

Australia: Filipino migrant worker “increasingly fearful” of boss before his death, inquest finds

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16 February 2026

A New South Wales (NSW) coronial inquest into the death of 21-year-old Filipino worker Jerwin Royupa has revealed the brutal slavery-like conditions he endured while in Australia under a so-called “training” visa. Deputy State Coroner Rebecca Hosking found Royupa was “exploited” and exposed to “potentially criminal” behaviour during his sponsorship.

Royupa died at Royal Melbourne Hospital on March 15, 2019, from “complications of multiple blunt force injuries” sustained the day before, when he jumped or fell out of a moving vehicle driven by his sponsor. The inquest was not held until late 2024, and the findings were only released last month.

The forced labour conditions that contributed to Royupa’s death were allowed by the complete lack of oversight by the Department of Home Affairs (DHA), a situation that remains in place now, almost seven years later. Hosking found that “the DHA does not take active steps to supervise compliance or prevent employers taking advantage of overseas trainees thereby exposing vulnerable overseas workers to an unacceptable risk of exploitation in high risk industries such as the agricultural industry.”

Royupa, a Bachelor of Science in Agriculture graduate, arrived in Australia on February 7, 2019. He had been granted a Subclass 407 Training Visa to undertake professional development training at a remote vineyard in the NSW Riverina, a major agricultural region near the Victorian border.

His sister Jamaica told the inquest he intended to work in agriculture and at a local church upon returning to the Philippines. Another of his sisters, Jessa-Joy, said “we all thought he would be safe in Australia.”

Hosking found that in the days leading up to his death Royupa was “increasingly fearful” of his employer, who he had told relatives was denying him food and had cut off power to his accommodation. Royupa had been trying to line up a new visa sponsor so that he could continue his training

with a different employer.

While the employer contended that Royupa was told on the morning of his death that he would be driven to the airport and sent back to the Philippines, Hosking found this “highly unlikely.” After the time he was allegedly informed, Royupa sent multiple text messages to the migration agent he was working with that did not mention that his employer planned to have him removed from the country within hours. Moreover, he did not contact his family in the Philippines to tell them that he would be returning.

On this basis, Hosking found that “Jerwin did not know he was going to the airport until after the Van had left the Agriculture Premises.”

The International Labour Office, the UN agency for labour standards, identifies 11 indicators of forced labour—including withholding wages, restricting movement, and retaining identity documents—several of which the inquest found Royupa had experienced.

The inquest found that Royupa exclusively performed manual labour and received no education or training, “contrary to what had been proposed to him.” This labour was up to 60 hours a week “outside in excessive heat without having been provided with adequate clothing or sunscreen.”

His visa agent promised him a “generous allowance” of \$134.92 per month which his employer would keep for the first six months. Even if this had been paid, the sum was “wholly inadequate,” Hosking found. At the time of Royupa’s death, Australia’s national minimum wage was \$18.93 per hour, meaning the monthly “allowance” would have amounted to less than one day’s pay.

The nearest town was 12 kilometres (7.5 miles) from the employer’s property where Royupa lived and he had no means of transportation. His employer confiscated his passport, and his internet access was restricted.

No check-ups by any government agency were done in the five weeks between Royupa starting work and his death to

confirm that he was actually being trained, even after a contact reported Royupa's abusive working conditions to the Fair Work Ombudsman on March 13.

Hosking found the NSW Police investigation into Royupa's death "inadequate," stating "it is clear that more could have been done." She declared: "Given the information known on 14 March 2019, the investigation should have been approached as 'suspicious' rather than one which did not involve 'foul play.'"

Magistrate Hosking concluded that the support systems for subclass 407 visa holders were "inaccessible, inadequate and insufficient."

The 407 visa was created in 2016 under the Morrison Liberal-National Coalition government as a replacement of the 402 training and research visa for "professional development programs of face-to-face teaching in a classroom or similar environment in Australia."

The new visa introduced DHA-approval requirements for sponsorships and retained training periods of up to two years. The 407 framework explicitly permitted training placements to be unpaid. The policy has been continued by the Albanese Labor government since it came to power in 2022.

Labor's agreement with the brutal exploitation of migrant workers is underscored by its attempts to cover up the DHA's role in Royupa's death. In May and October last year—after the inquest hearings but before the findings were made—the DHA sought to have evidence given by senior members of its staff disregarded by the coroner. Hosking noted that the evidence the DHA wanted to suppress was "adverse to its interests."

The inquest heard that on April 9, 2019, less than a month after Royupa's death, the DHA rejected a second nomination by the same sponsor for another 407 trainee. The decision-maker found that "the ambiguous training content and proposed remuneration make it clear this placement exists primarily to benefit the sponsor rather than to provide a genuine training opportunity."

One of the DHA witnesses told the inquest that, for this second application, the same training documentation was relied upon as with the application for Royupa. In light of this, Hosking found that the approval of Royupa's sponsorship was "lawful," but "inappropriate."

The other DHA witness, Paul Clayton, an inspector with the Australian Border Force's Sponsor Monitoring Coordination Unit, revealed that the unit had not visited the site where Royupa worked to assess the sponsor's suitability, either before or after the 407 visa was approved.

Despite the clear attempt by his department to suppress this information, Hosking recommended that Minister for Home Affairs Tony Burke, "conduct a thorough internal

review with respect to the potential lessons learned."

Similarly, Anti-Slavery Commissioner Chris Evans—a former Labor senator appointed to the new position in 2024—has urged Burke to reform the 407-visa subclass, telling the Australian Broadcasting Corporation that the framework "just screams vulnerability." Having held the "anti-slavery" post for more than a year, Evans has only now made this call in response to widespread press coverage of the inquest findings.

Nothing will be changed through appeals to Burke, or the inquest's recommendations for further investigation and minor reform by the very forces—Labor, the police and the DHA—overseeing the dire conditions confronting migrant workers.

Labor's response to the Royupa case—that is, to try to cover for the DHA and preserve a system that facilitates the blatant exploitation of migrant workers by employers—exposes the government's denunciations of "human trafficking" and "modern slavery" as nothing more than hypocritical bluster.

This is in line with Labor's continuing support of the Pacific Australia Labour Mobility (PALM) scheme, under which tens of thousands of workers from impoverished Pacific Island nations are brought to Australia on temporary visas to provide dirt-cheap labour to meet the profit demands of big business.

Notably, the Australian trade unions have not said a word about Jerwin Royupa's death or the inquest findings revealing the forced labour conditions he, and no doubt countless other migrant workers, was subjected to.

To defend the rights and lives of migrant workers, as part of the fight for decent working conditions, wages and democratic rights of the working class as a whole, workers need to take matters into their own hands. This means building rank-and-file committees in workplaces across the country, independent of and in opposition to the nationalist, pro-business program of the unions and Labor.



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