

## **AUSTRALIA - UK FREE TRADE AGREEMENT**

With the UK's Royal Assent to the Agreement, the Australia-United Kingdom Free Trade Agreement has advanced.

After all UK procedures are finished and Australia and the UK exchange diplomatic notes specifying a start date, the Australia-UK FTA will become effective.

With equal access to the UK employment market as EU citizens, the Agreement will give Australian professionals more chances for intra-company transfers and working vacationers.

The start date has not yet been made public.

## **IMPROVING ACCESS TO FAMILY VIOLENCE PROVISIONS FOR VICTIM-SURVIVORS**

The Albanese Labor Government has announced adjustments to the "non-judicial" proof requirements for temporary visa holders who seek assistance. This will improve support for victims and survivors of family and domestic violence.

Midwives have been added to the list of medical professions that can provide evidence, risk assessments and reports have been added as forms of evidence in place of statutory declarations, additional advocacy and crisis service providers have been added as sources of evidence, and the requirement for statutory declarations for some healthcare professionals has been removed.

This was commenced on 31 March 2023.

## **AFGHAN LOCALLY ENGAGED EMPLOYEES**

After an overall government evaluation of the Afghan Locally Engaged Employees (LEE) initiative, this was supposed to be revised within a year. However, the 1 April 2023 end date would not give enough time to address any suggestions that came out of the review prior to that sunset date.

## **INDIAN FAMILY SEEKING PERMANENT RESIDENCY FACES DEPORTATION AFTER LIVING IN AUSTRALIA FOR 15 YEARS**

Mr Singh came to Australia on a student visa in 2008. He pursued a bachelor's degree in social welfare but went on to work as a manager at a local restaurant.

In 2016, he applied for the regional sponsored visa (Subclass 187) that allows skilled workers nominated by their employer in regional Australia to live and work there permanently.

But as luck would have it, his visa application was rejected. Following this, Mr Singh applied for a ministerial intervention which too was unsuccessful.

"Since I was left with no option, I decided to switch fields and return to social welfare. I was fortunate to get a job as a youth worker during (the) COVID (pandemic). But when I applied for a skills assessment, I was told I would need a further two years of experience in the field," he said.

"I was granted a bridging visa E in the meantime that allows me to stay here legally until I make arrangements to leave. I have been told there's no hope for any further substantive visa, and I would have to exit the country by 31 May."

The family faced with the prospect of deportation to India, the family has lodged a petition seeking public support for their campaign to be allowed to stay in the country permanently.

## **FAIR WORK LEGISLATION AMENDMENT (PROTECTING WORKER ENTITLEMENTS) BILL 2023**

The Protecting Workers Entitlements Bill was introduced to parliament this week and clarifies that migrant workers are entitled to the same workplace protections as Australians under the Fair Work Act 2009.

The amendments to the Fair Work Act will enable visa holders who have been underpaid or exploited to have greater confidence in seeking assistance from the Fair Work Ombudsman

# **FABRICATED ALLEGATIONS BY CHATGPT RAISE DEFAMATION QUESTIONS**

## **Invented sexual harassment allegation against American law professor**

Jonathan Turley, the Shapiro Professor of Public Interest Law at George Washington University in the United States, discovered last week that ChatGPT had reported that he had been accused of sexual harassment after allegedly groping law students on a trip to Alaska in a 2018 Washington Post article. Professor Turley stated in an opinion piece that it "was a surprise to me, since I have never gone to Alaska with students, the Post has never published such an article, and I have never been accused of sexual harassment or assault by anyone" in an article that was published on USA Today.

"When first contacted, I found the accusation comical. After some reflection, however, it took on a more menacing meaning," he wrote.

"What is most striking is that this false accusation was not just generated by AI, but ostensibly based on a Post article that never existed."

## **'Landmark' defamation case brought by Australian mayor**

The accusation against Professor Turley was made at the same time that Councillor Brian Hood, the mayor of Hepburn Shire Council, filed a "ground-breaking" defamation lawsuit against OpenAI, the proprietor of ChatGPT, on the grounds that OpenAI had incorrectly identified him as a person who had been charged in connection with a foreign bribery scandal.

He was not charged, and instead was the whistle-blower who alerted the authorities to the wrongdoing and was praised for his bravery in coming forward, Gordon Legal said in a statement.

The company claimed that ChatGPT made a number of false claims about Mr. Hood's involvement in that foreign bribery case, including that he was accused of bribing officials in Malaysia, Indonesia, and Vietnam, that he received a 30-month prison sentence after pleading guilty to two counts of false accounting under the Corporations Act, and that he authorised payments to a Malaysian arms dealer acting as a middleman. The firm filed a Concerns Notice to OpenAI on March 21.

The company stated, "All of these statements are false."

## **Implications in Australia of defamatory imputations by chatbots**

At present, Bartier Perry partner Adam Cutri suggested, it is unclear how Australian courts will approach ChatGPT publications in defamation claims.

Moving forward, it will be interesting to see, Ms Saunders said, "how a court applies defamation law to AI and whether the Defamation Working Group considering Stage 2 defamation reforms in relation to defamation on digital platforms opens up consultation again to consider this emerging technology".

## **FNQ DAMA UPDATE**

The Cairns Chamber of Commerce has provided updated information in the FNQ DAMA including:

- Simplification of Employer Labour Agreement Variation Process
- Labour Agreement Processing Times
- FNQ DAMA Endorsement Requests
- Deed of Variation
- FNQ DAMA Jobs Forum

Further information is available on the Chamber's website.

## **TEMPORARY GRADUATE VISAS - SC 485 - LEVEL OF QUALIFICATION**

The specified qualifications must be undertaken at the Australian Qualification Framework Level 7 or higher:

- bachelor degree
- bachelor (honours) degree
- masters by coursework degree
- masters by research degree
- masters (extended) degree
- doctoral degree.

## **CLARIFICATION - POLICE CHECKS - THIRD PARTY CHECKS**

The department advise applicants that police checks conducted by independent firms, like Veritas, might not be recognised for immigration and citizenship purposes.

These police checks have reportedly been disregarded by the Department, according to applicants.