

Establishing a Modern Slavery Act in Australia

30 May 2017

Submission to Senate Inquiry on the Proposed Act

Secretariat of Foreign Affairs, Defence and Trade Committee

Department of the Senate

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The NSW Young Lawyers Human Rights Committee and International Law Committee (**Committees**) makes the following submission in response to the Senate Standing Foreign Affairs, Defence and Trade Committee's Inquiry (**Senate Inquiry**) into establishing a Modern Slavery Act in Australia.

NSW Young Lawyers

NSW Young Lawyers is a division of The Law Society of New South Wales. NSW Young Lawyers supports practitioners in their professional and career development in numerous ways, including by encouraging active participation in its 16 separate committees, each dedicated to particular areas of practice. Membership is automatic for all NSW lawyers (solicitors and barristers) under 36 years and/or in their first five years of practice, as well as law students. NSW Young Lawyers currently has over 15,000 members.

The Human Rights Committee (**HRC**) is comprised of a group of over 1,200 members interested in human rights law, drawn from lawyers working in academia, for government, private and the NGO sectors and other areas of practice that intersect with human rights law, as well as barristers and law students. The objectives of the HRC are to raise awareness about human rights issues and provide education to the legal profession and wider community about human rights and its application under both domestic and international law. Members of the HRC share a commitment to effectively promoting and protecting human rights and to examining legal avenues for doing so. The HRC takes a keen interest in providing comment and feedback on legal and policy issues that relate to human rights law and the development and support of it.

The International Law Committee (**ILC**), is committed to providing a platform to young lawyers and law students with a key interest in international law (both public and private) to discuss among peers and learn from experts in the field through selected seminars, as well as providing networking opportunities. The ILC currently has over 1,200 members and has established working relationships with the Australian Institute of International Affairs, the Australian Dispute Centre, the Australian Centre for International Commercial Arbitration and the Rule of Law Institute of Australia. As one of its primary goals, the ILC endeavours to broaden the knowledge of international law within the legal profession and the Australian legal system. In doing so, the ILC seeks to promote informed discussion amongst its members and the wider legal community on international law in Australia.

Summary of Recommendations

The Committees make the following recommendations for legislating an Australian Modern Slavery Act.

On term of reference **(1) the nature and extent of Australian and global modern slavery**, the Committees submit:

1. that the Commonwealth Parliament consider with nuance the multifaceted nature of the modern slavery problem in Australia.

On **(3) identifying international best practice in supply chains with a view to strengthening Australian legislation**, the Committees submit:

1. that the Commonwealth legislate for stricter supply chain reporting by businesses, in line with United Nations standards and comparable Californian legislation;
2. that the Commonwealth should include provisions in the proposed Modern Slavery Act for supply chain transparency reporting requirements and an oversight body or authority, such as an Anti-Slavery Commissioner or Ombudsman, with penalties for non-compliance appropriate to reparations for victims of human trafficking, forced labour and slavery;
3. that the Commonwealth should include provisions in its new legislation sharing information about suppliers and supply chain information, similar to comparable legislation in The Netherlands; and
4. the Australian Government consider imposing particular due diligence requirements on large corporations operating in Australia and elsewhere concerning accountability for serious human rights violations within their supply chains, as well as specific enforceability mechanisms for such violations.

On **(4) the implications for Australia's visa regime and conformity with the *Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children of 15 November 2000 (Palermo Protocol)***, the Committees submit:

1. the Government should more robustly pursue and punish employers who bring people to Australia for the purposes of modern slavery, through sanctions that already exist in the Migration Act, as well as a range of new regulatory measures; and
2. there be the development of a national compensation scheme to be managed through the establishment of a Tribunal that allows for financial compensation to be provided to victims of modern slavery.

Combining terms of reference **(5) and (6), on whether similar or improved measures, as they relate to effective United Kingdom (UK) legislation provisions, should be introduced in Australia**; the Committees submit:

1. that the Australian Government introduce an act similar to the *Modern Slavery Act 2015 (UK) (UK Modern Slavery Act)*, including greater information on companies' supply chain investigations and create a database of reporting businesses.

This submission now turns to each term of reference and the detailed suggestions made by the Committees regarding each of them.

Nature and Extent of Australian and Global Modern Slavery

Modern Slavery Globally

Modern slavery is a significant problem globally. The Committees note that the International Labour Organisation (ILO) found in 2012 that 21 million people were victims of forced labour, 19 million of whom are exploited by private individuals or enterprises and 2 million by States.¹ The ILO also reported in 2014 that forced labour generates US\$150 billion in illegal profits annually.²

The Committees also note that human trafficking is a particularly concerning global issue. Last year, the United Nations Office on Drugs and Crime reported that women and girls comprise 75% of trafficking victims globally and 27% of all victims are children.³

The *United States Department of State Trafficking in Persons Report* (July 2015) (**Trafficking in Persons Report**) found that Australia was a destination country for women trafficked into the sex services industry.⁴ This statement is affirmed by the NSW and Victorian and Federal Police forces in evidence to the NSW inquiry into the regulation of brothels. The *Trafficking in Persons Report* stated that, in relation to sex trafficking, many women from Asia migrate to Australia (legally or illegally) and can often be coerced into prostitution. The report found that some victims of sex trafficking or forced marriages are subject to domestic servitude.⁵

Modern Slavery in Australia

Modern slavery is also a significant problem in Australia but it is currently difficult to identify the true scope of the problem. This is because modern slavery is a largely hidden crime and mainly affects migrants who are vulnerable, fearful and ignorant of their right to report to authorities.

Many victims of modern slavery, especially migrants on domestic worker visas and other types of temporary work visas, arrive in Australia with a limited grasp of the English language and little understanding of their legal rights.⁶ This means that they are susceptible to manipulation, and may believe that they have no right to complain about working excessive hours for very limited pay.⁷ Their employers may force them to remain at their place of employment, or only let them leave when they are accompanied by their employer, to limit opportunities to talk about their exploitative working conditions.⁸ It is often only by chance that a victim of

¹ International Labor Organisation Global Estimates of Forced Labour, 2012.

² International Labor Organisation (2014), 'Profits and Poverty: The Economics of Forced Labour', Geneva, p. 13.

³ United Nations Global Report on Trafficking in Persons, 2016.

⁴ NSW Legislative Assembly Select Committee on the Regulation of Brothels, *Inquiry into the Regulation of Brothels* (2015), accessed at: <https://www.parliament.nsw.gov.au/committees/DBAssets/InquiryReport/ReportAcrobat/5198/Final%20Report%20-%20Inquiry%20into%20the%20Regulation%20of%20Brot.pdf>.

⁵ United States Department of State, *Trafficking in Persons Report 2015*, (July 2015) United States Department of State, accessed at: <https://www.state.gov/documents/organization/245365.pdf>, 76.

⁶ Senate Education and Employment References Committee, *A National Disgrace: The Exploitation of Temporary Work Visa Holders* (Senate Printing Unit, 2016), 12.

⁷ Fair Work Ombudsman, *A Report on the Fair Work Ombudsman's Inquiry into the Labour Procurement Arrangements of the Baiada Group in New South Wales* (Australian Government Publishing Service, 2015), 18-19.

⁸ Senate Education and Employment References Committee, above n 6, 190.

modern slavery will meet someone who informs them that they are being exploited and helps them to make contact with the Australian Federal Police.⁹

The Committees recommend the Commonwealth Parliament consider, with nuance, the multifaceted nature of the modern slavery problem in Australia.

⁹ Marie Segrave, 'Why We're Making No Progress Tackling the Exploitation of Migrant Workers', *The Conversation* (online), 27 July 2016 <<http://theconversation.com/why-were-making-no-progress-tackling-the-exploitation-of-migrant-workers-62961>>.

Identifying International Best Practice in Supply Chains with a View to Strengthening Australian Legislation

On (3) identifying international best practice in supply chains with a view to strengthening Australian legislation, the Committees submit:

1. that the Commonwealth legislate for stricter supply chain reporting by businesses, in line with United Nations standards and comparable Californian legislation; and
2. that the Commonwealth should include provisions in the proposed Modern Slavery Act for supply chain transparency reporting requirements and an oversight body or authority, with penalties for non-compliance appropriate to reparations for victims of human trafficking, forced labour and slavery; and
3. that the Commonwealth should include provisions in its new legislation sharing information about suppliers and supply chain information, similar to comparable legislation in The Netherlands; and
4. that the Australian Government consider imposing particular due diligence requirements on large corporations operating in Australia and elsewhere concerning accountability for serious human rights violations within their supply chains, as well as specific enforceability mechanisms for such violations.

Stricter Supply Chain Reporting by Businesses

Australian legislation may be strengthened by having regard to international best practice and existing legislation.

The United Nations *Guiding Principles on Business and Human Rights* requires that business enterprises seek to prevent or mitigate adverse human rights impacts that are directly linked to their operations, products or services by their business relationships, even if they have not contributed to those impacts.¹⁰

Section 54 of the UK Modern Slavery Act introduced new reporting requirements in the UK to publish annual reports on steps taken by large businesses to ensure slavery and human trafficking are not present in their supply chains, by way of a 'slavery and human trafficking statement'. It is noted however, that there is no centralised repository for such reports (rather, they are required to be published on entity websites) and levels of detail for such reports appear to be inconsistent across reporting entities.

Similarly, the *California Transparency in Supply Chains Act* of 2010 requires retail sellers to disclose efforts made by large businesses to prevent slavery and human trafficking in their supply chains. It is noted however, that the Californian scheme appears to lack regulatory incentives and penalties for non-compliance.

¹⁰ United Nations Human Rights, Office of the High Commissioner, *Guiding Principles on Business and Human Rights*, Guiding Principle 13.

Both the UK and Californian models rely on reputational considerations to encourage businesses to adopt better practices in ensuring human trafficking and slavery are eliminated from their supply chains.

In line with international best practice and the recommendations of the United Nations, the Committees are of the view that Australian businesses should be required to seek out information in their supply chains to ensure they are not directly or indirectly contributing to such adverse human rights impacts, and engage in detailed, mandatory reporting on such findings and actions.

The Committees therefore recommend that the Commonwealth legislate for stricter supply chain reporting by businesses, in line with United Nations standards and comparable Californian legislation. To ensure compliance and create reputational costs of non-compliance, the Committees recommend the establishment of a centralised repository of all reports, including a list of the large businesses that have not submitted a report.

Reporting Requirements and an Oversight Body

The threshold for businesses that are required to report in the UK is an annual turnover over GBP36 million. French legislation specifies its thresholds for due diligence according to the number of employees in the company. As both large businesses and medium-sized businesses operate in high risk industries for supply chain breaches of human rights, the Committees consider that rigorous analysis and stakeholder engagement will be required to determine the appropriate threshold for an Australian Modern Slavery Act.

The Committee also considers that the Australian model may encourage businesses that do not meet the threshold to voluntarily publish a transparency statement. For example, Part 3 of the Dutch *Textile Covenant*¹¹ encourages large businesses and industry associations to share information about supply chain practices with smaller businesses in their industry. As noted by the Australian Human Rights Commission in their 2015 Dialogue on Business and Human Rights,¹² initiatives to inform and educate smaller businesses will encourage them to voluntarily pursue ethical supply chain practices. Furthermore, it will equip such businesses with the resources to conduct investigations at low transaction costs. As explained further below, the Act should establish an oversight body that will be equipped to facilitate such voluntary sharing of information and best practices between high-risk industry associations, large businesses and smaller businesses.

There is also scope in the Australian model for mandatory reporting to be extended to include public bodies and agencies, whose expenditure covers a wide range of industries and global supply chains.

There is also greater scope for more specific, detailed reporting requirements under any transparency in supply chain provisions in Australian legislation, including detailed reporting and adequate oversight from an

¹¹ *Convenant Duurzame Kleding en Textiel*, July 2016, available at http://www.ser.nl/~media/files/internet/publicaties/overige/2010_2019/2016/convenant-duurzame-kleding-textiel.ashx.

¹² 'Summary & Outcomes Document: 2015 Dialogue on Business and Human Rights', Australian Human Rights Commission, 19 August 2015, available at <http://www.unglobalcompact.org.au/events/2015-australian-dialogue-on-business-and-human-rights/>.

independent body or authority, such as an Anti-Slavery Commissioner or Ombudsman. Penalties for non-compliance should be appropriate and be linked to reparations for victims of human trafficking, forced labour and slavery. This oversight body should also encourage conferences and dialogues between industry associations, large businesses and small businesses to share information and best practices with respect to reducing slavery and human trafficking.

The Committees therefore recommend that the Commonwealth include provisions in the proposed *Modern Slavery Act* for supply chain transparency reporting requirements and an oversight body or authority, with penalties for non-compliance appropriate to reparations for victims of human trafficking, forced labour and slavery.

Due Diligence and Accountability Requirements for Corporations in Australia

France introduced legislation¹³ in February 2017, which was developed in response to the Rana Plaza tragedy involving the death of over 1,100 workers at a garment factory complex in Bangladesh in 2013¹⁴ and aims to prevent the recurrence of such disasters by imposing accountability requirements on corporations. The 'devoir de vigilance' or 'duty of vigilance' goes further than the *UK's* Modern Slavery Act and imposes due diligence requirements on corporations headquartered in France which (i) have at least 5,000 employees employed by their French subsidiaries, or (ii) which have at least 10,000 employees employed by their French or foreign-owned subsidiaries. The duties are directed at the activities of corporations, their subsidiaries and entities within their supply chains which may result in serious violations of human rights, health and safety protections and the environment.¹⁵ In particular, the law imposes specific duties on corporations to draft a due diligence plan in consultation with stakeholders (including trade unions) and to implement it in an effective manner. The due diligence plan must take into account the corporation's subsidiaries, as well as its subcontractors and suppliers. Importantly, the legislation also includes enforcement provisions. In reporting on the new laws, the law firm Clifford Chance said:

Should a court find that a company has failed to comply with its obligations under the new law, it may direct the company to do so and may also impose a civil fine of up to 10 million Euros. The judge will have discretion to decide the appropriate level of fine depending on the circumstances, including the seriousness of the breach and the "personality" of the offender.

Defaulting companies may also be held liable for damages suffered by victims as a result of non-compliance with these new obligations. In accordance with general tort law principles, liability will

¹³ Articles L. 225-102-4 and L. 225-102-5 of the French Commercial Code.

¹⁴ See for example ABC News, 'Rana Plaza collapse: Bangladeshi workers demand justice on factory disaster anniversary', 24 April 2016, available at: <http://www.abc.net.au/news/2016-04-24/bangladesh-workers-demand-justice-on-disaster-anniversary/7354188> [accessed 8 May 2017]

¹⁵ Clifford Chance, 'New French law imposing due diligence requirements in relation to human rights, health and safety, and the environment', Briefing Note, 3 March 2017, available at https://www.cliffordchance.com/briefings/2017/03/new_french_law_imposingduediligenc.html [accessed 21 April 2017].

depend on the demonstration of "fault" on the part of the company and a causal link between this fault and the loss. Should a defaulting company be held liable to victims, the amount of the civil fine imposed by the court may be increased up to 30 million Euros.¹⁶

Concern has been expressed about the possible ambiguities which might result from the laws in terms of the specific obligations that corporations are required to comply with. The laws have been appealed to France's Constitutional Court, which provided its verdict on 23 March 2017. The legislation is now in effect, as read down by the Court's ruling.¹⁷ Drawing from the experience of the French legislation, the Committee notes the importance of clarity in legislative drafting in terms of any new obligations that might be imposed on corporations or individuals and as to the extent of any new obligations.

The Committees recommend that the Australian Government consider imposing particular due diligence requirements, similar to the French 'duty of vigilance', on large corporations operating in Australia and elsewhere in industries at high risk of serious human rights violations concerning accountability for such violations within their supply chains, as well as specific enforceability mechanisms. Careful consideration must be exercised through rigorous analysis and stakeholder engagement to determine what a "serious human rights violation" is and which industries are at high risk.

¹⁶ Above, n 3 (Clifford Chance, 'New French law imposing due diligence requirements in relation to human rights, health and safety, and the environment', Briefing Note, 3 March 2017, available at https://www.cliffordchance.com/briefings/2017/03/new_french_law_imposingduediligenc.html [accessed 21 April 2017])

¹⁷ The Constitutional Court upheld some aspects of the laws but ruled that other aspects were unconstitutional in accordance with the French Constitution.

Implications for Australia's Visa Regime and Conformity with the Palermo Protocol

Pursuit and Punishment of Offending Employers

As many victims of modern slavery are migrants on temporary visas, the Committees are of the view that any modern slavery legislation should include provisions that allow victims to legally remain in Australia while they obtain healthcare and support and pursue criminal and civil action against offending employers. There should also be greater opportunities for victims of modern slavery to apply for permanent visas to remain in Australia.

In addition, sanctions contained in the existing *Migration Act* should also be used more frequently to punish offending employers who bring people to Australia for the purposes of modern slavery.

The Committees support the recommendations contained in the joint submission of The Freedom Partnership, the Uniting Church in Australia and the Federation of Ethnic Communities' Councils of Australia,¹⁸ at pages 66 and 69-70 to:

- pass the *Protecting Vulnerable Workers Bill*, which is currently before the House of Representatives;
- further amend the *Fair Work Act 2009 (Cth)* so that it covers all workers, regardless of immigration status;
- fund existing community-based organisations to deliver mandatory orientation sessions for all work-related visa holders and their family members;
- create incentives for workers to report unlawful workplace conduct by allowing exploited workers a right of stay to remain legally in Australia to pursue civil action against offending employers;
- include specialists in slavery and trafficking in all immigration integrity operations;
- establish a licensing and regulation scheme for the labour hire industry;
- provide safe and confidential avenues to report unlawful workplace conduct; and
- increase resources to the Fair Work Ombudsman and the Australian Federal Police to investigate and prosecute reported or detected cases of labour exploitation and forced labour.

The Committees therefore recommend that the Australian Government should more frequently pursue and punish employers who bring people to Australia for the purposes of modern slavery, through sanctions that already exist in the *Migration Act*, as well as a range of new regulatory measures.

¹⁸ The Freedom Partnership, Submission to Joint Standing Committee on Foreign Affairs, Defence and Trade, *Inquiry into Establishing a Modern Slavery Act in Australia*, 2 December 2016, 66, 69-70.

Financial Compensation for Victims

The Committees support the creation of a national compensation scheme to be managed through the establishment of a special body which will be empowered to provide financial compensation to victims of modern slavery. Many victims of modern slavery arrive in Australia with very little financial resources and then receive little or no payment for the work they perform in Australia. By creating a national compensation scheme to be managed through a specifically created body, these victims will have a better chance of starting a new life. Although victims of trafficking may be able to obtain certain forms of compensation through the *Fair Work Act 2009* (Cth), such as for underpayment of wages, or through State and Territory or Commonwealth anti-discrimination legislation and State or Territory victims' compensation schemes, there is a lack of consistency across these schemes, with compensation caps ranging from \$10,000¹⁹ to \$75,000²⁰ across jurisdictions. Furthermore, there is a lack of consistency between these compensation schemes and Australia's criminal laws with respect to modern slavery found in the *Criminal Code Act 1995* (Cth).²¹ The Committees endorse the discussion and findings of the joint report produced by the Law Council of Australia and Anti Slavery Australia and its detailed consideration of the need for a national compensation scheme to provide reparations for the victims of human trafficking.²²

The UK Modern Slavery Act only grants access to compensation to victims upon criminal conviction of their exploiters,²³ which makes it very difficult for most victims to access compensation. For example, in 2014, only 39 persons in the UK were convicted of human trafficking offences whilst 2,340 potential victims were identified but left without compensation.²⁴ Therefore, the Committee recommends ensuring free access to legal advice for potential victims in Australia or developing a special civil remedy for victims of human trafficking. This civil compensation should be calculated according to a carefully considered criteria, drawing from best practice in workers' compensation schemes or anti-discrimination compensation in Australia.

¹⁹ Victims Rights and Support Regulation 2013 (NSW), r 12.

²⁰ *Victims of Crime Assistance Act 2009* (Qld) s 38(1); *Criminal Injuries Compensation Act 2003* (WA), s 31(1).

²¹ Anti-Slavery Australia, *Compensation for Victims of Trafficking?*, Fact Sheet 13, 30 November 2015, available at: <http://www.antislavery.org.au/images/stories/Factsheets/13%20-%20Compensation%20for%20victims%20of%20trafficking.pdf>

²² Law Council of Australia, Anti-Slavery Australia and the University of Technology Sydney, Report on Establishing a National Compensation Scheme for Victims of Commonwealth Crime (2016), available at: <http://www.antislavery.org.au/images/FINAL%20REPORT%20-%20ASA%20-%20LCA%20The%20Case%20for%20a%20National%20Compensation%20Scheme.pdf>

²³ *UK Modern Slavery Act 2015*, s 47.

²⁴ Criminal Justice System Statistics 2014, available at <https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2014>; National Crime Agency, 2015, National Referral Mechanism Statistics – End of Year Summary 2014, available at: <http://www.nationalcrimeagency.gov.uk/publications/502-national-referral-mechanism-statistics-end-of-year-summary-2014/> le.

This approach will also ensure that Australia satisfies article 6.6 of the *Palermo Protocol*, which states that “[e]ach State Party shall ensure that its domestic legal system contains measures that offer victims of trafficking in persons the possibility of obtaining compensation for damage suffered.” It will also ensure Australia’s compliance with Article 25(2) of the *United Nations Convention against Transnational Organized Crime*²⁵ (**Convention**) which requires that State Parties “[p]rovide access to compensation and restitution for victims of offences covered by this Convention”.

²⁵ UN General Assembly, *United Nations Convention against Transnational Organized Crime: resolution/adopted by the General Assembly*, 8 January 2001, A/RES/55/25.

Whether Similar or Improved Measures, as they Relate to Effective UK Legislation Provisions, should be Introduced in Australia

UK Legislation

The Committees recommend that any Australian modern slavery legislation adopt a similar provision to that contained within section 54(1)-(2) of the *UK Modern Slavery Act's* with respect to extraterritorial reach, which would require both Australian-domiciled companies *and* all other organisations that conduct commercial activities in Australia to report. The Australian model should also aim to include public bodies and public authorities within the list of organisations who are required to report.²⁶

Although s 54 of the *UK Modern Slavery Act* is a useful starting point for the introduction of similar measures in Australia, the Committees are of the view that it could be improved in a number of ways. The Committees recommend that as part of the indicators outlined in s 54(5) of the *UK Modern Slavery Act*, the Australian legislation should additionally require businesses to include information about how much (as a percentage of its annual turnover or as a monetary value) the company has spent on investigating supply chain practices and management.²⁷ Furthermore, the Australian legislation could also include a provision requiring that each company's slavery and human trafficking statement be included in its annual report and accounts (as opposed to only being published on its website).

The Committees also recommend that Australian legislation include a provision establishing a *Modern Slavery Act* Registry which offers a centralised database for the collation of all reports and statements from businesses. This Registry should also list all the companies that are required to report. This would be especially important for small and medium-sized businesses that do not have the resources to investigate supply-chain practices and who would benefit from an open information source about management best practices and potentially unethical suppliers.

The Committees recommend that to avoid doubling the requirements between the current *UK Modern Slavery Act* and an Australian version of this legislation and to also ensure greater information sharing about ethical suppliers between the two countries, Australian companies that operate in the UK should only be required to report once (in either one of the jurisdictions).

²⁶ This is also an added provision in the Modern Slavery (Transparency in Supply Chains) Bill 2016 (UK).

²⁷ For more information on why this is important: Wilhelm, Miriam M., et al, "Sustainability in multi-tier supply chains: Understanding the double agency role of the first-tier supplier." 41 (2016) *Journal of Operations Management*, 42-60.

Instances of human trafficking, forced labour and slavery remain prevalent in Australia, as seen in recently reported cases involving labour hire companies²⁸ and franchising operations²⁹ in particular. As such, the Committees support the introduction of legislation in Australia which strengthens the domestic response to human trafficking, forced labour and slavery, and which builds upon international best practice and legislation, including by reference to the *Modern Slavery Act 2015* (UK).

The Committees recommend that any legislation introduced in Australia should seek to both strengthen and protect the rights of victims of human trafficking, forced labour and slavery, and ensure that businesses comply with mandatory obligations to prevent human trafficking, slavery, forced labour or other slavery-like conditions in their supply chains.

Specifically, the Committees suggest that in considering inclusions in Australian legislation, the Australian Government should:

- have particular regard to sector-specific licensing regimes for labour hire companies;
- include mandatory reporting provisions for large businesses regarding transparency in their supply chains;
- seek to appoint or create an independent authority or body with sufficient power to monitor and report on government and business compliance with legislative obligations; and
- ensure effective remedies are available to victims of human trafficking, slavery or forced labour, including through the introduction of a national compensation scheme.

²⁸ *Fair Work Ombudsman v Maroochy Sunshine Pty Ltd & Anor* [2017] FCCA 559.

²⁹ See *A Report of the Fair Work Ombudsman's Inquiry into 7-Eleven* (April 2016) available online at <https://www.fairwork.gov.au/ArticleDocuments/763/7-eleven-inquiry-report.pdf.aspx> (accessed 5 May 2017).

Concluding Comments

NSW Young Lawyers and the Committee thank you for the opportunity to make this submission. If you have any queries or require further submissions please contact the undersigned at your convenience.

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