

**From:** Fuzz Kitto  
**Sent:** Friday, 30 May 2025 12:20 AM  
**To:** Modern Slavery; Carolyn Kitto  
**Cc:** Modern Slavery  
**Subject:** CM: Re: Modern slavery risks faced by temporary migrant workers in rural and regional New South Wales – Post-hearing responses – 30 April 2025

Please find below our responses to questions on notice.

**(a) In your experience with Bluenumber, how does anonymous, at-scale worker feedback improve regulatory outcomes or corporate accountability?**

Regulation and corporate accountability are only as effective as the data they rely on. Traditional methods of gathering worker-related data - whether through company-paid audits or government interventions - are often reactive, second-hand, and limited in scope. These methods tend to reflect only what is already visible or intolerable, and are prone to selection bias and misinterpretation.

By contrast, anonymous, at-scale feedback from workers enables regulators and companies to directly access the lived experience of those most impacted by policy and practice. When workers can report conditions independently and safely, the resulting data is not only more credible but also more comprehensive.

Anonymity protects individuals from retaliation. Scale allows for patterns to emerge that can be cross-referenced and statistically validated - eliminating the need for inference or selective interpretation. This kind of verified, first-party insight strengthens the evidentiary base for both policy decisions and corporate due diligence, ultimately leading to more targeted enforcement, earlier detection of harm, and measurable improvements in worker protections.

**(b) What are the minimum safeguards NSW would need to put in place to credibly collect “worker voice” without employer interference?**

To credibly gather worker voice without employer interference, NSW should ensure:

1. **Independent Access:** Workers must be able to engage through their own mobile devices, independent of employer-provided infrastructure or shared kiosks.
2. **Private Identity Layer:** The system must not require workers to identify their employer. Instead, responses can be matched to workplaces through metadata such as time, location, and response clustering.
3. **Geographically Neutral Input Points:** Feedback should be submitted from neutral, verified public spaces (e.g. bus stops, libraries, retail centres), not from workplaces or employer-controlled environments.
4. **Regular, Randomised Invitations:** NSW could schedule biannual check-ins for all visa holders, without employer involvement, to encourage normalized participation and reduce any suspicion or retaliation.
5. **Universal Participation Incentives:** Offering small incentives to all workers - not just those with complaints - encourages positive as well as critical reporting and provides a fuller picture of conditions.
6. **Worker Wallets and Communication Channels:** A secure digital wallet system can facilitate both incentives and ongoing two-way communication with individual workers - without compromising their identity or status.

These safeguards not only protect workers, but also enable NSW to build an independent, scalable view of employer practices across the state.

**(c) What lessons from your UK and Asian deployments should NSW adopt when designing regional models of worker-led reporting or surveys?**

Our deployments in the UK and Asia show that trust and independence are key to participation. When workers feel safe and believe their input has value, they are willing to engage enthusiastically. Response rates above 70% were achieved when three conditions were met:

1. **The platform was not employer-controlled.** Workers knew the entity gathering data was external and neutral.
2. **Anonymity was preserved.** Workers could respond from public places or on their own time, without surveillance.
3. **The process was meaningful.** Workers were given updates, saw outcomes, or received small acknowledgements for their participation, reinforcing a sense of agency.

Regional authorities in NSW should consider mobile-first, worker-centric design; deployment via public infrastructure; and ongoing feedback loops that make workers feel heard and respected. Doing so helps create a system that is proactive, not reactive, capable of surfacing both risks and positive practices.

(d) You propose regulation of labour hire firms in NSW. What features must be included to avoid the “tick box” culture that undermines enforcement elsewhere?

First it needs to be recognised that there is not simply one kind of labour hire firm in the sector.

1. **Established firms** – these are well set up with proper policies and processes. They often avoid schemes like the PALM scheme because it does not allow them to have the kind of oversight they believe they need to have to be engaging in best practices
2. **Accidental agents** – these are often people find themselves operating as agents almost by accident. They may have an excess of workers on their own farmer or facility and offer to outsource them to neighbours and suddenly find they have a more complex role in relation to pay-roll and other compliances. They are totally under-resourced. A registration / licencing program for them needs to offer them the skills they needs as part of the regulation of the sector
3. **Unscrupulous agents** – these are agents seeking to play vulnerable workers and a ‘clunky’ system in relation to temporary workers to their own advantage. They will not be picked up or assessed through a licencing system which does not gather first party data of the experience of the worker as a matter of routine.

To avoid replicating the ineffective “tick box” culture seen in other jurisdictions, regulation of labour hire firms in NSW must include:

- 1. **Continuous Verification:** Move beyond one-off audits. Require real-time or periodic worker feedback as an ongoing compliance input.
- 2. **Direct Worker Data:** Mandate inclusion of worker-generated data in assessments of agents, not just employer self-reporting or third-party audits.
- 3. **Dynamic Risk Scoring:** Create a tiered risk model that adjusts based on worker reports, attrition patterns, and incident flags—not just paperwork.
- 4. **Transparency and Disclosure:** Publish anonymized summaries of firm-level compliance and worker sentiment, allowing public and buyer scrutiny.
- 5. **Deterrence Measures:** Establish clear penalties for retaliation or manipulation of data - including whistleblower protections and loss of license for non-compliance.
- 6. **Worker-Centered Metrics:** Require firms to demonstrate outcomes (e.g. reduction in grievances, improved retention) rather than inputs (e.g. policies on file).

These measures ensure that regulation is not just about meeting documentation requirements but about creating meaningful accountability grounded in the realities of the workforce.

It is also imperative that any prosecution may proceed without requiring a worker to testify. In prosecuting labour hire violations, it is feasible to proceed without requiring the affected worker's testimony by leveraging various forms of corroborative evidence. Financial records, such as payment transactions from a labour hire company or from a supplier to a labour hire company, can serve as critical evidence. These records can illustrate the flow of funds and potentially highlight the discrepancies indicating unlawful practices.

Together we can Be Slavery Free,

Carolyn Kitto OAM

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