

RECOMMENDATIONS

Recommendation 1 **12**

2.28 The Committee recommends that the Australian Crime Commission focus their investigations on the methods by which people traffickers are able to circumvent Australian immigration barriers through visa fraud.

Recommendation 2 **35**

3.64 The Committee recommends the formalisation of the existing Interdepartmental Committee (IDC), by the appointment of a Chairperson and charter, which should state the IDC's formal responsibility for addressing coordination issues and its authority to issue recommendations to any relevant authority to address defects in the system.

3.65 The IDC charter should require the IDC to issue a response to matters referred to it within a stipulated timeframe.

3.66 The IDC charter should require the IDC to review its functions after eighteen months in operation and make a recommendation on its future.

Recommendation 3 **41**

3.95 The Committee recommends the urgent reassessment of benefits payable to women under the victim support scheme. Given that a precondition of participation in the scheme is the women's preparedness to assist Australian law enforcement agencies to prosecute traffickers, it would be appropriate for women under the scheme to receive benefits benchmarked against those afforded to witnesses under the Witness Protection Scheme.

Recommendation 4 **52**

4.36 The Committee recommends that the following matters be examined in the legislative review announced as part of the government package:

- The adequacy of existing provisions of the Criminal Code Act 1995 covering recruiting transportation and transfer of women for the purposes of trafficking;
- amending section 270(7) of the *Criminal Code Act 1995* to broaden the offence of deception to include deception regarding not only the type of work to be done, but expressly the kind of services to be provided, whether of a sexual nature or not;
- adopting the use of victim impact statements in sentencing.

Recommendation 5 **54**

4.44 The Committee recommends the speedy implementation of the legislative review that forms part of the anti-trafficking measures announced in October 2003. The review should focus particularly on the measures needed to ensure Australia's compliance with the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children.

Recommendation 6 **54**

4.45 The Committee further recommends that the results of this review form the basis for legislative changes that should be ready for introduction to the Parliament early in 2005.

Recommendation 7 **54**

4.46 That the Protocol be ratified as soon as possible.

Recommendation 8 **57**

4.64 The Committee recommends that all trafficked women accepted onto the victim support program or receiving the Criminal Justice Stay Visa be exempt from compulsory return to their country of origin.

Recommendation 9 **60**

4.83 The Committee recommends that the government review current visa provisions, and consider changes to ensure that the Minister for Immigration has the discretion to allow witnesses to return to their country of origin for short periods to enable contact with their families. Such a visit should be subject to conditions including reporting requirements.