

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S DEPARTMENT

Program 1.2

Question No. 61

Senator Pratt asked the following question at the hearing on 22 February 2011:

Senator PRATT—Okay. Concerning human trafficking, as I understand, late last year discussions began in relation to possible reforms to Australia's criminal law on slavery and servitude. I understand that work started late last year and I am interested to know where that has progressed to.

Mr Wilkins—I think the best thing to do might be to come back to you with some details about that, because the officers who have been involved in that are not here at the moment. I think that would be better. We might come back after lunch on that issue, Senator, if that is all right.

The answer to the senator's question is as follows:

In November 2010, the Minister for Home Affairs and Justice, the Hon. Brendan O'Connor MP, released a discussion paper entitled, *The Criminal Justice Response to Slavery and People Trafficking; Reparation; and Vulnerable Witness Protection*.

The discussion paper sought comment on issues related to people trafficking and slavery to determine whether the *Criminal Code* (Cth) sufficiently covers all forms of exploitation when dealing with practices similar to slavery, such as forced labour, deceptive recruiting for labour services, and offences relating to receiving and harbouring persons who are trafficked, and to consider some of the unexpected or unintended results of the legislation. The discussion paper also looks at a number of procedural issues with particular relevance for people trafficking prosecutions including protections available for vulnerable witnesses, the use of victim impact statements, and the availability of reparation orders in criminal proceedings.

The consultation period closed on Friday 25 February 2011. The Government is currently considering the 17 submissions received during the consultation.