**Minutes - Australian Seafarers’ Welfare Council**

**26 February 2021**

**MS Teams Meeting**

### **Agenda Item 1: Welcome and Introductions**

The Chair opened the meeting at 10:05am and welcomed all in attendance. The Chair noted the meeting will be recorded for Secretariat minute purposes, no objections were raised.

The Chair introduced new member Ian Bray who has replaced Dean Summers representing ITF Australia, and Sarah Cerchè’s alternate, MIAL’s Workplace Relations Advisor, Sinead Bryson.

The Chair congratulated Melwyn Noronha on his recent appointment to CEO of Shipping Australia Ltd.

Steve announced this will be his last ASWC meeting as he will be retiring from AMSA in April 2021, a new Chair will be decided following appointment of his successor.

### **Attendance**

Chris Green Australian Mariners Welfare Society

Steve Curry (Chair) Australian Maritime Safety Authority

Michelle Grech Australian Maritime Safety Authority

Kim Pritchard (Secretariat) Australian Maritime Safety Authority

Areta Kaur Australian Maritime Safety Authority

Vik Chaudhri Australian Transport Safety Bureau

Christine Field Hunterlink EAP

Warwick Norman Independent Consultant

Ian Bray ITF Australia

Sinead Bryson Maritime Industry Australia Ltd (Alternate for Sarah Cerchè)

Garry Dodd Mission to Seafarers (East)

John Steed Mission to Seafarers (West)

Andrew Douglas Rightship

Melwyn Noronha Shipping Australia Limited

Roslyn Rajasingam Stella Maris Australia (formerly Apostleship of the Seas)

### **Guests**

Greg Pusey Australian Maritime Safety Authority

Shaeron Yapp Human Rights Principal from South32

Sandra Bernal ITF Australia

### **Apologies**

Sarah Cerchè Maritime Industry Australia Ltd

### **Agenda Item 2: Previous Minutes & Action Items**

Minutes from the previous meetings held on 22 October 2020 were accepted.

The Chair ran through *Item 2b Actions arising* paper, updating the current status of actions. A number of new actions were raised as a result of the discussion.

**Action 02/2021 – Item 2.1** - Secretariat to amend the current Actions Arising documents to assign actions to the organisation rather than the individual and continue with this for all future actions.

**Action 02/2021 – Item 2.2** - Michelle to work together with Garry and Roslyn to develop a national data framework capturing seafarer’s use of welfare centres and services, with the possibility of including national data in AMSA’s MLC Annual report.

**Action 02/2021 – Item 2.3** - Garry and Roslyn to present data from their centres service delivery activities at the June 2021 ASWC Meeting.

Updates on existing actions noted during the discussion:

**10/2020 – Item 4.1** -Michelle to contact Christine (Hunterlink) to discuss their involvement in the seafarer welfare campaign. **Closed**

**10/2020 – Item 5.1** - Secretariat to confirm security of Facebook complaints. **Closed**

**06/2020 – Item 9.4** - Melwyn approached Cruise Lines International Association (CLIA) to discuss a representative attending ASWC in the future, CLIA requested an ASWC info pack. AMSA to provide ASWC presentation to CLIA. **Closed**

**06/2020 – Item 9.1** -Michelle has developed the ASWC presentation which is now ready for ASWC members to use (current data to be inserted by AMSA at the time of use). **Closed**

**06/2020 – Item 9.2** - Secretariat to organise a joint ASWC/PWC meeting. Feb 2021 update: This was on hold due to the pandemic but can be picked up again now. The Secretariat will aim to set this meeting up toward the end of 2021, to be a face to face meeting, pending Covid safety. Secretariat to consult with Garry & John re. how we can best engage with the centres. **Open**

**11/2014 – Item 3.2** - Welfare providers and centres to provide data on number of seafarers visiting the ports and utilising services. No data received to date. **Closed (Carried over to Action 02/2021 - Item 2.2 & 2.3).**

Council agreed to minutes of last meeting and update of action items

### **Agenda Item 3: ASWC Correspondence**

The Chair gave a verbal update on correspondence since the last meeting: 12 emails received and 5 sent, primarily related to general/business-as-usual correspondence within the Council and feedback on the Terms of Reference. Electronic copies can be circulated if requested.

### **Agenda Item 4: ASWC Engagement - Website analytics**

1. Number of articles published on the ASWC website since last meeting = 5
2. Number of ASWC website ‘hits’ = 823 (previous was 871 for July - September 2020)
3. Average time on a page (minutes) has increased slightly from 2.2 minutes to 2.46 minutes
4. Top page hits: ‘Map of locations’ = 109, ‘ASWC news’ = 98, and ‘what can you do’ = 58

### **Agenda Item 5: MLC Complaints and Incidents**

AMSA provided papers on MLC activities, medivacs, MOB’s and investigations statistics for the previous four quarters, the latest period being 1 October - 31 December 2020.

Michelle talked about the information provided in the papers, noting the new reporting period of the previous four quarters was included. It was also noted the injury data has been refined and categorised into minor and serious.

The number of complaints has increased over each of the four quarters, reaching its peak in Quarter 3 before beginning to lower again. The release of Marine Notice 04/2020 (and 10/2020) contributed to the substantial increase in complaints related to maximum period on board and subsequent repatriation. This also linked to the number of MLC deficiencies issued as a result of those complaints and the number of detentions related to MLC. We are now seeing a decrease in the number of complaints coming in, moving back to pre-covid statistics which is a positive trend.

There was an increase in medivacs this year compared to last, with peaks in Quarters 1 and 4, as well as an increase in serious injuries compared to 2019.

The way deaths by natural causes is determined was discussed. The State based police hold jurisdictions in such matters the determination is ultimately based on the results of their investigation. In most cases the incident report would provide a pre-indication that the fatality was due to natural causes.

### **Agenda Item 6: Maximum period of shipboard service and repatriation**

### To address the difficulties around repatriation of seafarers during the pandemic, AMSA issued a number of Marine Notices to allow for a temporary period of extension of seafarer’s time on board beyond 11 months. These arrangements will cease on 28 February 2021, and AMSA will revert to the compliance and enforcement approach outlined in [*Marine Notice 17/2016 – Maximum period of shipboard service for seafarers*](https://www.amsa.gov.au/about/regulations-and-standards/172016-maximum-period-shipboard-service-seafarers)*.* This means that AMSA inspectors will verify compliance with Regulation 2.4 of MLC, 2006 to ensure seafarers serve no longer than 11 months continuously on board a vessel, and that any service extensions do not result in seafarers serving more than 11 months.

Michelle talked about the statistics on repatriation, seafarer employment agreements and time on board, including trends in complaints since the release of the Marine Notices and the associated spikes in related complaints.

Melwyn noted changes underway in the states with seafarers no longer being included in the airline flight caps from NSW which is really good to see, Victoria is also coming on board. Although there may have been some concerns from industry around the cessation of the Marine Notices, it is having a positive impact on the state governments and has forced the states to put processes in place to allow for repatriation of seafarers and reduce the impact to trade should vessels be held up in port due to delayed crew changes.

Sinead commented on the benefit of public messaging around the cessation of the Marine Notices, with mention of some confusion around the role AMSA and state governments play in repatriations and crew changes.

Ian noted the ITF’s support to resume maximum contracts of 11 months which will assist to alleviate some of the social and psychological impacts of extended service. Ian talked about the need to switch the focus now, particularly following media reports on ‘vaccination passports’ for international travellers, to the need for seafarers to be recognised and prioritised in the vaccination programs. If seafarers are doing 11 months of service and are ready to be repatriated home, only to find themselves isolated in hotels for extended periods due to the vaccination requirements, we will see the same impacts as extended service on a vessel would have, but possibly more so due to the isolation. We need to work to progress a solution for this. Steve noted discussions are underway at IMO, but no outcomes as yet. IMO can put pressure on flag States, but the IMO itself may not be able to achieve the results needed in the vaccination program space. Melwyn noted IMO are looking at the variations of vaccines across different countries, and are working to ensure there is an awareness of those variations globally.

Melwyn, Chris and Christine all noted their agreement with Ian’s comments, and Christine emphasised the impact of extended hotel isolation.

**Action 02/2021 – Item 6.1** – AMSA to bring to the attention of the Department of Infrastructure, the need for seafarers to be prioritised in vaccination programs.

### **Agenda Item 7: ASWC Terms of Reference**

Michelle circulated the ASWC Terms of Reference, comments were received and amendments have been included. With the exception of the continuing arrangements for MTS to hold two seats on the Council (one representative from the East and one from the West), it was agreed only one representative should be nominated from each organisation and one alternate where possible.

Currently, membership is not available to private individuals although they may be invited to attend meetings when appropriate. It was agreed additional text should be added to the Terms to enable individuals who have an interest in, and can contribute to, the Council’s work in the seafarers’ welfare space, to be considered by the Council members and if agreed, be offered a formal standing invitation of membership on the Council.

Members agreed meetings would return to face-to-face format as soon as it is safe to do so, but MSTeams will remain open to provide flexibility for those who wouldn’t otherwise be able to attend.

**Action 02/2021 – Item 7.1** – The Secretariat to amend the Terms of Reference to include detail on one nominated representative and one alternate representative per organisation (with the exception of MTS), and detail on a standing invitation for private individuals to hold membership on the Council when agreed. Revised Terms to be circulated by Secretariat and accepted out of session.

### **Agenda Item 8: ILO Papers**

#### French Proposal of amendment to MLC

Following discussions at the October 2020 meeting, Michelle provided an update on the current status of the French proposal for the amendment to the Code of the *Maritime Labour Convention, 2006*. France also provided a fact sheet detailing the intent behind the proposal. AMSA sought feedback and comments from the Council members about their views on the French proposal.

Steve noted the importance of the Council member’s feedback and impressions of the proposal to Australia’s response to ILO. Noting the response is not about AMSA’s position, rather Australia’s position, and this Council represents the seafarers coming to Australia, hence the Council’s feedback is critical in formulating an Australian position.

Warwick expressed concern that individual ship owners can trigger escalation rather than the flag State/competent authority. Steve agreed and discussed the possibility of the Special Tripartite Committee having a role in defining when these circumstances occur so it’s out of the hands of the individual flag States and/or operators and there’s a centralised international body that determines that circumstances are met.

Greg commented that we have opportunity at the April meeting of the MLC STC to raise concerns and questions around these issues. Greg suggested we could give support in principle, but also raise these questions and concerns.

#### STC proposal Fatalities at Sea Register

Michelle discussed Australia’s proposal to the STC for a ‘fatalities at sea register’ as an amendment to the MLC, 2006. This was raised at a meeting of the Council in 2018, and was later discussed between the ITF and MIAL. Currently there is no requirement to report the information, it is only provided on a voluntary basis, and there are global benefits to be gained in mandating the data and having it available for analysis.

Australia currently has general support from a number of organisations both within Australia and internationally, including from ISWAN. The proposals require support from four other countries in order to progress through the first stage within ILO, Australia is currently working with other countries to gain the required support from four other member States.

Steve noted MIAL & ITF were previously working on promoting support for the proposal and encouraged this to continue. Warwick commented that the international groups of P&I Clubs would be very beneficial to approach and get on board early. Ian offered ITF’s support and requested Michelle share some information and detail directly in order to bring him up to speed on the subject.

#### ILO STC meeting – Verbal update, Greg Pusey (AMSA)

Greg Pusey discussed the French Paper and Australia’s papers being submitted as noted above, noting the timeline for submission had been extended to June 2021. Greg reiterated the importance of feedback about the things that may not work, these are the things that may be raised and it would be beneficial to be on the front foot and well informed at the time the paper is presented at ILO.

### **Agenda Item 9: ITF Update**

Ian talked about the two big ticket items for the ITF at the moment, ‘vaccination passports’, and the lack of MLC compliance they are seeing. Ian noted the ITF’s preference to flag these issues with AMSA as the port State authority and is developing a template to utilise when notifying AMSA of issues they identify through patterns and trends.

Steve suggested the new ITF members take the opportunity to get to know AMSA’s regional office Managers, a solid working relationship can be really beneficial at a local level.

Sandra requested the medivac notification emails also be sent to Ian and Sandra.

**Action 02/2021 – Item 9.1** – Secretariat to pass Sandra Bernal’s details on to the inspectorate teams and add Sandra and Ian to the recipient list for medivac notifications.

### **Agenda Item 10: Guest Shaeron Yapp**

Shaeron Yapp is the Human Rights Principal at [South32](https://www.south32.net/our-business), a mining company with a [human rights charter](https://www.south32.net/community-society/human-rights), Shaeron is also a member of the Bunbury Port Welfare Committee. Shaeron joined us to talk about the work underway by South32, the WA Modern Slavery Collaborative Group (WAMS), and the seafarer welfare charter being developed for charterers and how ASWC can contribute. Through a presentation, Shaeron shared some of the initial work that South32 are doing in developing a seafarer charter for charterers. Through this work Shaeron will be seeking input from ASWC. Michelle will continue to maintain contact with Shaeron and ensure ASWC are kept informed about this important initiative.

### **Agenda Item 11: General Business**

#### Seafarer welfare campaign project

Michelle provided an update on the seafarer welfare campaign AMSA ran last year which was triggered by the increase we saw in reports of alleged suicides and MOB cases, likely due to the impacts of covid-19. The intent of the campaign was to increase awareness of seafarer mental health issues, particularly for international seafarers coming to Australia. We had a reach of 947, 000 people and website clicks in excess of 16, 000. AMSA also ran social media posts with good feedback and released a Maritime Safety Awareness Bulletin on the subject in September 2020 with a good following, 38 percent of which was an international audience. AMSA participated in a research study looking at the impact of the pandemic on seafarer mental health which led to a webinar presented in collaboration with Hunterlink EAP, all with strong feedback and results. The campaign is now considered closed, although AMSA will continue with the same messaging into the future where relevant.

#### Maritime Safety Awareness Bulletin Issue 13 – Container securing

The next bulletin, Issue 13, is focussed on container securing and is due to be released in March 2021. Michelle noted these bulletins will move to digital publications alone rather than both digital and print, as we have found the majority of uptake on the publication is currently digital. The PDF versions available on the AMSA website will be designed to present well when printed so can still be utilised for hardcopy distribution if an audience chooses to do so.

#### Seacare Code of Practice

Seacare is in the process of updating its Code of Practice on safe working practices of ships, with focus on the offshore supply vessels chapter, this is expected to be finalised in the next couple of weeks.

#### Other business

Warwick updated members about the progress of establishing the Melbourne Seafarers’ Centre. Warwick also noted the continued work on getting more seafarer connect free wifi boxes out to the terminals.

Garry provided some information on what’s happening for the MTS centres around the country. The cessation of jobkeeper will have a significant impact on MTS and will likely see a number of centres close due to the financial pressures. The Mission is looking at consolidating centres in Tasmania to create a centralised hub to maintain service delivery while reducing costs. MTS hopes to be able to return to full service delivery as the impact of the pandemic decreases and business starts returning to normal.

Roslyn advised of the change of name from Apostleship of the Seas to Stella Maris Australia, she will send through new logos for ASWC documentation to the Secretariat at MLC.correspondence@amsa.gov.au.

Chris Green queried seafarers being designated as essential workers and where AMSA stands on the concept. Steve noted AMSA is not the responsible authority and is not involved, however was supportive of the idea of the Council pushing the cause. Michelle added AMSA has been actively pushing this with the Department of Infrastructure. Ian added the ITF’s support for the Council to push for seafarers to be considered essential workers. Sinead added MIAL to the consensus and talked about practical support which would come from key worker status.

Sinead talked about the [Neptune Declaration on Seafarer Wellbeing and Crew Change](https://www.globalmaritimeforum.org/neptune-declaration/) put out by the Global Maritime Forum. It outlines the main actions that need to be taken to resolve the crew change crisis, one of which is to recognise seafarers as key workers and give them priority access to covid-19 vaccinations. Council member organisations are encouraged to sign the Declaration, learn more and see the full list of signatories in the [Declaration](http://www.globalmaritimeforum.org/content/2020/12/The-Neptune-Declaration-on-Seafarer-Wellbeing-and-Crew-Change.pdf). To learn how to become a signatory, you can contact Bianca Garvin at bg@globalmaritimeforum.org.

Steve proposed ASWC become a signatory to the Neptune Declaration, there was unanimous agreement from the Council for the Chair to facilitate signatory.

**Action 02/2021 – Item 11.1** – Chris Green to draft a letter on behalf of the Council to push the agenda for seafarers to be determined as essential workers.

**Action 02/2021 – Item 11.2** – The Chair together with the Secretariat to facilitate ASWC becoming a signatory to the Neptune Declaration.

The Chair thanked all for attending and the input provided and closed the meeting at 1:05pm.