

Report of the Australian Seafarers Welfare Council Meeting

24 June 2016

AMSA Office, Canberra

82 Northbourne Avenue, Braddon ACT

AGENDA ITEM 1: WELCOME AND INTRODUCTIONS

The Chair opened the meeting and welcomed all in attendance.

AGENDA ITEM 2: ATTENDANCE & APOLOGIES

The meeting was attended by a quorum of members, with apologies from MIAL, Hunterlink & Ports Australia.

MIAL will advise of an alternative representative once Sarah's position has been filled.

ACTION 6/2016 – 2.1: A/g Chair to write a letter of thanks to outgoing Chair, Allan Schwartz, Sarah Cerche (MIAL) & Peter Owens (AotS) for their service on the Council.

AGENDA ITEM 3: PREVIOUS MINUTES & ACTION ITEMS

Minutes from the previous meeting on 25 February 2016 were accepted without comment.

The Chair ran through the Actions Arising document.

AGENDA ITEM 4: CORRESPONDENCE

The Chair gave a verbal update on correspondence since the last meeting. Electronic copies had been circulated and a hard copy was available at the meeting for the Council to view.

The Chair noted his correspondence with David Anderson of Ports Australia and the possibility that Ports Australia will appoint a representative to join the Council.



BREAK - COMMEMORATIVE MORNING TEA FOR IMO'S 'DAY OF THE SEAFARER'

Members of the Council attended AMSA's celebration of the 2016 International Maritime Organization (IMO) Day of the Seafarer.

The 'Day of the Seafarer' is a global campaign designed to acknowledge the services of the world's 1.5 million seafarers and the unique conditions they work under; reflect on the role seafarers play in our global economy; and commit to improving seafarer safety and welfare. The official day of celebration at the IMO is 25 June.

This year's theme, 'At Sea for All', has been set to emphasise that seafarers serve at sea not just for the shipping industry or for their own career purposes, but for the benefit of the world and all of us.

AMSA encouraged participation in this important day by promoting the IMO's hashtag **#AtSeaForAll** on social media, including Facebook, Twitter and websites.

AGENDA ITEM 5: ASWC ENGAGEMENT

The Chair provided an update on the website statistics during the reporting period (1 Feb – 31 May 16). There had been two articles published to the website since February.

There were 1,309 website 'hits' for this period, compared to 1,466 in the previous period.

The Chair again urged all members to contribute articles and news stories to the website from their organisations or from the broader seafarers' welfare community.

ACTION 6/2016 – 5.1: AMSA to look more closely at the website statistics with the view of analysing data trends to ascertain what people are looking at.

AGENDA ITEM 6: MLC COMPLAINTS AND INCIDENTS

6 a) MLC Update for the previous quarter

AMSA presented the MLC incidents/complaints results for the reporting period 1 Feb – 31 May 2016, during the reporting period there were:

- 56 complaints regarding alleged breach of MLC
- 12 MLC deficiencies issued
- 2 ship detentions for MLC related deficiencies
- 20 medivac
- 2 man overboard
- 2 disappearance ashore

Calendar year to date (as at 31 May 16) there has been:

- 73 complaints regarding alleged breach of MLC
- 16 deficiencies issued
- 2 MLC related ship detention following inspections instigated by MLC complaints

Dean Summers (ITF) commented on Item 6a, Attachment 1 – MLC Complaints, and the term 'Welfare Group' used in the complaints 'Received via' data, Dean suggested previous data specified which welfare group provided the information.

ACTION 6/2016 – 6.1: AMSA to investigate the description used in this report and previous reports for where the MLC complaint information was received from.

The minimal use of onboard complaint systems was discussed. The Chair talked about the inspectorate role during MLC inspections compared to PSC inspections, noting AMSA cannot ask for MLC documents and evidence during an inspection in the same way as we can during PSC inspections – AMSA needs clear evidence of MLC breach in order to investigate.

Dean Summers (ITF) talked about ITF investigations and suggested he could discuss this further with Steve Curry (AMSA) out of session with the view of sharing more information with AMSA.

ACTION 6/2016 – 6.2: Stephen Curry & Dean Summers to convene out of session to talk about possibilities of ITF sharing more MLC complaints information with AMSA and enhance outcomes to the seafarer.

Broader investigation of MOB was discussed, Dean queried AFP's jurisdiction for investigating.

ACTION 6/2016 – 6.3: Chair to write to AFP re. their policy on investigation of MOB and what we can do to enhance communication of incidents to them.

Warwick Norman (Rightship) questioned how Australia's complaint data and statistics compare to other countries and suggested ISWAN may be in a position to look at data analysis. The Chair noted that AMSA receives complaints from all over the world as Australia is seen to take action, however, AMSA cannot investigate complaints where the vessel in question is not visiting our ports.

ACTION 6/2016 – 6.4: Chair to write to ISWAN about the possibility of global MLC complaint data analysis.

AGENDA ITEM 7: GENERAL BUSINESS

7 a) AMSA/Australian Border Force meeting update

The Chair talked about the meeting held between AMSA & Australian Border Force (ABF) to discuss matters associated with abandoned seafarers, those claiming protection status and those left ashore for medical reasons. Key outcomes of the meeting:

- AMSA was advised by ABF that detention centres are the last resort and that there are numerous alternative detention arrangements such as house or hotel.
- The ABF can make a declaration of alternative arrangements in any particular case, with the key to this decision being the circumstances of the case.
- In some cases, such as a seafarer who is taken off a ship for medical reasons, it will depend on many factors, one of which will be the case put forward by the seafarer and/or their agent/representative. If they can put forward a case to convince the ABF regarding the person's ability to be overseen and managed (by a welfare provider for example), the ABF will happily look at it.
- It was agreed that such matters can be dealt with operationally at regional levels and, hence each will provide the other with the appropriate regional contacts. In AMSA's case the appropriate contact people will be our regional managers.

David Penny	Manager North and East (QLD, NT & NSW)	0417 485 411
Wayne Cooper	Manager South (Vic, SA & Tas)	0419 207 393
Reza Vind	Manager West (WA)	0419 767 976

Dean Summers (ITF) commented that ITF do not currently have a conduit such as this with the ABF and expressed his congratulations to AMSA on this positive development, confirming the ITF will go through David Penny on these matters.

ACTION 6/2016 – 7.1: All members agreed to use the AMSA regional manager contacts to get information to the ABF in order to prevent unnecessary escalation to detention centres. Council members to distribute this information amongst their affiliate groups.

7 b) Wellness at Sea Program – Train the trainer opportunities

Paul MacGillivray (AMSA - Guest) talked about the Sailors' Society Wellness at Sea program train the trainer opportunity. The Sailors' Society is offering grants to enable free participation for maritime industry participants in a five day train the trainer program that will be hosted in Canberra in the second half of 2016. Interested persons (trainers) representing companies and maritime training schools can apply for a grant to be sponsored to attend the training. As part of the grant, each participant will be provided with 100 study materials that will enable them to deliver the course to 100 seafarers. Each participant is expected to return to their organisation and deliver the training to seafarers, they will qualify as a trainer once they have completed the train the trainer course and delivered the course to 50 seafarers.

While AMSA is not in a position to endorse any particular program or product, assistance has been provided to the Sailors' Society to enable this train the trainer program to get off the ground. The Chair suggested the Council endorse the Australian Wellness at Sea train the trainer program, both publically and amongst their affiliate groups.

ACTION 6/2016 – 7.2: Council agreed to endorse the Australian Wellness at Sea train the trainer program, both publically and amongst their affiliate groups to promote attendance and subsequent delivery of the program to seafarers.

7 c) Closure of ITF's Sydney Seafarers Centre

Dean Summers (ITF) talked about the closure of the ITF Sydney Seafarers Centre, ultimately due to the centre running at a loss. The property will be sold and the proceeds will be redirected to seafarers' welfare via a newly formed Tas Bull/Pat Geraghty Welfare Fund.

Welfare services are still being provided in the port by MTS and AotS.

Melwyn Miranda (Shipping Australia) suggested it may be valuable to conduct a survey of seafarers to get the top three things a seafarer wants from welfare service providers, particularly considering the technological advances being made in electronic communications. Discussion on this topic was deferred to the later planned workshop.

7 d) Confidentiality for MLC notifications

The Chair reinforced the need for complete confidentiality in regard to medevac/injury/illness information being shared with welfare service providers. AMSA shares such information with a small number of providers with the aim of getting the best outcome for the seafarers in question, this arrangement is however dependant on the assurance of confidentiality.

ACTION 2/2016 - 7.3: All members acknowledged and agreed with the importance of confidentiality relating to medevac/injury/illness information sharing.

AGENDA ITEM 8: APPOINTMENT OF A NEW CHAIR

Following Allan Schwartz' resignation as Chair, Stephen Curry, as AMSA's representative on the ASWC, was formally and unanimously elected as Chair of the Council from this day forward.

Allan Schwartz dropped in to the meeting and talked about his recent departure from the Council. Allan reiterated AMSA's commitment to the Council moving forward, with Stephen Curry's participation as Chair and the continued secretariat support. Allan emphasised that he remains passionate about AMSA's role in improving seafarer welfare outcomes and will continue to provide support and assistance in this area.

ACTION 2/2016 - 8.1: It was unanimously agreed that the AMSA representative on the Council should be the Chair. As a result, the members agreed to Steve Curry taking on the role.

WORKING LUNCH

AGENDA ITEM 9: WORKSHOP

With the assistance and direction of John Harte from Integrity Governance, the Council members engaged in a workshop that included discussion of factors such as;

- What are the ASWC's terms of reference
- What is welfare?
- What is our vision
- What are our strategies

A full report on this workshop and the outcomes will be distributed to the Council members when it comes to hand.

AGENDA ITEM 10: NEXT MEETING

The next meeting is to be held at a location that is yet to be determined in either week 3 or 4 of October 2016. The secretariat will canvas members for their availability in the coming weeks.

AGENDA ITEM 11: CLOSE

Before closing the meeting, the Chair thanked Warwick Norman (Rightship) who had kindly provided the facilitator services of John Harte for the workshop.