

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

**Program:** 1.7 National Security and Criminal Justice

**Question No. SBE16/135**

**Senator Pratt asked the following question at the hearing on 12 December 2016:**

Questions for the department:

1. Please provide an organisational chart of the team working on human trafficking and slavery within the Department.
2. How many full time equivalent persons work on human trafficking and/or slavery in the Department?
3. What are their classifications?
4. Please provide a breakdown of the number of victims of trafficking had been provided with assistance that have received support from the Department and/or the AFP for each of the following years:
  - a. 2012
  - b. 2013
  - c. 2014
  - d. 2015
  - e. 2016
5. Please provide a breakdown the number of investigations and assessments of trafficking-related offences that occurred in each of the following years:
  - a. 2012
  - b. 2013
  - c. 2014
  - d. 2015
  - e. 2016
6. Please provide a breakdown of the number of persons prosecuted for people trafficking-related offences for each of the following years:
  - a. 2012
  - b. 2013
  - c. 2014
  - d. 2015
  - e. 2016
7. Please provide a breakdown of the number of persons convicted for people trafficking-related offences for each of the following years:
  - a. 2012
  - b. 2013
  - c. 2014
  - d. 2015
  - e. 2016
8. When did the Government convene the Working Group on Slavery in Supply Chains (Working Group)?
9. When were members selected for the Working Group?
10. Who selected the members of the Working Group?
11. Please list the dates of every meeting of the group and which city each meeting was held?
12. How much money was spent on the Working Group?
13. Were any submissions received to the Working Group?
14. If so how many submissions were received?

15. Who submitted these documents?
  16. Did the Working Group process involve the preparation or development of a working paper or a green paper or issues paper?
  17. Did the Minister and his office meet with any non-government stakeholders in this area who were not members of the Working Group during the Working Group process?
  18. On what date did the Working Group provide its report and recommendations to the Government?
  19. How many recommendations were contained in the report?
  20. Please list the recommendations of the Report.
  21. Has the Government accepted the Report?
  22. Will the Government make the Report public? If not, why not?
  23. When will the government implement each recommendation of the Report?
  24. Has the Government made any changes to its policy on human trafficking following the Working Group process?
  25. Has the Government explained to participants of the Working Group why they have not proceeded with the other measures in the Working Group's recommendations?
  26. Has the Government ruled out proceeding with any recommendations of the Working Group?
  27. How many full time equivalent persons in the Department worked on the Working Group?
  28. What are their classifications?
  29. Is the Government considering adopting a British-style Modern Slavery Act?
  30. When was the Australian Government's Communication and Awareness Strategy for Human Trafficking and Slavery (Communication and Awareness Strategy) set up?
  31. How many full time equivalent staff in the Department currently work on this Communication and Awareness Strategy?
  32. How much ongoing funding has the Communication and Awareness Strategy received?
  33. Please outline the work done to date (including papers prepared, documents created, key online resources, any meetings or outreach, and materials created) for each of the following streams within the Communication and Awareness Strategy:
    - a. Stream 1: Personal (forced marriage and exploitation in intimate and family relationships)
    - b. Stream 2: Professional (labour exploitation)
    - c. Stream 3: Physical (organ trafficking)
    - d. Stream 4: Production (ethical procurement)
- Has an overarching stream focusing on general human trafficking and slavery issues been developed?

**The answer to the honourable senator’s question is as follows:**

**Questions 1-3**

The People Smuggling and Trafficking Section is responsible for Australia’s whole-of-government response to human trafficking, slavery and slavery-like practices, supports the Attorney-General as First Law Officer in the context of people smuggling and border protection issues and undertakes international capacity-building work to assist countries to effectively combat transnational crime in the region.

People Smuggling and Trafficking Section – Organisational Chart

Principal Legal Officer (EL2, Full Time)	Counsellor – Legal (EL2, Full Time, Deployed)
Assistant Director (EL1, Full Time)	Assistant Director (EL1, Full Time)
Legal Officer (APS6, Full Time)	Policy Officer (APS6, Full Time)
Policy Officer (APS6, Full Time)	Policy Officer (APS6, Full Time)
Legal Officer (APS6, Full Time)	Policy Officer (APS6, Full Time)
	Legal Officer (APS5, Full Time)

**Questions 4 - 7**

The following statistics have been gathered from the annual reports of the Interdepartmental Committee on Human Trafficking and Slavery.<sup>1</sup>

*Support for trafficked people*

The Support for Trafficked People Program, administered by the Department of Social Services and delivered by the Australian Red Cross, has provided support to suspected victims of human trafficking and slavery as follows:

- **2011-12** – 77 (including nine new clients)
- **2012-13** – 83 (including 21 new clients)
- **2013-14** – 76 (including 21 new clients)

<sup>1</sup> All annual reports of the Interdepartmental Committee on Human Trafficking and Slavery are available online at [www.ag.gov.au/humantrafficking](http://www.ag.gov.au/humantrafficking).

- **2014-15** – 88 (including 38 new clients)
- **2015-16** – 80 (including 30 new clients)

### *Investigations*

The Australian Federal Police (AFP) undertook the following investigations and assessments into human trafficking and slavery-related matters:

- **2011-12** – 41 new investigations and assessments
- **2012-13** – 52 new investigations and assessments
- **2013-14** – 70 new referrals; 60 accepted for further investigation.
- **2014-15** – 119 new referrals, 93 accepted for further investigation.
- **2015-16** – 169 new referrals.

### *Prosecutions*

Matters before the courts as at 30 June of the relevant financial year:

- **2011-12** – 4
- **2012-13** – 7
- **2013-14** – 4
- **2014-15** – 2
- **2015-16** – 4

### *Convictions*

- **2011-12** – 2
- **2012-13** – 2
- **2013-14** – 0
- **2014-15** – 2
- **2015-16** – 1

## **Questions 8 – 10**

The Australian Government established the Supply Chains Working Group on 29 September 2014. The Working Group members were agreed by the Minister for Justice after a call for nominations by AGD.

### **Question 11**

- 28 November 2014, Melbourne VIC.
- 27 February 2015, Melbourne VIC.
- 2 June 2015, Sydney NSW.
- 29 July 2015, Melbourne VIC.
- 9 September 2015, Canberra ACT.
- 28 October 2015, Melbourne VIC.
- 9 December 2015, Sydney NSW.

### **Question 12**

The Working Group did not have an operating budget. Working Group members bore their own costs.

### **Questions 13 - 15**

The Working Group did not call for public submissions.

### **Question 16**

The Working Group produced a final report that was provided to Government.

### **Question 17**

The Minister for Justice regularly meets with stakeholders in relation to his portfolio responsibilities.

### **Question 18**

The Working Group's final report and recommendations were submitted to the Minister for Justice on 13 September 2016 following consultation with other Commonwealth agencies on the report's cross-portfolio recommendations.

### **Questions 19 – 20**

The Working Group's final report made nine recommendations. The recommendations fall within multiple Government portfolios and relate to:

- implementing a legislative reporting requirement mandating certain businesses to report publicly on their efforts to address supply chain exploitation,
- establishing a national licensing regime for labour hire providers in specific, high-risk industries,

- strengthening Australian Government procurement processes and policies,
- endorsing and implementing the UN *Guiding Principles on Business and Human Rights* through a National Action Plan on Business and Human Rights,
- reviewing the Australian National Contact Point for the OECD *Guidelines for Multinational Enterprises*,
- amending customs data disclosure processes to ensure information about the origins of imported products is publicly available,
- establishing an awards program for business recognising efforts to address supply chain exploitation,
- developing a communication and awareness strategy, and
- implementing a coregulatory regime based on a code of conduct for business and supported by legislation.

### **Questions 21, 23 – 26, 29**

The Minister for Justice announced the Government's response to the recommendations of the Supply Chains Working Group at the National Roundtable on Human Trafficking and Slavery, held on 28 November 2016.

The Government is progressing work across a number of portfolios in relation to the recommendations made by the Working Group. Over the next 12 months AGD will work collaboratively with business and civil society to:

- create a suite of awareness-raising materials for business
- further consider the feasibility of a model for large businesses in Australia to publicly report on their actions to address supply chain exploitation
- examine options for an awards program for businesses that take action to address supply chain exploitation, and
- explore the feasibility of a non-regulatory, voluntary code of conduct for high-risk industries.

Other recommendations made by the Working Group are a matter for the Treasury, Foreign Affairs, Finance, Employment and Immigration Portfolios.

### **Question 22**

This is a matter for Government.

### **Questions 27 – 28**

Officers at the APS5-6, EL1 and EL2 levels supported the work of the Supply Chains Working Group as part of a range of duties.

## Questions 30, 33

The first iteration of the *People Trafficking Communications Awareness Strategy* was approved by the then Ministerial Committee on Government Communications on 24 November 2005.

A specialist Communication and Awareness Working Group (CAWG), established under the National Roundtable on Human Trafficking and Slavery, developed and implemented the latest iteration of the *Communication and Awareness Strategy for Human Trafficking and Slavery*. The CAWG met for the first time on 1 October 2013.

### ***Stream 1: Personal (forced marriage and exploitation in intimate and family relationships)***

The *Forced Marriage Community Pack*<sup>2</sup> was developed by the CAWG throughout 2014 and officially launched by the Minister for Justice on 2 December 2014. In June 2015 the pack was translated into Arabic, Dari, Farsi, Somali, Tamil and Urdu.

In March 2015, over 80,000 Avant post cards developed through the CAWG were released nationally to raise awareness of forced marriage.

Throughout 2015, AGD partnered with the AFP and Anti-Slavery Australia to conduct a series of workshops to raise awareness of forced marriage and promote use of the community pack among frontline officers and service providers.

### ***Stream 2: Professional (labour exploitation)***

AGD developed awareness-raising materials on labour exploitation for both employers and employees.<sup>3</sup> The factsheets are available in English, Chinese, Korean, Thai, Vietnamese, Tagalog and Tamil.

At the August 2016 Senior Officials' Meeting, Roundtable members agreed the CAWG be tasked with developing recommendations about how Government can more effectively respond to serious forms of labour exploitation without being limited in scope to awareness-raising issues.

### ***Stream 3: Physical (organ trafficking)***

In 2013, AGD developed a fact sheet which sets out information about human trafficking for the purpose of organ removal for medical professionals.

In November 2013, AGD presented on organ trafficking at the 12th Congress of the International Society of Organ Donation and Procurement.

### ***Stream 4: Production (ethical procurement)***

In 2013, AGD developed an information sheet to provide Commonwealth officials with further guidance on ethical procurement and supply chain exploitation.<sup>4</sup>

AGD has also undertaken a range of education and awareness-raising activities including briefing the Commonwealth's Senior Procurement Officers' Reference Group; publishing an article in the *Commonwealth Procurement Bulletin* reminding procurement officers of their obligations with respect to ethical procurement; delivering training to departmental officers on

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<sup>2</sup> The *Forced Marriage Community Pack* is available online at [www.ag.gov.au/forcedmarriage](http://www.ag.gov.au/forcedmarriage).

<sup>3</sup> The labour exploitation fact sheets are available online at [www.ag.gov.au/humantrafficking](http://www.ag.gov.au/humantrafficking).

<sup>4</sup> The ethical procurement fact sheet is available online at [www.ag.gov.au/humantrafficking](http://www.ag.gov.au/humantrafficking).

ethical procurement; providing information about ethical procurement on its website; and amending the Secretary's Instructions to address ethical procurement.

Refer to responses to Questions 8 – 29 regarding the work of the Supply Chains Working Group.

AGD also provides a range of information about general human trafficking and slavery issues through its website.

### **Questions 31 – 32**

Officers at the APS5-6, EL1 and EL2 levels support AGD's communication and awareness-raising initiatives, as part of a range of duties.

The communications strategy was initially allocated \$400,000 over four years as part of the 2003-04 Mid-Year Economic and Fiscal Outlook. In the 2007-08 Federal Budget, the Government committed \$2.022 million over four years (with \$457,000 ongoing from 2010-11) for AGD to continue its broader efforts to combat human trafficking and slavery, including enhancing coordination, monitoring and reporting. In 2008, AGD also received \$250,000 in additional funding under the *Proceeds of Crime Act 2002* to continue the National Roundtable on Human Trafficking and Slavery.

Since 2008, the Australian Government has also committed almost \$5 million to support NGOs in their efforts to combat human trafficking and slavery, including outreach services, education and awareness-raising activities.