

Community perceptions on international best practice

- 7.1 Organisations, groups and individuals that provided evidence to the inquiry submitted numerous examples of what they considered international best practice to address all forms of slavery, slavery-like conditions and people trafficking.
- 7.2 The following chapter provides a brief overview of the examples provided by these submitters.

Appointing an ambassador for trafficking in persons

- 7.3 Dr Anne Gallagher AO noted that the United States (US) Department of State and the United Nations Special Rapporteur on Trafficking both recommended that Australia appoint an Ambassador on Trafficking.¹
- 7.4 Dr Gallagher added:
- ...the functions of such a post cannot and should not be assumed by Australia's Ambassador for People Smuggling Issues. It is also submitted that the assignment of 'trafficking' functions to the recently appointed Global Ambassador for Women and Girls, who is concurrently the Executive Director of the Australian Passport Office, is very much out of step with the practice of other countries and an inadequate and incomplete response to our need for high-level international representation on this issue. Highly qualified and respected Trafficking in Persons Ambassadors from countries

¹ Dr Anne Gallagher AO, *Submission 39*, p. 6; US Department of State, *Trafficking in Persons Report 2011*, June 2011, p. 75; United Nations, *Report of the Special Rapporteur on trafficking in persons, especially women and children*, Joy Ngozi Ezeilo, 18 May 2012, p. 22.

such as the United States and Sweden have become powerful international players in current efforts to shape global law, policy and practice on this issue. That Australia is unable to join this group in a situation of equality is truly a missed opportunity.²

- 7.5 World Vision Australia (WVA) agreed that an Ambassador on Trafficking has the potential to influence international law and policy on slavery, slavery-like conditions and people trafficking issues.³
- 7.6 WVA added that the appointment of an Ambassador for Trafficking in Persons would demonstrate Australia's commitment to combatting all forms of slavery, slavery-like conditions and people trafficking.⁴
- 7.7 The National Tertiary Education Union also suggested that the Australian Government 'consider appointing an Ambassador dedicated to addressing human trafficking issues worldwide.'⁵
- 7.8 The Department of Immigration and Citizenship (DIAC) stated that Australia's international and regional diplomacy was 'focussed on ensuring that the concepts of people smuggling and people trafficking remain distinct.'⁶
- 7.9 DIAC added that the Ambassador for People Smuggling Issues as official-level co-chair of the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime, played a key role in:
- ...advocating Australia's interest in promoting effective and practical international cooperation to combat people trafficking, particularly in the Asia-Pacific region.⁷
- 7.10 The Attorney-General's Department (AGD) elaborated on the role and responsibilities of the Ambassador for People Smuggling Issues, stating:
- The Ambassador for People Smuggling Issues is responsible for high-level advocacy of Australia's interests in promoting effective and practical international cooperation to combat people trafficking and people smuggling, particularly in the Asia-Pacific region.

2 Dr Anne Gallagher AO, *Submission 39*, p. 7.

3 Ms Stewart, World Vision Australia, *Transcript*, 20 November 2012, p. 55.

4 World Vision Australia *Submission 27*, p. 2.

5 National Tertiary Education Union, *Submission 15*, p. 4.

6 Department of Immigration and Citizenship, *Submission 56*, p. 10.

7 Department of Immigration and Citizenship, *Submission 56*, p. 10.

The Ambassador promotes closer regional cooperation on trafficking in persons through the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime, which Australia co-chairs with Indonesia.⁸

Criminalising the purchase of sexual services

- 7.11 On 1 January 1999, Sweden introduced legislation criminalising the purchase (but not the sale) of sexual services (also referred to as the Nordic Model). The prohibition of the purchase of sexual services is set out in Sweden's Penal Code (Chapter 6, Section 11).⁹
- 7.12 Several groups that provided submissions and appeared at public hearings put forward the view that Australia should introduce similar legislation.
- 7.13 Family Voice Australia (FVA) recommended that:
- The Commonwealth Criminal Code should be amended to include a new strict liability offence of purchasing a sexual act with a person who is in sexual servitude.¹⁰
- 7.14 FVA also highlighted that:
- Norway had also adopted similar legislation;
 - it is an offence in the United Kingdom, under Section 53A of the *Sexual Offences Act 2003*, to pay for the sexual services of a prostitute subjected to force; and
 - France was considering criminalising the purchase of sex.¹¹
- 7.15 The Coalition Against Trafficking in Women Australia (CATWA), Australian Catholic Religious Against Trafficking in Humans, Australian Christian Lobby (ACL), Collective Shout argued that the legislation in Sweden criminalising the purchase of sex was the best approach to addressing trafficking in the sex industry.¹²
- 7.16 CATWA stated that the Swedish Legislation has had:

8 Attorney-General's Department, *Submission 48*, p. 8.

9 Sweden, Committee of Inquiry to Evaluate the Ban against the Purchase of Sexual Services, *Förbud mot köp av sexuell tjänst. En utvärdering 1999–2008*, 2 July 2010.

10 Family Voice Australia, *Submission 2*, p. 5.

11 Family Voice Australia, *Submission 2*, pp. 3-4.

12 Coalition Against Trafficking in Women Australia, *Submission 19*, p. 2; Australian Catholic Religious Against Trafficking in Humans, *Submission 21*, p. 23; Australian Christian Lobby, *Submission 42*, p. 3; Collective Shout, *Submission 5*, p. 5.

...a significant impact on the demand for prostitution and has reduced the number of prostituted women in Sweden including halving the number of women in street prostitution.¹³

7.17 The ACL also commented on a reduction in the demand for street prostitution:

Sweden's National Board of Health and Welfare has reported significant decreases in the number of women in street prostitution and the number of men buying sex.¹⁴

7.18 The ACL called for the Federal Government to put pressure on the State and Territory Governments to consider the Nordic policy approach.¹⁵

7.19 The Scarlet Alliance posited the alternate view stating that:

There is also no evidence that the Swedish model will reduce the number of cases of trafficking in the sex industry.¹⁶

7.20 Project Respect, at a public hearing, stated that it was not aware of 'any evidence that suggests that [the Nordic Model] stops trafficking.'¹⁷

7.21 Dr Gallagher stated that there is limited evidence to advocate for either criminalising or legalising prostitution, stating:

International experience has confirmed the need to exercise caution in linking trafficking with prostitution. There is absolutely no doubt that trafficking is present in the Australian sex industry and it is both naïve and unwise to ignore the fact that the buying and selling of sexual services creates and sustains acute vulnerabilities to exploitation. Accepting these realities is not incompatible with efforts to avoid harmful targeting of an already marginalised and vulnerable group and to expand the current focus to include trafficking for labour exploitation. However, there is, as yet, no conclusive evidence that a particular approach to prostitution – for example, criminalisation or legalisation – significantly affects levels of trafficking related exploitation one way or another.¹⁸

7.22 In response to the question of whether the Commonwealth has an obligation to make the purchase of sexual services unlawful in Australia, the Law Council of Australia stated:

13 Coalition Against Trafficking in Women Australia, *Submission 19*, p. 6.

14 Australian Christian Lobby, *Submission 42*, p. 5.

15 Mr Shelton, Australian Christian Lobby, *Transcript*, 20 November 2012, p. 36.

16 Scarlet Alliance, *Submission 26*, p. 11.

17 Ms Hinton, Project Respect, *Transcript*, 8 May 2013, p. 3.

18 Dr Anne Gallagher AO, *Submission 39*, p. 11.

... the Law Council has examined the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons Supplementing the United Nations Convention against Transnational Organized Crime and the International Labour Organisation Convention No. 29 on Forced or Compulsory Labour and is of the view that these instruments do not contain any provisions that would support an obligation on the part of Australia to make the use of prostitutes unlawful. It would therefore appear that the Commonwealth would not be able to use the external affairs power in section 51(xxix) of the Constitution to support such legislation in relation to these Conventions.¹⁹

- 7.23 AGD also held the view that there was little evidence to suggest that criminalising the purchase of sexual services was an effective anti-trafficking mechanism, stating:

In the view of IDC agencies, there is no persuasive evidence to suggest that the criminalisation of the purchase of sexual services is effective in preventing trafficking or slavery for the purpose of sexual exploitation.²⁰

- 7.24 AGD added that the laws criminalising the purchase of sexual services could be having a negative effect, stating:

Rather, there is some evidence that laws prohibiting the purchase of sexual services undermine the efforts of agencies working to combat slavery and trafficking. For example, such laws may force victims underground, and make clients less willing to assist in cases involving exploitation, slavery or trafficking (as they fear sanction themselves). In Australia, at least one successful prosecution for sexual servitude was brought to the attention of authorities by a client, who assisted the victim at her request.²¹

- 7.25 AGD indicated that the 'Swedish model' was 'unlikely to be an effective strategy for combating slavery, slavery-like practices or people trafficking.'²²

19 Law Council of Australia, *Submission 51*, p. 5.

20 Attorney-General's Department, *Submission 48*, p. 14.

21 Attorney-General's Department, *Submission 48*, pp. 14-15.

22 Attorney-General's Department, *Submission 48*, p. 15.

Increased engagement in international forums

7.26 Plan International Australia (PIA) commented that Australia had championed the issue of child marriage at the 2011 Commonwealth Heads of Government Meeting (CHOGM):

Opportunities such as high-level dialogue with countries already considering ways to prevent child marriage and establishing an action plan for the Commonwealth Secretariat are valuable ways Australia can improve international action. We believe that working with countries who have expressed interest in addressing the issue and encouraging them to be champions at the international level has great value.²³

7.27 PIA suggested Australia could play a greater role in other international fora such as the Commission on the Status of Women (CSW), the United Nations General Assembly (UNGA), and UN Human Rights Council Working Group on Discrimination Against Women in Law and in Practice.²⁴

7.28 PIA added that 'Australia can play a valuable role in facilitating dialogue, sharing best practice, and supporting potential champions for change.'²⁵

7.29 Hagar International Australia also suggested increasing the profile of trafficking issues at CHOGM, stating:

Hagar believes an NGO forum focused on Slavery and the surrounding issues at CHOGM would be very useful. Our belief is that an agenda developed in consultation with lead Trafficking focused NGO's would be most useful and enhance relevant outcomes for the region. It would be another good way to highlight the emergence of the issue in the region.²⁶

7.30 WVA also called on the Australian Government to 'demonstrate strong leadership in tackling slavery, slavery-like conditions and people trafficking through a range of bilateral and multilateral approaches', such as the Bali Process and the Association of Southeast Asian Nations (ASEAN).²⁷

7.31 WVA added that trafficking and slavery issues could also be highlighted during Australia's hosting of the G20, in Australia's submissions to universal periodic reviews, as well as several other fora including:

23 Plan International Australia, *Submission 22*, pp. 4-5.

24 Plan International Australia, *Submission 22*, pp. 4-5.

25 Plan International Australia, *Submission 22*, p. 5.

26 Hagar Australia, *Supplementary Submission 72*, p. 2.

27 World Vision Australia, *Submission 27*, p. 2.

ASEAN, UN Office of Drugs and Crime (e.g. Conference of Parties), UNICEF [United Nations Children's Fund] (e.g. reports to the CRC Committee), UNIFEM [Fonds des Nations Unies pour la Femme], the International Organisation for Migration, the OECD [Organisation for Economic Co-operation and Development], as well as relevant trade associations such as the International Textile, Garment and Leather Workers Association²⁸

7.32 The Australian Lawyers for Human Rights (ALHR) commented that Australia could increase its engagement internationally with States, in multilateral and civil society in forums in order to:

- encourage ratification and implementation of relevant international instruments;
- support the work of relevant international mechanisms and mandate holders, including the work of the UN Special Rapporteur and the UN Global Plan of Action to Combat Trafficking in Persons;
- promote the adoption of a rights-based approach with respect to addressing slavery, slavery-like conditions and people trafficking;
- promote and develop effective processes with respect to international cooperation in the identification, protection, support, repatriation and reintegration of enslaved and trafficked persons, and also the prosecution of responsible individuals;
- recognise the different contexts in which slavery, slavery-like conditions and trafficking arise, including in respect to sexual slavery and exploitation, labour exploitation, marriage, organ removal and child trafficking;
- address the social, economic, cultural, political and other factors that make people vulnerable to slavery and trafficking, including poverty, discrimination, inequality, marginalisation and conflict; and
- develop and implement effective remediation processes, including through asset recovery from traffickers.²⁹

7.33 AusAID agreed that working collaboratively with partner countries and at the regional level was an effective strategy, stating:

The way we find we can be most effective is working with partner governments, but also working at the regional level through regional organisations such as ASEAN. In relation to this particular program, we are wanting to further strengthen the

28 World Vision Australia, *Supplementary Submission 57*, p. 1.

29 Australian Lawyers for Human Rights, *Submission 44*, p. 6.

regional capacity to tackle human-trafficking by working through the ASEAN secretariat.³⁰

Suggested best practice for victim support

- 7.34 A few submitters highlighted the actions that some countries had taken to support victims of trafficking and slavery, suggesting that they could be examples of best practice which Australia could emulate.

Republic of Korea

- 7.35 The Josephite Counter-Trafficking Project (JCTP) suggested that the Republic of Korea's victim support program was an example of best practice, stating:

JCTP notes that from our recent conversations with South Korean NGOs, Victims of Trafficking returning to South Korea are given assistance and free accommodation for up to one and a half years at a Medium Time Centre. Once they start working they make a small contribution towards their board. There is also a Social Integration Centre which victims can attend for a period of 3 years for training in vocational skills (e.g. internship at the local coffee shop) and for social interaction. Australia does not have such a program.³¹

- 7.36 The US Department of State's *Trafficking in Persons* (TIP) Report 2012 states that in 2011 the Republic of Korea:

...spent US\$16.9 million providing financial support to NGOs offering shelter, counselling, medical and legal assistance, vocational training, educational programs, and rehabilitation services to a variety of persons in need, including sex trafficking victims.³²

- 7.37 The TIP Report noted that the Republic of Korea's Government provided a number of victim support mechanisms, including:

- Ministry of Gender Equality and Family (MOGEF) operated 18 shelters for Korean victims of sex trafficking, sexual assault, and domestic violence, offering medical and legal services;

30 Ms Niblett, AusAID, *Transcript*, 23 April 2013, p. 21.

31 Josephite Counter-Trafficking Project, *Submission 10*, p. 17.

32 US Department of State, *2012 Trafficking in Persons Report*, p. 211.

- the operation of one specialized shelter for foreign victims of sex trafficking; and
- funding an extensive network of support centres for foreign wives and runaway teenagers, two groups vulnerable to trafficking in South Korea, which provided counselling in a number of languages, legal advice, and referrals to medical services and shelters.

7.38 However, the TIP report states the Republic of Korea:

- lacks formal proactive victim identification procedures;
- provides fewer services for labour trafficking victims than sex trafficking victims; and
- does not have a formal mechanism to guide front-line responders, such as police, social workers, and labour and health officials, in how to identify human trafficking and refer potential victims to available services.³³

Taiwan

7.39 The JCTP noted that Taiwan had established two mechanisms aimed at providing additional support to victims of trafficking and labour exploitation: a victim assistance hotline and monitoring job placements.

7.40 Taiwan has two victim assistance hotlines: a free twenty-four hour bilingual counselling and assistance Hotline for foreign workers; and a hotline administered by the Filipino Inter-Agency Council Against Trafficking.³⁴

7.41 JCTP added that the Taiwanese Council of Labour Affairs monitors job placements and service fees charged by brokers, and social workers accompany victims when they are being interviewed as part of an investigation.³⁵

7.42 The TIP Report stated that authorities in Taiwan continued to be proactive in the identification and assistance of victims of trafficking, noting some of the support that had been provided, including:

- distributing reference indicators with specific questions and a standardized evaluation form to law enforcement officials for use in interviewing potential victims of trafficking;
- maintaining four shelters dedicated to victims of trafficking in Taiwan which provided victims of trafficking with medical and psychological

33 US Department of State, *2012 Trafficking in Persons Report*, p. 211.

34 Josephite Counter-Trafficking Project, *Submission 10*, p. 18.

35 Josephite Counter-Trafficking Project, *Submission 10*, p. 18.

services, legal counselling, vocational training, small stipends, and repatriation assistance;

- providing social workers and interpreters to accompany victims during court proceedings; and
- assisting foreign victims of trafficking in filing 229 civil cases for compensation during.³⁶

7.43 The TIP Report also highlighted that ‘Taiwan authorities encouraged victims to participate in investigations against their traffickers by offering residency and temporary work permits.’³⁷

Italy

7.44 Ms Briana Lee believed that Italy’s human rights approach to human trafficking could be considered as best practice.

7.45 Ms Lee stated that foreign victims of human trafficking are provided with a permit allowing them to stay in Italy for at least six months. Ms Lee added that the permit:

...can be renewed for an additional 12 months in order to ‘free themselves from the violence and conditioning by criminal organizations and take part in a programme of assistance and social integration’. This program can be accessed by the victim or a public prosecutor applying directly to the chief of police or via an NGO who takes action on behalf of the victim. The stay permit is however conditional on the victim participating in support and social integration programs. These measures are thought to provide ‘the incentive for victims to report their exploitation to the authorities’.³⁸

7.46 The TIP Report also identified Italy’s trafficking victim centred approach, stating:

Although Italy does not have a formal reflection period during which trafficking victims can recuperate and decide whether to assist law enforcement, authorities informally grant this to victims and do not limit it to a finite number of days.³⁹

7.47 Other government support provided to victims in 2011 included:

- Government funding of US\$13 million for victim assistance provided by NGOs;

36 US Department of State, *2012 Trafficking in Persons Report*, p. 334.

37 US Department of State, *2012 Trafficking in Persons Report*, p. 334.

38 Ms Briana Lee, *Submission 16*, p. 5.

39 US Department of State, *2012 Trafficking in Persons Report*, p. 197.

- three to six months' assistance (Article 13 of the Law 228/2003);
- a guaranteed victim shelter benefits for another 12 months and reintegration assistance (Article 18 of Law 286/1998); and
- foreign child victims of trafficking received an automatic residence permit until they reached age 18.⁴⁰

7.48 The TIP Report also notes that 'victims are not required to cooperate with police in order to receive a residence permit.'⁴¹

European Union

7.49 The Falun Dafa Association of NSW (FDA) suggested that the European Union Strategy towards the Eradication of Trafficking in Human Beings 2012-2016 (EU Strategy) was a model of best practice.

7.50 The FDA advised that the EU Strategy is comprised of the following five priorities aimed at addressing trafficking in humans:

- identifying, protecting and assisting victims of trafficking;
- stepping up the prevention of trafficking of human beings;
- increasing the prosecution of traffickers;
- enhancing coordination and cooperation among key actors and policy coherence; and
- increasing knowledge of and effective response to emerging concerns related to all forms of trafficking in human beings.⁴²

Ratification of UN and ILO conventions

7.51 In the report on her mission to Australia in November 2011, Ms Joy Ngozi Ezeilo OON, the UN Special Rapporteur on Trafficking, recommended that Australia:

*Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.*⁴³

7.52 The Scarlet Alliance, the Australian Council of Trade Unions, the JCTP, Australian Catholic Religious Against Trafficking in Humans, also

40 US Department of State, *2012 Trafficking in Persons Report*, p. 197.

41 US Department of State, *2012 Trafficking in Persons Report*, p. 197.

42 Falun Dafa Association of NSW, *Submission 23*, p. 9.

43 United Nations, *Report of the Special Rapporteur on trafficking in persons, especially women and children*, Joy Ngozi Ezeilo, 18 May 2012, p. 22.

supported the ratification of the *UN Convention on the Protection of the Rights of all Migrant Workers and Their Families*.⁴⁴

7.53 Dr Gallagher, however, thought that the *UN Convention on the Protection of the Rights of all Migrant Workers and Their Families* was problematic and understood why Australia had been reluctant to ratify it.⁴⁵

7.54 At a public hearing, the Department of Foreign Affairs and Trade advised that the Government was not considering ratifying the *UN Convention on the Protection of the Rights of all Migrant Workers and Their Families*, stating:

The objective of that international convention is to protect the human rights of migrant workers, and I think the Australian government believes we have in place the domestic legal framework and have other international commitments that give us confidence that we do provide the standard of human rights for migrant workers. The concern about this particular convention is that we believe it is incompatible with some domestic migration policies that have been policies of successive governments. In particular, Australia becoming a party to the convention would require Australia to treat migrant workers and their family members more favourably than other migrants in visa application processes. So the government is not considering ratifying that particular convention.⁴⁶

7.55 The Special Rapporteur also recommended that Australia consider ratifying the International Labour Organization Convention No. 189 (2011) concerning Decent Work for Domestic Workers.⁴⁷

7.56 The JCTP and Anti-Slavery Australia (ASA) also supported the Special Rapporteur's recommendation.⁴⁸

7.57 ASA noted that the Convention Concerning Decent Work for Domestic Workers seeks to provide domestic workers specific protection against slavery-like conditions, adding that:

The Convention expressly establishes international obligations in respect of hours of work, remuneration, occupational health and safety, social security, minimum levels of information, child

44 Scarlet Alliance, *Submission 26*, pp. 11-12, Australian Council of Trade Unions, *Submission 28*, p. 11; Josephite Counter-Trafficking Project, *Submission 28*, p. 19; Australian Catholic Religious Against Trafficking in Humans, *Submission 21*, p. 15.

45 Dr Anne Gallagher AO, *Transcript*, 8 May 2013, p. 10.

46 Mr Chittick, Department of Foreign Affairs and Trade, *Transcript*, 9 May 2013, p. 25.

47 United Nations, *Report of the Special Rapporteur on trafficking in persons, especially women and children*, Joy Ngozi Ezeilo, 18 May 2012, p. 22.

48 Josephite Counter-Trafficking Project, *Submission 10*, p. 19; Anti-Slavery Australia, *Submission 34*, p. 54.

labour, live-in working conditions, migrant workers, private employment agencies and dispute resolution.⁴⁹

- 7.58 Dr Gallagher also believed that it was important for Australia to ratify the Convention Concerning Decent Work for Domestic Workers, stating:

I definitely think that if the provisions of that convention are covered by Australian law it should be easy for us to ratify it. I think that ratification of international instruments provided they are in Australia's general interests and conform with our laws and traditions is a very important thing for us to do as part of our international status.⁵⁰

- 7.59 Department of Education, Employment and Workplace Relations put forward the view that many of the requirements of the convention are already given effect in Australian law, adding:

The Convention is not part of the current list of ILO Conventions currently under active consideration by the Government. Therefore no immediate action is envisaged at this stage in relation to the Convention or the Recommendation.⁵¹

Internet Watch Foundation

- 7.60 At a public hearing, the Uniting Church in Australia, Synods of Victoria and Tasmania, suggested that the United Kingdom's Internet Watch Foundation could be a useful mechanism to minimise the amount of child abuse material online.

- 7.61 The Uniting Church in Australia stated:

...the Internet Watch Foundation and Cybertip out of Canada – basically argue that there has been no expansion in the number of commercial child sexual abuse providers, so that suggests the profitability in this activity is not great. Also, the subscription costs for these sites have gone up, which also suggests they are feeling a cost pinch. Previously you could subscribe to one of these sites for about \$30 a month. The latest figures suggest you cannot get anything less than \$100, and some sites now charge up to \$1,200 a month to access commercial child sexual abuse material.⁵²

49 Anti-Slavery Australia, *Submission 34*, p. 54.

50 Dr Anne Gallagher AO, *Transcript*, 8 May 2013, p. 10.

51 Department of Education, Employment and Workplace Relations, *Submission Report on ILO Instruments*, 18 November 2012, p. 2.

52 Dr Zirnsak, Uniting Church in Australia, Synods of Victoria and Tasmania, *Transcript*, 9 May 2013, p. 20.

7.62 The joint submission from the Uniting Church in Australia (Synods of Victoria, Tasmania and South Australia), the Salvation Army Justice and Peace Office, the Catholic Archdiocese of Sydney, Stop the Traffik Australia and the Catholic Archdiocese of Melbourne noted some results from the Internet Watch Foundation, stating:

A combination of the above measures globally has already been yielding detectable results in removing commercial child sexual abuse material. According to the UK Internet Watch Foundation, the average length of time child sexual abuse images are hosted has been reduced from years to just days as a result of the above measures. The webpage blocking list maintained by the Internet Watch Foundation now typically contains 600 URLs at any one time, down from 1,200 in 2008. Further, in 2006 the common subscription price to commercial child sexual abuse sites was \$30 a month. Today, due to the combination of efforts to shut down and disrupt these criminal enterprises, it is not unusual to find sites that cost up to \$1,200 per month and it is rare to find sites charging less than \$100 per month.⁵³

7.63 These groups also provided details about the scale of the problem in Australia, stating:

As of October 2011 five Australian ISPs are already working with the Australian Federal Police [AFP] to block ready access to a limited list maintained by INTERPOL of child sexual abuse sites. Telstra is one of those ISPs. Between 1 July 2011 and 15 October 2011 Telstra blocked 84,000 attempts by Australians to access the child sexual abuse domains on the list.⁵⁴

7.64 The Uniting Church in Australia recommended that the AFP and the Australian Communications and Media Authority issue internet service providers with the UK Internet Watch Foundation list of URLs containing child sexual abuse material.⁵⁵

53 Uniting Church in Australia (Synods of Victoria, Tasmania and South Australia), the Salvation Army Justice and Peace Office, the Catholic Archdiocese of Sydney, Stop the Traffik Australia and the Catholic Archdiocese of Melbourne, *Submission 25*, p. 4.

54 Uniting Church in Australia (Synods of Victoria, Tasmania and South Australia), the Salvation Army Justice and Peace Office, the Catholic Archdiocese of Sydney, Stop the Traffik Australia and the Catholic Archdiocese of Melbourne, *Submission 25*, p. 4.

55 Dr Zirnsak, Uniting Church in Australia, Synods of Victoria and Tasmania, *Transcript*, 9 May 2013, p. 21.

Committee comment

- 7.65 The Committee acknowledges that many countries have taken steps to prevent, detect, investigate and prosecute slavery and trafficking in persons as well as providing differing levels of victim support and rehabilitation.
- 7.66 The Committee sees a need for enhancing mechanisms that address all forms of slavery, slavery-like conditions and people trafficking.
- 7.67 However, as noted in Chapter six, it is important for Australia to establish a mechanism that is suitable for the Australia context.
- 7.68 The Committee is of the view that a thorough examination of these options should be undertaken before any mechanisms can be developed or agreed upon.
- 7.69 The Committee believes that it is important to continually monitor and evaluate the steps other countries are taking to combat slavery and people trafficking. The Committee requests that the Australian Government continue to evaluate the effectiveness of various countries human rights mechanisms established to combat slavery and people trafficking.
- 7.70 It is also important for the Australian Government to take appropriate action to make it as difficult as possible to access child abuse material online.
- 7.71 The Committee commends the work being undertaken by the AFP to block child sexual abuse sites in Australia.
- 7.72 The Committee believes that there is value in working collaboratively with other States and jurisdictions to block sites that host child abuse material.
- 7.73 The Committee therefore recommends that the dynamic list of individual web pages with child sexual abuse content (the URL list) maintained by the UK's Internet Watch Foundation (IWF) be utilised to block access to these sites in Australia.

Recommendation 8

The Committee recommends that the Australian Government utilise the UK Internet Watch Foundation's URL list to block access to child abuse sites in Australia.

Hon Joel Fitzgibbon MP
Chair
Joint Standing Committee on Foreign
Affairs, Defence and Trade

June 2013