Australian Seafarers' Welfare Council (ASWC) meeting

10:30am-3:00pm 6 November 2024

AMSA office Canberra & MS Teams

Item 1 - Welcome

The Chair opened the meeting with an acknowledgement to the Ngunnawal people, the traditional custodians of the land and welcomed the guests attending in person at the AMSA Canberra office and those attending online.

The Chair introduced the guests for the meeting – Mark Wright representing the Department of Infrastructure, Transport, Regional Development and the Arts, Jayshree Ranchhod representing Maritime New Zealand and Steven Williams representing the Fair Work Ombudsman.

Item 2 - Governance

The Summary of Outcomes from the July 2024 ASWC meeting were circulated to the members before the meeting. Ray Colins indicated an error to the attendee list and requested that Father Patrick Davis is replaced with Reverand Patrick Moore. The Secretariat will update this detail.

No further comments were received.

Open action items were discussed, and 2 action items were closed.

Action	Short description	Update
07/2024 – 1	Sue (MtS) to add details of Stella Maris national person and warning to seafarers on bringing food items into the country to welfare services availability brochure.	Brochure is sitting with Sue (MtS) who has indicated this will be finalised in the coming weeks.
07/2024 – 2	AMSA to circulate the welfare services availability brochure (produced by the ITF) with our PWC representatives to then add local information and distribute accordingly.	Action pending action item 07/2024 – 1.
07/2024 – 3	AMSA to share AGD's Modern Slavery presentation and PDF of modern slavery support poster with members.	Presentation and PDF has been shared with members via email. **Item closed**.
02/2024 – 4	AMSA to share Sue's contact details with MNZ in relation to seafarer currency exchange issues.	Sue's contact details have been shared. **Item closed.**

Item 3 – Department update

Mark Wright from the Department of Infrastructure, Transport, Regional Development, Communications, and the Arts (the Department) provided an update on ongoing work. The Department is focusing on facilitating the implementation of the Strategic Fleet Initiatives and working on the review of the *Coastal Trading (Revitalising Australian Shipping) Act 2012* (Coastal Trading Act) which is being undertaken in 2 phases.

Ian Bray raised the question of the definition of 'voyage' under the Coastal Trading Act as they are still uncertain around this. This has an impact on seafarers' wage calculations. Steven Williams (FWO) responded that discussions are ongoing, he will investigate where this is up to and is open to discuss this further offline.

Work is being undertaken as follow on from the 2023 Port Welfare Committee (PWC) forum through ongoing engagement with PWC's and service providers, as well as shipping lines and port authorities to increase the visibility of seafarer welfare services being provided in ports. A revised TOR was also developed for PWC's to provide further guidance. This will be discussed further at the PWC forum being held on 7 November 2024.

Item 4 – PWC Forum – Way forward

The Chair provided an overview of the PWC forum and sought input from the members as to how this should be progressed in the future. The original intent of this forum was to provide a platform for PWC chairs or nominated representatives to discuss national issues and share best practices. However, there seemed to be less engagement than expected due to lack of representation and feedback from the PWCs.

Group discussion highlighted contributing factors such as PWC representatives struggling to find time to attend these forums, especially considering their substantive positions. Value in participation also was considered.

It was agreed that there is great value in AMSA hosting these forums, considering the momentum that has been gained in this activity over the past few years. It was suggested that moving forward, these forums should be held virtually, on a bi-annual basis and condensed to roughly 2 hours. If the opportunity arises, it would be opportune to integrate the forum with events such as seafarer welfare conferences.

The Chair also mentioned that the Geelong PWC is no longer active, feedback received was that there is no longer a need for a PWC in this location. Warwick Norman from the Melbourne Seafarers' Centre added that there is a fair bit of movement with harbourmasters in this location, he is unsure as to whether this location is self-sufficient so he will follow up on this matter and advise. For the time being we will keep their information on the ASWC website.

NEW Action 11/2024 – 1 – Warwick Norman to follow up on the status of the Geelong PWC and whether this location is self-sufficient and advise AMSA.

Item 5 – Strategic Fleet Initiatives

Steven Williams of the Fair Work Ombudsman (FWO) provided an update on the Strategic Fleet Initiative. The pilot program will run for 2 years. FWO is working with two government stakeholders, AMSA and the Department to share information and data to help inform and determine compliance activities.
In September, FWO participated in joint inspections with AMSA on vessels to assess how

both agencies can work together collaboratively. This will occur in various ports starting this month, the intent of these visits is to gain a better understanding of maritime-related information such as hours of work and wages paid to determine whether obligations are being met. There is also engagement with external stakeholders such as the ITF and other employer bodies.

NEW Action 11/2024 – 2 – ASWC secretariat to share FWO's Maritime fact sheet as well as AMSA's modern slavery information with ASWC members.

NEW Action 11/2024 – 3 – ASWC secretariat to invite Steven to a future ASWC meeting to provide an update on the Pilot.

Item 6 – MLC complaints and incidents trends

Jo Ng from AMSA shared the MLC complaints and incidents trends papers with the group. Refer to meeting papers **6a**, **6b** and **6b attachment 1** for details.

Item 7 – ILO STC meeting – (MLC)

Greg Pusey from AMSA provided an overview of the Fifth Meeting of the Special Tripartite Committee of the Maritime Labour Convention which will take place between 7 – 11 April 2025. 16 proposals for the amendment to the Code of the MLC are included in this session, these were put forward from Government, ship owners and ship representatives. This paper was included with the meeting papers.
Australia has co-sponsored a proposal with Canada and the UK to amend the MLC to include provisions that address violence and harassment in the maritime sector, including sexual harassment, bullying and sexual assault.
Members are encouraged to provide feedback on the proposals and provide feedback to the AMSA secretariat.

Item 8 – IMO ISM review

The Chair provided an update on the International Maritime Organisation, International Safety Management Code review, and the study she led on behalf of the IMO. The ISM code was made mandatory in 1998, its primary intent was to improve safety management standards and strengthen the link between the ship and shoreside management to ensure ships are well supported in managing safety and pollution prevention. The focus of the study was to identify any difficulties, gaps, flaws or failures and strengths of processes and responsibilities related to ISM and its implementation.

This work is relevant to Australia as it substantiates some of the safety issues identified, particularly for foreign flagged vessels coming into Australian waters.
A particular area of concern identified in the study related to crewing shortfalls which are impacting the implementation of the ISM Code.

Based on the findings, the report provides recommendations to support improvements in the ISM Code and its overall implementation, with a view to ensuring that it remains fit for purpose for current and future shipping operations.
The report is being circulated to member states and an action paper has been put forward by the IMO secretariat for consideration by the Maritime Safety Committee (MSC) 109 in London being held on the 2-6 December 2024. Michelle will be presenting the outcomes of the report at MSC.

NEW Action 11/2024 – 5 – AMSA to circulate the IMO ISM review report to members.

Item 9 – Code of Conduct

Andrew Douglas from Rightship shared a presentation on the Code of Conduct which was developed by several organisations including the Sustainable Shipping Initiative, the Institute for Human Right and Business, Rafto Foundation for Human Rights and various working groups including Rightship. This was presented at previous ASWC meetings and focuses on the full spectrum of seafarers' rights and wellbeing and goes above and beyond the requirements of the MLC.

Rightship and SSI developed a Crew Welfare Assessment tool which provides ship owners and operators an understanding of whether their current operation meets their responsibilities. The self-assessment tool involves a questionnaire which is sent to shipping managers worldwide to complete.

Item 10 – Maritime New Zealand – Seafarer welfare grant program

Jayshree from Maritime New Zealand shared a presentation on their Seafarer welfare grant program. In 2021 there was a legislation change in the Transport Act to allow for levy-based funding for seafarer funding. In 2023 the NZ welfare Council was established like ASWC, along with a grants program. AMSA worked closely with MNZ to support the creation of NZSWC.

In 2024 the levy-based funding was passed through cabinet and funding was granted through agreements in September. Applications for funding were assessed by a panel, 15 applications were received all assessed against a criteria which includes shipping activity. In total $930,475 was granted to 8 ports, including 1 multi-port. The grants process for 2025 will commence on 2 July 2025. One of the most important learnings of this evolving process was the importance of collaboration and engagement.

Item 11 – ASWC members' updates

Sue Dight, Mission to Seafarers' – Mission to seafarers is looking to hold a joint seafarers welfare conference in February 2026 in Adelaide to coincide with Chinese New Year.
There has been significant cooperation in the last few months across different agencies tending to cases distributed from AMSA. The collaboration and cooperation to care for seafarers has been significant and this makes such a difference to the lives of seafarers.
Sue attended the Pilbara Ports conference where seafarer welfare was mentioned in the opening address. It was significant to have seafarer welfare recognised at the forum.
MtS are in partnership with IKEA where they are taking some of their staff on board ships to understand what seafarer welfare means and what their role is in the supply chain.

Christine Field, Hunterlink – Last Month, Christine participated in the ITF congress together with a mental health and wellbeing congress. Participants came together to discuss a range of transport issues. Bullying and harassment together with gender-based violence is still a major concern.
The ITF congress recognised that fatigue management is still a concern. In Indonesia they are recognising mental health as an important issue and are looking to have better training and awareness on the impact it has. They are looking at establishing a 24/7 helpline like Hunterlink. It is interesting to see that Pacific partners are trying to replicate Australian Models.

Shore leave is still presenting as an issue, the Newcastle PWC is doing a lot of work in this space trying to communicate to ships that shore leave is available if the captain allows.

Tony Cousins, Australian Mariners Welfare Society – AMWS is registered charity that evolved from Sydney Sailors Home Circular Quay to provide assistance to ex-seafarers. Funding is routinely provided to seafarer welfare providers. Jeanine Drummond has stood down as councillor, so please to report Shane Hobday who has joined the council. Shane provides a direct link to the Sydney PWC holding the position as secretary.
AMWS is undertaking a strategic review and will be looking to increase diversity on council.

Ian Bray, International Transport Federation – Ian highlighted the COVID-19 Inquiry handed to the Federal Government last week and the need to look at the recommendations and the lessons learned before the next challenge is presented to industry.
ITF annual figures are as follows, in 2023 there were 650 inspections recovering shy of 20M USD in various forms. The YTD 2024 figures have just reached 700 inspections with 18M USD and approximately 2M USD in coastal trading wages to be recovered. By the end of this year, they are looking at around 800 inspections and an anticipated 20-25M USD in wage recovery.
238 seafarer abandonments have been recorded with the ILO which may be the next major challenge of industry and is something that various entities need to wary of.
Work efforts for 2025 will be focusing on Seafarer visas of those entering Australia, particularly in the offshore sector.

Ray Collins, Stella Maris – Last year a review of SM was undertaken which has taken longer than expected. A report of the final decisions will be finalised shortly.

Warwick Norman, Melbourne Seafarers Centre – The centre continues to work with Government on a more sustainable way forwards. For the PWC aspect there have been significant changes throughout both the port of Melbourne, and ports Victoria particularly at a harbour level. The PWC is working to better engage with the port and terminal operators within the port.
The Government is still supportive and trying to find a solution to welfare providers in port, hoping to have some direction by December.

Item 12 – General business

The chair proposed that the next ASWC meeting take place on either 26 or 27 February. An email will be circulated with these dates for consideration. If any members are willing to host, at an easily accessible location such as Sydney, Melbourne or Brisbane please let us know.

Thank you to everybody for your attendance.

Appendix A – Attendees

Name	Organisation
Tony Cousins	Australian Mariners Welfare Society
Michelle Grech (Chair)	Australian Maritime Safety Authority
Jo Ng	Australian Maritime Safety Authority
Chantelle Patafta	Australian Maritime Safety Authority
Greg Pusey	Australian Maritime Safety Authority
Stuart Bicknell	Australian Transport Safety Bureau
Hugh Cavill	Cruise Lines International Australasia
Mark Wright	Department of Infrastructure, Transport, Regional

	Development, Communications and the Arts
Steven Williams	Fair Work Ombudsman
Christine Field	Hunterlink
Ian Bray	International Transport Workers Federation
Kathryn Lee	International Transport Workers Federation
Sarah Cerche	Maritime Industry Australia Limited
Jayshree Ranchhod	Maritime New Zealand
Warwick Norman	Melbourne Seafarers Centre
Sue Dight	Mission to Seafarers Australia Council
Michael Gallacher	Ports Australia
Suzanne Fosbery	Ports Australia
Andrew Douglas	RightShip
Melwyn Noronha	Shipping Australia Limited
Ray Collins	Stella Maris Seafarers' Centre
Mick Cross	Tas Bull Seafarers Foundation

Appendix B – Updated action items summary

Action	Subject	Description	Responsible party	Status
07/2024 – 1	Welfare services brochure	Sue to add details of Stella Maris national person and warning to seafarers on bringing food items into the country to welfare services availability brochure.	MtS	Open
07/2024 – 2	Welfare services brochure	AMSA to circulate the welfare services availability brochure (produced by the ITF) with our PWC representatives to then add local information and distribute accordingly.	AMSA	Open
11/2024 – 1	Port Welfare Committees	Warwick to advise whether the Geelong PWC is still operational and advise AMSA of the status.	Melbourne Seafarers Centre	Open
11/2024 – 2	Maritime Fact Sheet and Modern Slavery materials	AMSA to share the FWO's Maritime Fact Sheet and AMSA's Modern Slavery Materials with ASWC members.	AMSA	Open
11/2024 – 3	Strategic fleet pilot	AMSA to invite Steven Williams (FWO) to provide an update on the strategic fleet pilot at a future ASWC meeting.	AMSA	Open
11/2024 – 4	IMO ISM report	AMSA to circulate the IMO ISM review report to members.	AMSA	Open