

Internal review of the Training visa program and worker exploitation challenges: Terms of Reference

Following the New South Wales Coronial Inquest into the death of Mr Jerwin Royupa, and in response to recommendations made by the New South Wales Deputy Coroner and the Australian Anti-Slavery Commissioner, the Department of Home Affairs (the Department) will conduct an internal review (in the form of a root cause analysis) of the Training (subclass 407) visa (Training visa) program, with respect to lessons learned from the visa program, and with a view to applying these across the visa system where migrant workers are at higher risk of exploitation.

The review will be led by an individual with expertise in workplace relations, supported by the Department of Home Affairs and informed by case studies and analysis of program trends associated with risks as identified by the Coroner and the Anti-Slavery Commissioner.

Intent

The Review will examine whether changes are required to address the risk of potential exploitation of vulnerable migrant workers, including those undertaking workplace-based training.

Scope

The review will address the Coroner's recommendations, as well as associated Temporary Activities Sponsor requirements and obligations. This review will consider and build on previous reviews, including the *2023 Rapid Review into the Exploitation of Australia's Visa System*, noting that unscrupulous actors continue to adapt their practices and seek to exploit vulnerable persons. This includes consideration of:

- the Temporary Activities Sponsor framework and associated sponsor obligations;
- sponsor, nomination and visa approval processes;
- the risk of exploitation of temporary visa holders who undertake workplace-based training¹;
- referral, coordination and communication between Commonwealth agencies to address potential exploitation of temporary visa holders;
- the experience of other agencies in supporting migrant workers in Australia, including in the Pacific Australia Labour Mobility (PALM) scheme;
- advice and communications provided to temporary visa holders;
- compliance functions, including activities of the Sponsor Monitoring Unit within the Department of Home Affairs, and coordination across agencies;
- potential additional training needs for decision makers and/or Sponsor Unit Monitoring officers; and
- how to address potential exploitation of temporary visa holders.

¹ This includes: Temporary Activity visa (subclass 408); Temporary Work (International Relations) visa (subclass 403); and Training visa (subclass 407).

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Timing

A final report will be provided to the Minister for Home Affairs by 1 June 2026.

Background

The Training visa was designed for people who want to improve their skills through structured, workplace based training in Australia. It is a sponsored visa and requires sponsorship and nomination to be approved before a Training visa application may be lodged.

The visa can be granted for up to two years and is intended for individuals to

- complete a professional development training program (to build capacity overseas) or
- workplace-based training to:
 - o meet requirements for registration/licensing etc in Australia or their home country
 - o improve skills for their current occupation (for specified occupations only)
 - o build capacity overseas, including for overseas qualifications, with government support).

The sponsorship type required for the Training visa is a Temporary Activities Sponsorship.

A number of visa programs fall under the Temporary Activities Sponsorship: the Temporary Activity visa (subclass 408), Temporary Work (International Relations) visa (subclass 403) under the Pacific Australia Labour Mobility (PALM) scheme, and the Training visa.

Consultation

Home Affairs is committed to consulting with Mr Royupa's sister, Jessa Royupa, throughout the review.

In addition to relevant areas within the Department, consultation will occur with stakeholders including (but not limited to):

- the Australian Anti-Slavery Commissioner and the NSW Anti-slavery Commissioner.
- peak bodies including representatives of industry, workers, and the Australian Catholic Anti-Slavery Network;
- academia; and
- Government Agencies, including the Department of Foreign Affairs and Trade, Department of Education, Department of Employment and Workplace Relations including Jobs and Skills Australia, the Fair Work Ombudsman, the Attorney-General's Department, and the Australian Federal Police.

Deliverable

A final report outlining the key findings and recommendations will be provided to the Minister for Home Affairs and key stakeholders.