

# TRAFFICKING IN PERSONS

## The Australian Government Response

1 July 2014 – 30 June 2015

THE SEVENTH REPORT OF THE  
INTERDEPARTMENTAL COMMITTEE ON HUMAN TRAFFICKING AND SLAVERY



# Foreword

We are pleased to present this seventh report of the Interdepartmental Committee on Human Trafficking and Slavery. This report details the important work of Australian Government agencies and their partners during 2014-15.

Human trafficking, slavery and slavery-like practices, such as servitude, forced labour, debt bondage and forced marriage, violate the personal freedom and dignity of countless people each year in virtually every country in the world. These exploitative practices have inherently traumatic and enduring effects on the individual, their family, and the community as a whole. However, we must not underestimate the strength of human resilience.

In 2014-15, the Australian Government continued to implement a strong program of initiatives to combat all forms of human trafficking and slavery, both at home and further afield. These initiatives are underpinned by the four central pillars on which Australia's strategy is founded: prevention and deterrence; detection and investigation; prosecution and compliance; and victim support and protection. Each element of Australia's response is fundamentally concerned with upholding the rights and addressing the needs of trafficked people.

When compared to global trends, instances of human trafficking and slavery remain relatively uncommon in Australia. Australia is primarily a destination country for both men and women who have been subjected to exploitation in a range of sectors, including the domestic services, horticulture, hospitality, and sex work industries. Since forced marriage was criminalised in March 2013, Australian authorities are identifying an increasing number of people in, or at risk of, forced marriage. In 2014-15, the Australian Federal Police carried out 26 investigations into suspected cases of forced marriage, bringing the total to 39 investigations since March 2013.

In December 2014, the Australian Government launched the *National Action Plan to Combat Human Trafficking and Slavery 2015-19* (National Action Plan), which sets the strategic framework and key objectives of Australia's whole-of-community response to human trafficking and slavery over the coming five years, and includes measures to quantify the impact and effectiveness of our collective efforts. The National Action Plan reaffirms Australia's strong commitment to a future where no one is subjected to human trafficking or slavery, and the human rights of all people are valued equally.

A key area of focus over the life of the National Action Plan is to refine Australia's response to forced marriage. In order to better prevent and address forced marriage, we must seek to improve education and awareness of these issues among the general community, and build the resilience of groups who may be vulnerable to these practices. In 2014-15, the Australian Government made significant efforts to further this aim, including by launching a suite of awareness-raising materials on forced marriage for agencies, community organisations, service providers, and vulnerable groups, as well as running a series of forced marriage workshops for frontline responders in each capital city.

In July 2014, the Australian Government also awarded almost \$500,000 in funding for three non-government organisations progressing outreach, education and awareness-raising efforts on forced marriage.

In 2014-15, Australia continued to lead regional efforts to combat human trafficking and slavery, including through the Australia-Asia Program to Combat Trafficking in Persons and as co-chair of the *Bali Process on People Smuggling, Trafficking in Persons, and Related Transnational Crime* (Bali Process). In 2014-15, Australia contributed to the development of two Bali Process policy guides on identifying and protecting trafficked people to strengthen regional capacity to respond to human trafficking and slavery. This builds on the existing set of regional policy guides on criminalising human trafficking and people smuggling, finalised in August 2014.

In the coming year, the Australian Government will fully implement and monitor the impact of the regulatory reforms to the Human Trafficking Visa Framework, which will safeguard the privacy of trafficked people and facilitate targeted government support. We will also continue to refine our response to forced marriage, including by strengthening the criminal offences and considering the need for additional civil prevention and protection measures.

During this period, we will continue to progress key policy initiatives through specialist working groups established under the National Roundtable on Human Trafficking and Slavery (National Roundtable), in particular by developing strategies to address exploitative practices in supply chains, and producing awareness-raising materials on all forms of labour exploitation. This will include finalising materials specifically targeted at reducing the vulnerability of foreign domestic workers working for foreign officials in Australia.

The Australian Government, in consultation with the National Roundtable, will also finalise and launch the third edition of the *Guidelines for NGOs: Working with trafficked people* to ensure this best practice resource remains current and readily available.

We look forward to presenting the next report of the Interdepartmental Committee on Human Trafficking and Slavery.

**The Hon Michael Keenan MP**

Minister for Justice

**The Hon Julie Bishop MP**

Minister for Foreign Affairs

**The Hon Peter Dutton MP**

Minister for Immigration and Border Protection

**Senator the Hon Michaelia Cash**

Minister for Women

Minister for Employment

**The Hon Christian Porter MP**

Minister for Social Services

## **Notes on terminology**

### **Human trafficking and slavery**

For ease of reference, this document uses ‘human trafficking and slavery’ as a general term that encompasses slavery-like practices including servitude, forced labour, deceptive recruiting for labour or services, debt bondage and forced marriage.

### **Trafficked people vs victim**

The term ‘trafficked people’ is also used as a general term that encompasses all victims of human trafficking, slavery and slavery-like practices. The exception is where the term ‘victim’ is used in relation to a proper noun or has a specific meaning in relation to law enforcement, for example, victim impact statements or victims financial assistance schemes.

### **Criminal Code provisions**

The *Crimes Legislation Amendment (Slavery, Slavery-like Conditions and People Trafficking) Act 2013* entered into force on 8 March 2013. Amongst other things, the Act amended the Commonwealth *Criminal Code Act 1995* (Criminal Code) to repeal the existing offences of sexual servitude and deceptive recruiting for sexual services and replace them with the broader offences of servitude and deceptive recruiting for labour or services. The Act also introduced new offences of forced marriage and harbouring a victim and standalone offences of forced labour and organ trafficking, changing some of the section numbers of existing provisions. At 30 June 2015, no offenders had been charged with, or convicted of, the human trafficking or slavery offences as amended by the Act. For this reason, where a Criminal Code provision is referenced in relation to a particular matter, the section numbers referenced are those in the Criminal Code as they appeared prior to 8 March 2013.

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# Abbreviations

|  |          |
|--|----------|
| Adult Migrant English Program  | AMEP     |
| Association of Southeast Asian Nations                                 | ASEAN    |
| Attorney-General's Department  | AGD      |
| Australia-Asia Program to Combat Trafficking in Persons                | AAPTIP   |
| Australian Crime Commission  | ACC      |
| Australian Federal Police  | AFP      |
| Australian Human Rights Commission                                     | AHRC     |
| Australian Institute of Criminology                                    | AIC      |
| Bridging F visa  | BVF      |
| Commonwealth Director of Public Prosecutions                           | CDPP     |
| Criminal Justice Stay visa   | CJSV     |
| Culturally and linguistically diverse                                  | CALD     |
| Department of Foreign Affairs and Trade                                | DFAT     |
| Department of Immigration and Border Protection                        | DIBP     |
| Department of Social Services  | DSS      |
| Fair Work Ombudsman  | FWO      |
| Human Rights Council   | HRC      |
| Human Trafficking Team   | HTT      |
| Interdepartmental Committee on Human Trafficking and Slavery           | IDC      |
| International Labour Organization                                      | ILO      |
| International Organization for Migration                               | IOM      |
| International Police   | INTERPOL |
| Non-government organisation  | NGO      |
| Operational Working Group  | OWG      |
| <i>United Nations Convention against Transnational Organized Crime</i> | UNTOC    |
| United Nations Office on Drugs and Crime                               | UNODC    |
| United Nations   | UN       |
| Witness Protection (Trafficking) (Permanent) visa                      | WPTV     |

# Executive summary

In 2009, in response to a recommendation of the Australian National Audit Office, the Australian Government agreed to undertake more systematic annual reporting of outcomes under our strategy to combat human trafficking and slavery. In June 2009, the Australian Government tabled in Parliament the first report of the Interdepartmental Committee on Human Trafficking and Slavery (IDC), covering the period from January 2004 to 30 April 2009.<sup>1</sup> The second report covered the period 1 May 2009 to 30 June 2010, and the third, fourth, fifth and sixth reports covered the financial years 2010-11, 2011-12, 2012-13 and 2013-14 respectively. This is the seventh annual report of the IDC and covers the period 1 July 2014 to 30 June 2015.

During the reporting period the Australian Government continued to work to combat human trafficking and slavery. On 2 December 2014, the Minister for Justice, the Hon Michael Keenan MP, launched the *National Action Plan to Combat Human Trafficking and Slavery 2015-19* (National Action Plan), which provides the strategic framework for Australia's response to human trafficking and slavery over the next five years. The National Action Plan was developed in consultation with government agencies through the IDC and with civil society partners through the National Roundtable on Human Trafficking and Slavery (National Roundtable).

The Australian Federal Police received 119 new referrals relating to human trafficking and slavery matters in 2014-15, taking the total to 588 since 2004. Of these 119 referrals, 93 were accepted for further investigation. Twenty-nine per cent of these referrals related to sexual exploitation, 28 per cent related to other forms of labour exploitation, 28 per cent to forced marriage, and the remainder related to other types of exploitation. As at 30 June 2015, two Commonwealth human trafficking and slavery-related matters were before the courts, involving four defendants.

In 2014-15, the Support for Trafficked People Program (Support Program), administered by the Department of Social Services and delivered by the Australian Red Cross, provided assistance to 88 clients, including 38 new clients. Thirty of the new clients were female and eight were male. Of the 38 new clients, 10 (26 per cent) were exploited in the sex industry and the remaining 28 (74 per cent) were subjected to other forms of exploitation. Five children were referred to the Support Program during this period.

The Australian Government continued to prevent and address forced marriage in 2014-15, including by launching a suite of awareness-raising materials for service providers, government agencies, community organisations and vulnerable groups; running a series of forced marriage workshops for frontline responders in each capital city; and proposing legislative amendments to strengthen the existing forced marriage offences. The Australian Government also continued to support the important work of non-government organisations (NGOs) by awarding almost \$500,000 in funding over three years to

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<sup>1</sup> Previous reports are available online at: <[www.ag.gov.au/humantrafficking](http://www.ag.gov.au/humantrafficking)>.

Anti-Slavery Australia, the Australian Catholic Religious Against Trafficking in Humans, and the Australian Muslim Women's Centre for Human Rights to progress outreach, education and awareness-raising initiatives on forced marriage.

Through the Human Trafficking Visa Framework (Visa Framework), the Department of Immigration and Border Protection (DIBP) granted eight Witness Protection (Trafficking) (Permanent) visas (WPTV) in 2014-15, including four to suspected victims of human trafficking and slavery, and four to immediate family members. This compares with a total of seven WPTVs granted in 2013-14 (four to suspected victims and three to immediate family members). During the reporting period, DIBP also granted 15 Bridging F visas (BVF) and nine Criminal Justice Stay visas (CJSV) to suspected trafficked people and their immediate family members, compared to eight and 15 in 2013-14, respectively.

On 27 May 2015, the Australian Government announced regulatory reforms to the Visa Framework. The reforms, which will be implemented during 2015-16, are intended to address civil society concerns that existing visa titles may be stigmatising for trafficked people, and to facilitate trafficked people's access to improved education and training opportunities. The reforms will change the title of the WPTV to the Referred Stay (Permanent) visa, and redesign the BVF so that trafficked people are not placed on a CJSV while they remain in Australia to assist with the criminal justice process. In turn, this will provide trafficked people on temporary visas with better access to services. The government also announced that the 104 week Newly Arrived Resident's Waiting Period for income support payments other than Special Benefit will be waived for Referred Stay (Permanent) visa holders. This will enable trafficked people to enrol in courses of study longer than 12 months' duration, while still maintaining access to income support.

Following the announcement of these reforms, on 25 June 2015, the then Assistant Minister for Education and Training, Senator the Hon Simon Birmingham, extended eligibility for the Adult Migrant English Program (AMEP) to holders of a BVF, with access to commence in 2015-16. The AMEP provides participants with up to 510 hours of free, high quality English language tuition.

The announced reforms build on the Australian Government's continuing work to enhance trafficked people's access to education and training. In 2014-15, the government received in-principle agreement from the majority of states and territories to offer subsidised or supported places for vocational education and training for trafficked people on temporary visas.

During the reporting period, the Australian Government continued to progress key policy initiatives through specialist working groups established under the National Roundtable. In 2014-15, the Working Group on Protections for Private Domestic Workers Working for Diplomats or Consular Officials undertook a range of initiatives to decrease the vulnerability of private domestic workers working in the households of diplomatic and consular staff in Australia. This included the development of a suite of draft education and awareness-raising materials, and implementation of a range of policy and operational measures. During the reporting period, the Supply Chains Working Group also commenced the first phase of its work program, 'understanding the problem'.

As co-chair of the *Bali Process on People Smuggling, Trafficking in Persons, and Related Transnational Crime* (Bali Process), Australia played a leading role in regional cooperation on human trafficking issues in 2014-15. In particular, Australia contributed to the development of two Bali Process policy guides on *Identifying Victims of Trafficking* and *Protecting Victims of Trafficking*. The policy guides are short, practical tools that assist policymakers and practitioners to strengthen their response to human trafficking in line with international obligations, with key 'tips' on how to improve victim identification and protection. Also in 2014-15, Australia co-chaired the first meeting of the Bali Process Working Group on Trafficking in Persons (working group) with Indonesia, and held the working group's first event, a regional symposium on trafficking for the purposes of labour exploitation, co-chaired by Australia and Thailand.

During the next year, Australia will continue to progress a strong program of work under the National Action Plan, including by fully implementing the reforms to the Visa Framework and refining the forced marriage legal framework. Through the Bali Process working group, we will continue to promote more effective and coordinated law and justice responses to human trafficking in the Indo-Pacific region, including by conducting training to increase the value and use of the policy guides on criminalising human trafficking and identifying and protecting trafficked people. We will also continue to strengthen our response to all forms of labour exploitation by developing awareness-raising materials on forced labour and finalising strategies to address exploitative practices in supply chains.

# Introduction

Human trafficking and slavery are serious crimes that fundamentally curtail freedom, making them among the gravest of human rights violations. The Australian Government takes a comprehensive, whole-of-government approach to combating human trafficking and slavery. Australia is committed to working with other governments domestically and internationally, and with intergovernmental and NGOs, business and industry, and unions to prevent human trafficking and slavery, detect and prosecute the perpetrators, and protect and support the victims.

Human trafficking is a very different crime to people smuggling. People smuggling is the organised, irregular movement of people across borders, usually on a payment-for-service basis, and does not involve the ongoing exploitation of the victim by the offender. By contrast, human trafficking is inherently concerned with exploitation. It may involve a person being moved domestically or transnationally for the purpose of exploitation, or a person already in Australia being subject to exploitative practices. Australia's response to human trafficking therefore also addresses the exploitative practices of slavery and slavery-like practices.

Slavery is where a person exercises the rights of ownership over another person. Practices involving exploitation so serious that they are considered similar to slavery are known as slavery-like practices. Slavery-like practices include servitude, forced labour, deceptive recruiting for labour or services, debt bondage, and forced marriage. Australia comprehensively criminalises human trafficking, slavery and slavery-like practices.

The link between human trafficking, slavery and slavery-like practices (hereafter, human trafficking and slavery) is that they involve the manipulation of complex relationships between the offender and the victim, and that they result in the serious undermining of the victim's personal freedom.

There is little reliable data about the nature and extent of human trafficking and slavery at a global, regional or domestic level. However, there is general consensus that human trafficking and slavery affect almost every country in the world, whether as a source, transit or destination country – or as a combination of these. The United Nations Office on Drugs and Crime's *Global Report on Trafficking in Persons 2014* found that between 2010 and 2012, trafficked people with 152 different citizenships were identified in 124 countries worldwide.

The nature of human trafficking and slavery varies from region to region. The most visible form of these crimes involves the transnational movement of women for exploitation in the sex industry. However, around the world men, women and children are being increasingly exploited for a wide range of other purposes, including forced labour, in industries such as hospitality, construction, forestry, fishing, mining and agriculture; domestic and sweatshop labour; street begging; forced recruitment into militias and armed forces; and the harvesting of body organs.

Opportunities to traffic people into, or exploit people within, Australia are limited because of our strong migration controls, geographic isolation, and high degree of regulation, compliance and enforcement. Australia's comprehensive whole-of-government strategy to combat human trafficking and slavery also helps to ensure that Australia is a hostile environment that discourages potential offenders.

Australia is traditionally a destination country for human trafficking and slavery, with the majority of trafficked people identified by Australian authorities to date being women from Asia – particularly Thailand, the Republic of Korea and Malaysia – who have been exploited within the sex industry. However, in recent years the majority of cases have involved both men and women who have been exploited in a range of industries other than the sex industry. In 2014-15, 71 per cent of investigations conducted by the Australian Federal Police (AFP) related to forms of exploitation not involving the sex industry. Of the 38 new clients referred to the Support for Trafficked People Program (Support Program) in 2014-15, 74 per cent experienced exploitation other than in the sex industry.

Since the establishment of Australia's strategy to combat human trafficking and slavery in 2003, the Australian Government has provided more than \$150 million to support a range of domestic, regional and international initiatives. In 2014-15, key measures included:

- the *National Action Plan to Combat Human Trafficking and Slavery 2015-19*, which sets the strategic framework for Australia's whole-of-community response to human trafficking and slavery
- specialist teams within the AFP to investigate human trafficking and slavery, and training of domestic law enforcement agencies by the AFP
- a comprehensive legislative framework that criminalises human trafficking, slavery and slavery-like practices, such as forced labour and forced marriage, and provides specific protections for victims giving evidence in Commonwealth criminal proceedings
- support for the Commonwealth Director of Public Prosecutions to prosecute human trafficking and slavery, including funding and training
- a victim support program which provides individualised case management support
- visa arrangements to enable suspected victims and witnesses of human trafficking and slavery to remain in Australia and support the investigation and prosecution of offences
- specialist immigration officers posted in the Philippines, the Republic of Korea, and Thailand, who focus on human trafficking issues and aim to prevent trafficking in source countries
- regional engagement in the Asia-Pacific on human trafficking issues through the *Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime*
- regional activities to deter human trafficking and slavery, train law and justice officials and promote stronger laws in the region, and assist victims under Australia's overseas aid program, including through the Australia-Asia Program to Combat Trafficking In Persons
- community partnerships with NGOs, academics, business and industry, and unions through the National Roundtable on Human Trafficking and Slavery, and practical support for the work of NGOs, and

- research into national and regional human trafficking and slavery-related trends by the Australian Institute of Criminology.

These initiatives reflect the four central pillars of Australia's strategy to combat human trafficking and slavery: prevention and deterrence; detection and investigation; prosecution and compliance; and victim support and protection. Together these measures address the full cycle of trafficking from recruitment to reintegration and give equal weight to the critical areas of prevention, prosecution and victim support.

Australia's strategy to combat human trafficking and slavery is overseen by the Interdepartmental Committee on Human Trafficking and Slavery (IDC), chaired by the Attorney-General's Department (AGD), with membership from the following agencies:

- Australian Crime Commission (ACC)
- Australian Federal Police (AFP)
- Australian Institute of Criminology (AIC)
- Commonwealth Director of Public Prosecutions (CDPP)
- Department of Employment
- Department of Foreign Affairs and Trade (DFAT)
- Department of Immigration and Border Protection (DIBP)
- Department of the Prime Minister and Cabinet
- Department of Social Services (DSS), and
- Fair Work Ombudsman (FWO).

The IDC is responsible for monitoring the implementation of the strategy, reporting to the Australian Government on its effectiveness, and ensuring that emerging issues are addressed on a whole-of-government basis. Relevant agencies remain responsible for administering individual components of the strategy.

An Operational Working Group (OWG) comprising AFP, AGD, CDPP, DIBP and DSS has been established as a subcommittee of the IDC to resolve systemic operational issues that arise in the management of individual cases. The OWG also has an important role in referring emerging policy issues for the IDC's consideration.

This is the seventh report of the IDC and covers the period from 1 July 2014 to 30 June 2015.

# *National Action Plan to Combat Human Trafficking and Slavery 2015-19*

On 2 December 2014, the Minister for Justice, the Hon Michael Keenan MP, launched Australia's *National Action Plan to Combat Human Trafficking and Slavery 2015-19* (National Action Plan).<sup>2</sup>

The National Action Plan provides the strategic framework for Australia's whole-of-community response to human trafficking and slavery and sets clear goals and action items which align to Australia's domestic laws and international obligations, and which are underpinned by key performance indicators for monitoring purposes. These are supported by a series of guiding principles which provide the high-level and strategic foundation for the National Action Plan.

The National Action Plan also identifies seven key areas for focus over 2015-19. These include refining responses to forced marriage; increasing awareness-raising and education for vulnerable groups, frontline responders and the general community; considering responses to labour exploitation in supply chains; and strengthening connectedness with the states and territories.



*Minister for Justice, the Hon Michael Keenan MP, then Minister Assisting the Prime Minister for Women and Assistant Minister for Immigration and Border Protection, Senator the Hon Michaelia Cash, and then Minister for Social Services, the Hon Kevin Andrews MP, launching the National Action Plan in December 2014*

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<sup>2</sup> The *National Action Plan to Combat Human Trafficking and Slavery 2015-19* is available online at: [www.ag.gov.au/humantrafficking](http://www.ag.gov.au/humantrafficking).



The launch of the National Action Plan fulfils a recommendation of the former United Nations Special Rapporteur on trafficking in persons, especially women and children, following her November 2011 mission to Australia. The National Action Plan was developed in consultation with government agencies through the IDC and with NGO partners through the National Roundtable on Human Trafficking and Slavery (National Roundtable), and the Senior Official's Meeting of the National Roundtable. It replaces Australia's original 2004 *National Plan of Action to Eradicate Trafficking in Persons*, which has been superseded by policy and legislative changes.

The overall implementation of the National Action Plan is being monitored by AGD, in consultation with the IDC. The National Roundtable is also briefed annually on outcomes under the National Action Plan. The primary mechanism for assessing progress under the National Action Plan is through detailed progress reporting included in the annual IDC reports. Appendix 3 of this report contains an update for each of the individual measures under the National Action Plan between 1 January and 30 June 2015.

# Preventing and addressing forced marriage

In March 2013, the Commonwealth *Criminal Code Act 1995* was amended to introduce standalone offences of causing a person to enter into a forced marriage and being a party to a forced marriage. In 2014-15, the Australian Government continued to undertake targeted education and awareness-raising efforts to support the implementation of these offences and in accordance with the key area of focus under the *National Action Plan to Combat Human Trafficking and Slavery 2015-19*.

On 2 December 2014, the Minister for Justice, the Hon Michael Keenan MP, launched the *Forced Marriage Community Pack* (Community Pack), a suite of awareness-raising materials developed by the National Roundtable on Human Trafficking and Slavery Communication and Awareness Working Group (working group) for frontline responders, service providers, community organisations, and vulnerable cohorts. The Community Pack includes information, frequently asked questions and media factsheets; a how-to guide on preparing a safety plan; a small fold-away booklet for people in, or at risk of, forced marriage; and an information booklet for agencies, service providers and the community. Select materials from the Community Pack have also been translated into the following community languages: Arabic, Dari, Farsi, Somali, Tamil and Urdu (see page 70).

On 4 March 2015, over 80,000 post cards developed through the working group were released nationally at student-frequented locations including universities, schools, cafes and bars to raise awareness of forced marriage. The postcard campaign had a potential weekly reach of up to 2.7 million people.



*Forced marriage post card campaign*

In April and May 2015, AGD partnered with the AFP and Anti-Slavery Australia to conduct a series of workshops in each Australian capital city to raise awareness of forced marriage and promote use of the Community Pack amongst frontline officers and service providers from both government agencies and civil society organisations.

During the reporting period the Australian Government also committed to providing practical support to specialist NGOs working to prevent and address forced marriage. On 14 July 2014, the Minister for Justice awarded almost \$500,000 in funding to Anti-Slavery Australia, the Australian Catholic Religious Against Trafficking in Humans, and the Australian Muslim Women's Centre for Human Rights to progress outreach and awareness-raising activities on forced marriage. Further information on the work of these funded organisations can be found starting at page 51.

The Australian Government has also sought to strengthen the legislative response to forced marriage. In March 2015, the Crimes Legislation Amendment (Powers, Offences and Other Measures) Bill 2015 was introduced to Parliament. Among other things, the Bill will increase the penalties for forced marriage to reflect the seriousness of forced marriage as a slavery-like practice, and to ensure the associated penalties are commensurate with the most serious slavery-related facilitation offences. The proposed amendments will also expand the definition of forced marriage to include circumstances in which a person is incapable of freely and fully consenting because he or she is incapable of understanding the nature and effect of a marriage ceremony, for reasons such as age or mental capacity. As at 30 June 2015, the Bill was before the Parliament.

# Human Trafficking Visa Framework reforms

A key action item under the *National Action Plan to Combat Human Trafficking and Slavery 2015-19* (National Action Plan) is maintaining the Australian Government's commitment to empowering trafficked people to overcome their experience of human trafficking and slavery. In accordance with the key measures for this action item set out in the National Action Plan, the Australian Government undertook a review of the Human Trafficking Visa Framework (Visa Framework) in 2015.

As a result of this review, the Australian Government announced regulatory reforms to the Visa Framework in May 2015 to safeguard the privacy of trafficked people and facilitate better targeted government support. The Visa Framework reforms were announced in the 2015-16 Federal Budget and have been supported by the allocation of \$2.3 million funding over four years. The reforms have been led by DIBP, in consultation with the IDC and the National Roundtable on Human Trafficking and Slavery.

As a result of the Visa Framework reforms, in 2015-16 the name of the Witness Protection (Trafficking) (Permanent) visa will be changed to the Referred Stay (Permanent) visa. This change will remove any potential stigma associated with the visa's existing title.

The Bridging F visa (BVF) will also be redesigned as part of the Visa Framework reforms to accommodate the longer-term requirements of trafficked people assisting with the criminal justice process. Currently, trafficked people who are not Australian citizens or permanent residents and do not hold a valid visa are granted a Criminal Justice Stay visa (CJSV) to facilitate their temporary stay in Australia while they assist authorities with investigations and prosecutions. They share this visa with other non-citizens involved in the criminal justice process, including alleged offenders. The redesign of the BVF will ensure there is a specific subclass of visa for the exclusive use of trafficked people. This exclusive bridging visa will allow government to better target support to trafficked people, including access to the Adult Migrant English Program (see page 12).

DSS is working to ensure that trafficked people holding the redesigned BVF will possess the same eligibility for Special Benefit income support payments currently afforded to trafficked people holding a CJSV. Administrative and system changes to facilitate this process will be made in late 2015 and full implementation is expected by 1 January 2016. Under the National Action Plan, the Australian Government will continue to monitor the reintegration and recovery of trafficked people to ensure that the support provided to trafficked people remains effective in preventing re-victimisation or future offending.

# Access to education for trafficked people

Victim support and protection is one of the four pillars of Australia's strategy to combat human trafficking and slavery. Affording trafficked people appropriate access to education and training can be a key component of their recovery process. During the reporting period, the Australian Government made efforts to significantly enhance access to education and training opportunities for trafficked people.

On 25 June 2015, the then Assistant Minister for Education and Training, Senator the Hon Simon Birmingham, extended eligibility for the Adult Migrant English Program (AMEP) to holders of a Bridging F visa (BVF) under the Human Trafficking Visa Framework, with access to commence in 2015-16. The AMEP provides participants with up to 510 hours of free, high-quality English language tuition. Access to the AMEP is already available to trafficked people holding permanent visas.

During the reporting period, the Australian Government also announced the 104 week Newly Arrived Resident's Waiting Period for income support payments other than Special Benefit will be waived for trafficked people on permanent visas. This change will mean trafficked people can enrol in courses of study longer than 12 months' duration while accessing income support such as Youth Allowance and Austudy.

In addition to these measures, the Australian Government is also working with the states and territories to improve trafficked people's access to vocational education and training. In 2014-15, the majority of states and territories agreed, or agreed in-principle, to offer subsidised or supported places for vocational education and training to trafficked people on temporary visas. This builds on the Victorian Training Guarantee, which allows trafficked people to access vocational education and training courses in Victoria at the local student rate, making study a more affordable and attainable option.

# Protections for private domestic workers working for foreign officials

Internationally, the alleged exploitation of private domestic workers by foreign officials has become a matter of significant NGO, media and public concern. Private domestic workers working for members of the Diplomatic and Consular Corps and other eligible foreign officials (hereafter foreign officials) are, as a group, vulnerable to exploitation due to their isolation in private residences; their reliance on their employers for accommodation and migration status; and their employers' immunity from prosecution.

A key area of focus for the Australian Government under the *National Action Plan to Combat Human Trafficking and Slavery 2015-19* is increasing awareness-raising and education for vulnerable groups, frontline responders and the general community. In 2014-15, the Australian Government's Working Group on Protections for Private Domestic Workers Working for Diplomats or Consular Officials (working group) developed a range of initiatives to decrease the vulnerability of private domestic workers entering Australia to work in the households of foreign officials. The working group is chaired by AGD with representatives from DFAT, DIBP and the Department of Employment.

During the reporting period, the working group drafted a suite of education and awareness-raising materials to reduce the vulnerability of private domestic workers working for foreign officials in Australia. These materials will provide information for private domestic workers, foreign officials, and immigration and other frontline officers, and are expected to be finalised in 2015.

The working group also implemented a range of internal policy and operational measures in 2014-15. This included a requirement for pre-departure visa application interviews with all (subclass 403) Domestic Worker (Diplomatic or Consular) stream visa applicants prior to their arrival in Australia.

# Bali Process initiatives to address human trafficking

Australia's National Action Plan recognises that regional cooperation and engagement are critical to an effective response to human trafficking and slavery in the Asia-Pacific. Through the *Bali Process on People Smuggling, Trafficking in Persons, and Related Transnational Crime* (Bali Process), Australia worked closely with our regional partners during 2014-15 on a number of initiatives focused on human trafficking and related forms of exploitation.

From September 2014 to March 2015, Australia contributed to the development of two Bali Process policy guides on *Identifying Victims of Trafficking* and *Protecting Victims of Trafficking*. The policy guides are short, practical tools that provide an overview of international and regional standards for the identification and protection of trafficked people, drawing on best-practice examples from Bali Process Member States. The guides were developed by a drafting committee co-chaired by Indonesia and the International Organization for Migration (IOM) and comprised of experts from Australia, the Maldives, the Philippines, and Thailand. Drafts of the guides were discussed at a consultation workshop held in Bangkok, Thailand on 23 and 24 March 2015, and attended by 70 participants from 34 Member States, observers, and international organisations. On 6 May 2015, the Ad Hoc Group of the Bali Process endorsed the guides at the ninth Senior Officials' Meeting in Wellington, New Zealand. The policy guides are available online at <[www.baliprocess.net](http://www.baliprocess.net)> and will be translated into regional languages. This set of policy guides complements and expands on the Bali Process policy guides on *Criminalizing Trafficking in Persons* and *Criminalizing People Smuggling*, which were published in 2014.

The Bali Process Working Group on Trafficking in Persons (working group) held its first meeting on 27 March 2015 in Bangkok. The working group was established as an outcome of the April 2013 Ministerial Conference. It is co-chaired by Australia and Indonesia, and includes experts from Bali Process member countries and organisations. The working group is a forum for Bali Process members to share information on key initiatives, trends and issues related to human trafficking, and identify opportunities for cooperation and capacity building. As its first activity, the working group held a *Regional Symposium on Trafficking for the Purposes of Labour Exploitation* in March 2015, co-chaired by Australia and Thailand. The symposium – attended by 117 participants from over 30 Bali Process Member States, academics, international organisations, industry and NGOs – focused on examining trends in labour exploitation in the region, and identifying areas for regional cooperation. Issues identified at the symposium were incorporated into action items for the working group's forward work plan. A key focus of the plan for 2015-17 is to build the capacity of relevant officials to respond to human trafficking, including through delivering regional training sessions on the Bali Process policy guides. Other action items include considering ways to engage more effectively with NGOs and industry; developing a regional roadmap to support states to self-monitor progress in combating human trafficking in line with international standards; and developing best practice guidance on combating human trafficking for the purpose of labour exploitation.

# Investigation and prosecution

Australia's strategy to combat human trafficking and slavery includes performance indicators relating to the investigation, prosecution, and conviction of people involved in human trafficking and slavery-related criminal activities.

Given the complexity of matters involving human trafficking and slavery, a range of Australian Government agencies work together to ensure that matters are effectively investigated and prosecuted, and that victims are appropriately protected and supported.

The *United Nations Convention against Transnational Organized Crime* (UNTOC) and its supplementary *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* (Trafficking Protocol) establish a framework for international cooperation, including various forms of assistance for the conduct of investigations and prosecutions and for the extradition of offenders.

The AFP maintains an extensive network of officers posted to Australia's overseas missions. The officers provide a conduit for Australian and overseas law enforcement agencies to exchange information and progress investigations. In 2014-15, this network was complemented by DIBP specialist immigration officers posted in the Philippines, the Republic of Korea and Thailand who focus on human trafficking issues and aim to prevent trafficking in source countries.

The AFP Human Trafficking Team (HTT) investigates human trafficking and slavery matters, both proactively and through referrals from other Australian Government or state and territory government agencies, industry, unions or NGOs. The HTT National Coordinator is based in Canberra, with HTTs located in Sydney and Melbourne. The AFP also has members trained in human trafficking and slavery in Adelaide, Brisbane, Darwin and Perth. For human trafficking and slavery matters in other locations, the HTT can draw upon additional support from the AFP's crime operations function, which has members in each capital city.

Since 2004, the majority of victims have come to the attention of authorities in New South Wales and Victoria, reflecting the population concentration and the relative size of industry in these jurisdictions. Victims of human trafficking and slavery have also been identified in each of the other Australian states and territories.

AGD's International Crime Cooperation Central Authority (ICCCA) is Australia's central authority for extradition and mutual assistance in criminal matters. Complementing the work of the AFP, ICCCA has progressed incoming and outgoing mutual legal assistance requests to and from a number of countries to support ongoing investigations relating to human trafficking.



## Primary legislative provisions

### Criminal Code offences

Australia's human trafficking and slavery-related offences are set out in Divisions 270 and 271 of the Commonwealth *Criminal Code Act 1995* (Criminal Code).

Division 270 of the Criminal Code criminalises slavery, which is defined as the condition of a person over whom any or all of the powers attaching to the right of ownership are exercised. On 23 February 2015, the Australian Parliament passed the *Crimes Legislation Amendment (Psychoactive Substances and Other Measures) Act 2015*, which amended Division 270 to make explicit that the slavery offences have universal jurisdiction. Universal jurisdiction means that the offences apply whether or not the conduct occurred in Australia, and whether or not the victim or the offender are Australian citizens or residents.

Division 270 also criminalises slavery-like practices, including servitude, forced labour and deceptive recruiting. These offences can apply to the exploitation of a person's labour or services in any industry, or to exploitation within intimate relationships. Forced marriage is also considered a slavery-like practice under Division 270, and applies where one or both parties do not fully and freely consent to the marriage because of coercion, threat or deception.

The slavery-like offences in Division 270 have extended geographic jurisdiction, and can apply where the conduct occurred in Australia, or where the conduct occurred outside Australia but the offender was an Australian corporation, citizen or resident. None of the offences in Division 270 require the victim to be subject to an element of movement.

Division 271 of the Criminal Code contains specific offences for trafficking in persons, fulfilling Australia's obligations under the Trafficking Protocol. The offences in Division 271 are not limited to trafficking for the purposes of sexual exploitation, and cover trafficking in all its forms. Division 271 includes:

- trafficking in persons offences, which criminalise organising or facilitating the transportation of the victim into, from, or within Australia, using coercion, threat or deception, or by being reckless as to the exploitation of the victim
- trafficking in children offences, which criminalise organising or facilitating the transportation of a child into, from, or within Australia, intending or reckless as to whether the child will be used to provide sexual services or will be otherwise exploited
- organ trafficking offences, which criminalise organising or facilitating the transportation of the victim into, out of, or within Australia, reckless as to whether the victim's organ will be removed
- an offence of harbouring a victim, which criminalises harbouring, receiving or concealing a victim to assist or further the purpose of another person's human trafficking, slavery or slavery-like offence, and
- an offence of debt bondage, to prevent offenders from using unfair debt contracts or other similar arrangements to force victims into providing services to pay off large debts.

## **Proposed amendments to the Criminal Code forced marriage offences**

On 19 March 2015, the Crimes Legislation Amendment (Powers, Offences and Other Measures) Bill 2015 was introduced to Parliament (see page 10). The Bill seeks to further strengthen the forced marriage offences in the Criminal Code by expanding the definition of forced marriage to include circumstances in which a victim does not freely and fully consent because he or she is incapable of understanding the nature and effect of a marriage ceremony, including for reasons such as age or mental capacity. To increase protections against the forced marriage of children, the proposed amendments will create a rebuttable presumption that a person under the age of 16 does not understand the nature and effect of a marriage ceremony.

The Bill also proposes to increase the penalties for forced marriage from four to seven years' imprisonment for a base offence and from seven to nine years' imprisonment for an aggravated offence. The increased penalties will reflect the seriousness of forced marriage as a slavery-like practice and are commensurate with the most serious slavery-related facilitation offences in the Criminal Code.

As at 30 June 2015, the Bill was before the Parliament.

**Table 1: Criminal Code provisions as at 30 June 2015**

| <b>Section</b> | <b>Offence</b>   | <b>Maximum penalty</b>                                       |
|----------------|--|--|
| 270.3(1)       | Intentionally reduce a person to slavery, <sup>3</sup> possess or exercise rights of ownership over a slave, engage in slave trading, <sup>4</sup> enter into a commercial transaction involving a slave, or exercise control or direction over, or provide finance for, slave trading or a commercial transaction involving a slave | 25 years   |
| 270.3(2)       | Recklessly enter into a commercial transaction involving a slave, or exercise control or direction over, or provide finance for, slave trading or a commercial transaction involving a slave   | 17 years   |
| 270.5(1)       | Cause another person to enter into or remain in servitude <sup>5</sup>   | 15 years, or 20 years for an aggravated offence <sup>6</sup> |
| 270.5(2)       | Conduct a business <sup>7</sup> involving the servitude of another person or persons   | 15 years, or 20 years for an aggravated offence              |
| 270.6A(1)      | Cause another person to enter into or remain in forced labour <sup>8</sup>   | 9 years, or 12 years for an aggravated offence               |
| 270.6A(2)      | Conduct a business involving the forced labour of another person or persons  | 9 years, or 12 years for an aggravated offence               |

<sup>3</sup> 'Slavery' is defined in section 270.1 of the Criminal Code as the condition of a person over whom any or all of the powers attaching to the right of ownership are exercised, including where such a condition results from a debt or contract made by the person.

<sup>4</sup> 'Slave trading' is defined in subsection 270.3(3) of the Criminal Code as including the capture, transport or disposal of a person with the intention of reducing the person to slavery; or the purchase or sale of a slave.

<sup>5</sup> 'Servitude' is defined in subsection 270.4(1) of the Criminal Code as the condition of a person (the victim) who provides labour or services, if, because of the use of coercion, threat or deception: a reasonable person in the position of the victim would not consider himself or herself to be free to cease providing labour or services or to leave the place or area where the he or she (the victim) provides labour or services; and the victim is significantly deprived of personal freedom in respect of aspects of his or her life other than the provision of the labour or services.

<sup>6</sup> Under subsection 270.8(1) of the Criminal Code, a servitude, forced labour, deceptive recruiting or forced marriage offence is aggravated where: the victim is under 18; the offender subjected the victim to cruel, inhuman or degrading treatment; or the offender engaged in conduct that gave rise to a danger of death or serious harm to the victim or another person.

<sup>7</sup> 'Conducting a business' is defined in section 270.1A of the Criminal Code to include taking any part in the management of the business; exercising control or direction over the business; or providing finance for the business.

<sup>8</sup> 'Forced labour' is defined in subsection 270.6(1) of the Criminal Code as the condition of a person (the victim) who provides labour or services if, because of the use of coercion, threat or deception, a reasonable person in the position of the victim would not consider himself or herself to be free to cease providing labour or services; or to leave the place or area where he or she (the victim) provides labour or services.

|                 |  |   |
|-----------------|--|---|
| 270.7           | Intentionally induce another person to enter into an engagement to provide labour or services, where the other person is deceived <sup>9</sup> about: the extent to which the person will be free to leave, or to cease providing labour or services; the quantum or existence of a debt owed or claimed to be owed; the fact the engagement will involve exploitation or the confiscation of travel or identity documents; or, if the engagement is to involve the provision of sexual services, <sup>10</sup> that fact, or the nature of sexual services to be provided | 7 years, or 9 years for an aggravated offence                 |
| 270.7B(1)       | Cause another person to enter into a forced marriage <sup>11</sup>   | 4 years, or 7 years for an aggravated offence <sup>12</sup>   |
| 270.7B(2)       | Be a party to a forced marriage, where you are not a victim of the forced marriage   | 4 years, or 7 years for an aggravated offence                 |
| 271.2(1), (1A)  | Organise or facilitate the entry, proposed entry, exit, proposed exit, or receipt of another person, using coercion, threat or deception <sup>13</sup> to obtain that person's compliance  | 12 years, or 20 years for an aggravated offence <sup>14</sup> |
| 271.2(1B), (1C) | Organise or facilitate the entry, proposed entry, exit, proposed exit, or receipt of another person,   | 12 years, or 20 years for an aggravated                       |

<sup>9</sup> 'Deceive' is defined in section 271.1 of the Criminal Code as to mislead as to fact (including the intention of any person) or as to law, by words or other conduct.

<sup>10</sup> 'Sexual service' is defined in the Dictionary to the Criminal Code as the use or display of the body of the person providing the service for the sexual gratification of others.

<sup>11</sup> 'Forced marriage' is defined in subsection 270.7A(1) of the Criminal Code as a marriage where, because of the use of coercion, threat or deception, one party to the marriage (the victim) entered into the marriage without freely and fully consenting. As at 30 June 2015, a bill to expand the definition of forced marriage was before the Parliament (see page 18).

<sup>12</sup> As at 30 June 2015, a bill to increase the penalties for forced marriage was before the Parliament (see page 18).

<sup>13</sup> 'Coercion' and 'threat' are defined in section 270.1A of the Criminal Code. Coercion is defined as including coercion by any of the following: force; duress; detention; psychological oppression; abuse of power; or taking advantage of a person's vulnerability. Threat means: a threat of coercion; or a threat to cause a person's deportation or removal from Australia; or a threat of any other detrimental action, unless there are reasonable grounds for the threat of that action in connection with the provision of labour or services by a person. Threat includes a threat made by any conduct, whether express or implied and whether conditional or unconditional.

<sup>14</sup> Under subsection 271.3(1) of the Criminal Code, a trafficking in persons offence is aggravated where: the offender intended for the victim to be exploited; the offender subjected the victim to cruel, inhuman or degrading treatment; or the offender engaged in conduct that gave rise to a danger of death or serious harm to the victim or another person.

|                            |  |   |
|----------------------------|--|---|
|                            | reckless as to whether the other person will be exploited <sup>15</sup>  | offence   |
| 271.2(2), (2A), (2B), (2C) | Organise or facilitate the entry, proposed entry, exit, proposed exit, or receipt of another person, deceiving the other person about: the provision, or nature of the provision, of sexual services; the extent to which the person will be free to leave, or to cease providing sexual services; the quantum or existence of a debt owed or claimed to be owed; or the fact the engagement will involve exploitation or the confiscation of travel or identity documents | 12 years, or 20 years for an aggravated offence               |
| 271.4(1), (2)              | Organise or facilitate the entry, proposed entry, exit, proposed exit, or receipt of a person who is under 18, intending or reckless as to whether the person will be used to provide sexual services or will be otherwise exploited   | 25 years  |
| 271.5(1)                   | Organise or facilitate the transportation of a person from one place in Australia to another, using coercion, threat or deception to obtain that person's compliance   | 12 years, or 20 years for an aggravated offence <sup>16</sup> |
| 271.5(2)                   | Organise or facilitate the transportation of a person from one place in Australia to another, reckless as to whether the other person will be exploited  | 12 years, or 20 years for an aggravated offence               |
| 271.5(2A), (2B)            | Organise or facilitate the transportation of a person from one place in Australia to another, deceiving the other person about: the provision, or nature of the provision, of sexual services; the extent to which the person will be free to leave, or to cease providing sexual services; the quantum or existence of a debt owed or claimed to be owed; or the fact the engagement will involve exploitation or the confiscation of travel or identity documents        | 12 years, or 20 years for an aggravated offence               |
| 271.7                      | Organise or facilitate the transportation of a   | 25 years  |

<sup>15</sup> 'Exploitation' is defined in section 271.1A of the Criminal Code as conduct which causes the victim to enter into any of the following conditions: slavery, or a condition similar to slavery; servitude; forced labour; forced marriage; or debt bondage.

<sup>16</sup> Under subsection 271.6(1) of the Criminal Code, a domestic trafficking in persons offence is aggravated where: the offender intended for the victim to be exploited; the offender subjected the victim to cruel, inhuman or degrading treatment; or the offender engaged in conduct that gave rise to a danger of death or serious harm to the victim or another person.

|                |  |   |
|----------------|--|---|
|                | person who is under 18 from one place in Australia to another, intending or reckless as to whether the person will be used to provide sexual services or will be otherwise exploited |   |
| 271.7B(1), (2) | Organise or facilitate the entry, proposed entry, exit, proposed exit, or receipt of another person, reckless as to whether the other person's organ will be removed <sup>17</sup>   | 12 years, or 20 years for an aggravated offence <sup>18</sup> |
| 271.7D         | Organise or facilitate the transportation of a person from one place in Australia to another, reckless as to whether the other person's organ will be removed                        | 12 years, or 20 years for an aggravated offence <sup>19</sup> |
| 271.7F(1)      | Harbour, receive or conceal a victim, assisting or furthering the purpose of another person's human trafficking, slavery or slavery-like offence                                     | 4 years, or 7 years for an aggravated offence <sup>20</sup>   |
| 271.8          | Intentionally cause another person to enter into debt bondage <sup>21</sup>  | 4 years, or 7 years for an aggravated offence <sup>22</sup>   |

<sup>17</sup> Under section 271.7A of the Criminal Code, the removal of a person's organ is captured by the organ trafficking offence if: the removal, or entering into an agreement for the removal, would be contrary to the law of the state or territory where it is to be carried out; or neither the victim, nor the victim's guardian, consented to the removal, and it would not meet a medical or therapeutic need of the victim.

<sup>18</sup> Under subsection 271.7C(1) of the Criminal Code, an organ trafficking offence is aggravated where: the victim is under 18; the offender intended for the victim's organ to be removed; the offender subjected the victim to cruel, inhuman or degrading treatment; or the offender engaged in conduct that gave rise to a danger of death or serious harm to the victim or another person.

<sup>19</sup> Under subsection 271.7E(1) of the Criminal Code, a domestic organ trafficking offence is aggravated where: the victim is under 18; the offender intended for the victim's organ to be removed; the offender subjected the victim to cruel, inhuman or degrading treatment; or the offender engaged in conduct that gave rise to a danger of death or serious harm to the victim or another person.

<sup>20</sup> Under subsection 271.7G(1) of the Criminal Code, a harbouring a victim offence is aggravated where the victim is under 18.

<sup>21</sup> 'Debt bondage' is defined in the Dictionary to the Criminal Code as the status or condition that arises from a pledge by a person of his or her personal services, or of the personal services of another person under his or her control, as security for a debt owed, or claimed to be owed, (including any debt incurred, or claimed to be incurred, after the pledge is given), by that person if: the debt owed or claimed to be owed is manifestly excessive; or the reasonable value of those services is not applied toward the liquidation of the debt or purported debt; or the length and nature of those services are not respectively limited and defined.

<sup>22</sup> Under subsection 271.9(1) of the Criminal Code, a debt bondage offence is aggravated where: the victim is under 18; the offender subjected the victim to cruel, inhuman or degrading treatment; or the offender engaged in conduct that gave rise to a danger of death or serious harm to the victim or another person.

## Employer sanctions offences

Australia's employer sanctions framework aims to reduce instances of illegal work and is focused on encouraging voluntary compliance by building awareness of the consequences of using illegal workers and informing businesses how they can comply with migration laws. The overall intention is to maximise voluntary compliance by using a graduated series of educational measures and sanctions.

Under the *Migration Act 1958* (Migration Act), it is an offence to allow to work, or refer for work, an unlawful non-citizen or a lawful non-citizen who is working in breach of a visa condition. The penalty for committing such an offence is two years' imprisonment. The Migration Act escalates these offences to aggravated offences if the worker is being exploited and the offender knows of, or is reckless to, that circumstance. Under the Migration Act, exploitation occurs if a person causes another person to enter into slavery, or a condition similar to slavery, servitude, forced labour, forced marriage, or debt bondage. The penalty for committing an aggravated offence is five years' imprisonment.

**Table 2: Migration Act provisions as at 30 June 2015**

| Section       | Offence  | Maximum penalty                                 |
|---------------|--|---|
| 234(1), (2)   | Provide false documents or false and misleading statements relating to non-citizens  | 10 years or \$170,000 or both                   |
| 234A(1), (2)  | Provide false documents or false and misleading statements relating to at least five non-citizens  | 20 years or \$340,000 or both                   |
| 245AB(3)      | Allow an unlawful non-citizen to work  | 2 years   |
| 245AC(3)      | Allow a lawful non-citizen to work in breach of a work-related condition   | 2 years   |
| 245AD(1), (2) | Aggravated offence - allow an unlawful non-citizen to work; allow a lawful non-citizen to work in breach of a work-related condition         | 5 years for an aggravated offence <sup>23</sup> |
| 245AE(3)      | Refer an unlawful non-citizen for work   | 2 years   |
| 245AEA(3)     | Refer a lawful non-citizen for work in breach of a work-related condition  | 2 years   |
| 245AEB(1),(2) | Aggravated offence - referring an unlawful non-citizen to work, referring a lawful non-citizen to work in breach of a work-related condition | 5 years for an aggravated offence               |

<sup>23</sup> Under subsections 245AD(1) and (2) and 245AEB(1) and (2) of the Migration Act, an offence of allowing a non-citizen to work is aggravated if the worker is being exploited and the person knows of, or is reckless to, that circumstance. Under section 245AH, 'exploited' is defined to have the meaning provided in section 271.1A of the Criminal Code.

DIBP also has a national communication strategy which includes a media and stakeholder engagement campaign to educate businesses on their obligations, and continues to encourage the use of DIBP systems to assist employers to more easily check employees' work entitlements through the Visa Entitlement Verification Online system.

## **State and territory criminal offences**

State and territory governments are responsible for regulating the sex industry in Australia. Most jurisdictions have enacted legislation relating to sexual servitude and deceptive recruiting which allow for the prosecution of cases involving sexual exploitation. However, in practice, state and territory police services generally refer human trafficking and slavery-related matters to the AFP. This is because the AFP has the appropriate specialisation to conduct human trafficking and slavery-related investigations. The AFP is also responsible for referring suspected victims to the Support for Trafficked People Program (Support Program) (see page 33).

All jurisdictions have a range of offence provisions to cover related crimes such as assault, sexual assault, forced prostitution, kidnapping and deprivation of liberty. State and territory offences may be used in conjunction with Commonwealth offences.

## **Vulnerable witness protections**

The Commonwealth *Crimes Act 1914* (Crimes Act) provides a range of protections for vulnerable witnesses giving evidence in Commonwealth criminal proceedings, including victims of human trafficking and slavery. These protections allow trafficked people to give evidence by closed-circuit television or video recording, have their contact with the defendant or members of the public limited, and have a support person with them while they give evidence. Under Division 279 of the Criminal Code, trafficked people are also able to provide evidence by video link. The vulnerable witness protections in the Crimes Act make it an offence to publish material identifying a trafficked person, and allow trafficked people to make victim impact statements to the court outlining the harm they have experienced.

The vulnerable witness protections are intended to ensure that vulnerable witnesses are able to give effective evidence to the court, including by minimising intimidation, additional trauma, fear for their personal safety and undue public embarrassment. If a witness is unable to give their best testimony, or is reluctant to give evidence at all, this may adversely affect the outcome of a trial.

## **Investigations**

Between 2003 and 30 June 2015, the AFP received 588 referrals relating to human trafficking and slavery-related offences. Where there was sufficient evidence, these matters were referred to the CDPP. Australia also sought mutual legal assistance from a number of countries to support ongoing human trafficking and slavery-related investigations during the reporting period.



The AFP received 119 new referrals in 2014-15, 93 of which were accepted for further investigation. This compares to 70 new referrals resulting in 60 investigations in 2013-14. Historically, most referrals investigated by the AFP have related to sexual exploitation, with a smaller number involving other forms of labour exploitation as the primary criminal conduct. However, in 2014-15 approximately 29 per cent of the new referrals related to sexual exploitation, with 28 per cent related to other forms of labour exploitation, and 28 per cent related to forced marriage. The remainder of referrals related to other forms of human trafficking and slavery. A table setting out a breakdown of matters accepted for further investigation is below. Between 8 March 2013, when the Criminal Code forced marriage offences entered into force, and 30 June 2015, the AFP undertook 39 investigations relating to forced marriage. Twenty-six of these investigations were commenced in 2014-15.

**Table 3: Type of AFP investigation by financial year**

| Financial year | Sexual exploitation (%) | Labour exploitation (%) | Forced marriage (%) |
|----------------|-------------------------|-------------------------|---------------------|
| 2012-13        | 50                      | 37                      | 10                  |
| 2013-14        | 43                      | 35                      | 17                  |
| 2014-15        | 26                      | 31                      | 28                  |

## Significant AFP operations

The investigation of matters involving human trafficking and slavery can be protracted, complex and resource intensive, particularly given their often transnational nature.

There are significant practical challenges in investigating crime across international borders, including the challenges of communication, and differences in the role of national institutions, legal and political systems. Victims, offenders and evidence can be located in more than one country, and the same set of circumstances can generate investigations and prosecutions in more than one jurisdiction. Larger operations can involve concurrent investigations in multiple locations throughout Australia, and require the support of the AFP's overseas liaison network.

### Operation ACCEDE

Operation ACCEDE commenced in March 2014 as a joint investigation between the AFP and New South Wales Police following media reporting on the alleged forced marriage of a 12 year old girl to a 26 year old man in Newcastle, New South Wales.

Due to the contact offending in this matter, the AFP forced marriage investigation was supplementary to the New South Wales Police investigation into the alleged sexual assault of a person under 16 and procurement of a child for sex.

The AFP provided support for the New South Wales Police investigation into state-based offences. The 26 year old man was subsequently convicted of persistent sexual abuse of a

child and sentenced to 10 years' imprisonment. The father of the child was found guilty of procuring a child for sex and received a penalty of eight years' imprisonment. The Imam who performed the marriage ceremony was found guilty of offences under the Commonwealth *Marriage Act 1961* and fined \$500. He has since been deported from Australia after his visa was revoked.

This case highlighted a potential gap in the forced marriage offences introduced in March 2013, as the 12 year old girl purported to consent to the alleged forced marriage. In March 2015, the Australian Government introduced a Bill which proposes to expand the definition of forced marriage to include circumstances in which a victim does not freely and fully consent because he or she is incapable of understanding the nature and effect of a marriage ceremony, including for reasons such as age or mental capacity.

## **Working with state and territory law enforcement**

### ***Australian Policing Strategy to Combat Trafficking in Persons***

On 4 May 2011, the *Australian Policing Strategy to Combat Trafficking in Persons* was (Australian Policing Strategy) endorsed by the AFP and all state and territory police. During the reporting period, the AFP worked with all state and territory policing agencies to review the Australian Policing Strategy and to consider next steps.

In response to stakeholder feedback which suggested that interagency arrangements may now be better served by a business-as-usual protocol, the AFP has now drafted a new agreement entitled the *National Policing Protocol to Combat Human Trafficking, Slavery and Slavery-like Practices* (National Policing Protocol).

The purpose of this agreement is to provide the national framework for Australian police agencies to combat human trafficking, slavery and slavery-like practices in the future. As at 30 June 2014, a draft of the National Policing Protocol was with all stakeholders for review and comment.

## **Source of referrals**

In Australia, human trafficking and slavery-related matters have been referred to authorities by various sources. The referral of many matters has resulted from official state, territory, and Australian Government activities, including those activities undertaken by state and territory police together with DIBP. Some matters have been referred by industry representatives or NGOs, while others have been referred by concerned individuals or co-workers of suspected victims. A small number of referrals have also been received from those either working at, or connected to, various embassies and diplomatic missions located in Australia.

The majority of referrals received by the AFP in 2014-15 were from government agencies, primarily DIBP. In 2014-15, DIBP referred 71 reports of possible human trafficking and slavery-related offences (24 reports for premises only and 47 reports relating to 71 persons) to the AFP for assessment. Referrals from NGOs and members of the public, including

self-reporting by suspected victims, resulted in 13 per cent and 12 per cent of referrals respectively. Referrals from Australian policing agencies resulted in 21 per cent of all referrals.

DIBP has a network of compliance officers in every state and territory in Australia. DIBP officers conduct field operations to locate foreign nationals who have breached their visa conditions, or who are unlawfully in Australia. These officers are provided with specific training in identifying possible indicators of trafficking activity during compliance operations. They are trained to ask questions designed to elicit information that might indicate whether a person has been trafficked. Any indicators of human trafficking or slavery are referred to the AFP for further assessment, irrespective of the visa status of the person concerned.

Human trafficking does not imply illegal entry. The vast majority of all suspected victims have entered Australia on a valid visa, although immigration malpractice or fraud may later become apparent. Suspected victims enter Australia on a variety of visa classes, including tourist, student, and temporary work visas. Some hold electronic visas. Some visas have expired by the time their holders are located, making them unlawful 'overstayers', while the immigration status of others remains lawful.

## **Criminal methodology**

In Australia, human trafficking and slavery matters have largely involved small crime groups, rather than large organised crime groups. These small crime groups use family or business contacts overseas to facilitate recruitment, movement and visa fraud. Human trafficking and slavery matters have also generally involved other crime types, including migration fraud, identity fraud, document fraud and money laundering.

Research undertaken by the AIC has shown that offenders convicted of human trafficking and slavery offences under the Criminal Code often share similar backgrounds, experiences and characteristics with their victims. As well as being of the same sex, offenders often share similar cultural, language, socio-economic and migration backgrounds and work histories with their victims. Female offenders may also have prior histories of victimisation.

Traditionally, the majority of human trafficking and slavery matters investigated in Australia have related to women subjected to sexual exploitation. However, statistics indicate that in recent years there has been an increase in the number of referrals and investigations relating to other forms of labour exploitation. The number of trafficked people identified by Australian authorities as exploited in a range of other industry sectors (including construction, agriculture, hospitality and domestic service) is now comparable with those subjected to sexual exploitation.

Referrals to the AFP in relation to forced marriage continued to increase during 2014-15. In the reporting period, the AFP commenced 26 new investigations relating to forced marriage compared with 10 new investigations in 2013-14. Eight of the investigations in 2014-15 related to matters where the marriage had allegedly already taken place. Operational evidence has demonstrated that forced marriage matters require a different investigative approach from other human trafficking and slavery matters. The forced marriage referrals

received to date have primarily involved Australian citizens under the age of 18, with relatives alleged to have organised, or to be organising, a marriage for them overseas without their full and free consent.

## Prosecutions

Securing prosecutions is a key objective of the Australian Government strategy to combat human trafficking and slavery.

The CDPP is an independent prosecuting service established by the Australian Parliament to prosecute offences against Commonwealth law. The CDPP has no investigative function, and matters are referred to the CDPP from the AFP and other investigative agencies. Decisions about whether to proceed with human trafficking or slavery-related prosecutions are guided by the *Prosecution Policy of the Commonwealth*.<sup>24</sup>

The CDPP must be satisfied that:

- there are reasonable prospects of a conviction being secured, and
- the prosecution would be in the public interest.

In making this decision, the prosecutor must evaluate how strong the case is likely to be when presented in court. This evaluation continues at each phase of the trial process. The decision can only be made based on admissible evidence. Not all the information gathered during the course of the investigation will necessarily be admissible. The evaluation must take into account such matters as the availability, competence and credibility of witnesses and their likely effect on the arbiter of fact, and the admissibility of any alleged confession or other evidence. The prosecutor should also have regard to any lines of defence open to the defendant and any other factors that could affect the likelihood of a conviction.

The cooperation of suspected victims is essential to the investigation and prosecution of human trafficking and slavery-related offences. The major impediment to prosecuting these offences is the reluctance of people to give evidence, particularly as they (or their families) may have been the subject of violence or threats of violence. Because the prosecution of matters involving human trafficking and slavery relies heavily on the evidence of individual victims, corroboration of that evidence is frequently necessary to meet the high standard of proof in criminal proceedings. It is often challenging to corroborate this evidence.

Since the commencement of Divisions 270 and 271 of the Criminal Code, 17 individuals have been convicted of human trafficking or slavery-related offences. Ten of those individuals were convicted of slavery offences, four of servitude offences and three of human trafficking offences. One of the human trafficking convictions was for a matter involving labour exploitation. There were no convictions in the 2014-15 reporting period. As at 30 June 2015, two human trafficking and slavery-related matters were before the courts, involving four defendants.

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<sup>24</sup>The *Prosecution Policy of the Commonwealth* is available online at: [www.cdpp.gov.au/Publications/ProsecutionPolicy/](http://www.cdpp.gov.au/Publications/ProsecutionPolicy/).

The following table provides a summary of convictions since 2004. Detailed information on some of these matters, and on ongoing matters, can be found at Appendix 1.

**Table 4: Convictions, by Criminal Code provision, 2004-15<sup>25</sup>**

|                               | <b>270.3(1)</b><br>Slavery | <b>270.3(2)</b><br>Slavery | <b>270.6(1)</b><br>Sexual<br>servitude | <b>270.6(2)</b><br>Sexual<br>servitude | <b>271.2(1B)</b><br>Trafficking<br>in persons | <b>271.2(2B)</b><br>Trafficking<br>in persons | <b>271.4(1)</b><br>Trafficking<br>in<br>children | <b>271.8(1)</b><br>Debt<br>bondage |
|-------------------------------|----------------------------|----------------------------|--|--|---|---|--|------------------------------------|
| DOBIE, Keith                  |                            |                            |  |  |   |   |  |                                    |
| DS                            |                            |                            |  |  |   |   |  |                                    |
| HO, Ho Kam                    |                            |                            |  |  |   |   |  |                                    |
| HO, Kam Tin                   |                            |                            |  |  |   |   |  |                                    |
| K                             |                            |                            |  |  |   |   |  |                                    |
| KOVACS, Melita                |                            |                            |  |  |   |   |  |                                    |
| KOVACS, Zoltan                |                            |                            |  |  |   |   |  |                                    |
| LEECH, Sarisa                 |                            |                            |  |  |   |   |  |                                    |
| McIVOR, Trevor                |                            |                            |  |  |   |   |  |                                    |
| NANTAKHUM,<br>Watcharaporn    |                            |                            |  |  |   |   |  |                                    |
| NETTHIP,<br>Namthip           |                            |                            |  |  |   |   |  |                                    |
| SEIDERS, Johan                |                            |                            |  |  |   |   |  |                                    |
| TANG, Wei                     |                            |                            |  |  |   |   |  |                                    |
| TANUCHIT,<br>Kanokporn        |                            |                            |  |  |   |   |  |                                    |
| TRIVEDI, Divye                |                            |                            |  |  |   |   |  |                                    |
| WONG,<br>Chee Mei             |                            |                            |  |  |   |   |  |                                    |
| YOTCHOMCHIN<br>(KENT), Somsri |                            |                            |  |  |   |   |  |                                    |

<sup>25</sup> These convictions relate to the Criminal Code provisions as they were in force prior to 8 March 2013.

## **Law enforcement training**

### **Human Trafficking Investigations Course**

The AFP delivered its annual Human Trafficking Investigations Course in Canberra from 4-8 May 2015. The course is designed to advance expertise in areas critical to the successful investigation of human trafficking, including legislation, investigative methodologies, interviewing and victim liaison and support. A number of agencies from the IDC presented to participants during the course, including AFP, AGD, CDPP and DIBP.

Twenty-two participants attended the course including 17 AFP investigators, three DIBP staff, and two state and territory investigators. Since 2004, 259 investigators have completed the course, including 178 AFP investigators, 11 DIBP staff, 49 state and territory investigators from all jurisdictions and 21 investigators from foreign police services including Canada, China, Indonesia, the Philippines, Sri Lanka, Thailand and Vietnam.

### **Immigration compliance training**

DIBP continues to provide training through the human trafficking module of the Compliance Training Program. A total of 48 onshore compliance officers received this training in 2014-15. An additional 37 officers preparing to be posted overseas were provided with training on the detection and prevention of human trafficking and slavery, including on trafficking indicators. Specialist induction is also provided to DIBP officers at overseas posts prior to the commencement of their respective roles.

### **Training for Australian consular officials overseas**

DFAT officers posted overseas are required to report on the possible commission of extraterritorial crimes to ensure that, where appropriate, such matters are referred to Australian law enforcement authorities. DFAT provides policy guidance and training for officers posted overseas, including on the management and referral of consular cases involving forced marriage.

### **Training for civil marriage celebrants**

In 2014-15, AGD continued to work with marriage celebrants to raise awareness of forced marriage issues. The compulsory professional development training provided to Commonwealth-registered marriage celebrants in 2013 included a module about forced marriage and servile marriage. This module continues to be available to marriage celebrants as an elective ongoing professional development topic.

Information about forced marriage was also provided to Commonwealth-registered marriage celebrants in a biannual newsletter provided by AGD, and at the March 2015 meeting with marriage celebrant professional associations. This included where to access the *Forced Marriage Community Pack*, Anti-Slavery Australia's free online e-learning course and the opportunity to participate in forced marriage workshops. Further information is also

contained in the *Guidelines on the Marriage Act 1961 for Marriage Celebrants*, prepared by the Australian Government.

## **Australia's response to serious and organised crime**

Human trafficking is a complex form of transnational organised crime. A range of people may be involved in the trafficking process, including those engaged in the recruitment, transport and harbouring of trafficked people, as well as those providing false identification or immigration documentation.

The Australian Government is committed to preventing, disrupting, investigating and prosecuting serious and organised crime in all its forms. Australia adopts a capability-led approach to respond to the challenges of serious and organised crime. Under this approach, five enduring capabilities underpin a collaborative and effective national response:

- enhanced intelligence and information sharing
- strengthened connections between national and international efforts
- a focus on disrupting and dismantling the criminal business model
- preventative partnerships with industry and the community, and
- responsive and effective legal and policy frameworks.

This approach aims to ensure effective cooperation and collaboration among policy, regulatory, law enforcement and intelligence agencies to combat serious and organised crime. It also aims to improve information and intelligence sharing between law enforcement and partner agencies to create a more accurate picture of serious and organised crime in Australia and enhance the government's ability to address all forms of serious and organised criminal activity.

Three initiatives developed under this capability-led approach are:

- the ACC classified Organised Crime Threat Assessment (OCTA), prepared every two years, to provide a picture of the most significant threats from serious and organised criminal activity
- multi-agency responses, such as special operations, taskforces and working groups to respond to operational, policy, regulatory and legislative issues, and
- the National Organised Crime Response Plan, agreed with states and territories, which sets out a framework for strengthened multi-jurisdictional collaboration and coordination in combating serious and organised crime in Australia.

### ***Organised Crime in Australia 2015***

During the reporting period, the ACC released the *Organised Crime in Australia 2015* report,<sup>26</sup> which is an unclassified version of the OCTA that provides a comprehensive profile of serious and organised crime in Australia. The report summarises the context in which organised crime operates in Australia, and outlines each of the key illicit markets and activities, including human trafficking and slavery.

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<sup>26</sup> The *Organised Crime in Australia 2015* report is available online at: <[www.crimecommission.gov.au](http://www.crimecommission.gov.au)>.

## National Organised Crime Response Plan 2015-18

During the reporting period, Commonwealth, state and territory governments endorsed the National Organised Crime Response Plan 2015-18 (Response Plan).<sup>27</sup> The Response Plan provides a national platform to progress practical initiatives targeting the threats identified by the ACC's most recent OCTA, where jurisdictions consider national action can achieve maximum benefit.

The Response Plan outlines the following six initiatives, or key areas of focus, that will make a tangible effect on the key organised crime threats facing Australia:

- tackling the increasing prevalence of methamphetamine in the community
- reducing gun-related crime and violence
- targeting organised crime groups committing technology-enabled crime
- developing a strengthened national approach to financial crime
- tackling the criminal proceeds of organised crime, and
- reducing barriers to information sharing between agencies.

Under each initiative, the Response Plan outlines practical activities, including both immediate operational responses as well as longer-term capability-building, that the Commonwealth, states and territories will pursue to make a real difference and impact on the serious and organised crime environment in Australia, including human trafficking.

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<sup>27</sup> The *National Organised Crime Response Plan 2015-16* is available online at: [www.ag.gov.au/CrimeAndCorruption/OrganisedCrime/Pages/default.aspx](http://www.ag.gov.au/CrimeAndCorruption/OrganisedCrime/Pages/default.aspx).



# Support and assistance for trafficked people

The Australian Government response to human trafficking and slavery continues to focus on providing appropriate support services for trafficked people.

## **Support for Trafficked People Program**

Australia provides a comprehensive range of support services for trafficked people through the Support for Trafficked People Program (Support Program). Trafficked people may be identified through a number of avenues, including immigration officials, law enforcement agencies, NGOs, hospitals, medical practitioners, consulates, and government agencies. Once identified, trafficked people are referred to the AFP for assessment and, where appropriate, entry to the Support Program. Eligibility for the Support Program is determined by the AFP and is based on whether a person is, or may have been, the victim of a human trafficking or slavery-related offence. The person must also be an Australian citizen, or hold a valid visa.

To date, most trafficked people identified in Australia have been women working in the sex industry, from both legal and illegal brothels. However, in recent years, Australian authorities have identified an increasing number of men and women trafficked into, or exploited within, other industries, or exploited within intimate relationships. This was reflected in referrals to the Support Program in 2014-15, where 71 per cent of new clients experienced exploitation other than in the sex industry.

The Support Program is administered by DSS. The Australian Red Cross has been funded to provide case management services for the Support Program until June 2018.

The Red Cross provides a 24 hours a day, seven days a week, 365 days a year national response within all states and territories in Australia. The Red Cross allocates an individual case manager to each client referred to the Support Program. Case managers are responsible for ensuring the appropriate delivery of support services tailored to meet the client's individual needs.

Case managers help clients to access a range of support services to improve their mental and physical health and well-being following the trauma of their trafficking experience, and to provide opportunities to learn new skills and develop options for life after exiting the Support Program.

These services may include:

- case management support
- suitable accommodation that meets the AFP's security and safety requirements
- medical treatment (through Medicare and the Pharmaceutical Benefits Scheme, or as approved)
- counselling
- referral to legal and migration advice
- appropriate skills development training, including English language and vocational guidance, where appropriate, and
- social support.

Clients who have dependent children living with them may receive assistance with arranging childcare, schooling, counselling and medical support. They can also be assisted to access parenting support or education.

The Support Program is divided into the following streams:

- **Assessment and Intensive Support Stream** – intensive support for up to 45 days to all trafficked people referred by the AFP, irrespective of whether they are willing or able to assist with the investigation or prosecution of a human trafficking or slavery-related offence. If the person is not an Australian citizen and does not have a valid visa, they can be granted a Bridging F visa (BVF) for up to 45 days. The Assessment and Intensive Support Stream provides a recovery and reflection period and time for trafficked people to assess their options. Trafficked people on the Assessment and Intensive Support Stream have access to the following support as needed: case management support; secure accommodation; a living allowance; an amount for the purchase of essentials such as clothing and toiletries; access to health care, including counselling; access to interpreters; and access to legal and migration advice.
- **Extended Intensive Support Stream** – access to a further 45 days' support for trafficked people who are willing, but not able, to assist with the investigation or prosecution of a human trafficking or slavery-related offence, for reasons including age, ill health, trauma or practical impediment. This extended period of support is provided on a case-by-case basis and is designed to provide flexibility in the support available to trafficked people. If required, a second BVF for up to 45 days may be granted in such cases. Children are automatically entitled to access the Extended Intensive Support Stream if it is in their best interests.
- **Justice Support Stream** – support until the investigation and prosecution of a human trafficking or slavery-related matter is finalised. On the Justice Support Stream, clients have access to the following support as needed and if eligible: Special Benefit, Rent Assistance, and a Health Care Card administered by Centrelink; assistance with securing longer-term accommodation; assistance to purchase essential furniture and household items; access to Medicare and the Pharmaceutical Benefits Scheme; access to legal services and interpreters; assistance to obtain employment and training (including English-language training) if desired; links to social support; as well as case management

support. If the trafficked person is not an Australian citizen and does not have a valid visa, they can be granted a temporary visa for the duration of the criminal justice process.

- **Temporary Trial Support Stream** – intensive support (similar to that provided under the Assessment and Intensive Support Stream) for trafficked people giving evidence pertaining to a human trafficking or slavery-related prosecution. Clients are entitled to short-term accommodation and a weekly living allowance.

There is also a 20-day **transition period** for trafficked people leaving the Support Program.

## Statistical profile of the Support Program

### New clients referred to the Support Program between 1 July 2014 and 30 June 2015

Thirty-eight new clients entered the Support Program between 1 July 2014 and 30 June 2015. Of these new clients, 30 were female and eight were male. Ten clients were exploited in the sex industry, and the remaining 28 clients were subjected to other forms of exploitation. During this period, five clients referred to the Support Program were from China, and 10 referred clients were from other countries.<sup>28</sup> Five children were also referred to the Support Program during this period.

**Table 5: New clients referred to the Support Program between 1 July 2014 and 30 June 2015 by state and territory**

| State or territory  | New clients |
|---------------------|-------------|
| Victoria            | 18          |
| New South Wales     | 14          |
| Other <sup>29</sup> | 6           |
| <b>TOTAL</b>        | <b>38</b>   |

### Total number of clients on the Support Program during 2014-15

There were a total of 88 clients supported on the Support Program during 2014-15, compared to 76 clients in 2013-14. As at 30 June 2015, a total of 273 clients had been referred to the Support Program since its inception in 2004 (see Table 6).

<sup>28</sup> For privacy reasons, the Australian Government does not provide data on individual countries where there are less than five trafficked people per country referred to the Support Program.

<sup>29</sup> As above, for privacy reasons, the Australian Government does not provide data on individual states and territories where there are less than five trafficked people per state or territory referred to the Support Program.

**Table 6: Total number of clients on the Support Program per financial year**

| Financial year | Clients on Support Program |
|----------------|----------------------------|
| 2005-06        | 41                         |
| 2006-07        | 48                         |
| 2007-08        | 60                         |
| 2008-09        | 59                         |
| 2009-10        | 67                         |
| 2010-11        | 81                         |
| 2011-12        | 77                         |
| 2012-13        | 83                         |
| 2013-14        | 76                         |
| 2014-15        | 88                         |
| <b>TOTAL</b>   | <b>273<sup>30</sup></b>    |

As at 30 June 2015, there were 42 clients on the Support Program, of whom 30 were female and 12 were male. Forty-six clients exited the Support Program between 1 July 2014 and 30 June 2015. Of the clients supported during this reporting period, 42 were exploited within the sex industry, all of whom were female (see Table 7).

**Table 7: Number of clients on the Support Program by sex and type of exploitation during financial years 2013-14 and 2014-15**

|               | Exploitation in sex industry |         | Other forms of exploitation <sup>31</sup> |         | Forced marriage |         | Total   |         |
|---------------|------------------------------|---------|---|---------|-----------------|---------|---------|---------|
|               | 2013-14                      | 2014-15 | 2013-14                                   | 2014-15 | 2013-14         | 2014-15 | 2013-14 | 2014-15 |
| <b>Male</b>   | 0                            | 0       | 11  | 18      | 0               | 0       | 11      | 18      |
| <b>Female</b> | 49                           | 38      | 14  | 26      | 2               | 6       | 65      | 70      |
| <b>Total</b>  | 49                           | 38      | 25  | 44      | 2               | 6       | 76      | 88      |

As shown in Table 8 below, the main countries of citizenship for clients on the Support Program in 2014-15 were Malaysia, Thailand, India, the Philippines, China and Australia.

<sup>30</sup> This is not cumulative data as many clients have remained on the Support Program for multiple years.

<sup>31</sup> For the purpose of this table, 'other forms of exploitation' includes all other forms of human trafficking and slavery-related exploitation that occurs outside the sex industry, except forced marriage, including exploitation in other industries (such as the hospitality and domestic services industries), or in intimate relationships, or organ trafficking.

**Table 8: Number of clients on the Support Program during 2014-15 by country of citizenship at time of referral**

| Country of citizenship | Clients   |
|------------------------|-----------|
| Malaysia               | 14        |
| Thailand               | 14        |
| India                  | 8         |
| Philippines            | 8         |
| China                  | 7         |
| Australia              | 5         |
| Other <sup>32</sup>    | 32        |
| <b>TOTAL</b>           | <b>88</b> |

## Challenges in delivering the Support Program

DSS' funding agreement with the Red Cross provides flexibility to deliver case management services and tailored support for individual clients.

### Supporting family reunification for clients granted Witness Protection (Trafficking) (Permanent) visas

Many clients have dependent children residing in their home country. Clients who are granted a Witness Protection (Trafficking) (Permanent) visa (WPTV)<sup>33</sup> often seek reunification with their family. Clients may face significant costs associated with bringing their children and/or partners to Australia. Reunification and integration of the family unit can also be a dramatic change to a client's current life.

Clients and their families receive extensive casework support through the reunification process. Support may include help to access services in their local area; settlement support and with childcare and enrolling their children in schools; assistance to secure safe and appropriate housing and with essential household goods and items for family members; and assistance to navigate and access other government, health and social services.

Supporting clients with this positive but often overwhelming process can mitigate the potential risk factors and challenges the family may face, including further social isolation, lack of understanding of Australian systems and institutions; and risks associated with difficulties in coping with changes within family structure, and the effect of this on family unit.

<sup>32</sup> Combined client total where there were less than five clients from an individual country.

<sup>33</sup> The Commonwealth *Migration Regulations 1994* provide that WPTVs are available to victims of human trafficking and slavery-related offences as well as their families, in cases where victims have assisted criminal justice processes and would be in danger if returned to their country of origin. Regulatory reforms to the Human Trafficking Visa Framework come into effect in 2015-16. These changes will be reflected in the eighth annual report of the IDC covering 2015-16. See page 11 for further detail.

## **Supporting clients to access safe, appropriate and affordable accommodation and housing**

Obtaining safe, stable and affordable accommodation, particularly at short notice and in capital cities, remains a challenge for the Support Program. This has particularly been the case for clients who present with complex needs, such as mental health issues or alcohol or other drug dependence, and for clients who have dependent children or are children themselves. Clients requiring secure, independently funded long-term housing also present a challenge. This is compounded by a number of factors, including cost, safety issues and unfamiliarity with their surroundings or city.

Although government and community housing provide a safe, stable and cost-effective option for many vulnerable groups in the community, there are significant barriers for trafficked people in accessing these services.

## **Supporting clients who are referred due to a forced marriage experience**

The Support Program has supported a number of clients who were in, or at risk of, forced marriage. Although there is a diversity of experiences among clients, and support is tailored to the individual client, responding to some of the particular support needs of this client group and providing clients with effective and appropriate support has presented some challenges for the Support Program. Suitable housing, particularly for children, assessing risk, safety planning, and engagement with the family are all areas that have required significant consideration and casework support. Providing support to this client group has also highlighted the complexities of working across Commonwealth, state and territory jurisdictions and agencies.

### **CASE STUDY**

#### **A Support Program client**

G\* was referred to the Support Program as a suspected victim of labour exploitation. During her time on the Support Program, G received intensive casework support from the Red Cross and was assisted to secure long-term accommodation and access medical services. Due to the assistance G gave to the AFP in the criminal justice process against the alleged offender, the AFP supported G being invited to apply for a Witness Protection (Permanent) (Trafficking) visa (WPTV) by DIBP. During the processing of the application, the Red Cross also worked collaboratively with legal and migration services to assist G to obtain necessary documents and information required for the processing of her WPTV and subsequent Australian citizenship application, both of which were granted.

At the time of referral, G presented to be capable, organised and motivated, despite the impact of her trafficking experience. G was clear about her needs and during her time on the Support Program G was active in pursuing employment and other training opportunities.

G participated in the Red Cross volunteer-run Employment Preparation Program, where clients receive the skills and training to source employment, such as interview skills, employment education and resume writing. Not only did G secure ongoing employment, she was also confident in knowing her rights within the workplace.

Another positive outcome of G's experience on the Support Program was being able to include her spouse and dependent children (who were living in another country) in her WPTV, which was granted after G and her family met the criteria. The WPTV enabled G to feel more secure with regard to her safety and the risks associated with the alleged offender in her case.

Upon exiting the Support Program, G expressed how comfortable she felt when dealing with Red Cross caseworkers throughout her time on the Support Program. G reported that she now had the capacity to independently and confidently address her own needs and access appropriate services, in addition to having a positive sense of well being.

\*Given the small number of clients on the Support Program and the need to preserve the privacy of individual clients, personal details (such as clients name) have been changed, and all information that may make the client identifiable has been removed.

### **An operational protocol for the treatment of suspected victims of human trafficking and slavery who are children**

Since the 2013 introduction of new offences to the Criminal Code, in particular forced marriage, the Support Program has increasingly received referrals involving suspected victims of human trafficking and slavery who are children. In recognition of the fact that the needs of children are inherently different to those of adults, in 2014-15, the OWG continued the development of an operational protocol to ensure that all children on the Support Program are afforded appropriate protections and support in accordance with the principle of the best interests of the child and Australia's international and domestic obligations.

The Protocol, which is expected to be finalised in 2015-16, will serve as a best-practice guide for the service provider of the Support Program and OWG agencies involved, directly or indirectly, with suspected victims of human trafficking and slavery who are children.

### **Human Trafficking Visa Framework**

The Australian Government's comprehensive Human Trafficking Visa Framework<sup>34</sup> (Visa Framework) enables foreign nationals, who do not already hold a valid visa and are suspected victims of human trafficking or slavery, to remain lawfully in Australia. Like Australian citizens and other valid visa holders who are suspected trafficked people, they are then able to access support through the Support Program.

During the reporting period, the Visa Framework comprised three visas:

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<sup>34</sup> Regulatory reforms to the Human Trafficking Visa Framework come into effect in 2015-16. These changes will be reflected in the eighth annual report of the IDC covering 2015-16. See page 11 for further detail.

- **Bridging F visa (BVF)** – a person assessed by the AFP as a suspected trafficked person may be eligible for a BVF for up to 45 days. A BVF can also be granted to immediate family members in Australia. There are no work rights associated with a BVF, but the trafficked person can receive intensive victim support through the Support Program. There is also an option to grant a second BVF for a further 45 days (making up to 90 days available). Access to a second BVF is assessed on a case-by-case basis. During this time the trafficked person will continue to receive intensive support.
- **Criminal Justice Stay visa (CJSV)** – a CJSV may be issued to a suspected trafficked person if a criminal justice certificate has been issued. A CJSV allows the holder to remain in Australia for as long as their presence is required for the administration of criminal justice. A trafficked person on a CJSV is allowed to work and receives support under the Justice Support Stream of the Support Program.
- **Witness Protection (Trafficking) (Permanent) visa (WPTV)** – a trafficked person who has made a contribution to an investigation or prosecution of an alleged offender may be eligible for a WPTV. This visa allows the holder to remain in Australia permanently, and immediate family members may be included in the visa application.

A WPTV may be granted to a trafficked person if the criteria prescribed in the *Migration Regulations 1994* are met. These include, but are not limited to:

1. the Attorney-General certifies that:
  - the person made a contribution to, and cooperated closely with, the prosecution of a person who was alleged to have trafficked a person or who was alleged to have forced a person into exploitative conditions (whether or not the person was convicted), or
  - the person made a contribution to, and cooperated closely with, an investigation in relation to which the Director of Public Prosecutions has decided not to prosecute a person who was alleged to have trafficked a person or who was alleged to have forced a person into exploitative conditions
2. the person is not the subject of a prosecution for an offence that is directly connected to the prosecution mentioned in the Attorney-General's certificate, and
3. the Minister for Immigration and Border Protection is satisfied that the person would be in danger if he or she returned to his or her home country.

Between 1 July 2014 and 30 June 2015, DIBP granted 15 BVFs and nine CJSVs to suspected trafficked people and their immediate family members. During this period, a total of eight WPTVs were granted, four to trafficked people and four to their immediate family members. The following table includes visa grant statistics for previous years.



**Table 9: Visas granted under the Visa Framework between 2004-05 and 2014-15**

| Financial year                                    | 2004-05 | 2005-06 | 2006-07 | 2007-08 | 2008-09 | 2009-10  | 2010-11 | 2011-12 | 2012-13 | 2013-14 | 2014-15 |
|---|---------|---------|---------|---------|---------|--|---------|---------|---------|---------|---------|
| Bridging F visa                                   | 31      | 11      | 16      | 34      | 39      | 33   | 24      | 12      | 16      | 8       | 15      |
| Criminal Justice Stay visa (CJSV)                 | 23      | 8       | 18      | 18      | 30      | 23   | 29      | 17      | 21      | 15      | 9       |
| Witness Protection (Trafficking) (Temporary) visa | -       | -       | 4       | 13      | -       | The Witness Protection (Trafficking) (Temporary) visa was removed by legislative change on 30 June 2009. |         |         |         |         |         |
| Witness Protection (Trafficking) (Permanent) visa | -       | -       | -       | -       | 5       | 21   | 42      | 26      | 18      | 7       | 8       |

**Note:**

- The number of visas cited includes those granted to both suspected victims of trafficking and their immediate family members.
- For the Bridging F and Criminal Justice Stay visas only, the number granted reflects the ability to grant such visas more than once to the same person.

DIBP has in place measures to protect the confidentiality of trafficked people by preventing disclosure of possibly sensitive personal information to third parties through the Visa Entitlement Verification Online system. These measures are in response to concerns raised by stakeholders, including through the former UN Special Rapporteur on trafficking in persons, especially women and children, about the need to ensure confidentiality and respect for the privacy of trafficked people. To further protect the confidentiality and privacy of trafficked people, in 2014-15, the Australian Government announced the title of the Witness Protection (Trafficking) (Permanent) visa will be changed to the Referred Stay (Permanent) visa (see page 11).

# Protection for vulnerable workers

Australian workplace law and practice – supported by migration law and relevant state and territory laws – requires all people who undertake productive work in Australia to be engaged in accordance with its provisions (including salary, employment conditions and standards, workers' compensation, and occupational health and safety).

The FWO is responsible for education, advice and compliance activities in relation to Commonwealth workplace laws.

The matters investigated by the FWO include claims of substandard working conditions that do not meet the threshold of the human trafficking and slavery criminal offences, including forced labour. A person may be in a situation of forced labour if he or she does not feel free to cease providing labour or services because of coercion, threat or deception. In 2012, the ILO estimated that, globally, nearly 21 million people are victims of forced labour.

Forced labour is a type of exploitation for which people may be trafficked into, from, or within Australia, but not all victims of forced labour are trafficked. It is important to recognise that Australian citizens and permanent residents may experience substandard working conditions and more serious forms of exploitation, including slavery, servitude and forced labour, within Australia.

Migrant and other foreign workers can be particularly vulnerable to substandard working conditions and more serious forms of exploitation, either by those who facilitate their journey to Australia or by employers once they arrive. This may be because of cultural and language barriers, a lack of knowledge of local workplace laws and standards, and in some cases, their reliance on their employer for their immigration status.

Australian employers who wish to employ foreign workers must be willing and able to meet certain obligations, including complying with any requirements regarding the pay and conditions of workers that are set out under the Migration Act and workplace relations laws. Foreign workers are entitled to receive the same protection as Australian nationals, including investigation by the competent Australian authority of all claims of underpayment and substandard working conditions.

There is an important distinction to be drawn between people in circumstances of forced labour, and those who may experience substandard working conditions. However, substandard working conditions, including the underpayment of wages, are not acceptable in Australia, and may be an indicator of more serious exploitation.

## Fair Work Ombudsman

The FWO is an independent statutory agency created by the Commonwealth *Fair Work Act 2009* (Fair Work Act) and is responsible for providing education, assistance and advice about the Commonwealth workplace relations system. In addition, the agency is also responsible for impartially enforcing compliance with the Fair Work Act and related instruments.

The Fair Work Act contains minimum entitlements for all employees in the federal workplace system. The FWO's jurisdiction extends to ensuring that all national system workers in Australia receive these workplace rights, including overseas workers on short- or long-term visas and international students.

The FWO places a strong emphasis on assisting migrant and other overseas workers because of their vulnerability in the workplace. The agency has continued to build upon its compliance and education strategies in responding to the specific challenges faced by these workers.

Since 1 July 2013, the FWO has also had an expanded role to monitor Temporary Work (Skilled) visa (subclass 457) sponsorship obligations. The *Migration Amendment (Temporary Sponsored Visas) Act 2013* amended the Migration Act to appoint Fair Work Inspectors as Migration Inspectors. The role is limited to ensuring that sponsors of employees on subclass 457 visas are complying with two specific sponsorship obligations: receipt of 'nominated salary' and performing their 'nominated position'. If employers are suspected of not meeting these sponsorship obligations the FWO refers the matter to DIBP for further investigation.

The FWO and DIBP's Memorandum of Understanding provides formal referral and information sharing mechanisms. The FWO has an ongoing and collaborative relationship with the DIBP in relation to matters regarding any type of visa holder. During the reporting period, the FWO and the DIBP have moved to significantly increase their coordination of joint operational activities relating to visa holders.

The FWO's overseas worker team has primary carriage of matters relating to overseas workers. This team is active in targeted education and compliance activities in geographic areas and industries identified as employing high numbers of overseas workers, including the horticulture, meat processing, hospitality, convenience store, cleaning and trolley collecting industries.

During 2014-15, the FWO undertook a number of enforcement activities relating to overseas workers. The FWO is in the latter half of a three year national compliance and education program centred on the Harvest Trail, which originally commenced in August 2013. This campaign has a heavy focus on subclass 417 visa holders, who are often employed in regional areas in the horticulture industry.

The long term objective of these inquiries is to allow the FWO to consult and work with key stakeholder groups including consulates, unions, community groups, employer

organisations, and local government to understand the underlying drivers of non-compliance in the relevant industries. The FWO's approach is also helping to better understand and address the significant underlying issues faced by visa workers.

In 2014-15, the FWO finalised 1,971 complaints involving visa holders, and recovered \$1,640,499 in unpaid entitlements for these workers. Of these matters, 820 involved subclass 417 visas (with \$558,729 recovered for these workers) and 287 involved subclass 457 visa holders (with \$390,698 recovered for these workers).

During the reporting period, the FWO finalised 12 litigations concerning overseas workers, with \$745,277 awarded in penalties by the courts.

Penalties imposed by the courts as a result of actions taken by the FWO during 2014-15 include:

- In January 2015, \$109,725 awarded against Sydney-based Jay Group Services Pty Ltd, \$40,920 awarded against Jay Group employees involved in the contraventions, and \$39,600 awarded against Nick Iksidis, owner of labour-hire provider Xidis Pty Limited, for their role in the underpayment or non-payment of 12 trolley collectors. These workers were from the Republic of Korea and Iran and were all in Australia on subclass 417 working holiday visas. Jay Group Services was also ordered to reimburse all workers their outstanding entitlements, which was more than \$27,000 for 11 days work.
- In January 2015, \$70,000 awarded against ECFF Pty Ltd, which operates restaurant Dave's Noodles in Launceston, and \$15,000 awarded against the company's owners and managers Priscilla Li Peng Lam and David Wing Leong Lam for their involvement in the underpayment of a chef on a subclass 457 visa from China. The court found that he was underpaid \$86,118 between 2008 and 2011.
- In February 2015, \$80,000 awarded against Primeage Pty Ltd, which operates a Gloria Jeans franchise in Melbourne, and \$17,500 and \$13,000 awarded against Tsinman Fu and Ping Ostrovskih for their role in paying 22 casual employees, many of them overseas students, as little as \$8 an hour. The employees were found to have been underpaid a total of \$83,566 between July 2011 and April 2013.

To enhance engagement and cooperation with relevant stakeholders, the FWO has established a dedicated Community Engagement team. The team is primarily responsible for implementing the FWO's Community Engagement Strategy. The strategy is designed to extend the organisation's reach to vulnerable sectors of the workforce through close cooperation with targeted community organisations.

The strategy utilises services and resources that the FWO has developed to assist culturally and linguistically diverse (CALD) communities, including:

- a translation service free of charge for people of non-English speaking backgrounds
- publications translated into 27 community languages
- a YouTube video '*Working in Australia: What you need to know*', presented in 14 languages

- a YouTube video ‘*Employing Staff in Australia*’, presented in 12 languages
- resources for international students, including an international student factsheet with translated material available
- a factsheet developed by the FWO and DIBP on the rights of subclass 457 visa holders available on both the FWO and DIBP websites, and
- social media campaigns targeting specific language groups, to help in the understanding of workplace rights and obligations. A social media campaign using Twitter and Facebook in six different languages was undertaken in May 2015, targeting international students.

Whilst offences relating to human trafficking and slavery do not fall within the operational remit of the FWO, the agency has developed strong relationships with other government regulators to effectively respond to suspected instances of human trafficking and slavery. In particular, the agency has a well-established relationship with the AFP for the referral of information.

Where the FWO identifies behaviour during public interactions that could amount to human trafficking and slavery, evidence is referred to the AFP. FWO staff have access to current information provided by the AFP to assist in the identification of potential referrals. The FWO also works cooperatively with other government and community stakeholders representing vulnerable overseas workers.

## **Taskforce Cadena**

Taskforce Cadena is a joint effort of DIBP and the FWO dedicated to reviewing serious allegations of illegal work, visa fraud and worker exploitation. The taskforce was announced on 3 June 2015 and aims to reduce incidences of illegal work and the exploitation of foreign workers.

Taskforce Cadena is focusing on regions and industries where allegations of unscrupulous practices are most common, including food production and agricultural industries. As part of its operations, Taskforce Cadena will target significant and organised activity involving visa non-compliance, illegal work practices and the exploitation of foreign workers, including their pay and work conditions. Taskforce intelligence teams from DIBP and the FWO will work together on intelligence products used to identify major targets and inform enforcement operations.

Taskforce Cadena will work with other Commonwealth and state and territory agencies when required to ensure allegations are appropriately investigated and prosecuted. This will have a deterrent effect and influence other employers to comply with migration and workplace laws.

## **Working Group on Protections for Private Domestic Workers Working for Diplomats or Consular Officials**

A key area of focus for the Australian Government under the *National Action Plan to Combat Human Trafficking and Slavery 2015-19* (National Action Plan) is increasing

awareness-raising and education for vulnerable groups, frontline responders and the general community. In 2014-15, the Australian Government's Working Group on Protections for Private Domestic Workers Working for Diplomats or Consular Officials (working group) developed a range of initiatives to decrease the vulnerability of private domestic workers entering Australia to work in the households of foreign officials. The working group is chaired by AGD with representatives from DFAT, DIBP and the Department of Employment.

An update on the work of the working group is provided at page 13.

## **Supply Chains Working Group**

In 2014, the Supply Chains Working Group (working group) was established under the National Roundtable on Human Trafficking and Slavery to provide expert advice and recommendations to government about possible strategies to address serious exploitation in supply chains. The working group is chaired by AGD and comprises experts from government, business, industry, civil society, unions and academia.

During the reporting period, the working group progressed the first phase of its response, 'understanding the problem'. This phase is expected to be completed in July 2015 and requires the working group to develop an evidence-based understanding of exploitation in supply chains and the scope for response. In 2015-16, the working group is expected to begin phase two of its work program, 'developing the response'. As part of phase two, the working group will assess in detail how best practice measures to address supply chain exploitation could be implemented in Australia.

# Building partnerships with the community

The Australian Government remains committed to building and maintaining strong partnerships with the non-government sector.

## National Roundtable on Human Trafficking and Slavery

The National Roundtable on Human Trafficking and Slavery (National Roundtable) continues to be an important consultative mechanism between government, NGOs, business and industry, and unions, with a focus on emerging issues relating to human trafficking and slavery in Australia and beyond.

During the reporting period, AGD convened the fifth Senior Officials' Meeting of the National Roundtable on 2 December 2014, and the Minister for Justice, the Hon Michael Keenan MP, convened the sixth and seventh meetings of the National Roundtable on 14 July 2014 and 22 June 2015 respectively.

## Sixth National Roundtable on Human Trafficking and Slavery

The sixth National Roundtable was convened on 14 July 2014 by the Minister for Justice in partnership with the Minister for Foreign Affairs, the Hon Julie Bishop MP, the then Minister for Social Services, the Hon Kevin Andrews MP, and the then Minister Assisting the Prime Minister for Women and Assistant Minister for Immigration and Border Protection, Senator the Hon Michaelia Cash.



*Minister Keenan and Minister Bishop with members at the 2014 National Roundtable*

At the meeting, National Roundtable members reflected on how Australia's strategy to combat human trafficking and slavery had evolved over the ten years since it was first established. Minister Keenan announced almost \$500,000 in funding for projects to prevent and address forced marriage; Minister Bishop commended the Australia-Asia Program to Combat Trafficking in Persons (AAPTIP) and announced a new \$2 million project to combat the exploitation of female migrant workers in South East Asia; Minister Andrews highlighted the recent launch of the Second Action Plan of the *National Plan to Reduce Violence against Women and their Children 2010-2022*; and Minister Cash provided an update on the outcomes of the Commission on the Status of Women.

Ministers also participated in a question and answer session with non-government attendees. Discussions focused on achievements, opportunities for improvement, and priorities for the future of Australia's strategy. Members were consulted on a preliminary draft of the main body of the *National Action Plan to Combat Human Trafficking and Slavery 2015-19* (National Action Plan), which provided an opportunity for members to shape the strategic focus of Australia's strategy over the next five years. Guest speaker Ms Kate Kennedy of Hagar Australia also gave a presentation on the valuable work Hagar undertakes to support survivors of human rights abuses, including human trafficking and slavery, in the region.



*Ministerial question and answer session at the 2014 National Roundtable*

### **Fifth National Roundtable Senior Officials' Meeting**

In 2010, members of the National Roundtable agreed that a less formal meeting should be held annually to supplement the ministerial-level National Roundtable.

The fifth Senior Officials' Meeting (SOM) of the National Roundtable, chaired by AGD, took place in Canberra on 2 December 2014. The SOM followed a Ministerial breakfast, during which the Minister for Justice launched the National Action Plan and the *Forced Marriage*



*Community Pack.* The Ministerial breakfast was also attended by the then Minister for Social Services and the then Minister Assisting the Prime Minister for Women and Assistant Minister for Immigration and Border Protection (see page 7).



*Minister Keenan, Minister Cash and Minister Andrews with National Roundtable members at the launch of the National Action Plan to Combat Human Trafficking and Slavery 2015-19*

The 2014 Senior Officials' Meeting featured presentations on current issues, including a presentation on alternative referral pathways for trafficked people by the Red Cross, and a proposal for a national victims' compensation scheme for trafficked people presented by Anti-Slavery Australia.

Government members provided an outline of the Human Trafficking Visa Framework (Visa Framework) review and an update on the work of the Communication and Awareness and Supply Chains Working Groups. Members also discussed the future of the Support for Trafficked People Program (Support Program), investigations into labour exploitation, and Australia's engagement in the *Bali Process on People Smuggling, Trafficking in Persons, and Related Transnational Crime* (Bali Process).

### **Seventh National Roundtable on Human Trafficking and Slavery**

The seventh National Roundtable was convened on 22 June 2015 by the Minister for Justice in partnership with the then Minister Assisting the Prime Minister for Women and Assistant Minister for Immigration and Border Protection.

Ministers addressed National Roundtable members and reflected on some key achievements made in 2014-15. Minister Cash highlighted the regulatory reforms made to the Visa Framework, and Minister Keenan announced the extension of access to the Adult

Migrant English Program for trafficked people on temporary visas as well as the waiving of the Newly Arrived Resident's Waiting Period for income support payments other than Special Benefit for trafficked people on permanent visas.

Ministers also participated in a question and answer session with non-government attendees. Discussions focused on the reforms to the Visa Framework; better access to education for trafficked people; mechanisms to address labour exploitation, including in relation to labour hire companies; efforts to prevent and address forced marriage; potential gaps in support for trafficked people; and Australia's regional and international engagement on human trafficking and slavery.



*Minister Keenan and Minister Cash with members at the 2015 National Roundtable*

The 2015 National Roundtable featured a number of presentations, including:

- an update from DFAT on the AAPTIP and the post-2015 development agenda
- an update from DIBP on reforms to the Visa Framework, and
- an update from relevant government agencies and the three funded NGOs on the progress of their efforts to prevent and address forced marriage.

Members received an update on the National Roundtable working groups progressing initiatives to address supply chain exploitation; protect domestic workers working in diplomatic or consular households; and raise awareness of all forms of labour exploitation. National Roundtable members also had the opportunity to provide initial feedback on the draft third edition of the *Guidelines for NGOs: Working with trafficked people* (Guidelines). The revision of the Guidelines will ensure that they remain current and readily available and is in line with the government's commitment under the National Action Plan to support specialist NGOs working to address human trafficking and slavery. The revised Guidelines will be made available in 2015-16.

## Practical support for non-government organisations

Civil society organisations play a key role in identifying and supporting trafficked people, as well as raising awareness of all forms of human trafficking and slavery in Australia.

Since 2008, the Australian Government has committed over \$3.8 million to support four NGOs in their efforts to combat human trafficking and slavery. Anti-Slavery Australia, Australian Catholic Religious Against Trafficking in Humans (ACRATH), Project Respect, and Scarlet Alliance provide outreach for trafficked people and conduct education and awareness-raising initiatives on human trafficking and slavery issues.

This is in addition to grants targeting specific human trafficking and slavery issues, such as the almost \$500,000 awarded to three NGOs over 2014-17 to prevent and address forced marriage (see below) and the almost \$500,000 awarded to the Australian Council of Trade Unions, the Australian Hotels Association, Asian Women at Work, the Construction, Forestry, Mining and Energy Union, and the Red Cross over 2011-13 to undertake projects to combat labour exploitation in Australian industries.

### Preventing and addressing forced marriage

On 14 July 2014, the Minister for Justice awarded a total of \$485,925 in funding to three specialist NGOs over three years to progress outreach, education and awareness-raising activities on forced marriage issues.

**Anti-Slavery Australia** is the only specialist research, legal and policy centre in Australia focused on human trafficking, slavery and extreme labour exploitation. Anti-Slavery Australia is using the funding to develop a dedicated website to provide people in, or at risk of, forced marriage with information, advice and links to support services. Anti-Slavery Australia is also using the grant to expand its legal practice, including the provision of free, individualised legal advice to vulnerable persons predominantly via email and text message.

**Australian Catholic Religious Against Trafficking in Humans (ACRATH)** works to facilitate community education and awareness programs, to provide direct support for trafficked people, and to network with like-minded organisations to advocate for measures to address human trafficking and slavery. ACRATH is using the funding to undertake targeted education and awareness-raising initiatives in the education sector, including by developing a unit of work and resource kit for teachers, school support staff and students in government, Catholic and independent schools across Australia.

**Australian Muslim Women's Centre for Human Rights (AMWCHR)** is a secular organisation of Muslim women working to advance the rights and status of Muslim women in Australia. AMWCHR is using the funding to develop an education and training program aimed at increasing the capacity of frontline community organisations in vulnerable communities to recognise and respond appropriately to forced marriage.

Further information on the work of these funded organisations is available below, along with details of activities of other National Roundtable members undertaken in 2014-15.



# ANTI-SLAVERY AUSTRALIA

WORKING TO ABOLISH SLAVERY

Anti-Slavery Australia is dedicated to the abolition of human trafficking, slavery, and slavery-like practices such as forced labour and forced marriage.

In 2014-15, Anti-Slavery Australia continued to provide pro bono legal and migration representation to trafficked people; delivered online and face-to-face nationwide educational and outreach programs; created innovative awareness-raising material; participated in National Roundtable working groups; and engaged in policy development with government, parliamentary and peak bodies, as well as in community networks.

## Multilingual resource kit

Anti-Slavery Australia completed a ground-breaking multilingual resource kit to increase the quality and availability of information accessible by CALD communities. Five key resources about forced labour and forced marriage, including risk factors and referral pathways, are now available in 13 community languages: Amharic, Arabic, Bengali, Chinese, Dari, Farsi, Hindi, Korean, Punjabi, Tagalog, Thai, Urdu and Vietnamese.

The kit includes a reception poster, a discreet business card, information flyers about forced labour and forced marriage, and a fold-away booklet about forced marriage for school children. Anti-Slavery Australia undertook extensive consultation with community organisations and peak bodies throughout the development of this kit to ensure that the resources are accurate, user-friendly and provide the information in a culturally appropriate manner.



**ĐANG BỊ BỐC LỘT TẠI NƠI LÀM VIỆC?**

Nên biết các quyền hạn của bạn: Bóc lột nghiêm trọng tại nơi làm việc có thể là một tội phạm.

Đối xử tồi tệ tại nơi làm việc có thể là một tội phạm. Công việc được trả công rẻ mạt, lao động bị ép buộc, tệ nạn buôn người và sự lệ thuộc do nợ nần, tất cả đều là các tội phạm tại Úc. Để có thêm thông tin hoặc nhận được sự trợ giúp pháp lý miễn phí và bảo mật, vui lòng liên lạc với Anti-Slavery Australia (Tổ chức Chống Tình Trạng Nô Lệ tại Úc Châu).

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SLAVERY HAPPENS HERE IN AUSTRALIA

ANTI-SLAVERY AUSTRALIA

CITY OF SYDNEY

UNIVERSITY OF TECHNOLOGY SYDNEY



**ازدواج اجباری چه است؟**

ازدواج اجباری یک ازدواجی است که یک، یا هر دو، جانب ازدواج کننده بدون رضایت آزاد و کامل شان به اثر جبر، تهدید یا فریب باهمدیگر عقد نمایند. فشار می تواند شامل موضوعاتی مانند جبر و اکراه، توقیف، فشار روحی، سوءاستفاده از قدرت یا آسیب پذیری شخص باشد.

برای کسب معلومات بیشتر یا دسترسی به کمک حقوقی مجرمانه و رایگان، لطفاً به Anti-Slavery Australia تماس بگیرید.

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## e-learning

Anti-Slavery Australia's online e-learning course was launched in 2014 has since been accessed by 1,094 users, who have completed over 23,400 lessons on human trafficking, slavery and slavery-like practices such as forced labour and forced marriage.

## Australian Catholic Religious Against Trafficking in Humans (ACRATH)



[www.acrath.org.au](http://www.acrath.org.au)

People are NOT for sale



*ACRATH NSW Project Worker Sr Noelene Simmons, Minister for Justice, Minister Keenan, ACRATH Executive officer Christine Carolan, and ACRATH ACT member Sr Genny Ryan*

In 2015, ACRATH is marking its 10<sup>th</sup> anniversary with a celebration over the Visa Framework reforms announced by the Australian Government and Haighs' announcement of the expansion of the ethical sourcing of their cocoa.

In 2014-15, ACRATH engaged with communities across Australian on human trafficking issues, in particular through the CALD outreach project.

In addition to the capital cities of each state and territory, ACRATH conducted awareness-raising initiatives in regional and rural areas in New South Wales, Victoria, Queensland, Western Australia and South Australia.



*ACRATH WA member, Brianna Lee raising awareness of human trafficking in Karratha, WA*

During the reporting period, ACRATH members and regional partners in the Asia-Pacific ran a session with 24 Thai women working in the sex industry. The presentation shared the stories of Filipino young women who had been trafficked into sex work in Cebu. The young Thai women were moved as they found common threads to their life experiences.

ACRATH has made a major expansion in its support for trafficked women and their children in Australia, including by finding suitable accommodation; helping women connect with their home country communities; and accompanying several trafficked women to parent-teacher meetings at their children's school.

In 2014-15, ACRATH rolled out a government-funded pilot project on forced marriage in a select group of government and Catholic schools in New South Wales, Victoria and South Australia. ACRATH has held extensive consultations with relevant NGOs, state education departments and other interested groups, as well as developed a resource kit and conducted training for teachers and support staff. In the second phase of the project, ACRATH intends to roll out this material throughout Australian schools.



*ACRATH founding members celebrate ACRATH's 10<sup>th</sup> anniversary at the National Conference in February 2015*



*ACRATH Qld member, Sr Janine Bliss, raising awareness of human trafficking with migrant chaplains of Brisbane*

## Australian Human Rights Commission

During the reporting period, the Australian Human Rights Commission contributed to the development of the *National Action Plan to Combat Human Trafficking and Slavery 2015-19* (National Action Plan), which was launched on 2 December 2014.

### United Nations Reporting

In 2014-15, the Commission reported on measures undertaken in Australia to address human trafficking (including child trafficking), slavery and slavery-like practices, in its independent report to the Committee against Torture in October 2014,<sup>35</sup> and in its report for Australia's Second Universal Periodic Review in April 2015.<sup>36</sup>

### Forced marriage

In April 2015, the Commission made a submission to the Commonwealth Crimes Legislation Amendment (Powers, Offences and Other Measures) Bill 2015 in support of the proposed amendments to the forced marriage offences.<sup>37</sup>

Throughout 2014-15, the commission also participated in the Communication and Awareness Working Group and contributed to the development of *Forced Marriage Community Pack*, which was launched in December 2014.

### Australian Dialogue on Business and Human Rights: Supply Chains

On 30 July 2014, the Commission and Global Compact Network Australia (GCNA) met with around 100 representatives of a number of Australia's biggest companies, NGOs, government departments, investors and academia to discuss ways in which corporate strategies can be shaped with human rights objectives.<sup>38</sup> The UN Working Group on Business and Human Rights also attended and supported the event.

The Dialogue heard from 27 experts across seven topics, including the topic of human rights issues in the supply chains of goods and services. The event concluded with a commitment from all stakeholder groups to continue the conversation and strive to ensure Australian companies are seen as international leaders on business and human rights issues. The Commission and the GCNA will convene a further national dialogue on 19 August 2015, in which there will be a session focusing on supply chains.

The Commission is also participating in the Supply Chains Working Group.

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<sup>35</sup> The Commission's report to the Committee against Torture is available online at: <[www.humanrights.gov.au/submissions/information-concerning-australia-s-compliance-convention-against-torture](http://www.humanrights.gov.au/submissions/information-concerning-australia-s-compliance-convention-against-torture)>.

<sup>36</sup> The Commission's submission on Australia's Second Universal Periodic Review is available online at: <[www.humanrights.gov.au/submissions/australia-s-second-universal-periodic-review](http://www.humanrights.gov.au/submissions/australia-s-second-universal-periodic-review)>.

<sup>37</sup> The Commission's submission to the Senate Legal and Constitutional References and Legislation Committee is available online at: <[www.humanrights.gov.au/submissions/crimes-legislation-amendment-powers-offences-and-other-measures-bill-2015-cth](http://www.humanrights.gov.au/submissions/crimes-legislation-amendment-powers-offences-and-other-measures-bill-2015-cth)>.

<sup>38</sup> For more information on the Australian Dialogue on Business and Human Rights, see: <[www.humanrights.gov.au/employers/business-and-human-rights](http://www.humanrights.gov.au/employers/business-and-human-rights)>.



## Australian Red Cross



The Red Cross is the contracted service provider for the Australian Government's Support Program.<sup>39</sup> People who have been trafficked, enslaved or subjected to slavery-like practices, including forced marriage, are eligible to be referred onto the Support Program by the AFP to receive welfare and health support.

During the reporting period, the Red Cross continued to actively co-convene and participate in networks and stakeholder seminars, and to build community awareness of the Support Program through a range of strategies. In particular, the Red Cross co-convenes and participates in trafficking and forced marriage networks across the country which are comprised of frontline service providers, NGOs and government agencies that come into contact with trafficked people. The networks focus on prevention, direct service provision and education, and work collaboratively to share resources and build capacity in the community to assist trafficked people.



In 2014-15, through the Victorian Multicultural Commission's Strengthening Communities Funding Program, the Red Cross secured a small funding grant to undertake a pilot Forced Marriage Community Engagement and Education Project. The pilot project objectives were to: develop culturally and linguistically appropriate resources to inform and educate people from CALD communities about the new legislation and its impacts; train CALD community representatives to deliver the information themselves through their work with communities; and develop and implement effective and culturally appropriate engagement methods and workshops to deliver information.

Using a 'train the trainer' approach, the Red Cross provided training to members of the Afghan community and then co-facilitated three workshops in south-east Melbourne. Approximately 85 per cent of the 98 participants who attended the workshop stated that they understood the changes and the repercussions of forcing someone to marry. Ninety-five per cent of participants felt they could explain the difference between a forced and arranged marriage after the workshop, with feedback highlighting increased understanding of issues of consent, coercion and force.

<sup>39</sup> The Red Cross is funded by DSS under the Families and Communities Program to provide the Support for Trafficked People Program. For more information, see <[www.dss.gov.au](http://www.dss.gov.au)>.



## International Organization for Migration (IOM)



International Organization for Migration (IOM)  
Organisation Internationale pour les Migrations (OIM)  
Organización Internacional para las Migraciones (OIM)

### **Capacity building and assistance to trafficked people**

As the world's leading migration agency, IOM works to protect migrants in need, including those who have been subjected to human trafficking, exploitation and abuse, or who are highly vulnerable, such as unaccompanied migrant children or migrants in detention.

Since 1994, IOM has implemented more than 800 projects in over 100 countries addressing the key areas of protection, prevention, policy and partnership, and has provided assistance to more than 70,000 trafficked persons, including approximately 2,000 beneficiaries in the Asia-Pacific region in the last year.

As secretariat and member of numerous Regional Consultative Processes across the globe, IOM provides input to governments coordinating their efforts to address irregular migration, in particular the trafficking and smuggling of migrants. In 2014-15, IOM helped facilitate the work of the Bali Process by providing technical input to the Bali Process Regional Support Office, contributing to the drafting of policy guides on identifying and protecting victims of trafficking, and providing expertise to the *Regional Symposium on Trafficking for the Purposes of Labour Exploitation*.

At the programming level across the Asia-Pacific region, IOM launched three two-year anti-trafficking projects focused on developing coordination frameworks among government and NGO partners to identify trafficked people and provide protection for victims. These include a sub-regional initiative covering Micronesia, Marshall Islands and Palau; a national initiative in the Solomon Islands; and a project targeting populations in the Philippines left vulnerable by the Typhoon Haiyan. Scores of capacity building workshops and awareness-raising initiatives are also implemented across the region to assist in building local capacities to respond to human trafficking.

IOM also joined urgent search and rescue missions with representatives of the Myanmar and Cambodian Embassies and the Indonesian Illegal, Unregulated and Unreported Fishing Task Force on Benjina Island, Indonesia. The delegation identified nationals of Myanmar, Cambodia and Thailand who had been victims of labour trafficking in the fishing industry. Through a coordinated response, the rescued men were provided health care and other direct assistance with Myanmar and Cambodian nationals assisted to return through IOM. Thai nationals were returned by their government.

## Law Council of Australia



On 7 and 8 January 2015, Ms Fiona McLeod SC, Treasurer of the Law Council Executive and member of the Law Council's National Human Rights Committee, attended the United Nations (UN) Offices in Bangkok, Thailand and met with representatives of the Office of UN High Commissioner for Human Rights, UN Action for Cooperation against Trafficking in Persons (UN-ACT), and the International Labour Organization.

The purpose of these meetings was to explore ways in which the Law Council's Special Consultative Status with the UN Economic and Social Council could be advanced on the topic of human trafficking. The Law Council provided an update on the legislative changes in Australia and the National Action Plan, which are, in many respects, world-first concerning human trafficking and slavery.

Meeting participants also highlighted the importance of Australian foreign aid to progress the Millennium Development Goals, as many of the anti-trafficking and child exploitation programs were directly funded by Australia's foreign aid to the region.

During the reporting period, the Law Council co-convened a working party with Anti-Slavery Australia to develop a proposal for a national compensation scheme for victims of trafficking. The working party will report on its progress at the National Roundtable Senior Officials' Meeting in November 2015.

The Law Council has also provided comments on Australia's Combined 18<sup>th</sup>, 19<sup>th</sup> and 20<sup>th</sup> Reports under the *Convention on the Elimination of all Forms of Racial Discrimination* and the draft of Australia's 5<sup>th</sup> Report under the *International Covenant on Economic, Social and Cultural Rights*.

## Project Respect



Project Respect is a support service for women in the sex industry and those who have been trafficked into Australia's sex industry. Project Respect is a caring, non-judgmental community, and open to all women experiencing harm or violence in the sex industry.

To support women, Project Respect works in three ways:

- assisting women one-on-one, including to access essential services such as healthcare, housing, immigration and legal representation, with no limits on the length or type of support offered
- connecting women together, encouraging them to support one another, and
- advocating for women's rights against violence, trafficking and exploitation, including by lobbying all levels of government, and offering women a platform to be heard in order to create positive change.

Project Respect believes that all women have the right to feel safe and respected, and live free from sexual exploitation. During 2014-15, Project Respect was grateful for the opportunity to work with the Australian Government in supporting women trafficked into and exploited within Australia's sex industry. Highlights from Project Respect's work during the reporting period, as supported by Australian Government funding, are below.

### **Complex one-on-one support and brothel outreach**

Project Respect continued to provide ongoing individual and complex case management support to over 155 women, including women who have been trafficked into Australia's sex industry. Project Respect also continued to provide secure housing in the form of a shelter for women who have been trafficked to Australia to ensure their safety and wellbeing.

In 2014-15, Project Respect provided referrals and facilitated access to more than 50 other specialist service providers, including counselling, housing, legal assistance, drug and alcohol assistance, family violence, immigration assistance, reporting crime to authorities, victims of crime compensation, English language lessons, alternative employment, and mental health services.

Project Respect also continued to conduct regular outreach, visiting 88 licensed brothels within Victoria while engaging with over 500 women. Each brothel visited was supplied with information kits containing details on human trafficking, slavery and other issues experienced by women in the sex industry. Information provided is available in English, as well as a number of community languages.

### **Community development and support**

Project Respect provides a space where women can connect together and support each other's shared experiences through fortnightly community lunches and two recreational weekends away.

In 2014-15, Project Respect also launched a new volunteer and student program which enabled the expansion of existing services. Project Respect also provided volunteer and student opportunities to women from the sex industry, and engaged women from the broader community to collaboratively work towards mutual goals.

Additionally, a large number of women from the sex industry (including women who previously were supported by Project Respect) engaged with Project Respect's organisational planning and service delivery, including being a part of the Committee of Management, members of staff, students and volunteers.

### **Advocacy**

During the reporting period, Project Respect provided over 15 information sessions and public speaking engagements to raise awareness amongst other service providers, as well as the wider community, of issues affecting the sex industry, including human trafficking and slavery.

Project Respect is also an active participant in the National Roundtable, and has advocated to all levels of government, as informed by the organisation's direct work with women, around issues in the sex industry, including human trafficking and slavery.

Furthermore, Project Respect submitted a research paper including recommendations to the Victorian Royal Commission into Family Violence, which places emphasis on the relationship of family violence and the sex industry. Six women currently supported by Project Respect participated at table discussions facilitated by the Royal Commission and were invited to tender individual submissions.

Project Respect maintained and continued to develop relationships with government departments, law enforcement, and NGOs which support women trafficked in other countries, including, Austria, Germany, Republic of Korea, Sweden and the United States of America.

## Salvation Army



### Service delivery

In 2014-15, the Salvation Army Safe House assisted 36 individuals. The service continues to receive referrals of individuals impacted by forced marriage and domestic workers employed in diplomatic households.

Professional practitioners generously provided over \$50,000 of pro bono health services for clients without access to Medicare. Project Futures donated \$140,000 to the Safe House and for direct care of clients through the Stella Fella campaign and other events and \$10,000 to support the Freedom Advocates.

### Community engagement



*Volunteers raising community awareness*

The Freedom Partnership was launched in July 2014 to build a national movement to end modern slavery in Australia. In 2014-15, over 40 events were held to engage community members, students, clubs, and media to raise awareness and take action. The Freedom Advocates (people who experienced slavery-like conditions in Australia) engaged with media, community organisations and members of government on policy reform issues, to raise awareness and encourage other victims to come forward. An intentional partnership was created with Salvos Schools resulting in teacher professional development, workshops for students and campus events in 23 New South Wales schools addressing slavery, forced marriage, and Fair Trade.

During the reporting period, the Freedom Partnership facilitated the convening of a Western Australia Freedom Network, a coalition of organisations that will work together and with government to progress the National Action Plan, at the state and local level.

The Freedom Partnership held information sharing sessions in Melbourne, Sydney and Canberra with Washington DC-based Polaris Project on a national slavery helpline as a strategy to increase victim identification and streamline access to support and services.

The Salvation Army also remained an active member of Stop the Traffik and the New South Wales Forced Marriage Network.



*Perth training participants*

### **Training**

Freedom Partnership and Safe House staff provided training and workshops to over 100 service providers and government agencies in Sydney, Melbourne, Adelaide, Gold Coast and Perth, some of which included presentations from Red Cross workers and AFP officers.

### **Advocacy**

The Freedom Partnership and Freedom Advocates worked closely with partner organisations and the Australian Government for reforms to the Visa Framework, which were announced in May 2015. For the first time, survivors of slavery attended meetings of the National Roundtable via support from Project Futures.



*Freedom Advocate Margaret, Minister Cash and Freedom Partnership staff Heather Moore at the launch of the National Action Plan*

In October 2014, the Freedom Partnership launched its Demand Decent Work for Domestic Workers Campaign and delivered over 11,500 signatures to the then Minister for Employment, Senator the Hon Eric Abetz in February 2015. A policy paper titled *Improving Protections for Migrant Domestic Workers* was also published in collaboration with the Walk Free Foundation.



*Great Ocean Road trekkers raising money for the Safe House*

The Freedom Partnership contributed written and oral evidence to multiple inquiries into the Skilled Migration and Temporary Work Programs and the Workplace Relations Framework. This advocacy aims to promote a protective framework for vulnerable migrant workers in Australia to uphold the integrity of Australia's anti-trafficking framework.



## Scarlet Alliance, Australian Sex Workers Association



The Scarlet Alliance Migration Project is run, staffed, and led entirely by migrant sex workers for migrant sex workers, and has continued to grow since it was first formally funded in 2008.

In 2014-15, the Migration Project continued to advocate for an evidence- and rights-based approach to trafficking prevention, as well as provide representation and culturally appropriate support services to migrant and CALD sex workers and sex worker peer educators in Australia and Thailand. Scarlet Alliance also advocated for the removal of legal barriers to migrant sex workers' access to justice, services and prevention of exploitative work conditions, including through access to industrial rights for all sex workers, accurate translated information, and multilingual peer support.

During the reporting period, the Migration Project has represented the interests of migrant sex workers on the local, regional and global stage to increase understandings of the nature of the sex industry in Australia and migration. Scarlet Alliance maintains a strong evidence base through regular consultation within the migrant sex worker steering committee, sex worker communities, membership and both local and international organisations.

Scarlet Alliance continued to engage in media, enquiries by stakeholders and organisations, and consultations on anti-trafficking issues, with a focus on their impact on sex worker communities. Scarlet Alliance has provided representation to NGOs and the health sector; conducted awareness-raising to visiting delegates, politicians and dignitaries, students, communities and at national and international conferences; and provided interviews to academics, university students, television, radio, newspapers and online media.



*Scarlet Alliance staff and Empower Thailand at International AIDS conference Migration and Mobility panel, Melbourne*

The Migration Project has seen a steady increase in direct contacts each year with migrant sex workers on a variety of recurrent issues, in particular legal and migration issues. The Migration Project has continued to



provide direct support to migrant sex workers, predominantly in relation to migration and legal rights and responsibilities and workplace issues, including through the provision of culturally appropriate referrals and linkages to sex worker organisations for ongoing support.



*Signs and posters produced by the Migration Project Steering Committee*

Throughout 2014-15, Scarlet Alliance continued to support the work of state and territory peer educators in delivering services to migrant sex workers through the production of resources, interpreting support, peer translation checking, access to current information and appropriate referrals. The availability of translated resources in PDF format through the project has assisted in the engagement with migrant sex workers and the ability to provide accurate information. The Migration Project also provided direct support in person through training for new CALD peer educators and joint outreach in Queensland, South Australia and the Australian Capital Territory.

Scarlet Alliance's partnership with Empower Thailand continues to strengthen and grow, especially with the invaluable opportunity to collaborate face to face at the International AIDS Conference and Sex Worker Pre-Conference in Melbourne. Empower has continued to provide legal, migration and workplace information and support to sex workers in Thailand thinking of travelling abroad through their successful workshops on outreach, the booklet produced by the project, and their *Bad Girls* radio show. The Migration Project has continued to serve as an important conduit for reliable information and referrals for sex workers considering travelling to Australia for work.

## **Uniting Church in Australia (UCA)**

In 2014-15, the UCA lobbied the Thai and Australian Governments around the trafficking of Rohingya refugees from Myanmar who are allegedly being abducted and sold onto Thai fishing boats and Thai farms. The UCA also lobbied the Thai Government in relation to media coverage of trafficked Rohingya refugees.

The UCA continued constructive efforts to eliminate human trafficking and labour exploitation in the supply chains of the Australian and Thai seafood industries, and has worked with Australian buyer companies to encourage Thai companies to take preventative action. The UCA, in collaboration with the Walk Free Foundation and the Salvation Army, also worked with Woolworths to address issues in the supply chains of their goods and services. The UCA is also an active member of the Supply Chains Working Group.

During the reporting period, the Justice and International Mission Unit, Synod of Victoria and Tasmania, Uniting Church in Australia (the Unit) made a submission to the Productivity Commission inquiry into

workplace relations urging greater protections for migrant workers and greater regulation of labour brokers in Australia to prevent human trafficking for the purpose of labour exploitation in Australia. The Unit also made a submission to the Senate Education and Employment Committee to the Inquiry into the impact of Australia's temporary work visa programs on the Australian labour market and on the temporary work visa holders urging greater protections for migrant workers and greater regulation of labour brokers in Australia.

The Unit appeared before the House of Representatives Standing Committee on Infrastructure and Communications on the use of subsection 313(3) of the Commonwealth *Telecommunications Act 1997* to disrupt access to online child sexual abuse material, as many of the children used to produce this material have been trafficked. The Unit also campaigned in support of metadata retention as a vital tool against online child sexual abuse and human trafficking, including through submission to the Parliamentary Joint Committee on Intelligence and Security inquiry. Finally, the Unit made a submission to the Senate Standing Economics Committee on regulation of digital currencies, given their use in commercial online child sexual abuse.

### World Vision Australia (WVA)



Strengthening the response to human trafficking is central to WVA's broader work in child protection and a priority area in both WVA's international programming and advocacy work.

Through public advocacy campaigns, WVA informs Australians about the types and extent of trafficking around the world and empowers them to use their voice, votes and purchasing power to encourage government and business to combat forced, child and trafficked labour, and to protect children from other forms of exploitation and abuse. WVA's campaigns also deepen public understanding of the complexity of these issues and encourage consideration of how individual actions can contribute to the fight against exploitation.

Recognising the role the corporate sector can have on addressing these issues, WVA advocacy has a strong emphasis on exploitation in the supply chains of goods and services. WVA encourages corporate reform by engaging and influencing businesses at high risk of rights abuses within their supply chains. In 2014-15 WVA continued to work constructively to address supply chain issues at the community level through innovative and inclusive business partnerships with the private sector, ensuring that local level practices are sustainable.

WVA is an active proponent for the critical role that governments can play in reducing the demand for human trafficking. Building on the commitment made by G20 leaders under Australia's chairmanship in 2014, to "take a strong stand against forced and child labour, and ... explore the scope for further work on this issue", during the reporting period WVA continued to advocate for the Australian Government to show leadership on this issue. In 2015, WVA published its report, *Tackling Child Labour: Three policy measures for the Australian Government*.<sup>40</sup> WVA is also an active participant of the Supply Chains and Communication and Awareness working groups, amongst other trafficking and human rights fora and roundtables.

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<sup>40</sup> The *Tackling Child Labour: Three policy measures* report is available online at: [www.worldvision.com.au/docs/default-source/publications/children/tackling-child-labour.pdf](http://www.worldvision.com.au/docs/default-source/publications/children/tackling-child-labour.pdf?).

During 2014-15, WVA continued to implement programs designed to combat forced, child and trafficked labour as well as supporting child protection more broadly. WVA continued to fund the End Trafficking in Persons Program, a five year, regional program designed to prevent and respond to trafficking in persons across the Greater Mekong Subregion.<sup>41</sup> A key achievement was completion of the baseline study and use of those findings to inform project activities. The program ends in 2016 and planning for the final evaluation is underway.

During December 2014, the Empowering Working Children project collected data from over 800 households in Bangladesh, including information on working children, industries, hours of work and knowledge of their rights, which was used to improve World Vision's interventions to reduce the number of children engaged in hazardous labour in Dhaka City.

## **Raising community awareness**

### **Communication and Awareness Working Group**

The Communication and Awareness Working Group (working group) was established under the National Roundtable in May 2013 and includes both government and civil society members.

The working group developed a suite of awareness-raising materials on forced marriage for frontline officers, service providers, agencies, and vulnerable groups. The materials include information, frequently asked questions and media factsheets; a guide on preparing a safety plan and a small fold-away booklet for people in, or at risk of, forced marriage; and a comprehensive information booklet for agencies, community organisations and service providers. On 2 December 2014, the *Forced Marriage Community Pack* (Community Pack) was officially launched by the Minister for Justice.

On 4 March 2015, over 80,000 post cards developed through the working group were released nationally at student-frequented locations including universities, schools, cafes and bars to raise awareness of forced marriage. The postcard campaign had a potential weekly reach of up to 2.7 million people.

In June 2015, following extensive stakeholder consultations, select materials from the Community Pack were published in six priority community languages to raise awareness of forced marriage issues amongst vulnerable cohorts. The frequently asked questions factsheet; guide to developing a safety plan; and small fold-away booklet for people in, or at risk of, forced marriage are now available in Arabic, Dari, Farsi, Somali, Tamil and Urdu.<sup>42</sup>

Over the next year the working group will focus on developing education and awareness-raising materials on all forms of labour exploitation, as well as information resources on general overarching human trafficking and slavery issues.

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<sup>41</sup> The *Vulnerability Report: Human trafficking in the greater Mekong sub-region* is available online at: <[www.wvi.org/end-trafficking-persons/publication/vulnerability-report-human-trafficking-greater-mekong-sub-region](http://www.wvi.org/end-trafficking-persons/publication/vulnerability-report-human-trafficking-greater-mekong-sub-region)>.

<sup>42</sup> The translated forced marriage materials are available online at: <[www.ag.gov.au/forcedmarriage](http://www.ag.gov.au/forcedmarriage)>.

## **Forced marriage awareness-raising initiatives**

In April and May 2015, AGD partnered with the AFP and Anti-Slavery Australia to conduct a series of workshops on forced marriage in each Australian capital city. The workshops intended to raise awareness of forced marriage issues, including key indicators and referral pathways, among frontline officers and service providers from both government and civil society organisations who are likely to come into contact with people in, or at risk of, a forced marriage through their engagement with the community. The workshops also promoted use of the Community Pack and supported the implementation of the forced marriage offences.

Throughout 2014-15 AGD also gave a number of targeted presentations to raise awareness of forced marriage issues among a range of audiences, including law enforcement officers, civil celebrants, and pastoral carers.

## **Australian Federal Police awareness-raising initiatives**

The AFP actively seeks out opportunities to engage with NGOs and community organisations on collaborative approaches to prevention, disruption, information sharing and harm reduction to combat human trafficking in all its forms.

During the reporting period the AFP presented at AGD's nation-wide forced marriage workshops, and facilitated training and awareness sessions to a number of NGOs including the Salvation Army and the Red Cross.

## **An SMS facility for consular assistance**

DFAT introduced an SMS facility during the 2013-14 reporting period to enable Australians seeking consular assistance to communicate with DFAT by way of SMS text. The SMS facility was specifically developed for use in forced marriage cases, given that victims of forced marriage are in a vulnerable position, and often require a discreet means to seek consular assistance

# Building partnerships in our region and beyond

## United Nations

In 2014-15, Australia continued to actively engage on human trafficking and slavery issues through such international fora as the UN General Assembly and at UN Human Rights Council (HRC) sessions, as well as through the UN Commission on the Status of Women (CSW). Australia also progressed our reporting obligations under relevant UN treaty bodies during the reporting period.

### United Nations General Assembly

The 69<sup>th</sup> session of the UN General Assembly took place between 16 September and 1 October 2014. During this session, Australia co-sponsored resolutions which:

- called on States and the international community to develop coordinated responses to eliminate the harmful practices of child, early and forced marriage
- called on States to intensify efforts to eliminate trafficking in women and girls, including by addressing the demand for trafficking and implementing preventative measures, and
- called on States to intensify global efforts to eliminate female genital mutilation.

### United Nations Human Rights Council

During 2014-15, Australia participated in the 27<sup>th</sup>, 28<sup>th</sup> and 29<sup>th</sup> sessions of the HRC. During these sessions, Australia made statements<sup>43</sup> at the following events:

- clustered Interactive Dialogue with the Independent Expert on older persons and the Special Rapporteur on contemporary forms of slavery on 8 September 2014
- panel discussion on Ending violence against children: A global call to make the invisible visible on 23 September 2014
- dialogue by the Special Representative of the Secretary General on violence against children and the Special Representative of the Secretary General on children and armed conflict (which referenced trafficking, early and forced marriage, and child sexual exploitation in travel and tourism) on 11 March 2015, and
- clustered Interactive Dialogue with the Working Group on the issue of human rights and transnational corporations and other business enterprises and the Special Rapporteur on trafficking in persons, especially women and girls on 16 June 2015.

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<sup>43</sup> Statements made by Australia during HRC sessions are available online at: [www.geneva.mission.gov.au/gene/statements.html](http://www.geneva.mission.gov.au/gene/statements.html).

Australia also made a joint statement on strengthening efforts to prevent and eliminate child, early and forced marriage on 15 September 2014.

Australia co-sponsored three HRC resolutions on human trafficking and slavery during 2014-15: in September 2014 and June 2015, Australia co-sponsored resolutions on strengthening efforts to prevent and eliminate child, early and forced marriage; and in September 2014 Australia co-sponsored a resolution on intensifying global efforts and sharing good practices to effectively combat female genital mutilation.

## **Universal Periodic Review**

In 2015, Australia will participate in a second Universal Periodic Review (UPR) of its human rights record. The UPR is a HRC process through which the human rights records of UN Member States are reviewed every four years. Australia is scheduled to appear before the UPR Working Group in Geneva, Switzerland for an 'interactive dialogue' on 9 November 2015.

During the reporting period, Australia worked to develop our second National Report as part of its second cycle UPR, which is expected to be submitted to the UN in August 2015. The National Report is a key source of information that is considered as part of the review and will be available on the AGD website.<sup>44</sup> Australia's National Report will address issues including human trafficking, slavery and slavery-like practices.

## **Australia's sixth report under the *International Covenant on Civil and Political Rights***

As a signatory to the *International Covenant on Civil and Political Rights* (ICCPR) Australia is required to periodically report on how we are meeting our ICCPR obligations. Australia's fifth ICCPR report was submitted to the UN on 25 July 2007 and our sixth report is expected to be submitted in late 2015.

Australia's sixth report will respond to the List of Issues Prior to Reporting (LOIPR), issued by the UN Human Rights Committee (UNHRC) on 21 December 2012. The LOIPR is compiled by the UNHRC based on previous reports and appearances, submissions by the Australian Human Rights Commission, NGOs, other UN bodies and independent research. The sixth report will address the UNHRC's questions about Australia's efforts to eliminate human trafficking and slavery under Article 8 of the ICCPR. The report refers to key measures that Australia is undertaking to combat human trafficking and slavery, including implementing the *National Action Plan to Combat Human Trafficking and Slavery 2015-19*, the Human Trafficking Visa Framework (Visa Framework), and the Support for Trafficked People Program, as well as regional engagement through the *Bali Process on People Smuggling, Trafficking in Persons, and Related Transnational Crime* (Bali Process).

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<sup>44</sup> Australia's first and second Universal Periodic Review National Reports are available online at: <<https://www.ag.gov.au/RightsAndProtections/HumanRights/UniversalPeriodicReview/Pages/default.aspx>>.

## **Australia's fifth report under the *International Covenant on Economic, Social and Cultural Rights***

As a signatory to the *International Covenant on Economic, Social and Cultural Rights* (ICESCR) Australia is required to periodically report on how we are meeting our ICESCR obligations. During the reporting period, Australia worked to develop our fifth report under the ICESCR, which will cover the period from 1 July 2009 to 30 June 2014.

The fifth report will also directly respond to the issues identified in the UN Committee's 2009 concluding observations on Australia's fourth report, including questions about the development of a national strategy to combat human trafficking and slavery. The report is expected to be submitted to the UN committee in September 2015.

## **Australia's appearance before the UN Committee against Torture**

On 10 and 11 November 2014, Australia appeared before the UN Committee against Torture to discuss Australia's fifth report under the *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* (CAT). Australia's fifth report, submitted on 31 July 2013, focused on key initiatives and developments made since 2005, including efforts to prevent and punish human trafficking and slavery and provide effective remedies for trafficked people.

Following a constructive two day dialogue with the Australian delegation, the Committee released its Concluding Observations on Australia on 28 November 2014. In its Concluding Observations the Committee recognised Australia's comprehensive legislative framework and other measures to address human trafficking, in particular the Visa Framework, noting that access to benefits of family reunification and effective support under the Visa Framework are linked to the victim's involvement of in the criminal justice process.

The Committee recommended that Australia seek to provide sustained, equal and effective assistance to all victims of trafficking, taking into consideration that victims are often in complex situations which prevent participation in criminal proceedings. As per usual practice, the Australian Government's response to the Committee's Concluding Observations will form the basis of Australia's next periodic report under the CAT, due to the Committee in November 2018.

## **UN Commission on the Status of Women**

CSW is the principal global policy-making body dedicated exclusively to the advancement of women. Its annual meetings are designed to evaluate progress, identify challenges and determine the way forward for international action on gender equality.

The then Minister Assisting the Prime Minister for Women, Senator the Hon Michaelia Cash, led the Australian delegation to the 59<sup>th</sup> session of CSW (CSW59), held from 9–20 March 2015 in New York. The main focus of CSW59 was the 20<sup>th</sup> anniversary of the Beijing Declaration and Platform for Action (Beijing Declaration), including discussions on current

challenges that affect its implementation and the achievement of gender equality and the empowerment of women.

In the lead up to CSW59 the Commission undertook a review of progress made in the implementation of the Beijing Declaration, 20 years after its adoption at the Fourth World Conference on Women in 1995. The review (Beijing +20) also included the outcomes of the 23<sup>rd</sup> special session of the General Assembly, the first five-year assessment conducted after the adoption of the Beijing Declaration, which highlighted further actions and initiatives.

CSW59 also addressed opportunities for achieving gender equality and the empowerment of women and girls in the post-2015 development agenda.

The Political Declaration, adopted at the opening session of CSW59, is of paramount significance to advancing gender and equality and the empowerment of women and girls beyond CSW59.

The Political Declaration highlights the international community's ongoing commitment to implementing the Beijing Declaration's progressive vision. The multilateral negotiations on the Political Declaration represented the competing interests of many States. In this process Australia's primary goal was to ensure the Declaration represented progress, or at a minimum, did not result in a step backwards. In addition, Australia campaigned for the insertion of specific references to the human rights of women and girls and for a stand-alone goal on gender equality and women's economic empowerment to be included in the post-2015 development agenda.

The Australian Government welcomes the final CSW59 Political Declaration and believes that the document highlights the international community's ongoing commitment to, and the enduring relevance of, the Beijing Declaration. Importantly, the Political Declaration emphasises that this is very much the beginning and not the end of the conversation on gender equality.

## **UN Committee on the Elimination of Discrimination against Women**

During the reporting period, Australia working on preparing our eighth periodic report on our efforts under the *Convention on the Elimination of all forms of Discrimination against Women* (CEDAW). The report is expected to be submitted to the UN Committee on the Elimination of Discrimination against Women (CEDAW Committee) in 2015. Australia has also funded the development of an independent shadow report for the CEDAW Committee's consideration.

This shadow report is intended to reflect the views of the community sector in relation to women's human rights, and to give voice to the views of Australian women and Australian women's organisations. The shadow report is also consistent with Australia's commitment to working collaboratively with civil society to address gender inequality.



## **Gender Equality and Women's Empowerment: Beijing +20 (2015) reporting**

In early August 2014, Australia reported to UN Women on our actions and major achievements in progressing gender equality as part of obligations under the 1995 Beijing Declaration and Platform for Action and the outcomes of the 23<sup>rd</sup> special session of the UN General Assembly in 2000.

Australia's whole-of-government report outlined the progress made over the past 20 years in relation to key achievements and progress made on each of the Beijing Declaration's 12 Critical Areas of Concern, as well as emerging priorities for achieving gender equality and the empowerment of women in Australia. During the reporting period, the Australian Government has taken a number of concrete actions towards addressing some of the critical issues affecting the lives of Australian women and girls including the prevention of human trafficking and slavery, focus on preventing and eliminating domestic violence and using Australia's Presidency of the G20 to highlight issues relating to women's economic empowerment and workforce participation.

The UN Women summary report on the outcomes of the Beijing +20 Global Review notes that the greatest inhibitors of true gender equality remain unstable economic and political landscapes. In addition, persistent conflicts, volatile food and energy prices and climate change have exacerbated inequalities and the vulnerability of women and girls on a global scale. To this end, the UN Women report observes that the achievement of gender equality is facing a new threat from rising extremism which denies the human rights of women and girls.

The Australian Government remains committed to promoting gender equality and women's empowerment including the full realisation of women and girls' human rights both domestically and internationally.

### **13<sup>th</sup> United Nations Congress on Crime Prevention and Criminal Justice**

During the reporting period, Australia participated in the 13<sup>th</sup> UN Congress on Crime Prevention and Criminal Justice, the preeminent forum for international standard-setting and policy making in criminal justice and crime prevention. The UN Crime Congress was held in Doha, Qatar from 12–19 April 2015, and included a workshop on trafficking in persons and smuggling of migrants. The UNODC's case study on the concept of 'exploitation' in the definition of trafficking in persons, which Australia assisted in the development of, was launched at the Congress.

On 12 April 2015 the Congress adopted the Doha Declaration on integrating crime prevention and criminal justice into the wider UN agenda. Australia supported strong language in the declaration encouraging States to implement a victim-orientated approach to prevent and counter all forms of human trafficking.

In the high level segment, Australia delivered a country statement which noted our work with regional partners to combat human trafficking, including through the Bali Process.

## **24<sup>th</sup> session of the Commission on Crime Prevention and Criminal Justice**

During the reporting period, Australia participated in the 24<sup>th</sup> session of the Commission on Crime Prevention and Criminal Justice (CCPCJ), which was held in Vienna from 18–22 May 2015. During this session, Australia supported language reiterating the importance of implementing the *UNTOC Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* in a resolution adopted by the CCPCJ on implementation of the UN Global Plan of Action to Combat Trafficking in Persons, tabled by Belarus.

## **United Nations Office on Drugs and Crime Global Report on Trafficking in Persons**

The UNODC Global Report on Trafficking in Persons is published every two years and provides an overview of human trafficking at global, regional and national levels. In July 2014, Australia provided additional information to the UNODC on Australia's strategy to combat human trafficking and slavery to assist with the production of the 2014 Global Report, which was launched on 24 November 2014. As at 30 June 2015, Australia was compiling its whole-of-government input which will inform the 2016 Global Report.

## **United Nations Office on Drugs and Crime: Coordination of efforts against trafficking in persons**

In March 2015, pursuant to UN General Assembly resolution on improving the coordination of efforts against trafficking in persons (A/RES/68/192), Australia provided the UNODC with comprehensive information on our approach to combating human trafficking and slavery. Australia's report included information on prevention and deterrence, criminalisation, detection and investigation, prosecution and compliance, victim support and protection, training and regional engagement.

## **Girl Summit 2014**

On 22 July 2014, Australia participated in the first international Girl Summit co-hosted by the United Kingdom (UK) and UNICEF in London. The Summit aimed to mobilise domestic and international efforts to end female genital mutilation (FGM) and child, early and forced marriage within a generation. Australia signed the Girl Charter, a set of guiding values and an awareness-raising measure. The key outcome of the Summit was a commitment by the UK to include FGM and forced marriage as a goal in the final framework for the post-2015 development agenda.

## **Ambassador for People Smuggling Issues**

The Ambassador for People Smuggling Issues is responsible for the high-level promotion of international and regional cooperation to address human trafficking through the Bali Process.

As Bali Process co-chair, the Ambassador encouraged the development of a robust anti-trafficking agenda in the Bali Process during the reporting period. In 2014-15 this included the development of regional best practice policy guides on identifying and protecting victims of human trafficking, and holding the first meeting of the Bali Process Working Group on Trafficking in Persons (see pages 14 and 83). The Ambassador works with other Australian Government agencies, as well as with regional partners including Indonesia, Malaysia and Thailand, to enhance practical regional collaboration on addressing human trafficking.

## **Ambassador for Women and Girls**

The Ambassador for Women and Girls advocates internationally for gender equality and the political, economic and social empowerment of women and girls. The Ambassador uses her bilateral, regional and multilateral engagement to advance international cooperation to end trafficking in women and girls.

In February 2015, the Ambassador visited Cambodia to promote Australia's regional partnership to combat human trafficking through the flagship Australia-Asia Program to Combat Trafficking in Persons (AAPTIP). She visited Australian funded civil society organisations in India and Madagascar, such as Apne Aap Women's Collective and End Child Prostitution and Trafficking, which promote Australia's contribution to anti-trafficking measures and our assistance to survivors. During her visit, the Ambassador also announced new funding for programs to provide improved services for trafficked women and their children.

At the 59<sup>th</sup> Session of the UN Commission of the Status of Women in March 2015, the Ambassador advocated for Australian policies and programs to end human trafficking, slavery and slavery-like practices. She used her media engagement to draw attention to trafficking issues and to encourage strong international responses to support those affected.

## **Manila Declaration to enhance international cooperation in combating human trafficking**

Australia signed the *Manila Declaration to enhance international cooperation in combating human trafficking* on 3 June 2015 during the International Dialogue on Human Trafficking in the Philippines. The Declaration calls on states to strengthen international cooperation to combat trafficking in persons and was signed by the Australian Ambassador to the Philippines together with senior officials from 18 other countries, as well as international and civil society organisations.

## **International Labour Organization**

As a specialised agency of the UN, the International Labour Organization (ILO) has a particular mandate on forced labour, labour trafficking and child labour and to promote the creation of decent employment.

As a member of the Governing Body of the ILO, Australia is currently engaged in preparations for a significant discussion at the 2016 International Labour Conference on 'decent work in global supply chains', which will include a focus on eliminating the risk of forced labour and trafficking.

## **Building regional capability**

In 2012, the ILO estimated that nearly 21 million people are victims of forced labour globally, with over half of all victims found in the Asia-Pacific region.<sup>45</sup> Within the Association of South East Asian Nations (ASEAN) region, human trafficking and the large-scale exploitation of migrant workers undermine the rule of law and threaten the region's stability. As long as these crimes remain low-risk and high-reward for perpetrators, criminal networks will continue to flourish and weaken the ability of countries to manage their borders effectively. Capability constraints in countries' legal and enforcement systems to investigate, prosecute and adjudicate these crimes need to be addressed.

At the same time, it is important that safe and legal labour migration in the region is facilitated. ASEAN's economic growth will continue to be reliant on a dynamic and increasingly skilled labour force which can move regionally to take up employment opportunities. In a number of sub-regions and in some industries, the foreign labour force is routinely exploited, in contravention of fundamental human rights, and generating widespread economic, social and political impacts with serious consequences for development. There is a growing understanding among countries of the region that unilateral approaches to tackling these challenges is ineffective and that joint approaches are necessary.

## **Australia's response**

For more than a decade, the Australian aid program has been providing assistance to ASEAN countries to combat human trafficking and slavery. In particular, we have demonstrated a leadership role through the size, scope and reach of our support for regional efforts to investigate, prosecute and adjudicate trafficking crimes.

In 2014-15, Australia's regional aid programs continued to focus on strengthening criminal justice responses to trafficking, promoting safe and legal labour migration, and enhancing regional coordination.

Australia also continued to demonstrate its leadership in addressing human trafficking and slavery through the Bali Process and other international forums.

## **Australia-Asia Program to Combat Trafficking in Persons (\$50m, 2013-18)**

The AAPTIP is a five-year, \$50 million program and Australia's third consecutive program aimed at strengthening the criminal justice responses to trafficking in the ASEAN region.

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<sup>45</sup> For more information, see: <[www.ilo.org/global/about-the-ilo/newsroom/news/WCMS\\_181961/lang-en/index.htm](http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_181961/lang-en/index.htm)>.

AATPIP's overall goal is to reduce the incentives and opportunities for human trafficking in the ASEAN region.

Like previous programs, AAPTIP works at both national and regional levels to improve the investigation, prosecution and adjudication of trafficking crimes. At the national level, it is designed to deliver programs in seven ASEAN countries: Burma, Cambodia, Indonesia, Laos, the Philippines, Thailand and Vietnam. These programs are demand-driven and are tailored to the individual needs and circumstances of each country. At the regional level, it works with all ASEAN member states – including Brunei, Malaysia and Singapore – to promote and strengthen regional coordination.

In 2014-15, AAPTIP began implementing activities at the national level in six ASEAN countries (Burma, Cambodia, Laos, the Philippines, Thailand and Vietnam), and expects to begin implementing activities in Indonesia shortly. It has also continued to implement activities at the regional level with the formal support of ASEAN through its Senior Officials Meeting on Transnational Crime.

Some of AAPTIP's early achievements include:

- supporting Burmese investigators to conduct cross-border investigations into the trafficking of Burmese men into the Indonesian fishing industry
- providing professional development for judges in Cambodia, Laos and Thailand, designed to increase the likelihood of fair trials and just convictions
- conducting research on the political economy of trafficking in ASEAN, as well as on the experiences of victims in the criminal justice system, and
- facilitating regional workshops on labour migration and trafficking, including through convening the first trilateral Indonesian-Burmese-Thai talks on trafficking in the fishing industry, and ways to support victims in the criminal justice system.

### **Tripartite Action to Protect Migrants in the Greater Mekong Sub-Region from Labour Exploitation Project (\$9.4m, 2010-15)**

Since 2010, Australia has worked with the ILO to prevent and reduce the exploitation of migrant workers and their families through the *Tripartite Action to Protect Migrants within the Greater Mekong Sub-Region from Labour Exploitation (GMS TRIANGLE) Project*. Partner countries are Burma, Cambodia, Laos, Thailand and Vietnam, with Malaysia as a key destination country.

The ILO works with governments, workers and employer groups, recruitment agencies, and civil society to strengthen labour protection mechanisms and encourage legal and safe migration. GMS TRIANGLE is pursuing law reform, awareness-raising campaigns, capacity building programs, and improved support services. The project supports 23 Migrant Worker Resource Centres in six Mekong countries, which provide people with information and skills about how to migrate safely, information on their rights and entitlements, and legal assistance.

The program will conclude in September 2015 following a short no-cost extension. Over the life of the program, GMS TRIANGLE has:

- trained over 13,000 government officials to build their capacity to protect migrant workers, and
- provided advice and/or legal support to over 62,000 labour migrants, potential migrants and their family members.

As at 30 June 2015, DFAT was considering a second phase of GMS TRIANGLE to build on our work promoting safe and legal labour migration in the region.

### **Preventing the Exploitation of Women Migrant Workers in ASEAN Project (\$2m, 2014-16)**

At the National Roundtable on Human Trafficking and Slavery in July 2014, the Minister for Foreign Affairs, the Hon Julie Bishop MP, announced a new project with UN Women to combat the exploitation of female migrant workers in ASEAN.

The *Preventing the Exploitation of Women Migrant Workers in ASEAN* project works at both the regional and national levels to strengthen protections to counter and prevent the abuse, violence, trafficking and exploitation of women migrant workers. Project activities focus on advocating for gender-sensitive national and regional policy responses, including within ASEAN institutions, as well as improving awareness among women in the region about the dangers of migration and their legal rights. The project works with ASEAN countries, with an emphasis on Cambodia, Laos and Thailand. The ILO jointly implements a number of activities with UN Women, which complements the work of GMS TRIANGLE.

#### **CASE STUDY: GMS TRIANGLE Migrant Resource Centres**

The GMS TRIANGLE project is funded by the Australian Government and aims to ensure safe labour migration and prevent labour exploitation for migrant workers in the Greater Mekong Sub Region.

Through a network of 23 Migrant Worker Resource Centres (MRCs) set up as part of the GMS TRIANGLE project, migrants and potential migrants have access to services including counselling, training and legal assistance to ensure that migrant workers are equipped with knowledge and strategies to support informed decision making and facilitate legal migration. These centres are a powerful alternative to the often-misleading information provided by unscrupulous brokers and employers that can lead a migrant worker into an exploitative situation of trafficking.

MRC staff are counsellors, confidants and community leaders who encourage and enable migrant workers to understand and assert their rights while minimising their exposure to widespread exploitative practices.

*"Before I came to this centre, I didn't know that my new employer was not allowed to keep my passport. It was only during counselling that this was made clear to me."*

When exploitation can't be avoided or has already been suffered, MRCs can help migrant workers obtain access to justice. MRCs serve as ad hoc complaints departments, linking

migrant workers with legal-aid service providers or official channels for lodging complaints. Across the region, MRCs are integrated into government-run employment service centres and serve as a point of engagement for trade unions, NGOs, government and private sector to facilitate better experiences and outcomes for migrant workers.

The project has reached a gender balance of 41 per cent women and 59 per cent men beneficiaries, and conducted targeted outreach with women's organisations and implementing partners significantly of women. In Myanmar, for example, women leaders from villages were engaged to expand outreach activities to potential women migrant workers in rural areas. Over its term, GMS TRIANGLE has facilitated the rescue and repatriation of numerous women from forced labour and situations of trafficking in domestic work.

## **Building legal, law enforcement and technical capacity in our region**

In 2014-15, as part of our holistic approach to combating human trafficking and slavery, Australian government agencies continued to work with partner countries in the region to strengthen legal frameworks and capacity to prevent human trafficking and slavery, prosecute the perpetrators, and ensure trafficked people are protected as well as strengthening anti-money laundering and proceeds of crime frameworks in order to target the financial incentive of human trafficking and slavery.

### **Bali Process on People Smuggling, Trafficking in Persons, and Related Transnational Crime**

Australia and Indonesia, as co-chairs of the Bali Process, continued to work closely with member countries during the reporting period to address human trafficking.

During this period, AGD drove regional initiatives through the Bali Process to share experience and expertise on combating human trafficking and related issues. From September 2014 to March 2015, AGD contributed to the development of two Bali Process policy guides on *Identifying Victims of Trafficking* and on *Protecting Victims of Trafficking*. This follows the development and endorsement of regional policy guides on criminalising people smuggling and trafficking in persons. More information on the policy guides is at page 14.

In March 2015, Australia (AGD) co-chaired with Indonesia, the first meeting of the Bali Process Working Group on Trafficking in Persons (working group), back-to-back with its first event: a regional symposium on trafficking for the purposes of labour exploitation, which Australia (AGD) co-chaired with Thailand. Under its forward work plan, the working group will focus on promoting effective criminal laws, training and sharing best practice to combat trafficking. More information on the working group and symposium is at page 14.

A Working Group on Disrupting People Smuggling and Trafficking in Persons Networks has also been established under the Bali Process as an outcome from the eighth Ad Hoc Group Senior Officials' Meeting in August 2014. The working group is co-chaired by New Zealand and Sri Lanka and has an operational focus, providing a forum for officials involved in national security, law enforcement, and border control to share information and best practices in disrupting and dismantling transnational people smuggling and human trafficking networks. The working group held its first meeting in Bangkok, Thailand on 19 May 2015, and agreed to carry out a Joint Period of Action in the second half of 2015. Participating Member States, including Australia, will carry out law enforcement operations against people smuggling and/or human trafficking networks over the same period of time, working within their own jurisdiction.

## **Regional legal and law enforcement assistance**

In 2014-15, AGD continued to work with bilateral partner countries to promote tougher laws against human trafficking and migrant smuggling in the region. AGD also works with countries to strengthen their ability to 'follow the money' to disrupt the financial incentive of these crimes and strengthen their international crime cooperation (extradition and mutual assistance) to enable countries to get the evidence and the offenders to support successful prosecution of these offences.

To maximise the effectiveness of the Australian Government's investment in regional capacity building on human trafficking, AGD also works collaboratively with other agencies such as DIBP and DFAT, and with intergovernmental organisations such as the UNODC and IOM.

In October 2014 and April 2015, AGD and the UNODC co-chaired a series of workshops in Vietnam on transnational crime attended by Vietnamese government officials from a range of agencies. The workshops included a focus on encouraging Vietnam to strengthen its criminal laws on human trafficking. Workshop participants developed amendments to Vietnam's draft penal code to bring it into line with relevant international standards, including for human trafficking.

In June 2015, AGD hosted a witness and victim protection forum for officials from six Sri Lankan government agencies. The forum focused on witness and victim protection issues in human trafficking cases. AGD also hosted a prosecutor pairing program with Sri Lankan prosecutors.

AGD is also partnering with IOM Indonesia and a range of Indonesian government agencies to support Indonesia's efforts to effectively prosecute human trafficking and related transnational crime. This project will produce a legal review of how criminal laws are being applied in these cases; update the existing handbook for practitioners handling trafficking and related cases, and conduct training for prosecutors in key provinces.

DFAT continued to support the strengthening of criminal justices responses to human trafficking in the region by partnering with law enforcement investigators, prosecutors, court officials and judges on capacity building strategies through the AAPTIP program (see page 80). Over 2014-15, AAPTIP delivered training to law enforcement officials on professional



development and investigatory skills in Burma, Cambodia, Laos, the Philippines, Thailand and Vietnam, as well as delivering coaching and mentoring for law enforcement partners in Thailand, the Philippines and Cambodia.

AAPTIP's partnerships with prosecutors also expanded during 2014-15, with advocacy and technical support for the establishment of a specialist anti-trafficking prosecutorial function in Thailand, efforts to improve collaboration between police and prosecutors in human trafficking investigations in Burma and the establishment of victim witness coordinators in prosecutors' offices in Cambodia, Burma and the Philippines.

Among a range of initiatives involving courts in 2014-15, AAPTIP commenced a collaboration with provincial trial courts in the Philippines to pilot continuous trials in human trafficking cases, so as to improve the experience of trafficking victims during their time as witnesses and aid in securing just outcomes during trafficking prosecutions.

DFAT has engaged closely with ASEAN on law enforcement and criminal justice standards for human trafficking, including by supporting the development and maintenance of mechanisms to support closer cross-border cooperation on trafficking investigations. The AAPTIP program continues DFAT's support for ASEAN's Heads of Specialist Units Meeting, which brings together specialist trafficking investigators to collaborate on cross-border investigations. DFAT's support for improved collaboration between Thai, Burmese and Indonesian law enforcement agencies on trafficking in the fishing industry commenced with a trilateral workshop convened in Thailand by AAPTIP in June 2015, drawing together key practitioners to establish cross-border investigations protocol for maritime-centred trafficking flows.

Regionally, AAPTIP also provided technical assistance to the Senior Officials Meeting on Transnational Crime TIP Working Group to develop ASEAN Guidelines for the treatment of victim-witnesses within the criminal justice system, including through support for ASEAN workshops to progress these guidelines in April 2014 in Kuala Lumpur and April 2015 in Bangkok, Thailand.

In August 2014, members of the AFP Human Trafficking Team attended the International Law Enforcement Academy in Bangkok to deliver a two week International Human Trafficking Investigation Workshop to participants from 11 South East Asian countries. Participants included a mix of investigators, prosecutors, immigration officers and social welfare members, which reflects the cooperation between different agencies in human trafficking and slavery-related investigations. This annual course is expected to be held again in August 2015.

From 1 to 5 June 2015, the AFP facilitated a workshop in Bangladesh, which was conducted at the Bangladeshi Police College and focused on investigative techniques, evidence collection and prosecution and disruption methodologies.

The Pacific Transnational Crime Network (PTCN) plays an integral role across the Pacific region through enhancing the capacity of Pacific nations to combat transnational crime

including human trafficking. The PTCN consists of 17 Transnational Crime Units (TCUs) across the Pacific. Each of these TCUs is staffed by local law enforcement.

The AFP provides support to the PTCN through five TCU Advisors. The primary role of an advisor is to mentor TCU members and to identify and implement capacity building opportunities. The PTCN Transnational Crime Assessment for 2014 identified exploitation of people as a medium risk crime type which is increasing in prevalence in the Micronesia and Melanesia regions. In Polynesia, the risk is assessed as low.

DIBP works closely with other whole-of-government and international stakeholders through the Bali Process to develop regional responses to current challenges and implement a practical workshop program on border control, law enforcement and human trafficking. Under the auspices of the Bali Process's Regional Cooperation Framework and the associated Regional Support Office, DIBP supports a range of initiatives that pursue the reduction of irregular migration through enhancing migration management and border security, and promoting mechanisms to improve access to protection and durable solutions for refugees and other vulnerable people in the region.

### **Capacity building, technical assistance and border management**

DIBP undertakes a broad range of capacity building activities and provides technical assistance to a number of countries, including to support efforts to address irregular migration and human trafficking and slavery.

In 2014-15, DIBP continued its targeted capacity building program with immigration and border agencies in the Middle East, Asia and Pacific regions. Certain activities were delivered under the auspices of Joint Working Groups with regional countries, while other activities were strengthened by formal arrangements, such as the Strategic Partnership Framework between Australia and the IOM, signed on 28 April 2015. DIBP's capacity building program also includes:

- document examination equipment and training for frontline immigration officers at airports and land borders. The training and equipment contribute to deterring human trafficking by enabling more officers to confidently and accurately detect fraudulent travel documentation at borders
- facial image comparison training to enhance agencies' ability to prevent irregular movement by developing immigration officers' skills in detecting fraudulent use of travel documents
- intelligence analysis capacity building activities to boost agencies' capacity to capture data, analyse and report on trends in irregular migration throughout the region. These activities encourage information and intelligence sharing between DIBP and other agencies, which is crucial to investigating human trafficking activities, and
- immigration investigations training to strengthen officers' capacity to investigate criminal activity related to irregular migration, such as human trafficking.

DIBP also continues to build capacity through border assessments; alert systems design and implementation; and development of border management systems, including biometric

capabilities, passport systems, identity verification, legal and regulatory frameworks, and protection frameworks.

## **Preventing human trafficking to Australia**

In recognition of the challenges and complex nature of combating human trafficking overseas, DIBP has realigned the work previously undertaken by three Senior Migration Officers (Integrity) (Trafficking) to other roles within the offshore network. These include Integrity officers, Senior and Principal Migration Officers as well as Visa Processing Officers who are focused on preventing human trafficking to Australia at its source.

Relying on current integrity reports, in 2014-15, these DIBP officers vetted visa applications for evidence of fraud that may indicate potential human trafficking and analysed trends in visa processing, including:

- applicants' travel patterns
- suspicious activity or patterns by migration agents, and
- the visa classes being targeted by human trafficking organisations.

During the reporting period, DIBP officers analysed data relating to non-compliance with visa conditions for use in screening for immigration fraud, as well as to identify possible human trafficking cases. They also provided key support and liaison services to onshore compliance officers in the investigation of allegations concerning suspected trafficked people in Australia.

DIBP staff worked closely with the AFP liaison officers at post in key source countries to identify human trafficking links with Australia and liaised with local government and non-government agencies to identify ways to prevent human trafficking.

# Related practices

While they are not encompassed by Australia's response to combat human trafficking and slavery, significant efforts are being made to address the separate, but related exploitative practices of female genital mutilation/cutting, illicit practices in intercountry adoption and surrogacy arrangements, and domestic violence.

## Female genital mutilation/cutting

Australia is committed to ending all forms of violence against women and girls, including female genital mutilation/cutting (FGM/C). Globally, there is a link between FGM/C and other harmful practices such as early and forced marriage.

FGM/C is an abuse of human rights and is never acceptable in Australia. The Australian Government is actively working at the domestic and international level to support women and girls affected by FGM/C, including through the implementation of the Second Action Plan of the *National Plan to Reduce Violence against Women and their Children 2010-2022* launched on 27 June 2014.

All Australian states and territories have legislation in place making it a criminal offence to intentionally perform FGM/C on another person, and to remove a child from the state or territory in which they live for the purpose of performing FGM/C. The maximum penalties range from seven to 21 years' imprisonment.

In 2014-15, the Australian Government continued its commitment to support specialist NGOs working to prevent and address FGM/C in Australia. On 6 February 2015, to mark the International Day of Zero Tolerance for FGM, the then Minister Assisting the Prime Minister for Women, Senator the Hon Michaelia Cash, announced over \$265,000 in funding for the Multicultural Centre for Women's Health to deliver the National Education Toolkit FGM Awareness project over the next two years.

Australia also continued to advocate for the elimination for FGM at an international level, including at the 2014 Girl Summit to end FGM and child, early and forced marriage on 22 July 2014, and the 59<sup>th</sup> Session of the UN Commission on the Status of Women from 9 to 20 March 2015.

## Adoption and surrogacy

### Intercountry adoption

A commitment of Australia as a contracting State under the *Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption* is to prevent the abduction, sale of, or traffic in children for the purposes of intercountry adoption through the implementation and observance of Convention safeguards. The *Guide to Good Practice* to the Hague Convention defines the term 'trafficking' as referring to the payment of money or other compensation to facilitate the illegal movement of children for the purposes of illegal

adoption or other forms of exploitation.<sup>46</sup> While there are differing interpretations of the term ‘trafficking’ within intercountry adoption and broader international frameworks, illicit practices in adoption are clearly inconsistent with the principles of the Hague Convention.

AGD, as the Australian Central Authority under the Hague Convention, has continued in its endeavours to address child trafficking and illicit practices in intercountry adoption at the domestic and international level.

In early 2011, Australia convened a working group to develop cooperative measures to prevent illicit practices in intercountry adoption cases. The working group, led by Australia, developed a discussion paper on *Cooperation between the Central Authorities to development a common approach to preventing and addressing illicit practices in intercountry adoption*. This paper was published by the Permanent Bureau of the Hague Conference on Private International Law in October 2012 and distributed to all member states.<sup>47</sup> The continuation of the working group was agreed to by the Hague Special Commission on intercountry adoption held in June 2015.

At the domestic level, Australia has developed a *Protocol for Responding to Allegations of Child Trafficking in Intercountry Adoption* (the Protocol) which is available on AGD’s website.<sup>48</sup> The Protocol provides information about assistance and support available to adoptive parents and adoptees where there are allegations or concerns about child trafficking within a country of origin, from where a child has been adopted to Australia, or there have been specific concerns raised in an individual case.

To maintain the integrity of our intercountry adoption programs, Australia only has programs with countries where it can be satisfied that the principles of the Hague Convention are in place. This is the case even where the country concerned is not a signatory. Australia monitors its programs to ensure a country’s ongoing compliance with these principles, and to identify risks of child trafficking. Where cases of concern arise, consideration is given to whether there are broader program implications. Australia may consider introducing safeguard measures for a program, such as suspending a program or limiting new adoption applications. If child trafficking were identified as a genuine ongoing concern within a particular program, Australia may close that program.

Educating prospective adoptive parents about the realities and risks of intercountry adoption is identified in the Hague Convention’s *Guide to Good Practice* as an important measure to prevent undue pressure on sending countries. The Intercountry Adoption

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<sup>46</sup> The *Implementation and Operation of the 1993 Hague Intercountry Adoption Convention: Guide to Good Practice No. 1* is available online at: <[www.hcch.net/index\\_en.php?act=publications.details&pid=4388](http://www.hcch.net/index_en.php?act=publications.details&pid=4388)>.

<sup>47</sup> The discussion paper on *Cooperation between the Central Authorities to development a common approach to preventing and addressing illicit practices in intercountry adoption* is available online at: <[www.ag.gov.au/FamiliesAndMarriage/IntercountryAdoption/Pages/Intercountryadoptionpoliciesandkeydocuments.aspx](http://www.ag.gov.au/FamiliesAndMarriage/IntercountryAdoption/Pages/Intercountryadoptionpoliciesandkeydocuments.aspx)>.

<sup>48</sup> The *Protocol for Responding to Allegations of Child Trafficking in Intercountry Adoption* is available online at: <[www.ag.gov.au/FamiliesAndMarriage/IntercountryAdoption/Pages/Intercountryadoptionpoliciesandkeydocuments.aspx](http://www.ag.gov.au/FamiliesAndMarriage/IntercountryAdoption/Pages/Intercountryadoptionpoliciesandkeydocuments.aspx)>.

Australia website contains important information for Australian families on the realities and inherent risks in intercountry adoption.<sup>49</sup>

In the past, Australia has also contributed to the work of the Intercountry Adoption Technical Assistance Program (ICATAP). ICATAP, which is operated by the Permanent Bureau of the Hague Conference, provides assistance to governments of certain states planning to ratify or accede to the Hague Convention, or which have ratified or acceded but are experiencing difficulties with implementation of the convention. The provision of this assistance is an important way for Australia, as a receiving country, to support countries of origin.

## Surrogacy

Surrogacy is regulated by Australian states and territories. All jurisdictions (except the Northern Territory) have legislation dealing with surrogacy, including the prohibition of commercial surrogacy. The Australian Capital Territory, New South Wales and Queensland have also legislated to make it illegal for residents of those jurisdictions to enter into commercial surrogacy arrangements in foreign jurisdictions.

On 14 August 2014, the Family Law Council publically released its *Report on Parentage and the Family Law Act*, which examines how issues of surrogacy and parentage are dealt with by the Commonwealth *Family Law Act 1975*. The Council's report does not review surrogacy laws but notes concern regarding the growing occurrence of Australians entering into surrogacy arrangements overseas.

On 26 February and 6 March 2015, the House of Representatives Standing Committee on Social Policy and Legal Affairs Committee held roundtables on surrogacy for government and non-government stakeholders. On 24 March 2015, the committee released a report recommending that the Attorney-General refer to the committee an inquiry into the regulatory and legislative aspects of surrogacy, including potential exploitation through international surrogacy arrangements. As at 30 June 2015, the Committee's recommendation was being considered by the Australian Government.

## Domestic violence

The Australian Government is committed to keeping women and their children safe from violence. In Australia, one in three women has experienced physical violence since the age of 15 and almost one in five has experienced sexual violence. These crimes are gendered crimes – that is, they have an unequal impact on women.

Australia's *National Plan to Reduce Violence against Women and their Children 2010-2022* (the National Plan) is a 12-year strategy that aims to make a significant and sustained reduction in violence against women and their children. The National Plan, endorsed by the Council of Australian Governments (COAG) in 2011, brings together the efforts of Commonwealth, state and territory governments and civil society to achieve a significant and sustained reduction in violence against women and their children.

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<sup>49</sup> Information on the realities of intercountry adoption is available online at: [www.intercountryadoption.gov.au/thinking-about-adoption/considerations/realities-risks/](http://www.intercountryadoption.gov.au/thinking-about-adoption/considerations/realities-risks/).

The National Plan's vision is that Australian women and their children live free from violence in safe communities. It focuses on building respectful relationships and working to increase gender equality to prevent violence from occurring in the first place. It also focuses on ensuring that services meet the needs of women and their children who have experienced violence, holding perpetrators to account, and improving the evidence base.

The National Plan is being delivered through a series of three four-year Action Plans. The Second Action Plan 2013-2016: Moving Ahead was launched by the then Prime Minister, the Hon Tony Abbott MP, on 27 June 2014. The Australian Government has allocated more than \$100 million over four years to underpin activities under the Second Action Plan.

The Second Action Plan contains 26 practical actions and has a strong focus on civil society and a whole of community response. The Australian Government is investing in initiatives that support civil society to transform attitudes, that work with young people to support respectful relationships and that help us learn more about 'what works' for women and their children experiencing, or at risk of experiencing, domestic and family violence and sexual assault.

On 17 April 2015, COAG agreed to address violence against women in 2015, by focusing on the following priorities:

- implementing a national domestic violence order scheme, including progress on a national information sharing system, so that when a woman takes out a protection order in one state she is protected in all states
- developing a set of national outcome standards for perpetrator interventions, to hold them, and the services and systems that deal with them to account, and
- enacting strategies for dealing with technology misuse and online safety for women, to protect women against these newer forms of abuse.

COAG is also contributing \$30 million for a national campaign to reduce violence against women and their children.

# Understanding human trafficking, slavery and related exploitation

## **Australian Institute of Criminology research**

The AIC Human Trafficking and Slavery Program comprised eight research projects in 2014-15. Two of these were published (see Appendix 2), three were finalised (studies on forced marriage, migrant sex workers and labour exploitation in the Australian construction industry) and three commenced. A summary of the latter three projects is provided below.

### **Mapping the attrition of human trafficking and slavery cases through the Australian criminal justice system**

Between 2004 and 2014 the AFP received 469 referrals on alleged human trafficking and slavery matters, and at 30 June 2015, 17 individuals had been convicted for human trafficking and slavery-related offences. It is acknowledged that the nature and complexity of human trafficking and slavery cases can present challenges in their investigation and prosecution. However, there has been little formal analysis as to what these challenges represent in the Australian context, the extent to which these challenges have been met, and the factors that determine whether a case can meet the evidentiary needs for formal investigation and prosecution. This project aims to assess the case-specific and legal, institutional and attitudinal factors that contribute to the movement or attrition of human trafficking and slavery cases through the Australian criminal justice system.

The study involves three main research activities: literature review; quantitative analysis of a sample of human trafficking and slavery cases recorded in AFP and CDPP data systems; and qualitative analysis of interviews conducted with key stakeholders from the AFP, CDPP and state and territory police, as well as DIBP (as a primary referral agency) and the Red Cross (as provider to the Support for Trafficked People Program).

### **Prevention in the context of human trafficking and slavery**

This project examines the activities implemented to prevent human trafficking and slavery from occurring in Australia. The project assesses the applicability of crime prevention theoretical frameworks to conceptualise the targets of prevention activities for human trafficking and slavery, and the mechanisms by which they work. In addition, through conducting a short survey of relevant agencies and organisations, the project intends to: aggregate current information on prevention activities and how they were developed and implemented and analyse stakeholder perceptions of what constitutes effective prevention.



The findings of this project will provide a comprehensive picture of current prevention responses to this crime in Australia, the drivers of their development and implementation and how they relate to stakeholders perception of what constitutes prevention. Further, it will contribute to a greater understanding of how prevention responses could be enhanced by highlighting the gaps in current activities and how these relate to primary, secondary and tertiary points of prevention.

### **Migration brokers and human trafficking**

The aim of this project is to examine the links between the use of migration brokers and human trafficking and slavery, particularly how this relates to current regulations and practices surrounding their use by migrants. It conceptualises potential brokerage scenarios involving migrants entering Australia to work or study to demonstrate potential points for coercion or deception, accrual of inflated debts or loans, funnelling to inflated services, fraud and related exploitation. These scenarios are used to identify strengths and weaknesses in the regulatory system and key elements for inclusion in a refined response framework.

# The year ahead

In 2015-16, the Australian Government will advance a comprehensive program of work aimed at supporting the four pillars under our whole-of-government strategy to combat human trafficking and slavery, and strengthening our role as a regional leader in combating these crimes.

The Australian Government will continue to implement and monitor the impact and effectiveness of key measures under the *National Action Plan to Combat Human Trafficking and Slavery 2015-19* (National Action Plan). In addition to this, the AIC, in consultation with the OWG and IDC, will commence the enhanced Human Trafficking and Slavery Monitoring Program to improve our evidence base for trends and patterns in trafficking activity.

During this period, the Australian Government will continue to progress key initiatives through specialist working groups established under the National Roundtable on Human Trafficking and Slavery (National Roundtable), in particular producing awareness-raising materials on all forms of labour exploitation, and the development of strategies to address exploitative practices in the supply chains of goods and services.

In 2015-16, the Australian Government will also finalise and publish a suite of education and awareness-raising materials developed to reduce the vulnerability of private domestic workers working for foreign officials in Australia.

A key area of focus of the National Action Plan is for Australia to refine its response to forced marriage. In 2015-16, it is anticipated that AGD will implement and raise awareness of legislative amendments made to the Commonwealth *Criminal Code Act 1995* which expand the definition of forced marriage and increase the associated penalties. AGD will also consider the need to introduce additional civil prevention and protection measures to provide a remedy for people in, or at risk of, forced marriage.

AGD, in consultation with the National Roundtable, will finalise and launch the third edition of the *Guidelines for NGOs: Working with trafficked people* to ensure they remain current and readily available.

In 2015-16, the Australian Government will progress the implementation of regulatory reforms made to the Human Trafficking Visa Framework to safeguard the privacy of trafficked people and facilitate better targeted government support and education opportunities. These reforms are expected to be fully implemented by 1 January 2016. DIBP will also develop specialist training for internal officers responsible for processing visa applications to ensure they are able to appropriately identify indicators of human trafficking and slavery.

The AFP will continue its ongoing role in investigating human trafficking and slavery matters, and training frontline officials in this capacity. From 1 July 2015, the AFP will move to a victim-based model of operation by integrating the AFP's investigations, prevention and outreach efforts across all forms of serious exploitation, including human trafficking and

slavery, in order to enhance interoperability and reduce the incidence and impact of Commonwealth crimes against the person. As at 30 June 2015, the CDPP currently had two ongoing prosecutions in relation to human trafficking and slavery-related offences. Over 2015-16, the CDPP will continue in its role of assessing new briefs of evidence referred to it by the AFP.

In 2015-16, DSS will continue to work closely with the Australian Red Cross to ensure the needs of trafficked people are met and on innovative approaches to getting the best value out of Support for Trafficked People Program (Support Program) funding. AGD, in consultation with the OWG, will finalise an operational protocol to ensure that all suspected victims of human trafficking or slavery who are children identified by Australian authorities are afforded appropriate protections and support in line with our international and domestic obligations, including through the Support Program.

Australia will also continue to actively engage in our region and further afield on human trafficking and slavery issues, including through the key mechanism for ongoing regional collaboration on human trafficking, the *Bali Process on People Smuggling, Trafficking in Persons, and Related Transnational Crime* (Bali Process) Trafficking in Persons Working Group (working group). Under the working group's work plan for 2015-17, Australia will collaborate with regional partners to build the capacity of relevant officials to respond to human trafficking and related transnational crime, including by delivering regional training sessions on the Bali Process policy guides.

In 2015-16, DFAT, through the Australia-Asia Program to Combat Trafficking in Persons, will continue to work with law enforcement and justice officials to strengthen criminal justice responses in the ASEAN region to reduce the incentives and opportunities for human trafficking and slavery.

In August 2015, Australia will submit our second National Report to the UN as part of its second cycle Universal Periodic Review (UPR), and on 9 November 2015 Australia will appear before the UPR Working Group for an interactive dialogue. Australia is also expected to submit our fifth period report on the implementation of our obligations under the *International Covenant on Economic, Social and Cultural Rights* (ICESCR) in September 2015, which will include information about Australia's strategy to combat human trafficking and slavery.

As a member of the Governing Body of the ILO, Australia will also engage in a significant discussion at the 2016 International Labour Conference on 'decent work in global supply chains', which will include a focus on eliminating the risk of forced labour and human trafficking.

# Appendix 1: Matters finalised and ongoing matters

## Criminal matters finalised<sup>50</sup>

### Song Chhoung Ea

On 2 February 2012, Mr Ea was charged with several offences against Divisions 270 and 271 of the Commonwealth *Criminal Code Act 1995* (Criminal Code) and an offence against the Commonwealth *Migration Act 1958*. Mr Ea pleaded not guilty to all charges. He was tried in the New South Wales District Court in respect of one count of knowingly conducting business that involved sexual servitude contrary to subsection 270.6(2) of the Criminal Code, two counts of trafficking in persons contrary to subsection 271.2(1B) of the Criminal Code, and two counts of allowing a non-citizen to work in breach of visa conditions contrary to subsection 245AC(2) of the Migration Act. Three further charges of causing another person to enter into debt bondage contrary to subsection 271.(8)(1) of the Criminal Code were placed on a certificate pursuant to section 166 of New South Wales' *Criminal Procedure Act 1986*.

The charges related to three women from Thailand who were allegedly told they were travelling to Australia on student visas, but who alleged that on arrival they had their passports confiscated and were taken to a brothel where they were held against their will.

The trial commenced on 8 April 2013. After lengthy deliberations the jury was unable to reach a verdict on any of the charges and was discharged on 20 June 2013. The CDPP decided that the matter should proceed to a re-trial.

The re-trial commenced in March 2014. A jury was empaneled and the Crown gave an opening address to the jury. Subsequently, the defence counsel's instructing solicitor developed a conflict and sought leave to withdraw. Leave was granted and the jury was discharged. The matter was listed for a re-trial commencing 29 September 2014.

The re-trial concluded on 17 November 2014. Mr Ea was found not guilty on all counts on the indictment, but found guilty of the alternate charges of allowing a non-citizen to work in breach of a visa condition. On 27 March 2015, Mr Ea was sentenced to 16 months' imprisonment to be released forthwith upon him entering into a good behaviour bond.

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<sup>50</sup> Charges relate to the Criminal Code provisions as they were in force prior to 8 March 2013.

## **Andres Tamleht, Henri Lebedev, Allar Ahtmann and Marko Stolts**

On 20 March 2013, Andres Tamleht, Allar Ahtmann, Henri Lebedev and Marko Stolts were each charged with a number of state and Commonwealth summary and indictable offences including eight counts of trafficking in persons contrary to subsection 271.2(2) of the Criminal Code, eight counts of debt bondage contrary to section 271.8 of the Criminal Code, and three counts of intent to extort money and personal identification particulars contrary to subsection 397(2) of Western Australia's *Criminal Code Act Compilation Act 1913* (WA Criminal Code). Mr Tamleht was also charged with two counts of possessing a foreign travel document contrary to subsection 21(4) of the Commonwealth *Foreign Passports (Law Enforcement and Security) Act 2005* (Foreign Passports Act) and Mr Ahtmann and Mr Stolts were each charged with one count of possessing a foreign travel document contrary to subsection 21(4) of the Foreign Passports Act.

The charges related to two Eastern European men who were allegedly recruited by Mr Tamleht's company through a recruitment website. The men were allegedly told to apply for working holiday visas while Mr Tamleht's company arranged airfares, accommodation and employment for a fee. Both men were employed as welders at a factory that allegedly paid the company a fee to find the workers overseas. The men lived in backpackers' hostels and were allegedly told they would be given about \$100 a week from their pay to cover the basic costs of living. They were allegedly threatened with violence if they did not repay their debts. It was further alleged there were implied threats of violence to their families if they did not comply with the demands.

The prosecution against Mr Lebedev was discontinued before trial on or about 2 October 2014 and the human trafficking and debt bondage charges against Mr Ahtmann and Mr Stolts were not included on the final indictment.

The trial against Mr Tamleht, Mr Ahtmann and Mr Stolts commenced on 15 October 2014 in the District Court of Western Australia and concluded on 7 November 2014. At the conclusion of the Crown's case, the judge ruled that there was no case for Mr Tamleht to answer in respect of the human trafficking and debt bondage charges. There was a hung jury in respect of the charges of extortion against Mr Tamleht, Mr Ahtmann and Mr Stolts. The jury found Mr Ahtmann guilty of an offence under the Foreign Passports Act and found Mr Tamleht and Mr Stolts not guilty of offences under the Foreign Passports Act.

The prosecution against Mr Tamleht, Mr Ahtmann and Mr Stolts regarding the alleged extortion offences was discontinued on 19 December 2014. On 3 February 2015, Mr Ahtmann was convicted and released upon him entering into a recognisance in the amount of \$10,000 to be of good behaviour for a period of one year, pursuant to subsection 20(1)(a) of the Commonwealth *Crimes Act 1914*. A condition of that recognisance is that Mr Ahtmann must pay a pecuniary penalty of \$7,000 no later than 3 August 2015.

## **Gurjit Singh**

On 4 April 2013, Mr Singh was charged with one count of organising the entry of a person into Australia being reckless as to whether that person would be exploited after entry, contrary to subsection 271.2(1B) of the Criminal Code. The charge related to the alleged exploitation of a man from India who worked in Mr Singh's restaurant.

Mr Singh made a stay application in the Downing Centre Local Court on 25 February 2014. The application was refused. Mr Singh subsequently lodged an application in the Supreme Court of New South Wales for leave to appeal the Magistrate's decision.

On 2 December 2014, the charge was discontinued as the CDPP did not consider there to be reasonable prospects of securing a conviction.

## **K**

On 16 April 2013, Ms 'K' pleaded guilty to one count of trafficking in children contrary to subsection 271.4(1) of the Criminal Code. Ms K also pleaded guilty to 19 charges under Queensland's *Criminal Code Act 1899* (Queensland Criminal Code), including maintaining a sexual relationship with a child. Due to the number and gravity of the charges under Queensland criminal law, the CDPP referred the prosecution of the Commonwealth trafficking offence to the Queensland Director of Public Prosecutions (Queensland DPP).

The charges related to Ms K's daughter, who was brought to Australia from Thailand in 2006 to reside permanently. Ms K's daughter was subsequently subjected to sexual exploitation in the illegal sex industry in Brisbane. Ms K's name is suppressed to protect the identity of her daughter.

Following her guilty plea, Ms K was sentenced to nine years' imprisonment, with a non-parole period of four years. Ms K appealed against her sentence, and on 18 October 2013 it was reduced to seven years' imprisonment, with a non-parole period of three years and six months.

On 21 July 2014, Ms K's de-facto partner received a suspended sentence of two years' imprisonment in relation to one count of knowingly participating in the provision of prostitution under the Queensland Criminal Code. Three other males were also charged with multiple state child exploitation offences during the course of the investigation.

## **Significant civil matters finalised**

### **Linda Howard**

On 6 May 2015, the Supreme Court of Victoria enforced an order for US\$3.3 million in damages made by a US Court in 2012 against Ms Linda Howard. The claim for damages related to the alleged exploitation of a domestic worker by Ms Howard and her then husband in Japan, where Ms Howard was working for the US Embassy.

### **Divye Trivedi**

On 27 March 2015, the Federal Circuit Court ordered Mr Divye Trivedi to pay \$186,000 to an Indian national (the applicant) who was trafficked to Australia by Mr Trivedi to work in a restaurant. This amount included back-pay, entitlements and interest owed to the applicant. Mr Trivedi had previously been convicted of one count of trafficking in persons in relation to this matter contrary to subsection 271.2(1B) of the Criminal Code (see page 29).

## **Ongoing matters**

### **Michelle Bohol, Jeffrey Bohol and Herminigildo Bohol**

On 10 October 2013, Michelle, Jeffrey and Herminigildo Bohol were each charged with four counts of organising or facilitating the entry of a person into Australia reckless as to whether the person will be exploited contrary to subsection 271.2(1B) of the Criminal Code.

On 18 August 2014, all matters were committed for trial to the District Court of New South Wales at Sydney. As at 30 June 2015, the matters were listed for trial (six weeks duration) to commence on 3 August 2015.

# Appendix 2: AIC research

## AIC human trafficking outputs in 2014-15

### Publications

Bricknell S and Renshaw L 2015. *Exploring the feasibility of an enhanced monitoring program on human trafficking and slavery*. Technical and background paper no. 59. Canberra: Australian Institute of Criminology

Lyneham S 2014. Recovery, return and reintegration of Indonesian victims of human trafficking. *Trends & issues in crime and criminal justice* no. 483. Canberra: Australian Institute of Criminology

### Submissions, presentations, papers and unpublished material

Lyneham S and Richards K 2015. Broadening the conceptualisation of human trafficking in Australia: the problem of marriage trafficking and how to respond. Inaugural Asia-Pacific Conference on Gendered Violence and Violations, Sydney, 10–12 February.

Lyneham S 2014. Slavery within intimate relationships: victim/survivor experiences of violence and seeking help. National Domestic Violence Summit 2014, Sydney, 9 December.

Lyneham S 2014. Bride trafficking: challenging assumptions about human trafficking to Australia. ANZSOC, Sydney, 1 October.



# Appendix 3: *National Action Plan to Combat Human Trafficking and Slavery 2015-19*

## Progress report: 1 January to 30 June 2015

| Item | Pillar | Goal | Measure   | Agency responsible          | Timetable | Status update   |
|------|--------|------|---|-----------------------------|-----------|---|
| 1    | -      | -    | Oversee Australia's <i>National Action Plan to Combat Human Trafficking and Slavery 2015-19</i> through a national coordinating body  | AGD                         | Ongoing   | The Australian Government launched the <i>National Action Plan to Combat Human Trafficking and Slavery 2015-19</i> on 2 December 2014. During the reporting period the National Action Plan was monitored by AGD, in consultation with the IDC. The National Roundtable on Human Trafficking and Slavery was briefed on the implementation of the National Action Plan on 22 June 2015. See pages 7 and 50. |
| 2    | -      | -    | Monitor the implementation of the <i>National Action Plan to Combat Human Trafficking and Slavery 2015-19</i> and report to the Government on its effectiveness, and ensure that emerging issues are addressed on a whole-of-community basis  | AGD with IDC and Roundtable | Ongoing   |   |
| 3    | -      | -    | Ensure that human rights are at the centre of all efforts to protect, assist and provide redress to trafficked people, including through observance of, in so far as they accord with domestic law, the Office of the High Commissioner for Human Rights <i>Recommended Principles and Guidelines on Human Rights and Human Trafficking</i> | AGD with IDC and Roundtable | Ongoing   | During the reporting period, the Australian Government continued to ensure that human rights are at the centre of all efforts to protect, assist and provide redress to trafficked people, including by:  |

| Item | Pillar | Goal | Measure   | Agency responsible          | Timetable | Status update   |
|------|--------|------|---|-----------------------------|-----------|---|
|      |        |      |   |                             |           | reviewing the Human Trafficking Visa Framework to safeguard the privacy of trafficked people and facilitate targeted government support; continuing to provide comprehensive support to trafficked people identified in Australia; contributing to the development of policy guides on identifying and protecting trafficked people under the <i>Bali Process on People Smuggling, Trafficking in Persons, and Related Transnational Crime</i> ; and reporting on our compliance with relevant human rights instruments. See pages 11, 14, 39 and 83. |
| 4    | -      | -    | Ensure that the policies, legislation and operational procedures and guidelines supporting the <i>National Action Plan to Combat Human Trafficking and Slavery 2015-19</i> do not discriminate on the basis of gender, age, race, ethnicity, disability, religion, sex, sexuality, occupation, status as a trafficked person or the type of exploitation which has been experienced | AGD with IDC and Roundtable | Ongoing   | During the reporting period, the Australian Government continued to ensure that the policies, legislation and operational procedures and guidelines supporting the <i>National Action Plan to Combat Human Trafficking and Slavery 2015-19</i> do not discriminate on the basis of gender, age, race, ethnicity, disability, religion, sex, sexuality,  |

| Item | Pillar | Goal | Measure  | Agency responsible | Timetable | Status update  |
|------|--------|------|--|--------------------|-----------|--|
|      |        |      |  |                    |           | <p>occupation, status as a trafficked person or the type of exploitation which has been experienced.</p> <p>During the reporting period, the Australian Government continued to provide comprehensive support to trafficked people identified in Australia, irrespective of their gender, age, race, ethnicity, disability, religion, sex, sexuality, occupation, status as a trafficked person or industry of exploitation.</p> <p>In 2015, the Australian Government reviewed the Human Trafficking Visa Framework to safeguard the privacy of trafficked people and facilitate targeted government support. During the reporting period, the Australian Government also maintained our comprehensive legislative framework, which applies irrespective of the industry of exploitation and includes specific protections for victims giving evidence in court. See pages 11, 17 and 39.</p> |
| 5    | -      | -    | Ensure that the best interests of the child is the primary | AGD with IDC and   | Ongoing   | During the reporting period, the   |

| Item | Pillar | Goal | Measure   | Agency responsible          | Timetable | Status update  |
|------|--------|------|---|-----------------------------|-----------|--|
|      |        |      | consideration when developing, implementing and monitoring policy, legislation and operational procedures and guidelines that relate to trafficked people who are minors  | Roundtable                  |           | Australian Government continued to ensure that the best interests of the child is the primary consideration when developing, implementing and monitoring policy, legislation and operational procedures and guidelines that relate to trafficked people who are children. Between 1 January 2015 and 30 June 2015, the Australian Government continued work to refine operational procedures and guidelines in relation to trafficked people who are children. During the reporting period, the Australian Government also progressed amendments to Australia's forced marriage offences to increase protections against the forced marriage of children. See page 9, 18 and 39. |
| 6    | -      | -    | Maintain the National Roundtable on Human Trafficking and Slavery, and its subordinate Senior Officials' Meeting, as the primary collaborative mechanism between government, civil society organisations, industry and business, and unions to ensure Australia's efforts to combat human trafficking and slavery are developed and implemented on a whole-of-community basis | AGD with IDC and Roundtable | Ongoing   | During the reporting period, the Australian Government maintained the National Roundtable on Human Trafficking and Slavery, and its subordinate Senior Officials' Meeting, as the primary collaborative mechanism between government, civil society  |

| Item | Pillar | Goal | Measure  | Agency responsible          | Timetable | Status update  |
|------|--------|------|--|-----------------------------|-----------|--|
|      |        |      |  |                             |           | organisations, industry and business, and unions. The seventh National Roundtable on Human Trafficking and Slavery was held on 22 June 2015. The most recent Senior Officials' Meeting of the National Roundtable on Human Trafficking and Slavery was held outside the reporting period. See page 50.                   |
| 7    | -      | -    | Maintain accountability for Australia's efforts to combat human trafficking and slavery including through international mechanisms such as the United Nations Human Rights Council's Universal Periodic Review process | AGD with IDC and Roundtable | Ongoing   | During the reporting period, the Australian Government maintained accountability for our efforts to combat human trafficking and slavery, including by actively engaging on human trafficking and slavery issues internationally and reporting on our responses to these crimes through international fora. See page 72. |
| 8    | -      | -    | Maintain transparency in Australia's efforts to combat human trafficking and slavery including through making available an annual summary of its policies, legislation and operational initiatives and outcomes        | AGD with IDC                | Ongoing   | A summary of the Australian Government's efforts to combat human trafficking and slavery is included in the annual Report of the IDC. The 2013-14 IDC Report was outside the reporting period. During the reporting period the   |

| Item | Pillar | Goal | Measure   | Agency responsible | Timetable | Status update   |
|------|--------|------|---|--------------------|-----------|---|
|      |        |      |   |                    |           | Australian Government collected information to inform the drafting of the 2014-15 IDC Report, which will be published during 2015-16. The Australian Government also provides statistical information through our biannual Performance Management Framework (PMF) report. During the reporting period, the Australian Government published the PMF report for 1 July to 31 December 2014. |
| 9.1  | 1      | 1    | Provide funding or practical support for projects which work toward fulfilment of the Millennium Development Goals and Post-2015 development agenda particularly those which focus on eradicating poverty, providing education and promoting gender equality and the empowerment of women and girls | DFAT               | Ongoing   | During the reporting period the Australian Government worked through relevant international and regional fora and our aid program to provide funding and practical support for projects which work toward fulfilment of the Millennium Development Goals and post-2015 development agenda. See page 75.   |
| 10.1 | 1      | 1    | Continue to advocate for adherence to minimum standards for human rights and working conditions during engagement in regional and international fora such as the UN Human Rights Council  | DFAT and AGD       | Ongoing   | During the reporting period, the Australian Government advocated for adherence to minimum standards for human rights and working conditions through our engagement with regional and  |

| Item | Pillar | Goal | Measure  | Agency responsible                   | Timetable | Status update  |
|------|--------|------|--|--------------------------------------|-----------|--|
|      |        |      |  |                                      |           | international fora. See page 72.   |
| 10.2 | 1      | 1    | Continue to take a leadership role internationally on standard setting and sharing best-practice on issues which drive human trafficking and slavery such as poverty and gender inequality   | DFAT, PMC                            | Ongoing   | During the reporting period, the Australian Government continued to take a leadership role internationally on standard setting and sharing best-practice on issues which drive human trafficking and slavery. See page 72.   |
| 11.1 | 1      | 2    | Continue to fund initiatives which build the capacity of vulnerable groups to prevent and protect themselves from human trafficking and slavery through Australia's aid programme  | DFAT                                 | Ongoing   | During the reporting period, the Australian Government provided funding through our aid program for initiatives which build the capacity of vulnerable groups to prevent and protect themselves from human trafficking and slavery. See page 79.   |
| 11.2 | 1      | 2    | Continue to provide practical support to civil society organisations, business and industry and unions domestically for projects which raise awareness and increase resilience to human trafficking and slavery amongst vulnerable groups, such as migrant workers | AGD in consultation with OWG and IDC | Ongoing   | During the reporting period, the Australian Government provided practical support to civil society organisations, business and industry and unions domestically for projects which raise awareness and increase resilience to human trafficking and slavery amongst vulnerable groups. This included providing new funding for specialist non-government |

| Item | Pillar | Goal | Measure   | Agency responsible    | Timetable | Status update   |
|------|--------|------|---|-----------------------|-----------|---|
|      |        |      |   |                       |           | organisations to progress outreach and awareness-raising activities on forced marriage. See page 51.  |
| 12.1 | 1      | 2    | Provide information on workplace rights and obligations including through materials available on the Fair Work Ombudsman's website, ensuring that these materials are available in community languages where possible and appropriate | Employment, FWO       | Ongoing   | During the reporting period, the Australian Government provided information on workplace rights and obligations including through materials available in community languages from the FWO website. See page 42.                             |
| 12.2 | 1      | 2    | Promote safe temporary migratory pathways for employment including schemes such as the Seasonal Worker Program  | Employment, DIBP      | Ongoing   | During the reporting period, the Australian Government worked to promote safe temporary migration pathways for employment. See page 42.   |
| 13.1 | 1      | 3    | Continue to advocate for the ratification and implementation of relevant international agreements on human trafficking and slavery in regional and international fora   | DFAT, AGD, Employment | Ongoing   | During the reporting period, the Australian Government continued to advocate for the ratification and implementation of relevant international agreements on human trafficking and slavery in regional and international fora. See page 72. |
| 13.2 | 1      | 3    | Continue to take a leadership role internationally on standard setting and sharing best-practice in preventing and addressing human trafficking and slavery   | IDC                   | Ongoing   | During the reporting period, the Australian Government continued to take a leadership role internationally on standard setting  |



| Item | Pillar | Goal | Measure   | Agency responsible | Timetable | Status update  |
|------|--------|------|---|--------------------|-----------|--|
|      |        |      |   |                    |           | and sharing best-practice in preventing and addressing human trafficking and slavery. See page 72.   |
| 13.3 | 1      | 3    | Continue to promote effective and coordinated regional responses to prevention and deterrence, detection and investigation, prosecution and compliance, and victim support and protection, including through the <i>Bali Process on People Smuggling, Trafficking in Persons, and Related Transnational Crime</i> | DFAT, AGD          | Ongoing   | During the reporting period, the Australian Government continued to promote effective and coordinated regional responses to prevention and deterrence, detection and investigation, prosecution and compliance, and victim support and protection, including through the development of policy guides through the <i>Bali Process on People Smuggling, Trafficking in Persons, and Related Transnational Crime</i> and legal capacity building activities. See pages 14 and 83-85. |
| 14.1 | 1      | 3    | Raise awareness amongst the community, including the media, on human trafficking and slavery, ensuring that educational materials are available in community languages where possible and appropriate   | IDC                | Ongoing   | During the reporting period, the Australian Government worked to raise awareness amongst the community, including the media, on human trafficking and slavery, including by holding workshops on forced marriage in each state and territory capital. The Australian Government also translated the  |

| Item | Pillar | Goal | Measure  | Agency responsible   | Timetable | Status update  |
|------|--------|------|--|----------------------|-----------|--|
|      |        |      |  |                      |           | <i>Forced Marriage Community Pack</i> into community languages. See pages 9 and 70.  |
| 14.2 | 1      | 3    | Ensure materials about the Australian Government response to human trafficking and slavery remain current and readily available    | AGD with OWG and IDC | Ongoing   | During the reporting period, the Australian Government ensured materials about our response to human trafficking and slavery remain current and readily available, including through the dissemination of the <i>Forced Marriage Community Pack</i> . See pages 9 and 70.                                      |
| 15.1 | 1      | 4    | Maintain a dedicated Australian Government human trafficking and slavery research program  | AIC                  | Ongoing   | During the reporting period, the Australian Government maintained a dedicated human trafficking and slavery research program. See page 92.   |
| 15.2 | 1      | 4    | Support collaborative research with independent research institutions, academia, civil society organisations, unions, and industry | AIC, AGD             | Ongoing   | During the reporting period, the Australian Government undertook collaborative research with academia, civil society organisations, unions, and industry through the Supply Chains Working Group (working group). In 2015, the working group completed the first phase of its work program, 'understanding the |

| Item | Pillar | Goal | Measure   | Agency responsible   | Timetable                 | Status update   |
|------|--------|------|---|----------------------|---------------------------|---|
|      |        |      |   |                      |                           | <p>response.'</p> <p>The AIC undertook a study on forced marriage in Australia and New Zealand with assistance and support from Shakti Community Council. A study on migrant sex workers in collaboration with Scarlet Alliance was finalised in the same period. See pages 46 and 92.</p>  |
| 15.3 | 1      | 4    | Continue to be responsive to requests for information on Australia's response to human trafficking and slavery from multilateral bodies and other countries   | AGD, DFAT            | Ongoing                   | During the reporting period, the Australian Government responded to requests for information on Australia's response to human trafficking and slavery from a number of multilateral bodies and other countries. See page 72.  |
| 16.1 | 1      | 4    | Continue to monitor Australia's strategy to combat human trafficking and slavery including through biannual Performance Management Framework reporting, annual reporting to the Australian Parliament by the Interdepartmental Committee, and reporting to the National Roundtable on Human Trafficking and Slavery and its supplementary Senior Officials' Meeting | AGD with OWG and IDC | Ongoing, biannual, annual | During the reporting period, the Australian Government reported to the National Roundtable on Human Trafficking and Slavery. During the reporting period, the Australian Government also published the Performance Management Framework report for 1 July 2014 to 31 December 2014. During the reporting period the Australian Government |

| Item | Pillar | Goal | Measure  | Agency responsible         | Timetable | Status update  |
|------|--------|------|--|----------------------------|-----------|--|
|      |        |      |  |                            |           | collected information to inform the drafting of the 2014-15 IDC Report, which will be published during the next reporting period. See page 50.   |
| 17.1 | 1      | 5    | Support research and intelligence collection on contemporary trends in criminal justice and related fields to identify vulnerabilities and protections   | AIC, AGD, ACC              | Ongoing   | During the reporting period, the Australian Government supported research and intelligence collection on contemporary trends in criminal justice and related fields to identify vulnerabilities and protections, including through the <i>Organised Crime in Australia 2015</i> report. See pages 26 and 30. |
| 17.2 | 1      | 5    | Monitor international research and emerging trends on human trafficking and slavery-related crime types to identify emerging offender methodologies  | AGD with OWG and AIC       | Ongoing   | During the reporting period, the Australian Government continued to monitor international research and emerging trends on human trafficking and slavery-related crime types to identify emerging offender methodologies, including in relation to forced marriage. See pages 26, 30 and 92.                  |
| 18.1 | 1      | 5    | Maintain frameworks and standards which promote rights and provide safeguards including the National Employment Standards which set the minimum wages and conditions for workers, offences in the <i>Marriage Act 1961</i> for child | Employment, FWO, AGD, DIBP | Ongoing   | During the reporting period, the Australian Government maintained appropriate frameworks and standards,  |

| Item | Pillar | Goal | Measure   | Agency responsible   | Timetable | Status update  |
|------|--------|------|---|----------------------|-----------|--|
|      |        |      | marriage, and systems which ensure that appropriate checks are made and intelligence considered during the visa decision-making process   |                      |           | including the National Employment Standards, offences in the <i>Marriage Act 1961</i> , and systems which ensure that appropriate checks are made and intelligence considered during the visa decision-making process. See pages 42 and 96.  |
| 18.2 | 1      | 5    | Continue to monitor the effectiveness of relevant sections of the <i>Criminal Code Act 1995</i> , <i>Crimes Act 1914</i> , <i>Migration Act 1958</i> , <i>Telecommunications (Interception and Access) Act 1979</i> , and the <i>Fair Work Act 2009</i> | AGD, DIBP, FWO, CDPP | Ongoing   | During the reporting period, the Australian Government continued to monitor the effectiveness of relevant sections of the <i>Criminal Code Act 1995</i> , <i>Crimes Act 1914</i> , <i>Migration Act 1958</i> , <i>Telecommunications (Interception and Access) Act 1979</i> , and the <i>Fair Work Act 2009</i> , including through periodic meetings of the OWG. During the reporting period, the Australian Parliament amended the Commonwealth <i>Criminal Code Act 1995</i> to make explicit that the slavery offences have universal jurisdiction. See page 17. |
| 18.3 | 1      | 5    | Maintain the capacity of the Australian Federal Police Human Trafficking Teams, Fair Work inspectors, Department of Immigration and Border Protection compliance officers and the Commonwealth Director of Public Prosecutions to                       | AFP, FWO, CDPP, DIBP | Ongoing   | During the reporting period, the Australian Government maintained the capacity of the AFP Human Trafficking Teams, Fair  |

| Item | Pillar | Goal | Measure   | Agency responsible  | Timetable | Status update  |
|------|--------|------|---|---------------------|-----------|--|
|      |        |      | investigate and enforce matters relating to human trafficking and slavery and substandard wages and conditions  |                     |           | Work inspectors, DIBP compliance officers and the CDPP to investigate and enforce matters relating to human trafficking and slavery and substandard wages and conditions. See pages 16, 43 and 86.   |
| 19.1 | 1      | 5    | Support initiatives which promote education and awareness-raising, compliance and investigation activities related to the exploitation of workers, particularly those identified as vulnerable, including in community languages where possible and appropriate | FWO, DIBP, AFP, AGD | Ongoing   | During the reporting period, the Australian Government supported initiatives which promote education and awareness-raising, compliance and investigation activities related to the exploitation of workers, particularly those identified as vulnerable. This included enforcement and educational activities undertaken by the FWO and DIBP. See page 42. |
| 19.2 | 1      | 5    | Continue to monitor the treatment of vulnerable workers to ensure that they are being treated in accordance with workplace law  | FWO                 | Ongoing   | During the reporting period, the Australian Government continued to monitor the treatment of vulnerable workers to ensure that they are being treated in accordance with workplace law. See page 42.   |
| 19.3 | 1      | 5    | Continue to monitor Australia's visa framework to identify  | DIBP                | Ongoing   | During the reporting period, the   |

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|------|--------|------|---|--------------------|-----------------|--|
|      |        |      | and reduce vulnerabilities to human trafficking and slavery   |                    |                 | Australian Government continued to monitor Australia's visa framework to identify and reduce vulnerabilities to human trafficking and slavery. Significant reforms to the Human Trafficking Visa Framework were progressed during the reporting period for implementation during 2015-16. See page 11.   |
| 20.1 | 2      | 1    | Continue to run the annual Human Trafficking Investigations Programs for Australian Federal Police investigators, state and territory police and representatives from Department of Immigration and Border Protection | AFP                | Ongoing, annual | During the reporting period, the Australian Government continued to run the annual Human Trafficking Investigations Course for AFP investigators, state and territory police and representatives from DIBP. A Human Trafficking Investigations Course was run by the AFP from 4-8 May 2015. See page 29. |
| 20.2 | 2      | 1    | Continue to provide specialist training to Department of Immigration and Border Protection onshore compliance officers through the Compliance Training Program  | DIBP               | Ongoing         | During the reporting period, the Australian Government provided specialist training to DIBP onshore compliance officers through the Compliance Training Program. See page 29.  |
| 20.3 | 2      | 1    | Continue to provide specialist training to Department of  | DIBP               | Ongoing         | During the reporting period, the   |

| Item | Pillar | Goal | Measure  | Agency responsible | Timetable            | Status update   |
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|      |        |      | Immigration and Border Protection state and territory Offices to ensure frontline staff, as a first point of client contact, are able to identify indicators of human trafficking and slavery  |                    |                      | Australian Government provided specialist training to DIBP state and territory offices to ensure frontline staff, as a first point of client contact, are able to identify indicators of human trafficking and slavery. See page 29.                                |
| 20.4 | 2      | 1    | Continue to provide specialist training to Fair Work Ombudsman officers to ensure the identification and referral to the Australian Federal Police of more serious forms of labour exploitation which may amount to human trafficking or slavery | FWO                | Ongoing              | During the reporting period, the Australian Government continued to provide specialist training to FWO officers to ensure the identification and referral to the AFP of more serious forms of labour exploitation which may amount to human trafficking or slavery. |
| 20.5 | 2      | 1    | Continue to provide information on forced marriage to marriage celebrants through the <i>Guidelines on the Marriage Act 1961 for Marriage Celebrants</i>   | AGD                | Ongoing              | During the reporting period, the Australian Government continued to provide information on forced marriage to marriage celebrants through the <i>Guidelines on the Marriage Act 1961 for Marriage Celebrants</i> . See page 30.                                     |
| 21.1 | 2      | 1    | Continue to provide specialist training to Department of Immigration and Border Protection officers being posted offshore to recognise indicators and prevent trafficking in source countries  | DIBP               | Ongoing, pre-posting | During the reporting period, the Australian Government continued to provide specialist training to DIBP officers being posted   |



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|      |        |      |   |                     |                      | offshore to recognise indicators and prevent trafficking in source countries. Specialist induction was also provided to Human Trafficking Contact Officers and DIBP officers at overseas posts prior to the commencement of their respective roles. See page 29.                        |
| 21.2 | 2      | 1    | Continue pre-departure training for Australian officials undertaking overseas postings on their obligations with respect to reporting extraterritorial offences of serious crimes, including human trafficking                                | DFAT, Defence, AFP  | Ongoing, pre-posting | During the reporting period, the Australian Government provided pre-departure training for 227 Australian officials undertaking overseas postings on their obligations with respect to reporting extraterritorial offences of serious crimes, including human trafficking. See page 29. |
| 21.3 | 2      | 1    | Continue to provide specialist policy guidance and training to Department of Foreign Affairs and Trade officers posted overseas to ensure the appropriate management and referral of consular cases including those involving forced marriage | DFAT                | Ongoing              | During the reporting period, the Australian Government continued to provide specialist policy guidance and training to DFAT officers posted overseas to ensure the appropriate management and referral of consular cases, including those involving forced marriage. See page 30.       |
| 22.1 | 2      | 2    | Monitor and refine as appropriate existing tools and  | AFP, DIBP, FWO, AGD | Ongoing              | During the reporting period, the  |

| Item | Pillar | Goal | Measure  | Agency responsible | Timetable | Status update  |
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|      |        |      | guidance used by frontline officers for the identification of trafficked people  |                    |           | Australian Government monitored and refined existing tools and guidance used by frontline officers for the identification of trafficked people, including formal referral and information sharing mechanisms between the FWO and DIBP.   |
| 23.1 | 2      | 2    | Provide practical support for organisations to raise awareness on the indicators and referral pathways for human trafficking and slavery   | AGD                | Ongoing   | During the reporting period, the Australian Government continued to provide practical support for organisations to raise awareness on the indicators and referral pathways for human trafficking and slavery. This included providing new funding for specialist non-government organisations to progress outreach and awareness-raising activities on forced marriage. See page 51. |
| 24.1 | 2      | 2    | Maintain capacity of Australian Federal Police Community Liaison Teams to build positive, trusting and cohesive relationships with relevant communities under its National Community Engagement Strategy | AFP                | Ongoing   | During the reporting period, the Australian Government maintained the capacity of the AFP Community Liaison Teams.   |
| 24.2 | 2      | 2    | Continue proactive engagement with relevant communities through the Fair Work Ombudsman's Community Engagement Strategy  | FWO                | Ongoing   | During the reporting period, the Australian Government continued proactive engagement with   |

| Item | Pillar | Goal | Measure   | Agency responsible  | Timetable         | Status update  |
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|      |        |      |   |                     |                   | relevant communities through the FWO's Community Engagement Strategy. The FWO has established a dedicated Community Engagement team to implement the strategy. See page 43.  |
| 25.1 | 2      | 3    | Continue to monitor the effectiveness of relevant sections of the <i>Criminal Code Act 1995</i> , <i>Crimes Act 1914</i> , <i>Migration Act 1958</i> , <i>Telecommunications (Interception and Access) Act 1979</i> , and the <i>Fair Work Act 2009</i> | AGD, DIBP, FWO, AFP | Ongoing           | During the reporting period, the Australian Government continued to monitor the effectiveness of relevant sections of the <i>Criminal Code Act 1995</i> , <i>Crimes Act 1914</i> , <i>Migration Act 1958</i> , <i>Telecommunications (Interception and Access) Act 1979</i> , and the <i>Fair Work Act 2009</i> , including through periodic meetings of the OWG. During the reporting period, the Australian Parliament amended the <i>Criminal Code Act 1995</i> to make explicit that the slavery offences have universal jurisdiction. See pages 17. |
| 26.1 | 2      | 3    | Maintain an assessment of human trafficking and related crime types in the Organised Crime in Australia report  | ACC                 | Ongoing, biannual | During the reporting period, the Australian Government maintained an assessment of human trafficking and related crime types in the Organised Crime in Australia report. The   |

| Item | Pillar | Goal | Measure   | Agency responsible | Timetable | Status update  |
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|      |        |      |   |                    |           | <i>Organised Crime in Australia 2015</i> report was published during the reporting period and includes an assessment of human trafficking and related crime types. See page 30.  |
| 26.2 | 2      | 3    | Maintain the Australian Crime Commission's National Criminal Intelligence Fusion Capability which supports a whole-of-government response to serious and organised crime  | ACC                | Ongoing   | During the reporting period, the ACC maintained its National Criminal Intelligence Fusion Capability (Fusion). Fusion provides the opportunity for Commonwealth, state and territory law enforcement agencies to work closely together in order to prevent, disrupt, and investigate organised crime. Expert staff from Australian Taxation Office, Centrelink and the AFP were seconded to the Fusion Centre. |
| 27.1 | 2      | 3    | Maintain the capacity of the Australian Federal Police Human Trafficking Teams and Fair Work inspectors to investigate and cross-refer matters relating to human trafficking and slavery, and substandard wages and conditions respectively | AFP, FWO           | Ongoing   | During the reporting period, the Australian Government maintained the capacity of the AFP Human Trafficking Teams and Fair Work inspectors to investigate and cross-refer matters relating to human trafficking and slavery, and substandard wages and conditions  |

| Item | Pillar | Goal | Measure  | Agency responsible       | Timetable                    | Status update   |
|------|--------|------|--|--------------------------|------------------------------|---|
|      |        |      |  |                          |                              | respectively. See page 16 and 43.   |
| 28.1 | 2      | 3    | Continue to collect information on offender methodologies through biannual Performance Management Framework reporting, and annual reporting to the Australian Parliament by the Interdepartmental Committee on Human Trafficking and Slavery | AGD with the OWG and IDC | Ongoing, biannual and annual | During the reporting period, the Australian Government continued to collect information on offender methodologies through our biannual Performance Management Framework (PMF) reporting and published the PMF report for 1 July to 31 December 2014. During the reporting period the Australian Government also collected information to inform the drafting of the 2014-15 Report of the IDC, which will be published during the next reporting period. The 2013-14 IDC Report was published outside the reporting period. |
| 28.2 | 2      | 3    | Maintain regular review of ongoing investigations, including offender methodologies, through the Operational Working Group   | AGD with OWG             | Ongoing, six-weekly          | During the reporting period, the Australian Government maintained the regular review of ongoing investigations, including offender methodologies, through the OWG. See page 26.   |
| 28.3 | 2      | 3    | Maintain internal Australian Federal Police case review procedures, including on offender methodology and conduct  | AFP                      | Ongoing                      | During the reporting period, the Australian Government maintained internal AFP case   |

| Item | Pillar | Goal | Measure   | Agency responsible                                  | Timetable       | Status update   |
|------|--------|------|---|---|-----------------|---|
|      |        |      |   |   |                 | review procedures, including on offender methodology and conduct.   |
| 29.1 | 2      | 3    | Review the <i>Australian Policing Strategy to Combat Trafficking in Persons 2011-13</i>   | AFP in consultation with state and territory police | December 2014   | During the reporting period, the Australian Government continued its review of the <i>Australian Policing Strategy to Combat Trafficking in Persons 2011-13</i> . In response to stakeholder feedback which suggested that interagency arrangements may now be better served by a business-as-usual protocol, the AFP has drafted a new agreement entitled the <i>National Policing Protocol to Combat Human Trafficking, Slavery and Slavery-like Practices</i> . See page 25. |
| 29.2 | 2      | 3    | Maintain relevant referral protocols between the Australian Federal Police, Department of Immigration and Border Protection and Fair Work Ombudsman   | AFP, DIBP, FWO                                      | Ongoing         | During the reporting period, the Australian Government maintained relevant referral protocols between the AFP, DIBP and FWO.  |
| 30.1 | 2      | 4    | Ensure that Australian Federal Police investigators, state and territory police and Department of Immigration and Border Protection officers receive training in providing culturally, age and gender sensitive assistance to trafficked people | AFP   | Ongoing, annual | During the reporting period, the Australian Government provided training on providing culturally, age and gender sensitive  |

| Item | Pillar | Goal | Measure  | Agency responsible                                      | Timetable | Status update   |
|------|--------|------|--|---|-----------|---|
|      |        |      | through the Human Trafficking Investigations Program   |   |           | assistance to trafficked people through the annual Human Trafficking Investigations Course, which was run by the AFP from 4-8 May 2015. See page 29.  |
| 31.1 | 2      | 4    | Continue to consider the best interests of trafficked people as a primary concern in an investigation  | AFP   | Ongoing   | During the reporting period, the Australian Government through the AFP continued to consider the best interests of trafficked people as a primary concern in an investigation.  |
| 31.2 | 2      | 4    | Continue to make intensive support available for up to 45 days to all trafficked people on the Support for Trafficked People Program to allow for recovery and reflection time for trafficked people to assess their options, irrespective of their willingness or ability to assist in an investigation | DSS with STPP service provider in consultation with OWG | Ongoing   | During the reporting period, the Australian Government continued to make intensive support available for up to 45 days to all trafficked people on the Support for Trafficked People Program. See page 33.  |
| 31.3 | 2      | 4    | Continue to ensure that trafficked people who are not Australian citizens or permanent residents and who would be in danger on return home due to their assistance in an investigation are able to remain in Australia   | AFP, AGD and DIBP                                       | Ongoing   | During the reporting period, the Australian Government continued to ensure that trafficked people who made a contribution to an investigation or prosecution and who would be in danger on return home are able to remain in Australia. No Witness Protection (Trafficking) (Permanent) visas |

| Item | Pillar | Goal | Measure  | Agency responsible             | Timetable       | Status update   |
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|      |        |      |  |                                |                 | (WPTV) were issued during the reporting period. One trafficked person was issued a Protection visa. See page 40.  |
| 32.1 | 2      | 4    | Continue to provide trafficked people with access to legal and migration advice through the Support for Trafficked People Program                              | DSS with STPP service provider | Ongoing         | During the reporting period, the Australian Government continued to provide trafficked people with access to legal and migration advice through the Support for Trafficked People Program. See page 32.   |
| 33.1 | 2      | 5    | Maintain the capacity of the Australian Federal Police Overseas Liaison Network to support investigations outside of Australia's jurisdiction                  | AFP                            | Ongoing         | During the reporting period, the Australian Government maintained the capacity of the AFP's Overseas Liaison Network to support investigations outside of Australia's jurisdiction. Between 1 January 2015 and 30 June 2015, the Overseas Liaison Network assisted with a number of human trafficking and slavery-related investigations. |
| 33.2 | 2      | 5    | Continue to participate in capacity building forums including the International Law Enforcement Academy International Human Trafficking Investigation Workshop | AFP                            | Ongoing, annual | During the reporting period, the Australian Government continued to participate in capacity building forums through the AFP, including a workshop at the Bangladeshi  |



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|      |        |      |   |                    |           | Police College. The International Law Enforcement Academy International Human Trafficking Investigation Workshop was not held during the reporting period. See page 85.   |
| 33.3 | 2      | 5    | Continue to provide Transnational Crime Unit Advisors to the Pacific Transnational Crime Network to enhance the capacity of Pacific nations to combat transnational crime, including human trafficking  | AFP                | Ongoing   | During the reporting period, the Australian Government continued to provide Transnational Crime Unit Advisors from the AFP to the Pacific Transnational Crime Network. See page 85.   |
| 33.4 | 2      | 5    | Continue capacity building and technical assistance activities which address all forms of irregular migration, including through the provision of training and equipment for document examination, facial image comparison, intelligence analysis and immigration investigations training | DIBP               | Ongoing   | During the reporting period, the Australian Government conducted a range of capacity building and technical assistance activities through the DIBP to address all forms of irregular migration. See page 86.  |
| 34.1 | 2      | 5    | Maintain Australian Federal Police capacity as the Interpol National Central Bureau for Australia to facilitate cross-border police cooperation to prevent and combat international crime including human trafficking   | AFP                | Ongoing   | During the reporting period, the Australian Government maintained the AFP's capacity as the INTERPOL National Central Bureau for Australia to facilitate cross-border police cooperation to prevent and combat international crime including human trafficking. |

| Item | Pillar | Goal | Measure   | Agency responsible | Timetable | Status update   |
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| 34.2 | 2      | 5    | Maintain the Attorney-General's Department's capacity as Australia's central authority for international extradition matters  | AGD                | Ongoing   | During the reporting period, the Australian Government maintained AGD's capacity as Australia's central authority for international extradition matters.  |
| 34.3 | 2      | 5    | Maintain capacity to facilitate mutual assistance requests to enable government-to-government assistance in criminal investigations and prosecutions and the identification and recovery of the proceeds of crime   | AGD                | Ongoing   | During the reporting period, the Australian Government maintained the capacity to facilitate mutual assistance requests to enable government-to-government assistance in criminal investigations and prosecutions and the identification and recovery of the proceeds of crime. |
| 35.1 | 2      | 5    | Work with law enforcement and justice officials through the Australia-Asia Program to Combat Trafficking in Persons to strengthen criminal justice responses in the ASEAN region including through the training of judges, prosecutors and investigators  | DFAT               | 2013–18   | During the reporting period, the Australian Government worked with law enforcement and justice officials through the Australia-Asia Program to Combat Trafficking in Persons. See page 80.  |
| 35.2 | 2      | 5    | Work with countries in the region to strengthen legal frameworks on human trafficking by assisting in the development of legislation and practitioner guides, including through the <i>Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime</i> and its working group on trafficking in persons | AGD                | Ongoing   | During the reporting period, the Australian Government worked with countries in the region to strengthen legal frameworks by contributing to the development of two <i>Bali Process on People</i>   |

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|      |        |      |  |                    |           | <i>Smuggling, Trafficking in Persons, and Related Transnational Crime</i> policy guides on <i>Identifying Victims of Trafficking</i> and <i>Protecting Victims of Trafficking</i> . The Bali Process Working Group on Trafficking in Persons held its inaugural meeting on 27 March 2015 in Bangkok, Thailand. See pages 14 and 83.    |
| 35.3 | 2      | 5    | Work with countries in the region to strengthen capacity of law and justice officials and investigate and prosecute human trafficking and slavery  | AGD, AFP           | Ongoing   | During the reporting period, the Australian Government continued to work with countries in the region to strengthen capacity of law and justice officials and investigate and prosecute human trafficking and slavery. See page 83.  |
| 36.1 | 3      | 1    | Monitor Australia's compliance with, and reporting obligations under, relevant international human rights treaties, specifically: the <i>Universal Declaration on Human Rights</i> ; <i>International Covenant on Civil and Political Rights</i> ; <i>International Covenant on Economic, Social and Cultural Rights</i> ; <i>Convention on the Elimination of All forms of Discrimination Against Women</i> ; the <i>Convention on the Rights of the Child</i> and its second <i>Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography</i> ; the <i>Convention Against Torture</i> ; and the <i>Convention on the</i> | AGD, DFAT, PMC     | Ongoing   | During the reporting period, the Australian Government met our reporting obligations under a number of human rights treaties, including the <i>Convention on the Elimination of all Forms of Discrimination against Women</i> , the <i>International Covenant on Civil and Political Rights</i> , the <i>International Covenant on</i> |

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|      |        |      | <i>Rights of Persons with Disabilities</i>  |                    |           | <i>Economic, Social and Cultural Rights and the Convention Against Torture. See pages 73 and 74.</i>   |
| 36.2 | 3      | 1    | Monitor Australia's compliance with, and reporting obligations under, the <i>UN Convention Against Transnational Organized Crime</i> and its supplementary <i>Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children</i> , and the <i>Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery</i> | AGD, DFAT          | Ongoing   | During the reporting period, the Australian Government continued to monitor our compliance with the <i>UN Convention Against Transnational Organized Crime</i> and its supplementary <i>Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children</i> , and the <i>Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery</i> . Australia was not required to fulfil any reporting obligations under these instruments between 1 January and 30 June 2015. |
| 36.3 | 3      | 1    | Monitor Australia's compliance with, and reporting obligations under, International Labour Organization Conventions on Forced Labour (C29), the Abolition of Forced Labour (C105) and the Worst Forms of Child Labour (C182)  | AGD, Employment    | Ongoing   | During the reporting period, the Australian Government continued to monitor our compliance with the International Labour Organization Conventions on Forced Labour (C29), the Abolition of Forced Labour (C105) and the Worst Forms of Child Labour  |

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|      |        |      |  |                      |                              | (C182). Australia was not required to fulfil any reporting obligations under these instruments between 1 January and 30 June 2015.   |
| 36.4 | 3      | 1    | Maintain endorsement of the Istanbul Treaty on Organ Trafficking and Transplant Tourism, and the World Health Organization Guiding Principles on Human Cell, Tissue and Organ Transplantation                                    | Health               | Ongoing                      | During the reporting period, the Australian Government maintained endorsement of the Istanbul Treaty on Organ Trafficking and Transplant Tourism, and the World Health Organization Guiding Principles on Human Cell, Tissue and Organ Transplantation.  |
| 37.1 | 3      | 1    | Continue to collect information on offender methodologies through biannual Performance Management Framework reporting, and annual reporting to the Australian Parliament by the Interdepartmental Committee on Human Trafficking | AGD with OWG and IDC | Ongoing, biannual and annual | During the reporting period, the Australian Government continued to collect information on offender methodologies through our biannual Performance Management Framework reporting and published the Performance Management Framework report for 1 July to 31 December 2014. During the reporting period the Australian Government also collected information to inform the drafting of the 2014-15 Report of the IDC, which will be published during the |

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|      |        |      |   |                      |                     | next reporting period. The 2013-14 IDC Report was published outside the reporting period.   |
| 37.2 | 3      | 1    | Maintain regular review of prosecutions, including offender methodologies, through the Operational Working Group  | AGD with OWG         | Ongoing, six-weekly | During the reporting period, the Australian Government continued to regularly review prosecutions, including offender methodologies, through the OWG.   |
| 37.3 | 3      | 1    | Maintain internal Commonwealth Director of Public Prosecutions case review procedures, including on offender methodology and conduct  | CDPP                 | Ongoing             | During the reporting period, the Australian Government maintained the CDPP's internal case review procedures, including on offender methodology and conduct.  |
| 38.1 | 3      | 2    | Continue to monitor the effectiveness of relevant sections, including penalties, of the <i>Criminal Code Act 1995</i> , <i>Crimes Act 1914</i> , <i>Migration Act 1958</i> , <i>Telecommunications (Interception and Access) Act 1979</i> , and the <i>Fair Work Act 2009</i> | AGD, DIBP, FWO, CDPP | Ongoing             | During the reporting period, the Australian Government continued to monitor the effectiveness of relevant sections, including penalties, of the <i>Criminal Code Act 1995</i> , <i>Crimes Act 1914</i> , <i>Migration Act 1958</i> , <i>Telecommunications (Interception and Access) Act 1979</i> , and the <i>Fair Work Act 2009</i> . During the reporting period, the Australian Parliament amended the Commonwealth <i>Criminal Code Act 1995</i> to make explicit that the |

| Item | Pillar | Goal | Measure   | Agency responsible   | Timetable | Status update  |
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|      |        |      |   |  |           | slavery offences have universal jurisdiction. See page 17.   |
| 38.2 | 3      | 2    | Maintain the capacity of the Commonwealth Director of Public Prosecutions and Fair Work Ombudsman to prosecute matters relating to human trafficking and slavery, and substandard wages and conditions respectively | FWO, CDPP  | Ongoing   | During the reporting period, the Australian Government maintained the capacity of the CDPP and FWO to prosecute matters relating to human trafficking and slavery, and substandard wages and conditions respectively. See pages 27 and 43. |
| 39.1 | 3      | 2    | Maintain relevant referral protocols between the Commonwealth Director of Public Prosecutions and state and territory Offices of Public Prosecutions  | CDPP in consultation with state and territory Offices of Public Prosecutions | Ongoing   | During the reporting period, the Australian Government maintained the CDPP's referral protocols between with state and territory Offices of Public Prosecutions.   |
| 39.2 | 3      | 2    | Ensure capacity of state and territory Offices of Public Prosecutions to prosecute Commonwealth human trafficking and slavery offences  | CDPP in consultation with state and territory Offices of Public Prosecutions | Ongoing   | During the reporting period, the Australian Government ensured the capacity of state and territory Offices of Public Prosecutions to prosecute Commonwealth human trafficking and slavery offences.  |
| 39.3 | 3      | 2    | Maintain capacity for domestic extradition in human trafficking and slavery matters under the <i>Service and Execution of Process Act 1992</i>  | AGD  | Ongoing   | During the reporting period, the Australian Government maintained capacity for domestic extradition in human trafficking and slavery matters under the   |

| Item | Pillar | Goal | Measure  | Agency responsible                   | Timetable | Status update  |
|------|--------|------|--|--------------------------------------|-----------|--|
|      |        |      |  |                                      |           | <i>Service and Execution of Process Act 1992.</i>  |
| 39.4 | 3      | 2    | Maintain procedural frameworks to support prosecutions of human trafficking and slavery matters in overseas jurisdictions, and the capacity for witnesses located overseas to participate in domestic trials | AGD                                  | Ongoing   | During the reporting period, the Australian Government maintained procedural frameworks to support prosecutions of human trafficking and slavery matters in overseas jurisdictions, and the capacity for witnesses located overseas to participate in domestic trials.         |
| 40.1 | 3      | 3    | Support trafficked people through the duration of the prosecution process through the Justice Support Stream and Temporary Trial Support Stream of the Support for Trafficked People Program                 | DSS with STPP service provider, CDPP | Ongoing   | During the reporting period, the Australian Government continued to support trafficked people through the duration of the prosecution process through the Justice Support Stream and Temporary Trial Support Stream of the Support for Trafficked People Program. See page 33. |
| 40.2 | 3      | 3    | Continue to provide trafficked people with access to legal and migration advice through the Support for Trafficked People Program  | DSS with STPP service provider       | Ongoing   | During the reporting period, the Australian Government continued to provide trafficked people with access to legal and migration advice through the Support for Trafficked People Program. See page 33.  |



| Item | Pillar | Goal | Measure   | Agency responsible | Timetable | Status update   |
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| 40.3 | 3      | 3    | Provide assistance to trafficked people during the prosecution process through the Commonwealth Director of Public Prosecutions Witness Assistance Officer, and by supporting organisations which provide pastoral care | CDPP               | Ongoing   | During the reporting period, the Australian Government provided assistance to trafficked people during the prosecution process through the CDPP Witness Assistance Service (WAS), and by supporting organisations which provide pastoral care. During the reporting period, the WAS provided assistance to multiple victims in two separate matters, involving six victims. |
| 41.1 | 3      | 3    | Continue to take into consideration the best interests of a trafficked person during the prosecution process  | CDPP               | Ongoing   | During the reporting period, the Australian Government through the CDPP continued to take into consideration the best interests of a trafficked person during the prosecution process.  |
| 41.2 | 3      | 3    | Continue to provide trafficked people with the opportunity to make a victim impact statement during sentencing in a prosecution process   | CDPP               | Ongoing   | During the reporting period, the Australian Government continued to provide trafficked people with the opportunity to make a victim impact statement during sentencing in a prosecution process. See page 24.   |
| 41.3 | 3      | 3    | Continue to advocate in court proceedings for the provision to trafficked people of appropriate protections during the  | CDPP               | Ongoing   | During the reporting period, the Australian Government through the  |

| Item | Pillar | Goal | Measure   | Agency responsible             | Timetable | Status update   |
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|      |        |      | prosecution process including non-publication orders and alternate means of giving testimony  |                                |           | CDPP continued to advocate in court proceedings for the provision to trafficked people of appropriate protections during the prosecution process including non-publication orders and alternate means of giving testimony.  |
| 41.4 | 3      | 3    | Continue to ensure that trafficked people who are not Australian citizens or permanent residents and who would be in danger on return home due to their assistance in a prosecution are able to remain in Australia | AFP, AGD, DIBP                 | Ongoing   | During the reporting period, the Australian Government continued to ensure that trafficked people who made a contribution to an investigation or prosecution and who would be in danger on return home are able to remain in Australia. In 2015, the Australian Government reviewed the Human Trafficking Visa Framework to safeguard the privacy of trafficked people and facilitate targeted government support. See pages 11 and 39. |
| 42.1 | 3      | 4    | Provide trafficked people with access to legal advice through the Support for Trafficked People Program, including on available remedies  | DSS with STPP service provider | Ongoing   | During the reporting period, the Australian Government continued to provide trafficked people with access to legal advice through the Support for Trafficked People Program, including on available   |

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|      |        |      |   |   |           | remedies. See page 33.  |
| 43.1 | 3      | 4    | Monitor the current framework of state and territory victims of crime financial assistance schemes and its availability to victims of human trafficking and slavery | AGD in consultation with the states and territories | Ongoing   | During the reporting period, the Australian Government continued to monitor the current framework of state and territory victims of crime financial assistance schemes and its availability to victims of human trafficking and slavery. In 2015, the Australian Government engaged with the Law, Crime and Community Safety Council Victims Working Group, which provides a forum for sharing information between the states and territories on victim support, including on financial assistance. |
| 43.2 | 3      | 4    | Continue to monitor the possible need for a federal victims of crime financial assistance scheme  | AGD   | Ongoing   | During the reporting period, the Australian Government continued to monitor the possible need for a federal victims of crime financial assistance scheme. In 2015, the Australian Government engaged with the Law, Crime and Community Safety Council Victims Working Group, which provides a forum for sharing information between the states and territories on victim support, including on  |

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|      |        |      |  |                    |           | financial assistance.   |
| 44.1 | 3      | 4    | Maintain the availability of reparation orders for victims of human trafficking and slavery under Section 21B of the <i>Crimes Act 1914</i>  | AGD                | Ongoing   | During the reporting period, the Australian Government maintained the availability of reparation orders for victims of human trafficking and slavery under section 21B of the <i>Crimes Act 1914</i> .                            |
| 44.2 | 3      | 4    | Continue to ensure the Commonwealth Director of Public Prosecutions informs trafficked people of the availability of reparation orders where a criminal conviction for relevant offences is secure | CDPP               | Ongoing   | During the reporting period, the Australian Government through the CDPP continued to ensure trafficked people were informed of the availability of reparation orders where a criminal conviction for relevant offences is secure. |
| 45.1 | 3      | 4    | Maintain mechanisms which provide trafficked people with the opportunity to pursue civil damages including for unpaid wages and entitlements   | FWO                | Ongoing   | During the reporting period, the Australian Government maintained mechanisms which provide trafficked people with the opportunity to pursue civil damages including for unpaid wages and entitlements. See page 43.               |
| 46.1 | 3      | 5    | Monitor the effectiveness of the <i>Proceeds of Crime Act 2002</i> and its regulations which allow for the confiscation of assets in relation to human trafficking and slavery offences            | AGD, AFP, CDPP     | Ongoing   | During the reporting period, the Australian Government continued to monitor the effectiveness of the <i>Proceeds of Crime Act 2002</i> and its  |

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|------|--------|------|---|--------------------|-----------|---|
|      |        |      |   |                    |           | regulations which allow for the confiscation of assets in relation to human trafficking and slavery offences. In 2015, the <i>Proceeds of Crime Regulations 2002</i> were updated to ensure that all Commonwealth human trafficking, slavery and slavery-like offences are considered 'serious offences' for the purposes of the Proceeds of Crime Act. The AFP and the CDPP are able to seek court orders to deprive persons of the proceeds of, instruments of and benefits derived from serious offences listed under the Proceeds of Crime Regulations. |
| 47.1 | 3      | 5    | Maintain capacity to facilitate mutual assistance requests to enable government-to-government assistance including for the recovery of the proceeds of crime. | AGD                | Ongoing   | During the reporting period, the Australian Government maintained the capacity to facilitate mutual assistance requests to enable government-to-government assistance including for the recovery of the proceeds of crime.  |
| 47.2 | 3      | 5    | Maintain capacity to pursue asset confiscation in relation to human trafficking and slavery offences  | AFP, CDPP          | Ongoing   | During the reporting period, the Australian Government maintained the capacity to pursue  |

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|      |        |      |  |                                       |           | asset confiscation in relation to human trafficking and slavery offences.   |
| 47.3 | 3      | 5    | Maintain the effectiveness of the Criminal Assets Confiscation Taskforce in enhancing the identification and pursuit of potential criminal asset confiscation matters  | AFP                                   | Ongoing   | During the reporting period, the Australian Government maintained the effectiveness of the AFP Criminal Assets Confiscation Taskforce in enhancing the identification and pursuit of potential criminal asset confiscation matters.                                     |
| 47.4 | 3      | 5    | Provide capacity building assistance to assist countries in the region to develop strong asset confiscation and anti-money laundering laws   | AGD                                   | Ongoing   | During the reporting period, the Australian Government provided capacity building assistance to assist countries in the region to develop strong asset confiscation and anti-money laundering laws. See page 84.  |
| 48.1 | 4      | 1    | Ensure that the Australian Federal Police, Department of Immigration and Border Protection and Support for Trafficked People Program service provider maintain responsiveness in assisting trafficked people, including within the timeframes set out in relevant internal protocols | AFP, DIBP, DSS with the STPP provider | Ongoing   | During the reporting period, the Australian Government ensured that the AFP, DIBP and the Support for Trafficked People Program service provider maintained responsiveness in assisting trafficked people, including within the timeframes set out in relevant internal |

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|------|--------|------|--|----------------------------|-----------|--|
|      |        |      |  |                            |           | protocols.   |
| 48.2 | 4      | 1    | Ensure that the Human Trafficking Visa Framework continues to be administered in a timely manner                         | DIBP, AFP, AGD             | Ongoing   | During the reporting period, the Australian Government ensured that the Human Trafficking Visa Framework continues to be administered in a timely manner. See page 39.   |
| 48.3 | 4      | 1    | Ensure that investigations and prosecutions for human trafficking and slavery matters are progressed without undue delay | AFP, CDPP                  | Ongoing   | During the reporting period, the Australian Government ensured that investigations and prosecutions for human trafficking and slavery matters were progressed without undue delay. See page 24.  |
| 49.1 | 4      | 1    | Continue to provide individualised support through the Support for Trafficked People Program                             | DSS with the STPP provider | Ongoing   | During the reporting period, the Australian Government continued to provide individualised support through the Support for Trafficked People Program. In 2014-15, a total of 88 clients, including 38 new clients, received assistance through the Support Program. See page 33. |
| 49.2 | 4      | 1    | Ensure that the <i>Criminal Code Act 1995</i> continues to capture all forms of exploitation                             | AGD                        | Ongoing   | During the reporting period, the Australian Government progressed legislative amendments to ensure that the <i>Criminal Code Act 1995</i>  |

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|      |        |      |   |  |           | continues to capture all forms of exploitation. See pages 10 and 18.  |
| 49.3 | 4      | 1    | Ensure that trafficked people have access to interpreters and relevant materials in community languages where possible and appropriate  | AGD, AFP, DSS with the STPP provider, DIBP, CDPP           | Ongoing   | During the reporting period, the Australian Government ensured that trafficked people have access to interpreters and relevant materials in community languages where possible and appropriate, including by translating the <i>Forced Marriage Community Pack</i> into selected community languages. See pages 9 and 70. |
| 50.1 | 4      | 1    | Ensure that the <i>Criminal Code Act 1995</i> continues to provide specific offences and aggravated penalties for offences involving trafficked people who are minors   | AGD  | Ongoing   | During the reporting period, the Australian Government ensured that that the <i>Criminal Code Act 1995</i> continues to provide specific offences and aggravated penalties for offences involving trafficked people who are children. See page 16.  |
| 50.2 | 4      | 1    | Ensure that the Support for Trafficked People Program and Human Trafficking Visa Framework continue to take into account the needs of minors, including through the availability of a 90 day reflection and recovery period under the Assessment and Intensive Support and Extended Intensive Support Streams | DSS with the STPP provider, DIBP, in consultation with OWG | Ongoing   | During the reporting period, the Australian Government ensured that the Support for Trafficked People Program and Human Trafficking Visa Framework continue to take into account the needs of children, including   |



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|      |        |      |  |                                 |           | through the availability of a 90 day reflection and recovery period under the Assessment and Intensive Support and Extended Intensive Support Streams. See pages 33 and 39.  |
| 50.3 | 4      | 1    | Continue to ensure that the Australian Federal Police and Support for Trafficked People Program service provider work with state and territory child protection agencies in human trafficking and slavery matters involving trafficked people who are minors | AFP, DSS with the STPP provider | Ongoing   | During the reporting period, the Australian Government continued to ensure that the AFP and Support for Trafficked People Program service provider work with state and territory child protection agencies in human trafficking and slavery matters involving trafficked people who are children.                  |
| 50.4 | 4      | 1    | Ensure trafficked people who are minors are afforded additional protections in the investigation and prosecution process, including through the use of available child witness, special witness and vulnerable witness protections                           | CDPP, AFP                       | Ongoing   | During the reporting period, the Australian Government ensured trafficked people who are children are afforded additional protections in the investigation and prosecution process, including through the use of available child witness, special witness and vulnerable witness protections. See pages 24 and 39. |
| 51.1 | 4      | 2    | Ensure that the Australian Government Support for  | AFP, DSS with the               | Ongoing   | During the reporting period, the   |

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|      |        |      | Trafficked People Program continues to be appropriately supported  | STPP provider            |           | Australian Government ensured that the Australian Government Support for Trafficked People Program (Support Program) continues to be appropriately supported. The Australian Government has funded the Australian Red Cross to provide case management services for the Support Program until 30 June 2018. See page 33.   |
| 52.1 | 4      | 2    | Provide practical support to civil society organisations, business and industry, and unions in their efforts to combat human trafficking and slavery | AGD with the OWG and IDC | Ongoing   | During the reporting period, the Australian Government provided practical support to civil society organisations, business and industry, and unions in their efforts to combat human trafficking and slavery. This included providing new funding for specialist non-government organisations to progress outreach and awareness-raising activities on forced marriage. See page 51. |
| 52.2 | 4      | 2    | Ensure the <i>Guidelines for NGOs: Working with trafficked people</i> remain current and readily available   | AGD                      | 2015      | During the reporting period, the Australian Government ensured the <i>Guidelines for NGOs: Working with trafficked people</i> (Guidelines) remain current and readily  |

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|      |        |      |   |                       |           | available by undertaking a review of the Guidelines in consultation with members of the National Roundtable on Human Trafficking and Slavery. The revised guidelines will be made available in 2015-16. See page 50.   |
| 52.3 | 4      | 2    | Support further collaborative research, with independent research institutions, civil society organisations, unions, business and industry to strengthen collection of reliable, relevant data and to ascertain alternative methods for timely and accurate identification of victims | AIC, AGD              | Ongoing   | <p>During the reporting period, the Australian Government undertook collaborative research with civil society organisations, unions, and business and industry through the Supply Chains Working Group (working group). In 2015, the working group completed the first phase of its work program, 'understanding the response.'</p> <p>AIC research on forced marriage and the application of prevention activities to combat human trafficking and slavery involved extensive consultation with government, civil society and service provider stakeholders. See pages 46 and 92.</p> |
| 52.4 | 4      | 2    | Promote the value of civil society participation at relevant national and international meetings  | DFAT, AGD, Employment | Ongoing   | During the reporting period, the Australian Government promoted the value of civil society   |

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|      |        |      |   |                            |                | participation at relevant national and international meetings as appropriate, including through the National Roundtable on Human Trafficking and Slavery and the <i>Bali Process on People Smuggling, Trafficking in Persons, and Related Transnational Crime</i> . See pages 14, 50 and 83. |
| 53.1 | 4      | 3    | Ensure that the Support for Trafficked People Program continues to refer and link trafficked people to other relevant supports including during the transition period | DSS with the STPP provider | Ongoing        | During the reporting period, the Australian Government ensured that the Support for Trafficked People Program continues to refer and link trafficked people to other relevant supports including during the transition period. See page 33.  |
| 53.2 | 4      | 3    | Continue to provide trafficked people with access to legal and migration advice through the Support for Trafficked People Program                                     | DSS with the STPP provider | Ongoing        | During the reporting period, the Australian Government continued to provide trafficked people with access to legal and migration advice through the Support for Trafficked People Program. See page 33.  |
| 54.1 | 4      | 3    | Provide practical support to civil society organisations who provide direct support and services to trafficked people   | AGD with the OWG           | As appropriate | During the reporting period, the Australian Government continued to provide practical support to civil society organisations that provide  |

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|      |        |      |   |                    |           | direct support and services to trafficked people. This included providing new funding for specialist non-government organisations to progress outreach and awareness-raising activities on forced marriage. See page 51.   |
| 55.1 | 4      | 4    | Continue to ensure that all agencies working with trafficked people act in accordance with their obligations under the <i>Privacy Act 1988</i> , which sets out rules about information handling, collection, use, storage and disclosure of personal information | IDC                | Ongoing   | During the reporting period, the Australian Government continued to ensure that all agencies working with trafficked people act in accordance with their obligations under the <i>Privacy Act 1988</i> , which sets out rules about information handling, collection, use, storage and disclosure of personal information. |
| 55.2 | 4      | 4    | Continue to advocate in court proceedings for orders to protect the identity of trafficked people   | CDPP               | Ongoing   | During the reporting period the Australian Government through the CDPP continued to advocate in court proceedings for orders to protect the identity of trafficked people.   |
| 56.1 | 4      | 4    | Continue to work with the International Organization for Migration to provide for safe repatriation of trafficked people  | DIBP, AFP          | Ongoing   | During the reporting period the Australian Government continued to work with the International Organization for Migration to   |

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|------|--------|------|--|--------------------|-----------|---|
|      |        |      |  |                    |           | provide for safe repatriation of trafficked people.   |
| 57.1 | 4      | 4    | Continue to ensure that trafficked people who are not Australian citizens or permanent residents and who would be in danger on return home due to their assistance in an investigation or prosecution are able to remain in Australia                            | AFP, AGD, DIBP     | Ongoing   | During the reporting period, the Australian Government ensured that trafficked people who made a contribution to an investigation or prosecution and who would be in danger on return home are able to remain in Australia. No Witness Protection (Trafficking) (Permanent) visas were issued during the reporting period. One trafficked person was issued a Protection visa. See page 39. |
| 58.1 | 4      | 5    | Continue to make an intensive reflection and recovery support period available for up to 45 days to all trafficked people on the Support for Trafficked People Program irrespective of their willingness or ability to assist in an investigation or prosecution | DSS with the OWG   | Ongoing   | During the reporting period, the Australian Government continued to make an intensive reflection and recovery support period available for up to 45 days to all trafficked people on the Support for Trafficked People Program irrespective of their willingness or ability to assist in an investigation or prosecution. See page 33.  |
| 59.1 | 4      | 5    | Ensure trafficked people are not detained, charged or prosecuted for status-related offences, or held in immigration detention   | AFP, CDPP, DIBP    | Ongoing   | During the reporting period, the Australian Government worked to ensure trafficked people were not  |

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|      |        |      |  |                    |           | detained, charged or prosecuted for status-related offences, or held in immigration detention.   |
| 59.2 | 4      | 5    | Ensure that any person, in relation to whom indicators of trafficking are noted by Department of Immigration and Border Protection, is referred to the Australian Federal Police and, if both unlawful and assessed by Australian Federal Police as a suspected trafficked person, is granted a bridging visa and not detained | DIBP               | Ongoing   | During the reporting period, the DIBP continued to refer suspected trafficked people to the AFP. A suspected victim of human trafficking and slavery who is an unlawful non-citizen will not be held in immigration detention and will be granted a bridging visa. See page 26.            |
| 60.1 | 4      |      | Ensure that agencies with policy and operational responsibility for trafficked people continue to take into account the accessibility of an effective remedy in reviewing or implementing new or existing policies and procedures  | IDC                | Ongoing   | During the reporting period, the Australian Government ensured that agencies with policy and operational responsibility for trafficked people continue to take into account the accessibility of an effective remedy in reviewing or implementing new or existing policies and procedures. |
| 61.1 | 4      |      | Continue to take into account the accessibility of an effective remedy in reviewing or implementing new or existing policies and procedures  | OWG                | Ongoing   | During the reporting period, the Australian Government continued to take into account the accessibility of an effective remedy in reviewing or implementing new or existing policies and   |

| Item | Pillar | Goal | Measure  | Agency responsible                   | Timetable | Status update   |
|------|--------|------|--|--------------------------------------|-----------|---|
|      |        |      |  |                                      |           | procedures.   |
| 61.2 | 4      |      | Explore ways to improve access to educational and employment opportunities for trafficked people under the Support for Trafficked People Program | AGD, DSS, DIBP, Industry             | 2015-16   | During the reporting period, the Australian Government explored ways to improve access to educational and employment opportunities for trafficked people under the Support for Trafficked People Program. This included progressing work to extend access to the Adult Migrant English Program to eligible trafficked people, working with the states and territories to improve trafficked people's access to vocational education and training and announcing the waiving of the Newly Arrived Resident's Waiting Period for social security payments other than Special Benefit for trafficked people on permanent visas. See page 12. |
| 62.1 | 4      | 5    | Develop an enhanced Human Trafficking and Slavery Monitoring Program   | AIC in consultation with OWG and IDC | 2015      | During the reporting period, the Australian Government continued to explore options for the development of an enhanced Human Trafficking and Slavery Monitoring Program. See page 92.   |



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| 63.1 | 1      | 4    | Complete the first two phases in the development of Australia's response to labour exploitation in supply chains (understanding the problem and developing the response)                                     | AGD                | 2015      | During the reporting period, the Australian Government progressed the first phase of Australia's response to labour exploitation in supply chains. The first and second phases are expected to be completed during the next reporting period. See page 46.   |
| 64.1 | 1      | 1    | Develop specialist training for Department of Immigration and Border Protection officers responsible for processing of visa applications to ensure they are able to identify indicators of human trafficking | DIBP               | 2015-16   | During the reporting period, the Australian Government through the DIBP provided specialist training for officers responsible for processing of visa applications to ensure they are able to identify indicators of human trafficking. The DIBP continued to assess the effectiveness of this training and scope for refinements during the reporting period. See page 29. |
| 65.1 | 2      | 1    | Develop and implement specialist training for state and territory frontline officers, including child protection, labour inspectors, teachers and health officials   | AGD                | 2015-16   | During the reporting period, the Australian Government continued to assess options for the development and implementation of specialist training for state and territory frontline officers, including child protection, labour inspectors, teachers and health officials. The Australian  |

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|      |        |      |   |                    |           | Government also conducted a series of forced marriage workshops for frontline officers in each Australian state and territory capital during the reporting period. See pages 9 and 70.  |
| 65.2 | 2      | 1    | Engage with faith-based communities including marriage officiants to raise awareness on the indicators and referral pathways for forced marriage  | AGD                | 2015      | During the reporting period, the Australian Government continued to engage with faith-based communities including marriage officiants to raise awareness on the indicators and referral pathways for forced marriage.   |
| 66.1 | 2      | 2    | Develop and make available materials on indicators and referral pathways to communities and groups identified as vulnerable, including in relevant community languages where possible and appropriate | AGD                | 2015-16   | During the reporting period, the Australian Government continued to develop and make available materials on indicators and referral pathways to communities and groups identified as vulnerable, including through the dissemination and translation of the <i>Forced Marriage Community Pack</i> . See pages 9 and 70. |
| 67.1 | 2      | 3    | Collect and share information through the National Border Targeting Centre  | DIBP, AFP          | Ongoing   | During the reporting period, the Australian Government continued to collect and share information through the National Border   |

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|------|--------|------|--|--|-----------|---|
|      |        |      |  |  |           | Targeting Centre.   |
| 68.1 | 2      | 4    | Develop and make available a client information kit for trafficked people receiving assistance through the Support for Trafficked People Program   | DSS with STPP service provider               | 2015      | During the reporting period, the Australian Government developed and made available a client information kit for trafficked people receiving assistance through the Support for Trafficked People Program.  |
| 69.1 | 3      | 1    | Progress consideration of ratification of the 2014 International Labour Organization Forced Labour Protocol supplementing the Forced Labour Convention (C29)                                     | Employment in consultation with AGD and DFAT | 2015      | During the reporting period, the 2014 International Labour Organization Forced Labour Protocol supplementing the Forced Labour Convention (C29) was tabled in the Australian Parliament.  |
| 70.1 | 3      | 2    | Consider the development of a system for monitoring related state and territory criminal and regulatory frameworks to identify any gaps in Australia's response to human trafficking and slavery | AGD, CDPP                                    | Ongoing   | During the reporting period, the Australian Government continued to consider the development of a system for monitoring related state and territory criminal and regulatory frameworks to identify any gaps in Australia's response to human trafficking and slavery. |
| 70.2 | 3      | 2    | Consider the need for additional civil measures within the family law system to provide a remedy for people in, or at risk of forced marriage  | AGD  | 2015-16   | During the reporting period, the Australian Government continued to consider the need for additional civil measures within the family   |

| Item | Pillar | Goal | Measure   | Agency responsible   | Timetable | Status update   |
|------|--------|------|---|--|-----------|---|
|      |        |      |   |  |           | law system to provide a remedy for people in, or at risk of, forced marriage.   |
| 71.1 | 3      | 3    | Develop and make available a client information kit for trafficked people receiving assistance through the Support for Trafficked People Program  | DSS with STPP service provider   | 2015      | During the reporting period, the Australian Government developed and made available a client information kit for trafficked people receiving assistance through the Support for Trafficked People Program.  |
| 72.1 | 3      | 4    | Provide trafficked people with access to information on avenues for obtaining a civil or administrative remedy, including for remaining in Australia while the remedy is sought   | DIBP, DSS with STPP service provider                                   | 2015-16   | During the reporting period, the Australian Government continued to consider options for providing trafficked people with access to information on avenues for obtaining a civil or administrative remedy, including for remaining in Australia while the remedy is sought. |
| 73.1 | 4      | 1    | Develop an operational protocol for minors to ensure that all minors identified by Australian authorities as suspected victims of human trafficking or slavery are afforded appropriate protections and support in line with Australia's international and domestic obligations | AGD in consultation with OWG and relevant state and territory agencies | 2015-16   | During the reporting period, the Australian Government progressed the development of an operational protocol for children to ensure that all children identified by Australian authorities as suspected victims of human trafficking or slavery are afforded appropriate    |

| Item | Pillar | Goal | Measure   | Agency responsible                                      | Timetable | Status update   |
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|      |        |      |   |   |           | protections and support in line with Australia's international and domestic obligations. The protocol is expected to be finalised in 2015-16. See page 39.  |
| 74.1 | 4      | 3    | Develop and make available appropriate referral pathways including to best-practice providers in each state and territory | DSS with STPP service provider in consultation with OWG | 2015-16   | During the reporting period, the Australian Government progressed work to make available appropriate referral pathways including to best practice providers in each state and territory.  |
| 75.1 | 4      | 4    | Provide referral pathways for trafficked people being repatriated to local supports and service providers                 | OWG   | 2015-16   | During the reporting period, the Australian Government progressed work to provide referral pathways for trafficked people being repatriated to local supports and service providers.  |
| 76.2 | 4      | 5    | Conduct a review of the Human Trafficking Visa Framework  | DIBP in consultation with OWG                           | 2015      | During the reporting period, the Australian Government conducted a review of the Human Trafficking Visa Framework. A range of reforms resulting from this review were progressed during the reporting period and will be fully implemented in 2015-16. See page 11. |

