar hutang tiket penempatan dan kos makan minum di pusat tahanan terlebih dahulu.

Kos tiket penempatan menjadi tinggi kerana Australia mungkin membolehkan tiket premium untuk mamaklaka kos pusat tahanan memcah ribuan dolar Australia.

Boleh guna ojan untuk dapat visa seperti bridging dan protectio?

Kos tiket penempatan menjadi tinggi kerana Australia mungkin membolehkan tiket premium untuk mamaklaka kos pusat tahanan memcah ribuan dolar Australia.

Jika gagal moyakinkan mereka, maka mereka ada syak wasangka terhadap nilai kedalaman anda, mereka berhak untuk mengun-

Bagaimana jika ditangkap di ladang?

Kenyataan Suruhannya Tinggi Australia

PEMDEDAHAN Utusan Malaysia berhubung manupias pekerja ladang mendapat perhatian Suruhannya Tinggi Australia di Kuala Lumpur, semalam.

Kenyataan yang meluaskan keasotusan kerajaan negara itu yang mengambuli tindakan keras terhadap ekpektasi pekerja asing turut menyebarkan mengenai komplot penipuan visa di Malaysia.

Berikut petikan kenyataan berkenaan:

"Baru-baru ini, beberapa kes komplot penipuan visa telah muncul di Malaysia. Penipuan ini berlaku dalam bentuk ojan, menawarkan visa dan penempatan ke Australia untuk orang ramai bekerja secara haram.

Keputusan ini merupakan usaha memperdayakan orang ramai supaya melonggar undang-undang Australia untuk mengaut wang dari keuntungan peribadi.

Kerajaan Australia menyuarai raman rakyat Malaysia telah dipergunakan stinklet penipuan ini dip mozaya kepada seluruh rakyat Malaysia supaya memahami apa yang dibenarkan oleh visa Australia dan adalah tidak sah jika anda bekerja menggunakan ETA.

Rakyat Malaysia dipajakkan berurusan dengan saluran yang scam dan berputus baik apabila melonggar visa Australia untuk membolehkan mereka daripada penempatan visa.

Jika anda melonggar syarat visa, anda mungkin ditahan dan dihantar balik dan tertakluk kepada tempoh larangan masuk semula selama tiga tahun.

Jika anda mengetahui atau mengesyaki berlakunya penipuan visa Australia, hubungi Suruhannya Tinggi Kuala Lumpur melalui e-mail visa@dfat.gov.au atau telefon atau melapor kepada Jabatan Imigresen dan Pertindungan Semadain melalui www.border.gov.au/about/contact-us.aspx atau

SEORANG penyelia berurusan Afghanistan sedang mangira raman gaji pekerja.

Jangan jejakkan peluang orang lain

MELBOURNE 16 Nov.

Perubahan rakyat Malaysia yang masuk ke Australia menggunakan visa pelancong dan bekerja di ladang-ladang boleh menjayakan peluang orang lain yang datang dengan niat yang sah di negara ini.

Konsul Jeneral Malaysia di Melbourne, Westmoreland Palon berkata, hal tre kritikal kerana ramai rakyat Malaysia memasuki Australia sama ada untuk melancong, belajar dan bekerja.

"Di Melbourne sahaja ada lebih 10,000 pelajar universiti dari Malaysia."

"Jika penyalahgunaan visa pelancong terlahit berlebihan, sa akan menyojalkan pelancong, pelajar dan pekerja lain yang datang dengan niat yang sah."

"Selain itu ta turut memburukan nama Malaysia," katanya kepada Utusan Malaysia baru-baru ini.



WESTMORELAND

Difahamkan, di Melbourne sahaja terdapat seramai 80,000 disaporan Malaysia.

Dalam pada itu, Westmoreland berkata, masalah penyalahgunaan visa oleh rakyat Malaysia untuk bekerja di ladang berada dalam pengetahuan pihaknya dan komzual turut membantu beberapa kes yang diadukan.

"Gunakan visa pelancong dengan tujuan cari pekerjaan, itu adalah salah di sisi undang-undang di mana-mana negara termasuk Malaysia sendiri," tegasnya.

Sementara itu, beliau turut mengesahkan terima kasih kepada Utusan Malaysia dan berharap persidangan yang dibuat akan membantu memberi kesedaran tentamta kepada kelompok yang mempunyai rancangan datang ke Australia dan bekerja sebagai pemotik buah.



DUA pekerja wanita dari Malaysia memulau sebuah restoran Malaysia di Swan Hill, Victoria, Australia.

(top right corner)

Part 3

Who are the Malaysian farmhands?

Age 21 youngest

Age 60 oldest

Estimate of 4,000 Malaysian illegal workers in Swan Hill and neighbouring towns

Younger generation post-SPM and in their early 20's

Attracted to good pay advertised by agent

Hoping to find a better life

Low level of education

Desperate to pay off loan sharks and banks

Avoiding being declared bankrupt

Laid off and facing marital problems

On the run from loan sharks

On the run from the law

(Caption: Two Malaysian workers carrying a chair to change tree rows at the Cutri Fruit farm in Swan Hill, Victoria, Australia)

(Main article)

Swimming, hiding in the woods to avoid capture

Malaysian workers hunted by Immigration

Swan Hill 16 Nov

Swimming across lakes and hiding in the woods. That is how desperate Malaysians working illegally become when chased by the Australian Immigration.

Living in fear of being hunted, they must be both determined and sly in order to escape whenever the authorities conduct raids.

Back home, we see on television how the Malaysian Immigration raids settlements of Indonesian and Bangladeshi foreign workers.

It is the same here, only those hunted are Malaysians working illegally. Their fate is the same as illegal immigrants in Malaysia. It is a sad scenario.

One Malaysian worker shared his experience escaping a raid at a blueberry farm in northern Coffs Harbour where 34 Malaysians including two children were arrested, last August.

Shahdam, early 50's, from northern Malaysia said, Immigration officers conducted an organised raid, closing off the area and using tracking dogs.

At the same time, helicopters searched from above to detect movements of illegals running away.

"Where can you run? When you are desperate, you will do anything. Some swam into the lake. A lot of them got away like that.

"Some hid in the woods, only coming out when the coast was clear. Running from the farm you must move on your own, not groups, whatever is in front of you just bulldoze your way through," he said.

After raiding farms, Immigration officers also conducted searches at train stations to find illegals attempting to escape to other areas.

It is easier for those who own vehicles, but Shahdam and his friends had no other option.

“I had no car so it was harder. When I reached the station I did not immediately go down, I just sat in my friend’s car and looked around (to make sure it was safe).

“Only when the coast was clear did I go down to buy a ticket and then I spent some time hiding in the car until my train arrived,” he said.

(Caption : Several supervisors briefing a group of Malaysian workers before they begin work at the Cutri Fruit farm in Swan Hill, Victoria, Australia.)

(Caption : A Malaysian illegal worker stares out the window contemplating his plight in Australia.)

(2nd story)

Many sent back upon arrival

Many Malaysian farm workers do not understand Australian Immigration laws.

In fact, lawyer and Director of Fides Lawyers, Raj Thanarajah – based in Melbourne and licensed to practice in Malaysia and the United Kingdom – acknowledges the complexity of Australian Immigration rules.

The following are five basic questions on Australian Immigration that relate to Malaysian farm workers.

How does Australia guard its points of entry?

V : Even if you have a tourist visa, they are entitled to ask at the airport your purpose of arrival, how much money you have brought, your address in Australia, how long you will stay and whether or not you have a return ticket.

If one fails to convince them?

If they are suspicious of your reasons for coming to Australia, they have the right to deport you.

Before that, the Australian government places offenders at immigration detention centres before sending them back on the next flight or the following day.

Cases of Malaysians refused entry into international airports throughout Australia occur especially frequently during the fruit-picking season.

What happens if you are arrested at the farm?

Same as those arrested at the entry point, but holding at the detention centre is longer from one to three weeks.

What consequences are there for guilty passport holders?

Refused entry for three years after which the Australian Immigration is entitled to review your intentions should you wish to obtain a visa, subject to footing your bill for the previous flight ticket and food costs at the detention centre.

The flight price might be expensive as authorities may purchase a premium ticket, while the cost of detention can come to thousands of Australian dollars.

Can one use an agent to obtain visas, such as bridging and protection?

Nonsense, no one can claim to be a visa agent even if their company has been registered. Do not fall for what agents tell you, there are those who have been cheated into paying up to A\$5,000 to agents.

(3rd article)

Statement from the Australian High Commission

Utusan Malaysia's expose on the manipulation of farm workers came to the attention of the Australian High Commission in Kuala Lumpur, yesterday.

A statement explaining the country's seriousness in taking action against the exploitation of foreign workers also touched on a visa scam in Malaysia.

The following is an excerpt of the statement:

"Recently several visa scam cases have been reported in Malaysia. The scam operates by agents offering visas and flight tickets to Australia for people to work illegally.

This scam is an attempt to lure people into breaking Australian laws for money and personal gain.

The Australian government is aware many Malaysians have been cheated by such syndicates and appeal to all Malaysians to understand what is allowed by the Electronic Travel Authority (ETA) granted throughout their stay in Australia.

The ETA does not give one the right to work in Australia and it is illegal to do so.

Malaysians are encouraged to liaise with official and reputable channels when applying for Australian Visas to avoid being scammed.

If you break the conditions of your visa, you may be arrested and deported subject to being refused entry for three years.

If you know of or suspect an Australian visa scam, please contact the High Commissioner in Kuala Lumpur by emailing visakl@dfat.gov.au or report it to the Immigration and Border Protection Department at www.border.gov.au/about/contact/immigration-and-citizenship-online-report.

(Caption: An Afghani supervisor calculating workers' wages.)

(4th article)

Do not spoil it for others

Melbourne 16 Nov

The actions of Malaysians entering Australia on a tourist visa before working at farms could affect the chances for those who have legitimate dealings in the country.

The Malaysian Consul-General in Melbourne, Westmoreland Palon said, this is critical as many Malaysians enter Australia to holiday, study and work.

"In Melbourne alone there are 10,000 Malaysian university students.

"If the abuse of tourist visas becomes uncontrollable it will affect tourists, students and legal workers coming here on legitimate grounds.

"It also gives Malaysia a bad name," he said to Utusan Malaysia, recently.

It is understood that there are 80,000 Malaysians in Melbourne alone.

In addition, Palon said, he was aware of Malaysians abusing their tourist visas to work on farms and the consulate had assisted in several cases.

"Using a tourist visa to get work is illegal in any country, including Malaysia," he stressed.

Meanwhile, he thanked Utusan Malaysia and expressed hope that the expose would be an eye-opener especially to those who planned to come to Australia to work as fruit pickers.

(Caption: Two Malaysian women walking past a Malaysian restaurant in Swan Hill, Victoria, Australia.)

Annexure 1

Translated Articles

Utusan Malaysia Special Coverage

18 November 2016



The Agony of a Father and Mother of a Victim who had been conned by an Agent
The Manipulation of Illegal Farm Workers in Australia
“I was extremely sad when I Found out that my Child had barely enough Money to Eat and was struggling to pay weekly rent. If it were up to me I feel I would like to go to Australia to bring him back Immediately”
Report on Page 8
Special Report Part 4

(Main article)

A father's plea, a mother's pain

After the publication of a series of reports on the cheating and manipulation of farm workers in Australia, Utusan Malaysia journalist, SAIFUL HAZAN HASAM received two phone calls from a mother and father of two victims of manipulation, yesterday.

The mother from southern Malaysia wanted to be known as Linda. Her 18-year-old son, Fendi, had returned to Malaysia last March, but her foster son, Syakir was still stuck in Australia.

Meanwhile, Omar from Shah Alam, Selangor said, his son, Basir, late 20's, was now stuck in Australia and he asked for opinions on how to save him.

Both of them shared the same sad tale, on the difficulties their children faced in Australia and their fears as parents.

Both agreed to share their stories as a lesson and reminder to other members of society to not be so easily duped.

The following is their story

I do not know where Basir is now, whether in Melbourne or Perth, he changes jobs. It is possible at this point he is in Perth. He originally went in through Melbourne and only told me he was going to Australia several days before leaving. He told me he was going to work whilst studying. He has a Diploma in Management UiTM, and I had told him that if he wants to further his studies, be it in Malaysia or overseas, to not rely fully on me because I have other obligations. He said, not to worry, he was going there with friends.

Work at a workshop owned by a Tengku from Terengganu

After he had gone only did I ask his mother (for details) and it was only then that I found out Basir had left through an agent in Shah Alam. At that point I did not think anything was wrong, looking at websites and other sources I saw that many agents offered jobs there. The only thing is, I did not expect that he would be working because he had mentioned he was going to study.

After several weeks he sent pictures and told us he was working as a supervisor at a car workshop owned by a Tengku from Terengganu. He showed us pictures of the workshop, Tengku and promised that he would get help to apply for permanent resident status, or to find a university to further his studies.

Basir only had to work first, which I felt was logical since he had only arrived and would need to find some income first. He was paid about A\$18 per hour. I told him to do what needed to be done.

OMAR'S PLEA

Protection visa

In the fourth month I asked Basir – this is the fourth month, a tourist visa is only valid for three. He said he had applied for a Protection visa. I asked, are you sure you can get it? He said everything was done by an agent and arranged by Tengku.

I said ok, since you trust Tengku I suppose he is trustworthy. At that point I wanted to get in touch with Tengku but my son said not to yet. After a month, Basir said the application form had been sent and he was only waiting to be interviewed.

But until today I have not heard of him being called for interview with the Immigration Department.

Silent when asked for money

Sometime around a week or two ago, I wanted to test how he was doing financially. I gave the excuse that his younger brother wanted to take his driver's license and suggested he contributed about RM1,000. Our conversation was via WhatsApp and the moment I mentioned money, he went quiet.

He only replied two or three days later to say that he was now working on a farm. I asked about Tengku and he said, Tengku had gone back to his hometown in Terengganu. Basir said he was paid under A\$20 an hour and rented a house for A\$85 a week.

Basir then apologised and said he did not have much work, there were not a lot of fruits to pick and too many Malaysian labourers. He said in his area alone there were hundreds of other Malaysian workers. This meant everyone fought over what little jobs there were to do.

It saddened me to know he was struggling, had enough only to eat and found it hard to pay his rent each week. If it were up to me, I would go there myself and bring him back to Malaysia immediately.

LINDA'S PAIN

I followed him to Melbourne

I sent my son, Fendi and foster son, Shyakir all the way to Melbourne to make sure (things were good). I saw his workplace, his house. I saw him work the first day and it all looked good. I was satisfied, so I came home.

This is why, when Fendi arrived at KLIA, (it shocked me) to see him with long hair and so thin because he had not been eating enough. I could not stop my tears. He lived there six months, (in conditions where) food and accommodation were so uncertain.

Faked heart attack for Fendi to return

Fendi once told me life was hard on the farm, I said come back son, I will always take you in, no matter what. Come home... But each time he would be brainwashed by a woman named Natrah. She incited my son and Shyakir.

It was mental torture for me as far as Natrah was concerned, for my son constantly defended her and trusted her more than me. I did special prayers, asked for Allah's guidance and prayed for Natrah to learn her lesson sooner or later. One day, because I could not take it anymore, I asked my husband to call Fendi and tell him that if he wanted to see me alive he would have to come back immediately. We lied and told him I had had a heart attack and was in critical condition. Because of that, Fendi came home.

Who is Natrah?

Natrah claims to be a Permanent Resident (PR) of Australia, and has children and grandchildren. She told my son he had the potential for getting a work visa, that there were good pro bono legal services available. (She claimed) one only needed to pay A\$1,500 for red tape.

I fell for her words and handed over the money, but after a long wait found that there was no development. I told my son to ask her to refund the A\$1,500. She gave all sorts of excuses but in the end he managed to take back A\$500.

I told Fendi to ask for the rest of the amount and said it was ok if he did not get the work visa, but Natrah threatened him. 'If you come here again I will get the Immigration to arrest you.' Dear God... my son was only 18, of course he would not go. He was scared.

She messaged me, accused me of being a bad mother, uncaring about my son's future. She threw all sorts of insults at me and even said she hoped I would be struck by lightning. Her words tortured me mentally, what angered me even more was that my son was on her side.

When my son finally came back to Malaysia, she feared the truth about her would come out. She

continued disturbing me, told me not to trust my son, that he had supposedly turned to drugs. She created stories to draw attention away from her.

Fendi returns

I read up the Australian Immigration's website and called them to ask about immigration and visa. From this I had an idea of what should be done. I bought a ticket and asked Fendi to come straight to the airport to check in and stamp his passport as an ordinary traveller would. Fendi was afraid at the airport, but thank God he got through even though his tourist visa had expired. Immigration asked no questions because he already had a ticket home.

Shyakir still there

Shyakir is still there, still 'controlled' by Natrah, he has no money to come home. He contacted me recently via Facebook. He told me life was hard because there was little work to be done this season, and he would have no work in winter.

I cry when I think of Shyakir. His mother died many years back and he has called me mother for the longest time. It was I that bought his ticket to Melbourne initially. Now Shyakir says he wants to earn enough to buy his ticket home. I am also trying hard to convince him to come home as soon as possible.

(right column)

(caption: An illegal worker sharing his bitter experiences, working on Australian farms to Utusan Malaysia's journalist.)

Visually impaired 65 year old cheated by agent MELBOURNE 17 Nov.

It would not be too much to label agents operating in Malaysia to find workers for Australian farms as 'monsters.'

They have no compassion and in fact deceived an elderly man of 65 into losing everything, here in Melbourne.

The Malaysian Consul-General in Melbourne, Westmoreland Palon in telling the story said, an agent promised the man to help arrange for him to work Australia.

As a result the man handed over a large sum of money, supposedly to cover costs for transportation, rental and work permit processing.

"Once he got here, obviously there was no job plus he was not young and had problems with his eyesight.

"Logically too, no employer would want to employ him, especially in a developed country like Australia," he said to Utusan Malaysia in his office, recently.

Westmoreland said, the man lost everything and ended up roaming the streets of Melbourne until he finally arrived at the Malaysian Consulate.

"We quickly got in touch with his family in Malaysia to buy a flight ticket home for him before helping him on his way.

"I hope this man's story becomes a lesson for all of us," he said.

(Caption - A group of Malaysian workers listen to a briefing by their supervisor before starting work at the Cutri Fruit farm in Swan Hill, Victoria, Australia.)

(Final article)

Take action against the agents KUALA LUMPUR 17 Nov.

The government is urged to take immediate action against agents who advertise fruit-picking work supposedly offering high pay and a life of luxury in Australia.

Secretary General of the Malaysian Trades Union Congress N Gopal Krishnan said, the authorities need to take action against agents advertising such work in social media sites.

"It is the responsibility of the authorities to take stern action against agents spreading false advertisements in social media.

"This should be a lesson for the people, especially youngsters attracted to instant profits and the sweet promises of certain parties," he said when contacted by Utusan Malaysia here, today.

He was commenting on the Utusan Malaysia expose on the Malaysians falling victim to advertisements for fruit-picking work in Australia which offered good pay but in fact made them illegal workers living in constant fear.

Meanwhile, the Executive Director for the Malaysian Employers Federation (MEF), Datuk Shamsuddin Bardan said, special programmes must be conducted to monitor Malaysian workers to ensure they were protected from becoming victims whilst working overseas.

He said, such a programme was needed to monitor the movements of these workers and protect them from being exploited, hence ensuring their safety when working overseas.

"In fact the government should also use a diplomatic approach to help Malaysian workers (facing problems) come home immediately so they do not suffer any further," he said.

Annexure 1

Translated Articles
Utusan Malaysia Special Coverage
19 November 2016



Defaming Nation and Government

“the Excuse of Being Hunted by the Government after being involved in Bersih Gathering is a popular Reason when applying for Protection Visa, however we must enter just after a large gathering of protestors. Only then it looks logical and legit.”

Abu

An Illegal Farm Worker of over a year in Australia

Special Report

Part 5

Report on Page 10 & 11

LAPORAN KHAS

BAHAGIAN 5

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Lonjakan permohonan visa perlindungan



FITNAH NEGARA SENDIRI UNTUK VISA PERLINDUNGAN

Malam ini, Uthmaniyah dan suaminya, SARAH HAZWANAN, memandang ke luar tingkap bilik tidur mereka di sebuah rumah sewa di kawasan perumahan di Kuala Lumpur. Mereka berdua sedang menunggu untuk dapat visa perlindungan di Australia.

3,500
permohonan
visa perlindungan
di Australia
pada bulan Ogos 2016, berbanding 2,000 permohonan pada bulan Ogos 2015.

87%
permohonan visa perlindungan
di Australia
pada bulan Ogos 2016, berbanding 88% permohonan pada bulan Ogos 2015.

294
permohonan visa perlindungan
di Australia
pada bulan Ogos 2016, berbanding 294 permohonan pada bulan Ogos 2015.

2,000
permohonan
visa perlindungan
di Australia
pada bulan Ogos 2015, berbanding 3,500 permohonan pada bulan Ogos 2016.

88%
permohonan visa perlindungan
di Australia
pada bulan Ogos 2015, berbanding 87% permohonan pada bulan Ogos 2016.

1,401
permohonan visa perlindungan
di Australia
pada bulan Ogos 2014, berbanding 2,000 permohonan pada bulan Ogos 2015.

Sumber: Jabatan Imigresen Australia

Manipulasi permohonan visa perlindungan

RM2,000 untuk permohonan visa perlindungan

RM2,400 untuk permohonan visa perlindungan

RM2,400 untuk permohonan visa perlindungan

RM24,000 untuk permohonan visa perlindungan

Visa bridging

RM24,000 untuk permohonan visa perlindungan

Pembaharuan besar diperlukan - Australia

... (text) ...



Berbaloikah kos memohon visa perlindungan?

... (text) ...



Kenyataan Cutri Fruit

... (text) ...



Tears from the farm

"You need to watch your health, working on a farm. If you see a doctor, consultation alone is A\$60 and that does not include medicine. If you call an ambulance, it costs A\$1.5k.

You have to take care, be careful when climbing stepladders on the farm. Recently someone fell and wounded his head.

It burns a hole in your pocket, there have been cases where someone died. I do not know what country he came from, his body was found in a public toilet. Police said it was not suicide, but he was an illegal immigrant who died from an illness.

Ilham

Malaysian illegal worker

6 months in Australia

"The first two weeks I arrived, I could only sit and stare in my cabin. I had no work, the cabin cost A\$60 a week to rent. My money was gone, my purse empty.

I had it bad, I only sat and stared. I did not even have money to buy tobacco for for a roll-your-own cigarette. My mind was shattered. Here you cannot afford to be shattered, it is too dangerous.

Fortunately, when I first arrived I had bought and kept food. If not for that, I would have starved.

By the third week I had almost lost it. Fortunately the subcontractor gave me work but it was not much, just enough to pay for my house rent.

Man

Malaysian illegal worker

3 months in Australia

(main article)

Slandering own country for Protection visa

Utusan Malaysia journalist, Saiful Haizan Hasam uncovered how illegal workers manipulated Immigration laws to obtain Australian Protection visas using false information

Illegal Malaysian workers desperate to obtain Protection visas in Australia have no qualms slandering their own country using false information in their application forms which give Malaysia a bad name in the eyes of the world. Abu, an illegal worker in his early 20's from Kuala Lumpur, told this writer of the most popular excuse given, namely being hunted by police and Malaysian government for involvement in the illegal organisation, Bersih.

"The excuse of being wanted by the Malaysian government because of Bersih is extremely popular, but you must make sure there really was a huge rally before your arrival. Only then will it hold weight.

"Even visa agents use this excuse, it is as if we have a set of popular excuses that do not require documented evidence and this has been spread by word of mouth so everyone uses the same reason," said Abu, who has been in Australia for over a year. Abu said, another popular excuse was facing death threats and being victims of loan sharks.

He also claims to have received a six month Protection visa before it was revoked due to a mistake in filling in personal information.

"The excuse I had given was that a cousin had borrowed money from loan sharks but absconded overseas causing me to be hunted and threatened with death instead.

"I claimed that I had made police reports but nothing had been done. I also lay the blame on the government and claimed to have had no choice but to run to Australia out of desperation," he said.

At the time this writer went undercover into the illegal labour market at Cutri Fruit farm, two of his housemates were also in the process of filling up Protection visa forms.

Zizi, an illegal who had arrived just two months prior admitted he would be using involvement with Bersih as an excuse, while Osman, also a newcomer from Malaysia, would claim escape from death threats by loan sharks.

Both of them planned to submit their applications personally to avoid being cheated by their agent. This writer also attempted to obtain information on the agent for visa application at a Malaysian restaurant in Swan Hill. One illegal worker claimed the cost depended on the type of visa applied, with the most expensive he had heard of priced at A\$5,000.

"This is an all-inclusive package, but you need to be careful. A lot of agents here are fraudsters so do not simply trust anyone," he said.

(2nd article)

Is it worth applying for a Protection visa?

Is the 'investment' of Malaysian farm workers to obtain a Protection visa truly a license to start a new life in Australia as claimed?

This question was asked of a Malaysian lawyer, Vicknaraj Thanarajah who has practiced law in Melbourne for the past eight years.

The Director of Fides Lawyers who hails from Taiping, Perak did a calculation of the amount that needs to be invested by an illegal worker and worked out that on average each of them spend about RM800 a month before 'obtaining' a Protection visa via syndicates and agents.

In fact, he said, the truth is many do not realise that despite the amount paid, they still do not have the right to work using a Tourist or Bridging visa.

"They work so hard on farms, illegally and with such little pay, believing it is an investment for their visa application and a start to becoming a permanent resident.

"It is sad that these workers do not realise a majority of Protection visa applications are rejected after a long wait.

"So they end up being illegals and stay in Australia overstay time limit given them," he said to Utusan Malaysia recently.

He said, due to their ignorance, many Malaysian farm workers became entrapped in a cycle of deceit and false promises.

"These workers are only used to stock up on staff and as money machines by irresponsible syndicates," he said.

(left column)

Manipulating Protection visa applications

Workers enter Australia using a tourist visa that allows them to remain in the country for three months without the right to work. Syndicates in Malaysia generally charge up to RM2,000 for this process when in fact it is free.

RM2,400 is charged per person to apply to extend the tourist visa for three months by syndicates in Australia once the original tourist visa nears expiry.

Once the extended visa nears expiry, they apply for a Bridging visa followed by a Protection visa application. Agents in Australia usually charge RM2,400 when in fact applications are free.

Bridging visas are temporary visas that allow foreigners to stay on in Australia while awaiting the approval of their Protection visa application. Generally, Protection visas are applied for near the expiry date of the Bridging visa. While waiting for the Protection visa to be processed, workers are allowed another Bridging visa, valid until the Protection visa is obtained. This process takes at least six months to a year.

RM24,000 Estimated total amount paid to syndicate

(graphics)

Increase in Protection visa applications

An increase of 3,500 applications for asylum by Malaysians, applied whilst being in Australia during the previous fiscal year, namely twice the applicants for 2014-15 even though Malaysia is a stable, functioning country.

87% applications rejected

88% appeals rejected

by the Migration and Refugee Division of the Administrative Appeals Tribunal.

The tribunal processed over 2,000 appeals for the last fiscal year – four times the amount for 2014-15, representing almost half of the claims for Protection.

Only 294 protection visa applications were submitted by Malaysians in 2013-14.

1,401 Malaysians applied for protection whilst in Australia from 2014-15. This number leaped to 3,549 applications in 2015-16.

SOURCE: Australian Immigration Department

(3rd article)

Huge reforms needed – Australia

Utusan Malaysia's investigations with Fairfax Media and 7.30 Report Australia Broadcasting Corporation (ABC) brought the issue to the attention of many parties, with the Australian Border Force stressing the need for huge reforms in order to overcome exploitation against illegal workers. Its head, Prof. Allan Fels said, this is because there are many important sectors of the economy where systematic exploitation of foreign workers occurs.

"It is common. It is widespread and must be stopped," he said in an interview, recently.

Fels stressed that a comprehensive approach is also needed, involving more stringent enforcement and higher fines, as well as larger resources for the Fair Work Ombudsman.

With regards to Immigration, he said, it is important to explain clearly to members of the public entering the country on their legal responsibilities and rights should they be exploited.

"We also need to put pressure on employers who break the law," he said.

Opposition leader, Bill Shorten urged the government to allocate more resources to take action against exploitation that he viewed as worrying and widespread. This group is exploited and victimised. They are the ones bringing down the pay scale for legitimate workers. Companies working the right way become weaker," he said.

Commenting on the issue, National Secretary of the National Union of Workers Tim Kennedy, representing horticultural workers said, there were too many tales of exploitation of foreign labour working on Australian farms.

"Some farmers squeeze their labourers dry without remorse. Foreign workers are not seen as human, but a commodity," he said.

He also claimed that large supermarkets ignore the scale of worker exploitation in their chain of supply.

(Caption: The report on investigations into exploitation of illegal workers involving by Utusan Malaysia was published by several newspapers under Fairfax Media and 7.30 Report.)

(4th article)

Statement from Cutri Fruit.

In a statement, Cutri Fruit said it: “Never knew that there was exploitation of foreign labour.

Our seasonal and part-time workers are provided through contractors and this has been the practice in the industry for decades.

Our contractors are subject to agreements which specifically state they need to verify the legality of foreign labour and obey relevant payment rates.

If our existing contractors are found to have infringed labour laws and visa requirements, their agreement will be terminated.

Two contractors were terminated before this harvesting season (one each in March and October) due to several issues relating to payroll practices.

Cutri Fruit will also conduct an extensive independent audit this month to identify any issues that might have been previously missed.

Annexure 1

Translated Articles
Utusan Malaysia Special Coverage
20 November 2016



Changing Religion For the Sake of a Protection Visa
Special Report Final Part

- Willing to Declare a change of Religion due to obsession in getting a Protection Visa
 - Apparently this increases the chances in getting Permanent Residency
 - 4 Teachers went on no pay leave due to being influences by false promises ends up being caught in a difficult life
 - A victim had been imprisoned for 258 days
 - Did not return even though wife passed away in Malaysia
 - Managed to bring back only AUD\$20
- News Report on Page 18 & 19

LAPORAN KHAS

258 hari dipenjarakan

PENEMUAN MENGEJUTKAN

OPERASI PENYAMARAN

PASCA OPERASI

Isytihar masuk Kristian untuk visa perlindungan

Buka peluang kepada pekerja ladang Malaysia

Empat guru masuk jerat

Hanya bawa balik AUD20 dalam poket

batari meninggal pun tak baik

Catatan Susan Hill

LESUNG

(Main story)

A SHOCKING DISCOVERY

Introduction

For eight days, Mingguan Malaysia's reporter posed as an illegal fruit picker at the Cutri Fruit farm in Swan Hill, Victoria, Australia, staying in a rented house with 11 other illegal workers and uncovering some extremely shocking findings.

These findings were based on information from housemates and other illegal workers Saiful Haizan Hasam met throughout his stay there.

In the final series of the special report involving several of Australia's main media, Malaysian-born lawyer and head of Fides Lawyers law firm in Melbourne, Vicknaraj Thanarajah urges the Australian government to allow Malaysians to work legally on fruit farms.

Graphics:

(blue)

4-DAY INCOME

Friday

AUD16

9 hours 25 mins

Saturday

AUD48.10

9 hours 25 mins

Monday

AUD13

3 hours

Tuesday (Melbourne Cup public holiday)

5 hours 2 mins

(2nd story)

Claiming conversion to Christianity to obtain Protection visa

Obsessed in obtaining a Protection visa, believing it would expedite his application for Permanent Residence, a Muslim man claimed conversion to Christianity in his application form.

The excuse given was that he had received death threats from his own family members, besides citing Malaysian laws forbidding apostasy for Muslims. The Sabah man's application was approved by the Australian Immigration.

"I could tell you his name, where he is from, his ethnicity and sexual orientation," said this writer's source.

Muslim fruit pickers are also methodically exposed to Christian preaching. The farmhouse where this

writer resided was visited by two Christian preachers who gifted a book on the religion in Bahasa Malaysia, and showed a video clip on their cellphones on the creation of Earth from a Christian perspective.

The language used in the videoclip was Bahasa Malaysia.

(sub-story)

Four teachers caught in the net

Four teachers took six months' unpaid leave after being sweet-talked into believing they could make a lot of money picking fruits in Australia.

All of them struggled to adjust themselves to fieldwork with things their lives finally being completely finding themselves in a rut.

One of them even ended up divorced whilst still Australia after his wife kept urging he return to Malaysia.

"I found it strange that these teachers so readily came here. From teaching they came to do fieldwork, obviously it would be difficult. I taught them to work fast, otherwise they surely would not have survived," says Mohamad Rowi Ahmad, a former illegal worker who was jailed 258 days in Australia.

(left column)

Jailed 258 days

Mohamad Rowi Ahmad, 36, from Kelantan, lost his job and became desperate to find work to provide for his wife and eldest child. He decided to try his luck in Australia despite his wife being pregnant with their second child before finally falling victim to a fraudulent agent.

He left for Swan Hill and worked with a Vietnamese contractor named Cindy. It was hard work, with him waking up as early as 6.30 am and working till 9 pm at a grape farm in Robinvale, but the income received was not worth it. He then managed to secure another job through another sub-contractor which offered better pay.

One day as he and several other illegal Malaysian workers were driving, the car's back tyre burst causing the vehicle to crash. No one was hurt in the accident, but improper visa and racism saw him being charged on 14 counts before being incarcerated in Barwon Prison with hardcore criminals including rapists and murderers.

Mohamad Rowi was held in custody for 258 days as the proceedings for his case before the court in Swan Hill was delayed due to problems finding an interpreter and hearing was set for February of the following year.

"I was well treated in jail, they had a swimming pool and tennis court but I was troubled as I had not even seen my recently delivered second child. I could only sleep two hours a night.

"Fortunately I was assisted by an officer from the Malaysian Consulate in Melbourne and a lawyer, Vicknaraj Thanarajah who assisted me pro bono. If not for their help I might still be in custody. I will never forget their kindness," he said.

Thirteen charges against Mohamad Rawi were dropped while he pleaded guilty for only one, and was given six days to leave Australia.

2) Could not be there for wife's funeral

One illegal worker is traumatised after he was unable to return to Malaysia when his wife died as he did not have enough money to purchase a flight ticket, besides owing A \$1,800 to a subcontractor.

He also took a second wife whilst working in Australia without his first wife's knowledge after meeting another Malaysian woman who also worked illegally there. His second wife is now six

months pregnant and he is even more pressured to collect enough money to purchase flight tickets before she is no longer able to board a plane home.

If his child is born in Australia, the cost for treatment in a government hospital would surely be high as they would not be allowed the subsidies afforded locals due to their statuses as foreigners.

Only A \$20 in his pocket

A young father, Anas, late 20's, from Johore, tried his luck around Victoria for three months, but finally decided to return to Malaysia before his tourist visa expired.

He decided to return as he could no longer bear being cheated and overworked by subcontractors despite changing jobs several times in Australia, as well as missing his eldest child too much.

He admitted that not all farmhands make it in Australia and that it in fact would not be an exaggeration to say that only three out of 10 who try their luck manage to secure a good farm and subcontractor to work under.

"I came home with only A\$20 in my pocket and several t-shirts as souvenirs for my child. That was all I got for the hard work I did for almost three months. My flight ticket was bought by my father, who fortunately got a discount as he works with MAS.

"If you want to get rich, do not go to Australia to pick fruits, just be a fraudster and find Malays to be your victims. There are many who make money in this disgusting way. The tactic used is also the same. Wherever you go in Australia, you will find this is their tactic and money is their god," he said.

GRAPHICS

UNDERCOVER OPERATION

Worked under Lee Afghanistan (Contractor)

Accommodation - Rental at a farmhouse owned by Cutri Fruit with 11 others including a supervisor, Pak Mor, an Indonesian man from Surabaya.

8 days on the farm

4 days to work

Short briefing by supervisor

Subcontractor

Investigation tools

Spy camera and voice recorder

Fellow investigators

Renowned Australian investigative journalist from The Age, Nick McKenzie (middle) and staff from the Australian Broadcasting Corporation (ABC)

POST-OPERATIONS

Contacted by former housemate at Cutri Fruit farm.

Expressed disappointment and claimed that the article affected the income of Malaysian illegal workers

Did not deny the story as all information used for the article were obtained from them

Allow job opportunities for Malaysian farmhands

The Australian government is urged to allow job opportunities for Malaysians to obtain seasonal farm work through the Special Program visa (416), which comes into effect today.

Director of Fides Lawyers, Vicknaraj Thanarajah said, as an alternative the Australian government should increase its quota for the Work and Holiday (Temporary) Visa (sub class 462) as the currently the number is only 100 per year.

"The Australian Immigration Department introduced the Special Program (416) for residents of the Pacific Islands to work seasonally in the agricultural sector. This should take effect today.

"Unfortunately this visa is specifically for residents of the Pacific Islands and Malaysians are not included in the list," he said to Mingguan Malaysia.

Explaining further, Thanarajah said, there was a strong basis for this as farms particularly in the outback need a high number of workers, thus allowing those in the industry and syndicates to take advantage of the situation in fulfilling this opportunity and demand.

He said, syndicates take advantage of illegal workers as they have no say, while companies, farmers and different authorities cleverly control the situation, claiming ignorance of syndicates which exploit workers.

"Their denial is amusing if one looks at the scenario at Swan Hill, an outback in Victoria flooded with illegal Malaysian workers," he said.

Meanwhile, Thanarajah said, the exploitation of foreign workers was nothing new as Malaysians were only the latest to be used for work by syndicates.

"Several years back, there was a increase in manipulation of illegal workers from the Pacific Islands but investigation by the authorities saw this reduced.

"I believe Malaysians are only filling in this temporary gap due to investigations by the authorities on illegal Pacific Island workers," he said, adding that a Special Program visa (416) would be a start to allowing Malaysians to come and work legally as farmhands.

He also reminded the Malaysian community in Australia to remember that their actions could have a negative impact not only on the country's image but also on the Malaysian diaspora who now call Australia home or have business interests including government-linked companies (GLC).

He said, current statistics showed that 156,600 of Australia's residents were Malaysian, excluding students and illegal workers.

"Malaysia is the sole Southeast Asian country allowed the Electronic Travel Authority (ETA) which allows us and Westerners to obtain tourist visas online.

"This of course is a result of excellent diplomatic relations between the two countries. Logically, an increase in abuses of the privilege of online visa applications risks its being revoked," he said.

Swan Hill diary

FOOD

Provisions are found on one's own. Eating out is rare. Groceries are relatively cheap and there are various Malaysian products such as instant noodles, coffee and soy sauce sold in the Asian shop.

SPECIAL MENUS

The most special dish this writer experienced at the farmhouse was goat tom yum.

(caption: Menu on the window of the Lesung Batu Restaurant, owned by a Malay entrepreneur is a favourite amongst Malaysian workers in Swan Hill , Victoria, Australia.)

MALAY RESTAURANT

The Lesung Batu Restaurant offers Malaysian cuisine and is owned by a Malay entrepreneur. I managed to sample a glass of teh tarik here. Delicious.

BITTER COLD

Temperature was 5 celcius at night. This writer slept on the floor wearing four T-shirts, two jackets, a beanie, two trousers and two pairs of socks as there was no heating.

THE PRICE OF CIGARETTES AND TOBACCO

Surya kretek cigarettes are considered 'gold.' All farmhands buy roll-your-own tobacco, priced around A\$25.

A housemate once picked up my discarded cigarette butt. He then rebuked me for wasting it and smoked it, not at all embarrassed.

NOMADIC LIFESTYLE

Must move constantly to find work elsewhere. Those without transportation need to take trains, bringing with them basic appliances and items such as electric cookers and dishes in covered plastic containers.

MALAYSIAN KAMPONG

The caravan park in Nyah is now a Malaysian kampong. Situated not far from Swan Hill. About three to five occupants per caravan.

MALAYSIANS EVERYWHERE

Anywhere you go in Swan Hill town and you will bump into Malays. Generally moving in groups.

FREE CALLS TO MALAYSIA

There are telcos offering free limitless telephone call packages to Malaysia. Payment is through reloads and are also considered 'gold.'

Annexure 2

Translated Info Graphic

Utusan Malaysia Special Coverage

PENEMUAN MENGEJUTKAN

MUKADIMAH SELAMA lapan hari menyamar sebagai pekerja haram di ladang Cutri Fruit, Swan Hill di Victoria, Australia dan mendiami sebuah rumah bersama 11 pekerja lain dan wartawan Minggu ini manggapi beberapa pertanyaan yang amat mengesankan. Penemuan itu adalah hasil maklumat daripada rakan seumah dan para pekerja haram lain yang dituntut oleh SAIFUL HAZZAN HASAM sepanjang berada di sana.

Dalam senarai pekerja lapan kelas yang membolehkan beberapa media utopia Australia itu, pegawai kementerian Malaysia yang kini mengetuai Firma Fides Lawyers di Melbourne dan bantarat pendakuk tetap (PFI), VICKI NARAJI THAKARAJAH mendakwa kerajaan Australia memberikan peluang kepada rakyat Malaysia untuk bekerja secara sah di ladang.

OPERASI PENYAMARAN

- Bekerja di bawah Lee Afghanistan (Kontraktor)
- Sewa rumah: Ditempatkan di rumah ladang milik Cutri Fruit bersama 11 pekerja lain termasuk penyelia, Pak Mor, rakyat Indonesia dari Surabaya.
- 8 hari berada di ladang
- 4 hari peluang bekerja
- Berkumpul dengan penyelia untuk taklimat ringkas.
- Subkontraktor
- Menjangkakan buah
- Memangkas pokok

Alat siasat
KAMERA pemantauan

Rakan penyelia
WARTAWAN persembakan Australia dari The Age, Mark McKinnon dan wartawan lain yang datang ke ladang ini untuk melihat keadaan di dalam ladang.

PENDAPATAN 4 HARI

- Jumaat AUD16 (6 jam 25 minit)
- Sabtu AUD48.10 (9 jam 25 minit)
- Isnin AUD13 (3 jam)
- Selasa (cuti umum Melbourne Cup) AUD22 (5 jam 2 minit)

Isytihar masuk Kristian untuk visa perlindungan

KERANA terlahir orang untuk mendapatkan visa perlindungan yang kemuncaknya membolehkan mereka mendapat status penduduk tetap (PFI), seorang pemuda Islam mengesyorkan dirinya telah memeluk Kristian sebagai alasan memohon visa berkenaan dalam bentuk permohonan.

Untuk berhasrat agama Kristian dalam bahasa Malaysia yang diadakan kepada pekerja haram Malaysia di ladang Cutri Fruit, Swan Hill, Victoria, Australia.

AUD10 Gaji Saiful Hazzan yang bekerja 24 jam dalam masa 4 hari

AUD10 oleh subkontraktor

AUD70 pendahuluan sewa rumah seminggu

AUD30 buki di tangan

SAIFUL HAZZAN HASAM (Kiri) dan **VICKI NARAJI THAKARAJAH** (kanan) bersama wartawan lain di ladang Cutri Fruit.

(Main story)

A SHOCKING DISCOVERY

Introduction

For eight days, Mingguan Malaysia's reporter posed as an illegal fruit picker at the Cutri Fruit farm in Swan Hill, Victoria, Australia, staying in a rented house with 11 other illegal workers and uncovering some extremely shocking findings. These findings were based on information from housemates n other illegal workers Saiful Haizan Hasam met throughout his stay there. In the final series of the special report involving several of Australia's main media, Malaysian-born lawyer and head of Fides Lawyers law firm in Melbourne, Vicknaraj Thanarajah urges the Australian government to allow Malaysians to work legally on fruit farms.

Graphics:

(blue)

4-DAY INCOME

Friday

AUD16

9 hours 25 mins

Saturday

AUD48.10

9 hours 25 mins

Monday

AUD13

3 hours

Tuesday (Melbourne Cup public holiday)

5 hours 2 mins

GRAPHICS

UNDERCOVER OPERATION

Worked under Lee Afghanistan (Contractor)

Accommodation - Rental at a farmhouse owned by Cutri Fruit with 11 others including a supervisor, Pak Mor, an Indonesian man from Surabaya.

8 days on the farm

4 days to work

Short briefing by supervisor

Subcontractor

Investigation tools

Spy camera and voice recorder

Fellow investigators

Renowned Australian investigative journalist from The Age, Nick McKenzie (middle) and staff from the Australian Broadcasting Corporation (ABC)

AUD110

Saiful Haizan total Pay for working 24 hours in 4 days

Minus

AUD10 by Subcontractor

Minus

AUD70 Weekly Rental Paid in Advance

AUD30

Balance in Hand



Manipulasi permohonan visa perlindungan

Pekerja memasuki Australia menggunakan visa pelancong yang membenarkan mereka tinggal di Australia selama tiga bulan tanpa hak bekerja. Sindiket di Malaysia kebiasaannya mengenakan bayaran sehingga

RM2,000
untuk proses ini sedangkan permohonan adalah **percuma**.

RM2,400
seorang
caj yang dikenakan untuk memohon penyambungan visa pelancong selama dua ke tiga bulan oleh sindiket di Australia apabila tempoh sah visa pelancong hampir ke penghujung.

Apabila tempoh tambahan hampir berakhir, mereka akan membuat permohonan visa bridging diikuti permohonan visa perlindungan. Ejen di Australia kebiasaannya mengenakan bayaran

RM2,400
walaupun permohonan secara amnya adalah percuma.

Visa bridging
menjadi visa sementara yang membenarkan rakyat asing untuk terus berada di Australia sambil menunggu kelulusan visa perlindungan. Kebiasaannya visa perlindungan akan dimohon di penghujung tempoh sah visa bridging. Semantara menunggu visa perlindungan diproses, para pekerja diberikan visa bridging sekali lagi yang sah laku sehingga diberikan visa perlindungan. Proses ini selalunya memerlukan masa enam bulan ke setahun.

RM24,000
Jumlah anggaran keseluruhan yang dibayar kepada sindiket.

Manipulation of Application of Protection Visa

Workers enter in to Australia using Tourist Visa which enables them to stay in Australia for 3 months without working rights. The Malaysian Syndicates usually charges an exorbitant fee of up to

RM\$2000

For this Process, notwithstanding the Application is actually **FREE**

RM2,400

Per-Person

Is the Fee that is usually charged for the extension of the Tourist Visa for an additional 2 to 3 months, by the Syndicate in Australia when the Validity of the Tourist Visa is about to expire.

When the Extension Period is about to expire they will apply for a Bridging Visa followed by an Application for Protection Visa.

The Agents IN Australia usually charges approximately

RM2,400

Although generally the application is Free

Bridging Visa (in yellow fonts)

This is a temporary visa that allows foreigners to be in Australia while awaiting the processing and approval of the Protection Visa. Usually the Protection Visa will be lodged at the end of the expiry of the Bridging Visa. While waiting for Protection Visa to be processed, these workers are given another Bridging Visa.

This process usually takes about 6 months to a Year.

RM24,000

Is the Approximate amount that is paid to the Syndicate in total for this process, which none of it guarantees or provides Working rights.

Lonjakan permohonan visa perlindungan

Meningkat kepada

3,500

permohonan

untuk mendapatkan perlindungan (asylum) oleh rakyat Malaysia yang dimohon sewaktu berada di Australia dalam tahun kewangan yang lepas, iaitu lebih dua kali ganda daripada jumlah permohonan untuk 2014-15 walaupun Malaysia adalah sebuah negara yang stabil dan berfungsi.

87%

permohonan

DITOLAK

88%

permohonan rayuan

DITOLAK

oleh Bahagian Migrasi dan Perlindungan, Tribunal Rayuan Pentadbiran.

Tribunal memproses lebih daripada

2,000

rayuan pada tahun kewangan yang lalu - iaitu peningkatan empat kali ganda berbanding 2014-15 yang mewakili hampir separuh daripada tuntutan beban kes perlindungan.

Hanya

294

permohonan visa perlindungan daripada rakyat Malaysia pada tahun 2013-14.

1,401

rakyat Malaysia memohon perlindungan sewaktu berada di Australia pada 2014-15. Jumlah itu melonjak kepada **3,549** permohonan bagi tahun 2015-16.

SUMBER: Jabatan Imigresen Australia

Increase in Application for Protection Visa

Increased to

3500 Application

To obtain asylum by Malaysian while being in present Australia in the last financial year. This is twice the usual figures of total application in the year 2014-2015, although Malaysia is a functioning Country which is stable.

87% of Application – Denied

88% of Appeals – Denied

By the Migration Tribunal

The Tribunal processes more than

2000

Appeals in the last financial year – which is an increase of 4 fold in comparison with figures from 2014-2015, which represents nearly half the applications of Protection Visa.

There were on **294** Application for Protection Visa in the year 2013-2014.

1401 Malaysians

Applies for Protection Visa while being present in Australia in 2014-2015.

The total of Application has increased exponentially to **3549** application for the year 2015-2016

Source the Department of Immigration and Citizenship

Manipulasi pengangkutan

DUA kenderaan pembawa penumpang (MPV) yang digunakan untuk mengangkut pekerja ke ladang.

Beli MPV seperti Honda Odyssey dengan harga **RM6,519.01-9,778.52**

Tambah seorang pekerja ke ladang

RM19.56 (perjalanan 15 minit)

RM32.60 (perjalanan 30 minit)

Katakan caj **RM19.56 x 7 pekerja = RM136.92 x 30 hari**

RM4,107.60 sebulan

Ini tidak termasuk caj jika pekerja mahu ke bandar untuk mendapatkan barangan keperluan

Two MPV which are used by those who transport workers to Farms

Transportation Manipulation

Purchase 2nd hand, MPV like a Honda Odyssey for RM6519.01 – RM9778.52

Fare per person to Farms

RM19.56 (15 minute Journey per person)

RM32.60 (30 minute journey person)

Assuming the Fare is

RM19.56 X 7 workers

=RM136.92 X 30 days

RM4,107.60 Per Month

This does not include fares if the workers wants to go to the town to get supplies.

Manipulasi penginapan

Sewa rumah
RM652
 seminggu dari ladang
 atau orang awam

Tempatkan seramai mungkin
 pekerja sehingga mencecah
20 orang

Satu kepala di caj
RM228-326
 seminggu

20 orang x RM326
 = RM6,520
 (-) RM652 sewa sebarat

RM5,868
 Jumlah untung bersih seminggu

Manipulation in Accommodation

Rent for per House

RM652 per week either from Farm owners or the Public

At times per House will accommodate Farm Hands of more than

20 People

Per Person is charged

RM228-326

Per Week

20 People X RM326

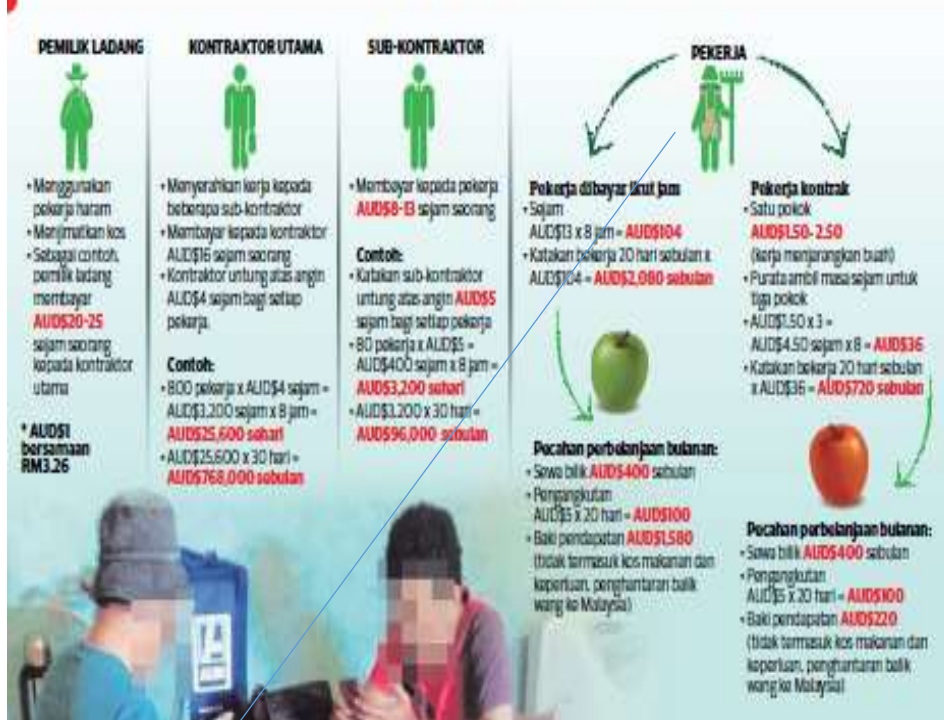
= \$6520

Minus RM652 of actual Rent

RM5,868

Net Profit per week

Pekerja dapat tulang



Workers Get Crumbs (Bones)

Farm Owner/Farmer

- Uses illegal Labour
- Saves Cost
- Example Farmers pay AUD20-25 per hour to Main Contractor

Main Contractor

- Divides the works to a few Sub-Contractor
- Pays Sub Contractor AUD16 per hour per-person
- Contractor makes a clean profit of AUD4 per hour per worker

Example

- 800 workers X AUD4 per hour = AUD3200 X 8 = **AUD25,600 per day**
- AUD\$25,600 X 30 days = **AUD\$768,000 per month**

Sub-Contractor

- Pays workers AUD8-13 per hour Per worker (best case scenario)

Example

- Lets say Sub Contractor makes a clean profit of AUD\$5 per hour per worker
- 80 workers X AUD5 = \$400 Per Hour X 8 Hours = **AUD3200 Per Day**
- AUD3200 X 30 Days = **AUD96,000 per month**

Workers

Workers Paid by the hour

- Per Hour AUD\$13 X 8 hours = AUD\$104
- If works for 20 days per month X AUD\$104 = AUD\$2080 Per month

Aggregate of Month Expenses:

- Monthly Rent AUD\$400
- Transport Aud5 X 20 days = AUD\$100
- Balance of income is \$1580 (does not include food cost, supplies and sending funds back to family)

Contract Workers

- Per Tree AUD\$1.50-AUD\$2.50 (for Pruning and trimming)
- An average it takes one hour to do three trees
- AUD\$1.50X 3=\$4.50 Per Hour X 8 hours = AUD\$36
- If works 20 days per month X AUD36months = \$720 per Month

Aggregate of Month Expenses:

- Monthly Rent AUD\$400
- Transport Aud5 X 20 days = **AUD\$100**
- Balance of income is **\$220** (does not include food cost, supplies and sending funds back to family)