3

Intertwined Mobilities of Education, Tourism and Labour: The Consequences of 417 and 485 Visas in Australia

Shanthi Robertson

Abstract¹

This chapter focuses on some of the consequences of recent expansions to skilled temporary graduate (subclass 485) and working holiday (subclass 417) visa programs in Australia. These visa categories allow for extended periods of work and residence, primarily among young people who are seeking an overseas work/life experience or a pathway to more permanent migration. Using data from a pilot study into the life and work experiences of 485 and 417 workers in Australia, the chapter explores the complex and heterogeneous kinds of migrant subjectivities and trajectories created by these visa schemes, and the intersections of labour, education, and tourism policies in which they are embedded. It addresses the kinds of labour market experiences that result from these intersections, and also explores the

1 Sections of the introductory material in this chapter were originally published in Shanthi Robertson (2014) 'Time and Temporary Migration: The Case of Temporary Graduate Workers and Working Holiday Makers in Australia' (2014) 40(12) *Journal of Ethnic and Migration Studies*: 1915–1933, reprinted by permission of Taylor & Francis Ltd, www.tandfonline.com.

consequences of these migration pathways to understandings of social relations and belonging. Finally, it argues that neoliberalised systems of immigration governance intersect with the intentions, desires, and social practices of 485 and 417 workers to produce two main effects. First, significant flows of precarious foreign workers into diverse segments of the labour market are effectively hidden from public view. Second, complex migration trajectories and identities are constructed within which the boundaries between skilled/unskilled, legal/illegal, and temporary/permanent become increasingly blurred. These effects serve specific political and economic agendas yet also have broader and often unintended impacts on migration as a process of social transformation in Australia.

Introduction

Temporariness and circularity are increasingly important dimensions of migration processes on a global scale, with the boundaries around categories of temporary mobility and permanent mobility becoming increasingly blurry.² Traditional models of one-way mobility, settlement, and integration are giving way to understandings of the transnationality and temporariness of diverse migrant subjects, from elite knowledge workers to unskilled contract labour, with implications for the governance of migration as well as for new forms of migrant agency.³ These global trends are very much apparent in Australia where a settler society identity, built up since the beginnings of post-war mass immigration, is being transformed by significant recent increases to temporary migration schemes.

The focus is on the consequences, both intended and unintended, of two specific temporary visa categories: the Temporary Graduate (subclass 485) and Working Holiday (subclass 417) visas. Recent policy changes to these visa categories allow for extended periods of work and residence in Australia, primarily among young people who

2 Stephen Castles, 'Migration and Community Formation under Conditions of Globalization' (2002) 36 *International Migration Review* 1143.

3 A M Findlay, 'From Settlers to Skilled Transients: The Changing Structure of British International Migration' (1988) 19(4) *Geoforum* 401; Patricia Landolt and Lurin Goldring, 'Caught in the Work–Citizenship Matrix: The Lasting Effects of Precarious Legal Status on Work for Toronto Immigrants' (2011) 8 *Globalizations* 325; Aihwa Ong, 'Mutations in Citizenship' (2006) 23(2–3) *Theory, Culture and Society* 499.

are seeking an overseas work/life experience or a pathway to more permanent migration. More than just 'sojourners', 485 workers and 417 workers may live and work in Australia without a permanent status for between one and four years on these specific visas. Durations are often even longer as transitioning through other temporary visa categories (visa 'churn') is common.⁴ While under-researched and politically 'hidden' by their associations with education and tourism rather than labour migration,⁵ these schemes are creating diverse flows of migrants who disturb the boundaries around identities of tourist, student, worker and the dualities of skilled/unskilled, legal/illegal, and temporary/permanent.⁶ Allon, Anderson and Bushell aptly describe these types of flows as 'mutant mobilities', that is, they are made up of mobile subjects that have multiple and heterogeneous goals and intentions surrounding their mobility.⁷

Furthering qualitative understandings of the experiences of these migrant workers is important. Evidence suggests that migrant agency is reshaping Australian temporary visa categories in various ways⁸ and ignoring the role of human agency in the analysis of migration governance, particularly temporary migration schemes, often leads to a failure to meet stated policy objectives and unintended social and political consequences.⁹ This is particularly significant research in the

4 Bob Birrell and Earnest Healy, 'Immigration Overshoot' (CPUR Research Report, Centre for Population and Urban Research, Monash University, 2012).

5 Ibid.

6 Fiona Allon and Kay Anderson, 'Intimate Encounters: The Embodied Transnationalism of Backpackers and Independent Travellers' (2010) 16 *Population, Space and Place* 11; Peter Mares, 'Temporary Migration and Its Implications for Australia' (speech to the Australian Senate, 23 September 2011). Available at: www.aph.gov.au/About_Parliament/Senate/Powers_practice_n_procedures/-/media/FB57E1420B9748698CCB4B84A799F08D.ashx; Shanthi Robertson, *Transnational Student-Migrants and the State: The Education-Migration Nexus* (Palgrave Macmillan, 2013).

7 Fiona Allon, Kay Anderson and Robyn Bushell, 'Mutant Mobilities: Backpacker Tourism in "Global" Sydney' (2008) 3 *Mobilities* 73.

8 Robert Guthrie, 'Tourists Overstaying Their Welcome: When the Visa Runs Out and the Workers Stay On' (2004) 6 *The Tourism Industry* 22; Haeyoung Jang, Kyungja Jung and Bronwen Dalton, 'Factors Influencing Labour Migration of Korean Women into the Entertainment and Sex Industry in Australia' (Paper presented at 6th Biennial Korean Studies Association of Australasia, University of Sydney, 8–9 July 2009); Peter Mares, above fn 6; Shanthi Robertson, 'Cash Cows, Backdoor Migrants, or Activist Citizens? International Students, Citizenship, and Rights in Australia' (2011) 34 *Ethnic and Racial Studies* 2192.

9 Stephen Castles, 'The Factors That Make and Unmake Migration Policies' (2004) 38 *International Migration Review* 852; Martin Ruhs, 'The Potential of Temporary Migration Programmes in Future International Migration Policy' (2006) 145(1–2) *International Labour Review* 7.

Australian context because norms around migration are arguably still embedded within a 'settler-citizen' paradigm, and understandings of temporary migrant experiences are particularly limited.

This chapter discusses some findings from the pilot stage of an ongoing project that seeks to understand what 'being temporary' means to these diverse flows of migrant workers now living and working in Australia — what it means to social relations, to labour experiences, and to the spatio-temporal reordering of migrant journeys. In-depth interviews with 20 participants from a range of source countries who hold or have held a 485 or 417 visa while residing in Australia were conducted, as well as four interviews with representatives from non-government organisations who work specifically with these migrants. Because the policy-based designations of 'skilled temporary graduate' and 'working holiday maker' often do not match with the intentions, identities or labour market participation of the migrants themselves, they are referred to as '485 workers' and '417 workers' respectively.

The focus here is on the consequences of these visa policies, for individual migrants' work and social experiences, and for broader transformations of Australian immigration paradigms. In particular, this chapter addresses how these particular visa regimes are crafting specific kinds of migrant journeys and vulnerabilities. I commence with a brief policy overview of the two schemes, particularly focusing on recent changes, and then concentrating on how these visa policies structure complex intersections between labour, tourism, and education in migrants' journeys, with policy and status constraints often transforming engagements with work and study in various ways. I then analyse the labour market experiences of 417 and 485 workers, revealing how, despite the diverse kinds of work that they do, temporary status makes these migrants inherently vulnerable as workers in a number of ways. Finally, I look to the social dimensions of 485 and 417 worker pathways, analysing the ways in which constructions of temporariness structure how these groups are positioned in terms of the settled ethnic communities that they have links to, and in terms of the broader Australian public. I conclude with a summative analysis of the broad consequences of 417 and 485 worker schemes. This highlights the specific economic and labour market consequences as largely intended, and serving particular political and economic agendas, but also notes the unintended social and political consequences that occur through the transformation of settler-citizen

migration paradigms. While this chapter focuses qualitatively on the social and work experiences of temporary migrants, in the following chapter, Peter Mares further expands understandings of the unintended consequences of temporary migration by pointing specifically to case studies in which legal and social rights and entitlements are contested, addressing broader questions around political belonging.

Methods

This chapter draws on a pilot study consisting of 20 semi-structured interviews with 417 workers (10 interviews) and 485 workers (10 interviews) from South Korea, Taiwan, the United Kingdom, Ireland, Sweden, China, Iran and the Netherlands. The intent was to build as diverse a sample as possible, with snowball sampling used to recruit participants after initial contacts were made. It also draws on four interviews with key informants from three non-government organisations that worked closely with 417 and 485 workers on workplace and immigration issues.

Migrant participants were asked about their plans, decisions, expectations, and intentions around their mobility, and their work and social experiences while in Australia. Key informants were asked about the general experiences of the migrants on these visas that they work with, particularly the issues they face in the workplace and issues of belonging and social relations. Interviews were approximately one hour in length, and were tape recorded and transcribed. Pseudonyms are used for all participants throughout the analysis. This methodology is based on the arguments for using migrant stories as a means to understand how their agency shapes and is shaped by migration governance and dominant discourses around migration. While not providing a comprehensive or representative analysis of 417 and 485 worker experiences, these methods provide an exploratory analysis of an under-researched group of migrants and the consequences of recent policy change — an analysis that points to several avenues for future research.

Policy context and recent developments

Working holiday schemes have a long history in Australia, having been initially introduced in 1975, while temporary graduate schemes were first introduced in 2007 and substantially expanded at the beginning of 2013. However, both categories are increasing in significance in terms of both the number of visas granted and the extent of work rights attached to them (which will be discussed below). Annual 485 visa grants more than doubled between 2009 and 2012,¹⁰ while the 417 program grew about 23 per cent between 2011 and 2012, with generally steady growth over the last decade.¹¹ The types of migration trajectories that they engender, and the types of migrants they attract, also have a number of similarities.¹² There are, however, key differences in the work rights and eligibility criteria for these visas. This section will briefly outline the key policies around the two schemes.

Working holiday schemes are reciprocal agreements between Australia and select countries that allow young people to live and work in Australia on a temporary basis. Currently, the working holiday program encompasses two visas, the Working Holiday Visa (subclass 417) and the Work and Holiday Visa (subclass 462), which apply to passport holders of different countries. The majority of working holiday makers enter Australia under the 417 subclass, which is the focus of this chapter. The top 12 source countries for the 417 visa are the UK, South Korea, Germany, Ireland, France, Taiwan, Canada, Japan, Italy, Sweden, Hong Kong, and the Netherlands.

Basic eligibility requirements for working holiday visas state that applicants must be aged 18–30 at the time of applying; not be accompanied by dependent children during their stay in Australia; meet health, character, and financial requirements; and have a sufficient amount of funds for a return ticket or an actual return ticket.

10 Peter Mares, 'Graduate Visas May Yet Prove Controversial' *The Age*, 4 April 2013. Available at: www.theage.com.au/comment/graduate-visas-may-yet-prove-controversial-20130403-2h706.html#ixzz314WqNveK.

11 Department of Immigration and Citizenship, 'Record Interest in Australia's Visitor Visa Programs' (2013). Available at: migrationblog.border.gov.au/2013/03/01/record-interest-in-australias-visitor-visa-programs/.

12 Shanthi Robertson, 'Time and Temporary Migration: The Case of Temporary Graduate Workers and Working Holiday Makers in Australia' (2014) 40(12) *Journal of Ethnic and Migration Studies*.

Initially, working holiday visas were valid for stays of 12 months only and, although there were no limitations on the type of employment, 417 workers could only spend a maximum of three months working for any single employer. From July 2006, however, the maximum time spent with a single employer increased from three to six months, and holders of a 417 visa became able to apply for a second 12-month visa if they spent 88 consecutive days during their first visa doing 'specified work' in regional Australia.

'Specified work' includes work in plant and animal cultivation, fishing and pearling, or mining and construction. 'Regional Australia' encompasses a broad geographic space, including capital cities and suburban areas in some states.¹³

Most 417 workers seeking the one-year extension (bringing their total time in Australia as a 417 worker to two years) spend their 88 days doing unskilled seasonal agricultural work, such as fruit picking.¹⁴ However, skilled tradespeople on working holiday visas also work in regional construction and mining industries. The 417 workers who receive a second visa are then free to pursue any employment of their choice during their second year, although they are again limited to spending a maximum of six months with any one employer. The 417 workers are also free to study for up to four months per year. More than 220,000 working holiday maker visas were granted in 2011–12, and at the end of 2012 there were more than 162,000 working holiday makers residing in Australia.¹⁵

The Skilled–Graduate (subclass 485) visa was initially introduced in 2007 as an 18-month temporary work visa for eligible international graduates of Australian universities. It was superseded by the Temporary Graduate (subclass 485) visa in early 2013, which provided considerably expanded time frames. As of early 2013, international

13 The whole of the states of Tasmania, South Australia, and the Northern Territory, including their cities, are classed as 'regional Australia' under the working holiday visa requirements for second visas. In other states, only major cities/urban centres and surrounding areas are excluded under the classification of 'regional Australia', with the exception of the Australian Capital Territory, which is excluded in its entirety. In New South Wales, 'regional Australia' excludes Sydney, Newcastle, the Central Coast, and Wollongong; in Western Australia it excludes Perth and surrounding areas; and in Victoria the Melbourne metropolitan area is excluded.

14 Yan Tan and Laurence Hester, 'Labour Market and Economic Impacts of International Working Holiday Temporary Migrants to Australia' (2011) 18 *Population, Space and Place* 359.

15 Department of Immigration and Citizenship, above fn 11.

students in Australia who obtained their first student visa after November 2011, and who have completed at minimum a bachelor's degree involving at least two years study in Australia, are eligible for a post-study work visa of between two and four years, depending on their level of qualification.

The 2013 changes to the 485 visa category are the most recent iteration of a series of policies in Australia, beginning in the late 1990s, that linked international education to skilled migration. Initially, these policies provided specific pathways for international students to become permanent residents. This proved to be controversial, and the subsequent Knight Review of the Student Visa Program limited direct pathways from study to permanence while liberalising access to and duration of temporary graduate visas. International students with Australian bachelor's or master's by coursework degrees are eligible for a two-year temporary post-study work visa. Master's by research graduates are eligible for three years and PhD graduates for four. Graduates do not require employer sponsorship or specific skills to qualify for this visa, and there are no limitations on rights to work or study.

There were over 38,000 skilled graduate visa holders in Australia at the end of 2012, an increase of 74 per cent on 2011 figures.¹⁶ Yet the liberalisation of access to graduate visas from early 2013 means these numbers are likely to increase considerably over the next few years, especially given the popularity of previous post-study work schemes in Australia and in other countries. The vast majority of migrants currently under the 485 scheme are Chinese and Indian, reflecting the international student population.

16 Department of Immigration and Citizenship, *Temporary Entrants and New Zealand Citizens in Australia* (2012). Available at: www.border.gov.au/ReportsandPublications/Documents/statistics/temp-entrants-newzealand-dec12.pdf.

Intertwined mobilities: Complex engagements with work, study, and leisure travel

The temporary graduate and working holiday schemes are the only temporary work visas in Australia that do not require direct employer sponsorship or a specific skill set, meaning that 417 and 485 workers differ in a number of crucial ways from other streams of migrant labour. They sit in a strange policy space, both apart from the highly selective permanent skilled migration program, and apart from sponsored skilled temporary visas, such as the 457, which require migrants to be sponsored by an employer and often require some level of labour market testing.

Politically, and often in the public imagination, 485 and 417 workers are still connected to processes seen to be separate from ‘genuine’ labour migration — that is, international education and tourism, respectively. In fact, to a large extent, 485 and 417 workers are scarcely acknowledged as migrant workers at all, connected instead to transient and consumption-based identities of ‘students’ and ‘backpackers’. Official information targeted towards potential 417 workers and the general public continues to position the visa as intended for ‘cultural exchange’, and to place the work component as secondary to the tourism component.¹⁷

Similarly, the Knight Review, as the key document framing the new 485 visa policy, insists that the visas are for temporary residence only, that they function as ‘an adjunct to study’, and should not be seen as pathways to permanent migration.¹⁸ However, a key consequence of that policy has been an inseparable intertwining of mobilities of labour, education, and tourism. The labour component, in particular, is an increasingly important aspect of these visa programs. This has subsequently created porosity between temporalities of permanence

17 Department of Immigration and Citizenship, ‘Working Holiday Maker Visa Program Report’ (30 June 2013). Available at: www.border.gov.au/ReportsandPublications/Documents/statistics/working-holiday-report-jun13.pdf.

18 Knight, Michael, ‘Strategic Review of the Student Visa Program’ (Report to the Australian Government, June 2011).

and temporariness, and created complex engagements with work, study, and leisure travel in the context of the varied and dynamic migration goals of the migrants themselves.

Despite the continued official rhetoric of encouraging tourism and cultural exchange, the Department of Immigration and Citizenship's¹⁹ decision to extend the working holiday visa to two years and to include the regional work requirement indicates that the scheme is no longer primarily about facilitating an extended cultural and tourist experience for young travellers, but in fact it is about bringing specific forms of temporary labour into Australia.²⁰ Similarly, although positioned as an 'adjunct to study' in policy, 485 workers have full work rights for up to four years post-study, and previous research shows that post-study work visas are frequently used by migrants as a stepping stone to permanent residency.²¹

In gaining an in-depth understanding of the participants' journeys, one of the most significant themes is that 485 and 417 worker journeys involve complex goals around migration, study, work, and leisure. Work, however, is generally the central focus. The realities of the migration experience often see these goals unrealised or drastically transformed throughout the process. The 417 and 485 workers across the board tended to see their temporary visas either as a means to earn money and gain valuable professional experience before returning home or on-migrating to a third country, or as a stepping stone to a more permanent stay in Australia. While leisure travel was still a component of the experience for some, it usually came secondary to economic and long-term migration goals.

Most of the British and Irish 417 workers, for example, hoped that the initial visa would lead to employer sponsorship for a 457 or a permanent visa, seeing this pathway as a chance to escape from the high cost of living and limited work opportunities in cities such as London and Dublin. This further substantiates previous empirical research and media reports that point to increasing numbers of

19 The Department of Immigration and Citizenship (DIAC) changed its name in October 2013 to the Department of Immigration and Border Protection (DIBP). The majority of the fieldwork for this project occurred prior to the name change, the chapter thus refers to the department as DIAC throughout.

20 Bob Birrell and Earnest Healy, above fn 4.

21 Shanthi Robertson, above fn 6.

migrants using these visas primarily for the purposes of work rather than tourism,²² especially in the context of ongoing recession or limited opportunities in key source countries. While 485 and 417 workers were generally keen to find professional employment, they also often needed to engage in whatever work they could find to pay off the debts accumulated by study, or to cover living costs and build savings for the future.²³

While ‘status mobility’²⁴ across different visa categories and intersecting study, work, and travel goals were common in all 417 and 485 workers’ narratives, the trajectories varied considerably in different cases, and intentions and expectations around the purpose and duration of mobility frequently transformed over time. In speaking with representatives of organisations working with Taiwanese and Korean 417 workers, for example, I was told that the visa is often initially seen as a means to develop English language capabilities, gain foreign work experience, and save money to take back home. The working holiday period can also be a gateway to further study in Australia — a means to bolster English language skills so migrants eventually meet the requirements for tertiary study as international students, as well as to trial living in Australia before they commit to staying for a degree. Some leisure travel is often planned for the end of the stay, once significant funds have been saved by working.

Agents in the home countries convince potential 417 workers that after a few months of English language study they will be able to gain professional employment in Australia in well-paid jobs relating to their future career. However, this is seldom the reality. Most are unable to find professional work, and end up in unskilled work in co-ethnic-owned businesses. They often spend more money and time than they intended on language school when they discover their English skills are insufficient for the Australian labour market.

22 Luke O’Neill, ‘“Deep Recession” Cited in Irish Man’s Visa Review’, *Irish Echo*, 18 March 2011. Available at: www.irishecho.com.au/2011/03/18/deep-recession-cited-in-irish-mans-visa-review/8150; Ciara Kenney, ‘Canada Doubles Quota of Irish Working Holiday Visas’, *The Irish Times*, 6 October 2012. Available at: www.irishtimes.com/news/canada-doubles-quota-of-irish-working-holiday-visas-1.548331; Marie Madden, ‘Galway’s “Gathering” Down Under’, *Galway Independent*, 13 March 2013; Bob Birrell and Earnest Healy, above fn 4.

23 Michiel Baas, *Imagined Mobility: Migration and Transnationalism Among Indian Students in Australia* (Anthem Press, 2010); Shanthi Robertson, above fn 6.

24 Liza Schuster, ‘The Continuing Mobility of Migrants in Italy: Shifting Between Places and Statuses’ (2005) 31 *Journal of Ethnic and Migration Studies* 757.

They are also often woefully misinformed about the cost of living in cities like Melbourne and Sydney and the average wages. As the end of the first year approaches, goals of saving, English competence, work experience and travel are unrealised. This prompts many to undertake the regional three months work to gain a second visa. After two years, many return home having spent the majority of their time in one place (with the exception of the regional three months), living with and working with other co-ethnic 417 workers in unskilled and poorly paid jobs.

The other highly significant consequence here is that migration policy itself, particular visa status and the criteria that have to be met to obtain extended stays or permanence, hinders meaningful engagement with study and work, and often forces migrants to renegotiate their goals in complex ways. One participant, Abdul, graduated with an engineering degree from a reputable Australian university. He found, however, once on his 485 visa, that he was unable to obtain a graduate position in his field, despite good marks and strong English. Government positions were available only to citizens, and the HR departments of engineering companies either explicitly or implicitly rejected him on the basis that he did not have permanent residency. Many of his fellow graduates on 485 visas were relegated to working in car washes or convenience stores to survive, and hoping for a better job to come along. Abdul, however, decided to change tack and return to study, and successfully gained a scholarship to do his PhD. The PhD, however, was really only a stop-gap solution to extend his time in Australia with a new student visa. Abdul was planning to apply for permanent residency and keep looking for jobs and sponsorship during his PhD candidature. If either came through, he would drop out of his PhD to join the workforce.

Liu, a Chinese graduate with a Master of Accounting, experienced a similar reconfiguration of work and study goals in the pursuit of a migration outcome. After graduation, Liu felt fortunate to obtain a job she enjoyed at a small accounting firm. However, she desperately needed to get a certain score on the International English Language Testing System (IELTS) exam for her permanent residence application to be successful. She had already failed to get the score she needed on previous tests. With the time on her temporary 485 visa running out,

Liu felt compelled to resign from her accounting job and take a casual hospitality job in the evenings, so that she would have her days free to devote to IELTS study.

Such negotiations of deskilling, reskilling, and changing pathways to buy more time in Australia or meet migration-driven outcomes are commonplace within the nexus of education, tourism, and labour. Temporary workers on a subclass 417 visa, for example, frequently leave skilled professional positions to complete the three-month regional work requirement. Ironically, Australian immigration governance discourses heavily place value on skilled workers. Yet the explicit and implicit limitations that 485 and 417 visas impose on migrants' agency in the labour force often means that workers with tertiary qualifications and professional experience end up in unskilled work.

Contemporary Australian migration processes in this context are increasingly complex, circular, and varied in terms of stages and durations.²⁵ The boundaries between permanent and temporary mobility are becoming increasingly porous and contingent, as some of these migrants engage in long and often protracted journeys to achieve extended stays and eventual permanence.²⁶ A key consequence of this is the creation of 'staggered pathways'²⁷ of temporal uncertainty that migrants must navigate to achieve their migration and life goals. Policy frameworks intimately impact on migrants' lives and choices, as visa conditions seek to govern migrants' time horizons and spatial location within particular regions and markets. While this spatial regulation is more explicit for 417 workers with the regional work requirements, it also impacts on many 485 workers because there are often more opportunities for employer sponsorship in regional areas through the Regional Sponsored Migration Scheme (RSMS).

The 485 and 417 workers also represent a 'middling experience'²⁸ of temporary labour migration, positioned somewhere between elite transnational knowledge workers and exploitable, unskilled migrant workers. They usually have a relatively high level of education, but

25 Graeme Hugo, 'In and Out of Australia' (2008) 4 *Asian Population Studies* 267.

26 Siew-Ean Khoo and Graeme Hugo, 'Which Skilled Temporary Migrants Become Permanent Residents and Why?' (2008) 42 *International Migration Review* 193; Shanthi Robertson, above fn 6.

27 Shanthi Robertson, above fn 6.

28 Brenda Yeoh, Katie Willis and Abdul Fakhri, 'Introduction: Transnationalism and Its Edges' (2003) 26(2) *Ethnic and Racial Studies* 207.

engage in both skilled and unskilled labour,²⁹ and in shadow labour economies.³⁰ They also represent a middling form of migration in the sense that, temporally, legally and socially, they sit somewhere between the 'sojourner' and the 'citizen'. While some will remain in Australia for a relatively short time, others face protracted journeys towards eventual permanent membership.

'Dodgy' jobs: Precariousness, semi-compliance and exploitation in the workplace

Although the 485 and 417 workers interviewed worked across a range of industries (including nursing, accounting, hospitality, community work, agriculture, administration, and marketing) and in a range of roles, precariousness and vulnerability in the workplace was the common thread in their stories. Nearly every migrant interviewed had experienced some kind of corrupt or illegal practice in the workplace. Some of these breaches were of benefit to the migrants — such as the falsification of hours or duties by employers so 417 visa holders could gain eligibility for a second visa — but most were exploitative in nature. The breaches of workplace laws and norms ranged from relatively mundane practices, such as workers paid cash-in-hand to avoid paying superannuation and penalty rates, to major breaches including verbal and sexual harassment, non-payment for hours worked, forcing workers to act as sub-contractors, and labour agencies or employers deducting exorbitant fees for placements, accommodation, or transport. As is often the case with temporary workers, employers tended to exploit the structural constraints imposed on temporary workers by their visa status,³¹ and in particular their desires for permanent or extended stays.

29 Yan Tan and Laurence Hester, above fn 14.

30 Robert Guthrie, above fn 8; Haeyoung Jang, Kyungja Jung and Bronwen Dalton, above fn 8.

31 Selvaraj Velayutham, 'Precarious Experiences of Indians in Australia on 457 Temporary Work Visas' (2013) 24 *The Economic and Labour Relations Review* 340; Stefanie Toh and Michael Quinlan, 'Safeguarding the Global Contingent Workforce?: Guestworkers in Australia' (2009) 30 *International Journal of Manpower* 453.

Much of the 417 or 485 labour experiences fell into the realm of what Martin Ruhs and Bridget Anderson refer to as ‘semi-compliance’.³² In contrast to the false dichotomy between ‘legal’ and ‘illegal’ migration, Ruhs and Anderson use the term ‘semi-compliance’ to refer to employment practices whereby migrant workers are legally resident in the country, but are in some way in breach of the restrictions on their visa.³³ In the cases discussed here, however, ‘semi-compliance’ relates not just to the restrictions on the current visa, but also to employers and workers engaging in illegal practices to extend visas or obtain new visas. It can also encompass workplaces that provide some, but not all, of workers’ legal wages and entitlements. The slang term ‘dodgy’ seemed to have been adopted by 417 and 485 workers of different cultures as a way to describe these employment situations of semi-compliance. Dodgy employers occupied an ambivalent place in the workers’ imaginations — while on the one hand they could be exploitative, on the other hand, a dodgy workplace could be more inclined to support bypassing immigration requirements to the benefit of the worker.

Some of the worst stories of abuse in this study came from the regional work requirements for second 417 visas. For example, two British 417 visa holders were promised three months of agricultural work on a farming property so they could gain eligibility for a second visa. Once they arrived, they were instead tasked with providing 24-hour care for the family’s six young children, and painting and decorating the family home, sometimes for up to 12 hours a day. They were not paid beyond the provision of room and board, which consisted of a shared room and bed (although the workers were not a couple) and the same dry cereal and plain cheese sandwiches for every meal. The impending expiry dates of their first visas and their concern that they would not find other regional work in time meant that they did not complain about the conditions or the lack of pay. In another instance, a Taiwanese 417 worker at a regional vegetable processing plant complained to her supervisor about underpayment and poor

32 Martin Ruhs and Bridget Anderson, ‘Semi-Compliance and Illegality in Migrant Labour Markets: An Analysis of Migrants, Employers and the State in the UK’ (2010) 16 *Population, Space and Place* 195.

33 Ibid.

safety conditions, and eventually threatened to take complaints to the Fair Work Ombudsman. She was subsequently harassed with threatening phone calls.

Work in urban centres, however, often also consisted of varying levels of exploitation. As discussed above, many large employers in Australia will not consider applicants with a temporary visa status, despite the fact that they have work rights.³⁴ As a result of this, 485 and 417 workers were often pushed into specific types of employment, usually highly casualised or informalised, and often involving working for co-ethnic employers. While the grey labour economies they occupied were tenuous spaces for all workers, migrant and local alike, temporary status and the desire to stay in Australia created specific types of vulnerabilities.

For example, because 485 and 417 workers often can't get jobs through regular recruitment channels, they rely heavily on social connections: fellow temporary migrants, family friends, church members, housemates, and landlords are common sources of finding employment. This can place them in a space of social obligation in the workplace and further magnifies the power asymmetries between the worker and the employer. A Chinese graduate of a research master's degree, for example, told me that he struggled to find full-time work after graduating but was offered a casual research assistant role at his old university by his former thesis supervisor. The complex power dynamic created by their previous academic relationship, however, made navigating the workplace relationship extremely difficult. When the worker found he was not being paid for many of the hours worked, he quit the job rather than confront his boss and former supervisor or report the underpayment to HR.

The following narrative of a female Chinese 485 worker further illustrates some of the complex power dynamics at play, specifically in co-ethnic employment. She worked in an administrative role for a medium-sized business owned by a Chinese permanent migrant, who employed mostly Chinese temporary workers.

34 Cate Gribble and Jill Blackmore, 'Re-positioning Australia's International Education in Global Knowledge Economies: Implications of Shifts in Skilled Migration Policies for Universities' (2012) 34(4) *Journal of Higher Education Policy and Management* 341.

The owner of the company is actually from my city in China. So we know each other pretty well and he actually provides me a job and he promised me that he can sponsor me to migrate ... I was feeling like I was really happy but he said, 'I can't really pay you much. Probably \$10 an hour in the beginning,' and I was like, 'That's okay.' So that's the reason I actually agreed to work for him and the low wage. After six months, I feel like he doesn't mention it at all and actually asked me to apply for ABN [Australian Business Number] number because he doesn't want to pay tax for me. So I actually got a feeling, 'This is just a lie.' That's when I quit my job. When I worked there, I actually planned to migrate here through the employment and sponsorship.

The lure of sponsorship as a pay-off for underpayment or poor working conditions and coercions by employers into semi-compliance was a very common story. Co-ethnic employers had further capacity to do this because they had a certain level of trust with the workers,³⁵ or workers had had little success securing mainstream employment. NGOs working with these groups reported that, while a lack of knowledge of rights and entitlements was sometimes an issue, it was more common that workers were, like in the example above, initially willing to trade rights for opportunities,³⁶ or that they were too afraid to complain or report breaches.

Taiwanese 417 workers, for example, talked openly about 'white' (legal) and 'black' (illegal) jobs, also sharing information amongst themselves about which employers they should be wary of. Reporting non-compliance not only had risks for the workers, but for their similarly precarious co-workers. Threats of being reported to immigration for not adhering to the requirements of their visas were also sometimes used by employers to make workers even more reluctant to report.

There are various 'lines of difference'³⁷ within 417 and 485 worker communities that have specific bearing on labour market experiences. Workers with limited English skills (most likely to be recently arrived 417 workers from countries such as Korea and Taiwan) were across-the-board more likely to be in grey labour and subject to exploitation. Yet, as the above examples have shown, even skilled, white, English-speaking migrants were subject to exploitation because of

35 Selvaraj Velayutham, above fn 31.

36 Cate Gribble and Jill Blackmore, above fn 34; Shanthi Robertson, above fn 6.

37 Nick Clarke, 'Detailing Transnational Lives of the Middle: British Working Holiday Makers in Australia' (2005) 31 *Journal of Ethnic and Migration Studies* 307.

their temporary status and their desire to stay. Clearly, for 417 and 485 workers, as with most temporary migrants, temporary status itself creates forms of 'differential inclusion',³⁸ particularly in terms of vulnerabilities in the workplace, as 'temporariness ... embeds and normalises a directionality in which workers' rights are limited and states' rights (to expel, to control) are expanded'.³⁹

Social relations and the transformation of settler-citizen society

The position of 417 and 485 workers at the boundaries between long-term and short-term, temporary and permanent, sits in uncomfortable ambiguity with ideas of community and belonging, and has significant potential consequences for social relations. This is particularly the case in the Australian context where migration has, since the post-war era, largely been framed around linear and permanent journeys from alien to citizen, and arrival to assimilation. All kinds of migration create 'historical discontinuities in collective identities',⁴⁰ but 'mutant mobilities' like workers on 417 and 485 visas, in particular, disturb meanings of ethnic community and national belonging that have been built around settler-citizen migrant identities. Ethnic communities in settler societies such as Australia, Canada, and New Zealand have always had levels of internal heterogeneity, based on religion, class, regional, and linguistic difference, and on the different 'types' (skilled/unskilled/humanitarian/family) or historical 'waves' of migration from specific source countries and regions. Mutant mobilities, with their inherent temporal uncertainties, create another layer of heterogeneity within communities based on the unstable temporal barrier between the 'temporary' and the 'permanent' migrant.

38 Stephen Castles, 'How Nation-States Respond to Immigration and Ethnic Diversity' (1995) 21 *New Community: The Journal of the European Research Centre on Migration and Ethnic Relations* 293; Tim Creswell, 'The Prosthetic Citizen: New Geographies of Citizenship' (2009) 20 *Political Power and Social Theory* 259; Deepa Rajkumar et al., 'At the Temporary-Permanent Divide: How Canada Produces Temporariness and Makes Citizens through Its Security, Work, and Settlement Policies' (2012) 16 *Citizenship Studies* 483; James Walsh, 'Quantifying Citizens: Neoliberal Restructuring and Immigrant Selection in Canada and Australia' (2011) 15 *Citizenship Studies* 861.

39 Catherine Dauvergne and Sarah Marsden, 'The Ideology of Temporary Labour Migration in the Post-Global Era' (2014) 18(2) *Citizenship Studies* 224.

40 Rainer Bauböck, 'Sharing History and Future?' (1998) 4 *Constellations* 320.

Previous research in Australia on student-migrants and tourist-workers has begun to reveal complexities around their embeddedness within local communities, often describing tensions or ambivalent relationships between established and temporary groups.⁴¹ Other work shows that long-term temporary migrants can also live in a segregated sub-cultural space, mostly only interacting with other temporary migrants of their own nationality.⁴² The 485 and 417 workers can also find themselves temporally excluded from diaspora and transnational social fields because, as Saulo Cwerner argues, diaspora community is associated with long-term settlement and commitment, and this can come into tension with the real or perceived 'short-termism' of temporary migrants within existing ethnic community structures.⁴³

The tensions and segregations around the boundaries of temporariness and permanence were very much apparent in the social worlds of the participants in this study. The fact that permanent migrants often played the role of corrupt employers, as described above, created part of this tension, but there was also the general sense that the temporary and permanent groups led largely separate lives and had little in common. The 417 and 485 workers relied on each other for information about jobs, dealing with immigration and other issues related to their temporary status — experiences with which settler-migrants could not identify. The fact that most social networks were built through work and study, where colleagues and classmates were also often temporary, also meant that opportunities to meet people outside of these groups was often limited. Two Chinese 485 workers explained that most of their social networks were with other temporary migrants:

I must say there's a little gap between the temporary and the permanent ... Most of my friends, they are only on a student visa or temporary residency and I can feel there is a barrier between these two groups of people, actually, so it's really hard to identify.

41 See, for example, Supriya Singh and Anuja Cabraal, 'Indian Student Migrants in Australia: Issues of Community Sustainability' (2010) 18 *People and Place* 19; Gil-Soo Han, 'The Koreans in Sydney' (2010) 2 *Sydney Journal*.

42 Aprad Maksay, 'Japanese Working Holiday Makers in Australia: Subculture and Resistance' (2007) 11(1) *Tourism Review International* 33; Fiona Allon and Kay Anderson, above fn 6.

43 Saulo Cwerner, 'The Times of Migration' (2001) 27 *Journal of Ethnic and Migration Studies* 7.

Most of my friends are Chinese [temporary migrants]. My classmates, and some of them friends that I met at work ... Most of my friends are from same background. Not even Australian-born Chinese because they're just Australian because we don't have much to talk about. We don't have same background. Actually, I want to make friends with them, but it's really hard.

Some 417 participants, however, also sought to distance themselves socially from other 417 workers, particularly from the backpacker culture associated with the more short-term and leisure-oriented groups. Older 417 workers seeking professional work experience and the chance at permanent migration wanted to be disassociated from some of the negative connotations around the backpacker stereotype of illegal work and party culture. Professional 417 workers distanced themselves from these identities by not living in backpacker hotspots such as the Sydney beachside suburbs of Coogee and Bondi, and not participating in social activities within the backpacker community. They instead socialised with other 417 workers who identified more as migrants and professionals, and tried to build networks within the local community.

Generally, the longer 417 and 485 workers stayed in Australia, the more likely they were to put down roots and build connections with permanent migrant communities and the Australian-born. However, until permanent migration status was secured, these relationships often had an inherent sense of tenuousness. Even when migrants subjectively felt socially and culturally rooted, the insecurity of not having permanent legal status caused significant anxiety and frustration around the possible eventuality of forced return, as well as the lack of formal recognition of their belonging and their contributions to Australian society:

To be honest because in my occupation Australia needs lots of people in this field, but I can't do it [find a job], sometimes it's very frustrating to get a permanent residency. So I feel it's unfair and we spend a lot of money and we got good occupation, we can contribute our knowledge to this country, but we still feel frustrated to [stay] here ... It's still very strict to immigrate [permanently] here, so it is frustrating.

When you put a lot of energy into building-up a network, you build-up like friends that you studied with and potentially work with. Like it's a lot of energy that you put in to this new career, this new life or

whatever it is and that they [the Immigration Department] can just change like this. It makes it hard because you need to plan. So that was really s**t, to be honest.

The mobility across different cities and regions required to seek out suitable employment and sponsorship opportunities also meant that migrants sometimes did not stay in the same place long enough to build lasting networks. Yet networks and relationships with permanent members of the community were often crucial to the success of a transition from temporary to permanent migrant. For those 417 and 485 workers seeking a longer or more permanent stay, local networks, either co-ethnic or within the broader community, could lead to job or sponsorship opportunities, spouse visas, or other forms of direct and indirect support that become crucial to meeting state criteria for longer-term membership.

In the case of any group with a historic pattern of settler-migration, existing family or social connections within the permanent local community often shaped migration trajectories and experiences in various ways. For example, extended family or kinship networks sometimes provided an incentive to migrate to a particular city or region, and could provide accommodation or employment support at different times. Yet connections within the community of other temporary migrants were also vital to most 417 and 485 workers to building the kinds of social capital that they specifically require for status mobility and extended stays, such as finding jobs to fit the requirements of gaining a sponsored visa, finding a migration agent, or navigating changes to immigration policies. Online communities were quite significant here, with 417 and 485 workers accessing a plethora of websites and forums dedicated to potential and current temporary migrants. They used these sites to seek advice and share experiences, including advice on finding accommodation, recommendations for migration agents and warnings about 'dodgy' employers.

Unintended consequences?

Overall, there are several major consequences of hidden labour migration streams such as 417 and 485 workers. These schemes create very complex mobilities that intertwine labour, tourism and education; but despite official rhetoric, labour and longer-term migration seem

to be a core focus of many of these migrants' journeys. In addition, the implicit and explicit restrictions surrounding being temporary in the Australian labour market mean that goals and engagements with work and study often need to be reconfigured through deskilling, reskilling, labour market mobility, physical mobility into regional areas, and semi-compliance. As well as having specific vulnerabilities in the workplace, 417 and 485 workers also occupy an ambiguous place in terms of their embeddedness within both ethnic communities and the broader Australian community.

In governance discourses in Australia, temporariness is presented as 'a neutral policy objective':⁴⁴ a means to provide a flexible, demand-driven and expendable labour force to fill specific skills gaps while ameliorating populist concerns about permanent immigration, population control, and social cohesion. Schemes like the 417 and 485 visas allow an influx of migrant workers to exist alongside a state performance of 'border preservation',⁴⁵ as well as a performance of an overall migration program that is highly selective and only accepts elite and highly skilled workers. The disassociation of 417 and 485 mobilities from labour migration, and the ongoing positioning of these workers within transient consumer student and backpacker identities, furthers the presentation of these temporary schemes as 'neutral' and 'unproblematic'. The ongoing moral panic about asylum seekers that dominate the policy space also serve to keep these schemes less visible and outside of mainstream political discourse and public scrutiny. This is part of what Chris Wright refers to as the 'control dilemmas' of migration governance.⁴⁶ These visas also serve a double neoliberal purpose in that they shore up the lucrative international education and tourism markets, while simultaneously, and largely covertly, supplying streams of flexible temporary labour into various industries and specific regions, creating a cheap and exploitable workforce with no access to social welfare and limited access to rights.

44 Catherine Dauvergne and Sarah Marsden, above fn 39.

45 Gail Lewis, 'Introduction: Contemporary Political Contexts, Changing Terrains and Revisited Discourses' (2005) 28 *Ethnic and Racial Studies* 423.

46 Chris Wright, 'How Do States Implement Liberal Immigration Policies?: Control Signals and Skilled Immigration Reform in Australia' (2013) 27(3) *Governance* 397.

These labour and economic effects of 417 and 485 schemes are not able to be assessed as part of the ‘unintended consequences’⁴⁷ that inevitably surround attempts to govern migration. They quite clearly serve very particular economic and political agendas, and recent extensions of these schemes in policy reveal quite purposeful attempts to expand these streams of labour while continuing with discourses that render them invisible as labour. What is perhaps less intentional are some of the complex social and political consequences and questions drawn out by these mutant mobilities in the context of Australia’s history as a settler-citizen society, some of which are outlined in more detail by Peter Mares in the next chapter. With overall temporary intakes beginning to equal or surpass permanent migrant intakes, temporary migrant workers represent Australia’s future cultural diversity and new formations of migrant community. Yet the ambiguity around transience and permanence inherent in their migration experiences makes their position in Australia and their relationships to their countries of origin markedly different from previous waves of settler-migrants. These issues present a number of policy challenges around migration governance, settlement services, and labour market engagement. The relatively small-scale research discussed here already unveils a significant number of these challenges. Further research into the work and life experiences of these workers is crucial to ensuring the success of these migration programs, and to ensuring policy development is informed by nuanced understandings of migrant experiences and the wider social and cultural impact of policy.

Bibliography

- Allon, Fiona and Kay Anderson, ‘Intimate Encounters: The Embodied Transnationalism of Backpackers and Independent Travellers’ (2010) 16 *Population, Space and Place* 11
- Allon, Fiona, Kay Anderson and Robyn Bushell, ‘Mutant Mobilities: Backpacker Tourism in “Global” Sydney’ (2008) 3 *Mobilities* 73
- Baas, Michiel, *Imagined Mobility: Migration and Transnationalism Among Indian Students in Australia* (Anthem Press, 2010)

47 Stephen Castles, above fn 9.

- Bauböck, Rainer, 'Sharing History and Future?' (1998) 4 *Constellations* 320
- Birrell, Bob and Earnest Healy, 'Immigration Overshoot' (Centre for Population and Urban Research Report, Monash University, 2012)
- Castles, Stephen, 'How Nation-States Respond to Immigration and Ethnic Diversity' (1995) 21 *New Community* 293
- Castles, Stephen, 'Migration and Community Formation under Conditions of Globalization' (2002) 36 *International Migration Review* 1143
- Castles, Stephen, 'The Factors That Make and Unmake Migration Policies' (2004) 38 *International Migration Review* 852
- Clarke, Nick, 'Detailing Transnational Lives of the Middle: British Working Holiday Makers in Australia' (2005) 31 *Journal of Ethnic and Migration Studies* 307
- Creswell, Tim, 'The Prosthetic Citizen: New Geographies of Citizenship' (2009) 20 *Political Power and Social Theory* 259
- Cwerner, Saulo, 'The Times of Migration' (2001) 27 *Journal of Ethnic and Migration Studies* 7
- Dauvergne, Catherine and Sarah Marsden, 'The Ideology of Temporary Labour Migration in the Post-Global Era' (2014) 18(2) *Citizenship Studies* 224
- Department of Immigration and Citizenship, *Temporary Entrants and New Zealand Citizens in Australia* (2012). Available at: www.border.gov.au/ReportsandPublications/Documents/statistics/temp-entrants-newzealand-dec12.pdf
- Department of Immigration and Citizenship, 'Record Interest in Australia's Visitor Visa Programs' (2013). Available at: migrationblog.border.gov.au/2013/03/01/record-interest-in-australias-visitor-visa-programs/
- Department of Immigration and Citizenship, *Visas, Immigration and Refugees: Working Holiday* (2013). Available at: www.border.gov.au/ReportsandPublications/Documents/statistics/working-holiday-report-jun13.pdf

- Department of Immigration and Citizenship, *Working Holiday Maker Visa Program Report* (30 June 2013). Available at: www.border.gov.au/ReportsandPublications/Documents/statistics/working-holiday-report-jun13.pdf
- Findlay, A M, 'From Settlers to Skilled Transients: The Changing Structure of British International Migration' (1988) 19(4) *Geoforum* 401
- Gribble, Cate and Jill Blackmore, 'Re-positioning Australia's International Education in Global Knowledge Economies: Implications of Shifts in Skilled Migration Policies for Universities' (2012) 34(4) *Journal of Higher Education Policy and Management* 341
- Guthrie, Robert, 'Tourists Overstaying Their Welcome: When the Visa Runs Out and the Workers Stay On' (2004) 6 *The Tourism Industry* 22
- Han, Gil-Soo, 'The Koreans in Sydney' (2010) 2 *Sydney Journal*
- Hugo, Graeme, 'In and Out of Australia' (2008) 4 *Asian Population Studies* 267
- Jang, Haeyoung, Kyungja Jung and Bronwen Dalton, 'Factors Influencing Labour Migration of Korean Women into the Entertainment and Sex Industry in Australia' (Paper presented at 6th Biennial Korean Studies Association of Australasia, University of Sydney, 8–9 July 2009)
- Kenney, Ciara, 'Canada Doubles Quota of Irish Working Holiday Visas', *The Irish Times*, 6 October 2012. Available at: www.irishtimes.com/news/canada-doubles-quota-of-irish-working-holiday-visas-1.548331
- Khoo, Siew-Ean and Graeme Hugo, 'Which Skilled Temporary Migrants Become Permanent Residents and Why?' (2008) 42 *International Migration Review* 193
- Knight, Michael, 'Strategic Review of the Student Visa Program' (Report to the Australian Government, June 2011)
- Landolt, Patricia and Lurin Goldring, 'Caught in the Work–Citizenship Matrix: The Lasting Effects of Precarious Legal Status on Work for Toronto Immigrants' (2011) 8 *Globalizations* 325

- Lawson, Victoria, 'Arguments Within Geographies of Movement: The Theoretical Potential of Migrants' Stories' (2000) 24 *Progress in Human Geography* 173
- Lewis, Gail, 'Introduction: Contemporary Political Contexts, Changing Terrains and Revisited Discourses' (2005) 28 *Ethnic and Racial Studies* 423
- Madden, Marie, 'Galway's "Gathering" Down Under', *Galway Independent*, 13 March 2013
- Maksay, Aprad, 'Japanese Working Holiday Makers in Australia: Subculture and Resistance' (2007) 11(1) *Tourism Review International* 33
- Mares, Peter, 'Temporary Migration and Its Implications for Australia' (speech to the Australian Senate, 23 September 2011). Available at: www.aph.gov.au/About_Parliament/Senate/Powers_practice_n_procedures/~media/FB57E1420B9748698CCB4B84A799F08D.ashx
- Mares, Peter, 'Graduate Visas May Yet Prove Controversial' *The Age*, 4 April 2013. Available at: www.theage.com.au/comment/graduate-visas-may-yet-prove-controversial-20130403-2h706.html#ixzz3l4WqNveK
- Ong, Aihwa, 'Mutations in Citizenship' (2006) 23(2-3) *Theory, Culture and Society* 499
- O'Neill, Luke, "'Deep Recession" Cited in Irish Man's Visa Review', *Irish Echo*, 18 March 2011. Available at: www.irishecho.com.au/2011/03/18/deep-recession-cited-in-irish-mans-visa-review/8150
- Rajkumar, Deepa, Laurel Berkowitz, Leah F. Vosko, Valerie Preston and Robert Latham, 'At the Temporary-Permanent Divide: How Canada Produces Temporariness and Makes Citizens through its Security, Work, and Settlement Policies' (2012) 16 *Citizenship Studies* 483
- Robertson, Shanthi, 'Cash Cows, Backdoor Migrants, or Activist Citizens? International Students, Citizenship, and Rights in Australia' (2011) 34 *Ethnic and Racial Studies* 2192

- Robertson, Shanthi, *Transnational Student-Migrants and the State: The Education–Migration Nexus* (Palgrave Macmillan, 2013)
- Robertson, Shanthi, 'Time and Temporary Migration: The Case of Temporary Graduate Workers and Working Holiday Makers in Australia' (2014) 40(12) *Journal of Ethnic and Migration Studies* 1915
- Ruhs, Martin, 'The Potential of Temporary Migration Programmes in Future International Migration Policy' (2006) 145(1–2) *International Labour Review* 7
- Ruhs, Martin, *The Price of Rights: Regulating International Labor Migration* (Princeton University Press, 2013)
- Ruhs, Martin and Bridget Anderson, 'Semi-Compliance and Illegality in Migrant Labour Markets: An Analysis of Migrants, Employers and the State in the UK' (2010) 16 *Population, Space and Place* 195
- Schuster, Liza, 'The Continuing Mobility of Migrants in Italy: Shifting Between Places and Statuses' (2005) 31 *Journal of Ethnic and Migration Studies* 757
- Singh, Supriya and Anuja Cabraal, 'Indian Student Migrants in Australia: Issues of Community Sustainability' (2010) 18 *People and Place* 19
- Tan, Yan and Laurence Hester, 'Labour Market and Economic Impacts of International Working Holiday Temporary Migrants to Australia' (2011) 18 *Population, Space and Place* 359
- Toh, Stefanie and Michael Quinlan, 'Safeguarding the Global Contingent Workforce?: Guestworkers in Australia' (2009) 30 *International Journal of Manpower* 453
- Velayutham, Selvaraj, 'Precarious Experiences of Indians in Australia on 457 Temporary Work Visas' (2013) 24 *The Economic and Labour Relations Review* 340
- Walsh, James, 'Quantifying Citizens: Neoliberal Restructuring and Immigrant Selection in Canada and Australia' (2011) 15 *Citizenship Studies* 861

UNINTENDED CONSEQUENCES

Wright, Chris, 'How Do States Implement Liberal Immigration Policies?: Control Signals and Skilled Immigration Reform in Australia' (2013) 27(3) *Governance* 397

Yeoh, Brenda, Katie Willis and Abdul Fakhri, 'Introduction: Transnationalism and its Edges' (2003) 26(2) *Ethnic and Racial Studies* 207

This text is taken from *Unintended Consequences: The impact of migration law and policy*, edited by Marianne Dickie, Dorota Gozdecka and Sudrishti Reich, published 2016 by ANU Press, The Australian National University, Canberra, Australia.

The papers published in this book arose from an inaugural conference on migration law and policy at ANU College of Law, held in October 2013. They are reprinted here with minor amendments.