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Public consultation paper on the National Action Plan to Combat Modern Slavery 2020-2024

Australian Lawyers for Human Rights (**ALHR**) is grateful for the opportunity to provide this submission in response to the public consultation paper (**Consultation Paper**) on the National Action Plan to Combat Modern Slavery 2020-2024 (**2020-2024 Plan**).

ALHR welcomes the 2020-2024 Plan as an ongoing commitment of the Australian Government to its whole-of-Government strategy to address and respond to modern slavery, including its plan to support the effective implementation of the *Modern Slavery Act 2018* (Cth) (**Act**).

ALHR has previously made submissions regarding the Act, and continues to support and advocate for the effective implementation of the Act as a means of strengthening Australia's domestic response to modern slavery.¹

Further, ALHR welcomes the Government's commitment to ensuring that the 2020-24 Plan reflects emerging issues and trends, and a whole-of-community perspective. It is vital that the 2020-2024 Plan reflects the current issues facing individuals, the community, businesses and the nation as a whole regarding modern slavery, in order for the plan to be relevant and effective.

¹ Australian Lawyers for Human Rights, Submission on the Modern Slavery Act 2018 Draft Guidance for Reporting Entities, 19 May 2019, <https://alhr.org.au/submission-modern-slavery-act-2018-draft-guidance-reporting-entities/>; Australian Lawyers for Human Rights Australian Lawyers for Human Rights, Submission to the Senate Legal and Constitutional Affairs Committee on the Commonwealth Modern Slavery Bill 2018, 20 July 2018, <https://alhr.org.au/wp-content/uploads/2018/07/20-7-18-ALHR-Submission-Feedback-on-Cth-Modern-Slavery-BillE.pdf>; Australian Lawyers for Human Rights, Submission on Inquiry into establishing a Modern Slavery Act in Australia, 27 April 2017, <https://alhr.org.au/inquiry-establishing-modern-slavery-act-australia/>.

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1. Recommendations

- 1.1 ALHR welcomes the opportunity to provide this submission on the Consultation Paper and makes the following recommendations:
 - 1.1.1 **Goal 2 should be expanded to include engagement with ‘the Australian and international community to understand and combat modern slavery’.**
 - 1.1.2 **Businesses be provided with further education and guidance on how to implement a gender lens in their identification of, and responses to, modern slavery risks and when undertaking human rights due diligence.**
 - 1.1.3 **Goal 4 should be expanded to ‘enhance’ as well as ‘maintain’ the current legislative framework.**
 - 1.1.4 **In realising Goal 10 detailed information about non-judicial remedies should be provided to businesses, individuals and the community to empower victims of modern slavery to report and speak out.**
 - 1.1.5 **An additional goal to ‘engage the Australian business sector to understand and combat modern slavery’ should be included.**
 - 1.1.6 **A list of reporting entities should be made publicly available to ensure compliance under the Act.**
 - 1.1.7 **There should be an appointment of a Commonwealth Anti-Slavery Commissioner.**
 - 1.1.8 **The Government should ensure victims of modern slavery are empowered through their meaningful participation in the consultation process in the preparation of the 2020-2024 Plan.**
 - 1.1.9 **When developing its evaluation framework, the Government should consider the risks faced by victims in the collection of data to measure the effectiveness of the 2020-2024 Plan.**
 - 1.1.10 **The Government should consider establishing a centre tasked specifically with developing state-of-the-art data and evaluation measures to support an evidence-based approach to addressing modern slavery.**
 - 1.1.11 **The Government should continue to communicate and collaborate with civil society to ensure that consultation and participation occurs during the development, implementation, monitoring and evaluation of the 202-2024 Plan, in particular the evaluation framework for the plan.**

2. Consultation Question One - Do the 12 goals capture key areas of focus for Australia over the next five years?

- 2.1 ALHR supports the 12 proposed goals in addressing the cycle of exploitation and is encouraged by the Government's commitment to addressing issues of prevention, enforcement and victim support. Notwithstanding this, ALHR makes the following submissions and recommendations in relation to the proposed 12 goals in the Consultation Paper.

Goal 2 - engage the Australian community to understand and combat modern slavery

- 2.2 Goal 2 of the Consultation Paper focuses on the need for the Government to 'engage the Australian community to understand and combat modern slavery'. ALHR submits that it is equally important that the Government's community engagement stretches internationally where possible, given the global complexities of supply chains and the cross-border issues of human trafficking and organ trafficking.
- 2.3 **ALHR recommends that Goal 2 should be expanded to include engagement with 'the Australian and international community to understand and combat modern slavery'.**
- 2.4 ALHR further submits that in order to properly effect Goal 2, the 2020-2024 Plan should incorporate the legal definition of 'modern slavery' contained in s 4 of the Act and all relevant legal definitions contained in the *Criminal Code Act 1995* (Cth) (Criminal Code),² and all other relevant legislation referred to in s 4 of the Act to ensure that the 2020-2024 Plan aligns with the relevant legal definitions pertaining to modern slavery.
- 2.5 Specifically, the 2020-2024 Plan should include the legal definitions of 'coercion',³ 'threat',⁴ 'deception'⁵ and 'exploitation'⁶ contained in the Criminal Code, and explain how the specific offences under the Criminal Code relate to these terms. ALHR submits that this is essential in achieving a greater understanding of what constitutes 'modern slavery' and the early identification of modern slavery risks in national and global supply chains.
- 2.6 Importantly, the 2020-2024 Plan should reference all relevant modern slavery offences in the Criminal Code, in particular organ trafficking offences, which have been, for reasons unknown, omitted in the *Commonwealth Modern Slavery Act 2018 Guidance for Reporting Entities (Guidance)*. ALHR has previously made submissions regarding the omission of organ trafficking offences, however the Guidance has not been updated to include organ trafficking offences which is concerning to ALHR.⁷ Organ trafficking is a serious modern slavery offence and poses grave risks of modern slavery to companies in Australia. Failure to reference organ trafficking offences in the Guidance may result in companies, firstly concluding that organ trafficking is not a modern slavery offence, and secondly not reporting any associated risks in its modern slavery statements.
- 2.7 Further, the 2020-2024 Plan should include an updated list with links to documents and publications related to the international legal frameworks listed in Appendix B of the current

² *Modern Slavery Act 2018* (Cth) s 4.

³ *Criminal Code Act 1995* (Cth) ss 270.1 and 271.1.

⁴ *Ibid* s 270.1A.

⁵ *Ibid* s 270.1A.

⁶ *Ibid* s 271.1A.

⁷ ALHR Guidance submission (2019), above n 1, p3 at [2.2].

2015-2019 Plan⁸ in order to promote an awareness and understanding of the relevant international laws and standards.

Goal 3 - promote an evidence-based response to modern slavery

- 2.8 The Government must ensure that all the actions are driven by an evidence-based analysis that takes into account the differences in experiences of modern slavery practices by women, girls, men and boys to ensure the development of equitable and effective responses. This might require adopting specific approaches to address heightened vulnerability of certain groups to the different forms of modern slavery. In particular, women and girls have been identified to be disproportionately affected by practices of modern slavery⁹ and exploitation in supply chains.¹⁰

- 2.9 The 2019 Report on gender dimensions of the UNGPs by the UN Working Group on the issue of human rights and transnational corporations and other business enterprises (**UN Working Group**) concluded that

To eliminate all forms of discrimination against women and achieve substantive gender equality, States and business enterprises should work together with women's organizations and all other relevant actors to ensure systematic changes to discriminatory power structures, social norms and hostile environments that are barriers to women's equal enjoyment of human rights in all spheres.¹¹

- 2.10 However, and as raised in ALHR's submission to the UN Working Group's consultation in 2018¹², it is unclear as to what extent businesses are 'gender responsive' in conducting their human rights due diligence. Businesses must be transparent, engage in open dialogue and provide solutions that are practical and effective, and further education and guidance to businesses is required on how to practically and responsibly address the disproportionate impact on women and girls, especially in contexts where gender and sexual based violence continues to thrive.¹³
- 2.11 **ALHR recommends that in achieving Goal 3 businesses are provided with further education and guidance on how to implement a gender lens in their identification of, and responses to, modern slavery risks.**

Goal 4 - maintain a robust and comprehensive legislative framework to combat modern slavery

- 2.12 Goal 4 is limited to maintaining a robust and comprehensive legislative framework. **ALHR recommends that Goal 4 should be expanded to 'enhance' as well as 'maintain' the current legislative framework.** There remains to be implemented a number of key reforms to the Act that would enhance Australia's legislative framework in combatting modern slavery, including:

⁸ Department of Home Affairs, National Action Plan 2015-2019, Appendix B: Summary of relevant international legal frameworks, at p81, <https://www.homeaffairs.gov.au/criminal-justice/files/trafficking-national-action-plan-combat-human-trafficking-slavery-2015-19.pdf>.

⁹ According to the recent estimates, 71 percent of modern slavery victims are women and girls, International Labour Organization (ILO) and Walk Free Foundation, Global Estimates of Modern Slavery: Forced Labour and Forced Marriage, 2017, Geneva, at p5, <https://www.ilo.org/global/topics/forced-labour/statistics/lang--en/index.htm>.

¹⁰ See, for example, Nike. Inc. reporting on 'Human Rights and Labor Compliance Standards', in relation to discrimination and gender equality recognises that: "[t]he majority of workers involved in the global production of apparel and footwear are women. Many of those women have unique vulnerabilities relative to their male peers and can therefore be at risk for exploitation and abuse", <https://purpose.nike.com/human-rights>.

¹¹ Report of the Working Group on the issue of human rights and transnational corporations and other business enterprises, 2019, UN Doc. A/HRC/41/43, at [44] p12, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G19/146/08/PDF/G1914608.pdf?OpenElement>.

¹² Australian Lawyers for Human Rights, Input regarding the Working Group's Report on the Gender Lens to the UN Guiding Principles on Business and Human Rights, 13 November 2018, p 18 at [8.1], https://alhr.org.au/wp/wp-content/uploads/2018/11/2018_11_14_UNWorkingGroup_GenderLens_BHR.pdf

¹³ Ibid, pp 18-20.

- at the three-year review of the Act, if not before, lowering the threshold of AUD\$100 million of consolidated revenue;¹⁴ and
- a penalty for entities who fail to comply with the Act; and
- a list of reporting entities be made publicly available to enable Government agencies, civil society and other relevant stakeholders to effectively monitor whether reporting entities are complying with the Act.¹⁵

2.13 Ms Maria Grazia Giammarinaro, Special Rapporteur on trafficked persons, especially women and children, has observed that while Australia has successfully introduced ‘transparency legislation’ in the form of the Act, the development of a legal framework beyond minimal reporting obligations remains to be seen, for example by requiring a higher level of commitment from the business sector and companies, in the form of liability and mandatory compensation provisions for those companies who fail to comply with transparency legislation.¹⁶

2.14 Ms Giammarinaro advocates for the introduction of an enforcement mechanism in the form of a duty of vigilance, citing recent laws in France and Switzerland. Both countries have introduced a civil liability system established for victims of modern slavery which enables them to submit claims for damages. ALHR submits that this form of civil liability is a strong form of deterrence and should be considered as part of any future law reform or review of the Act.¹⁷

Goal 10 - provide appropriate support, protections and remedies to empower victims of modern slavery

2.15 **ALHR recommends that in realising Goal 10 detailed information about non-judicial remedies should be provided to businesses, individuals and the community to empower victims of modern slavery to report and speak out.**

3. Consultation Question Two - Should there be additional goals to address other areas of focus, emerging issues or trends? If so, what should they be?

3.1 ALHR notes that the current 2015-2019 Plan does not include any references to the *United Nations Guiding Principles for Business and Human Rights 2011 (UNGPs)*.¹⁸ **ALHR recommends an additional goal to ‘engage the Australian business sector to understand and combat modern slavery’**, especially given the business sector has, at the time of making this submission, entered the first reporting period under the Act. Such a goal will include information about the relevant UNGPs, human rights laws and standards, how to identify risks of modern slavery, and how to effectively complete a modern slavery statement which complies with the Act.

3.2 Although the Act is dependent upon an entity’s review of its supply chain, the term ‘supply chain’ remains undefined in the Act. This may result in an entity’s failure to adequately report modern slavery risks in its statement. There is also the risk that organisations will develop generic reporting metrics which do not adequately meet the structure and activities of its organisation and sector. The integration of the UNGPs will assist in addressing this risk, as will

¹⁴ ALHR Guidance submission (2019), above n 1, p5 at [2.14].

¹⁵ Ibid, p6 at [2.15].

¹⁶ UN General Assembly, UN Special Rapporteur on trafficking in persons, especially women and children, 74th session of the General Assembly, 25 October 2019, <https://undocs.org/A/74/189>.

¹⁷ UN General Assembly, Report of the UN Special Rapporteur on trafficking in persons, especially women and children, 18 July 2019, p10 at [41].

¹⁸ UN Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises, “Guiding Principles on Business and Human Rights: Implementing the United Nations Protect, Respect and Remedy Framework” UN Doc HR/PUB/11/04 and A/HRC/17/31 (United Nations, 2011) http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf. The UN Human Rights Council endorsed the UNGPs in resolution 17/4 of 16 June 2011.

education about international and domestic human rights laws and drafting modern slavery statements.

4. Consultation Question Three - The Government is committed to ensuring victims of modern slavery are supported, protected and empowered. Are there ways in which the Government can better reflect the voices of victims and their lived experiences in the 2020-24 Plan and Australia's response to modern slavery?

- 4.1 ALHR submits that support for victims can be achieved through increased education to the Australian community, businesses and the Government regarding the impact of modern slavery offences on victims; the importance of working from a human rights framework when reporting risks of modern slavery; and increasing transparency within the business sector.

Transparency

- 4.2 ALHR has previously made submissions about the importance of a public list of reporting entities as an effective means of monitoring compliance with the reporting requirements in the Act.¹⁹ **ALHR reiterates the recommendation that a list of reporting entities be made publicly available to ensure compliance under the Act.** By ensuring transparency and accountability of reporting entities, victims will be empowered to report and speak out about modern slavery.
- 4.3 ALHR is of the view that, at all stages, plain language should be used when promoting, educating and empowering the Australian community on modern slavery as this will lead to greater dissemination of knowledge and to increased victim support.

Appointment of Anti-Slavery Commissioner

- 4.4 **ALHR recommends amending the Act to include a provision to enable the appointment of a Commonwealth Anti-Slavery Commissioner.** Such an appointment is fundamental in ensuring the voices of victims are heard, their lived experiences validated, and support for victims is adequately identified and provided.

Non-judicial grievance mechanisms

- 4.5 ALHR notes that under the UNGPs, States 'should provide effective and appropriate non-judicial grievance mechanisms...alongside judicial mechanisms' (UNGP 27), and that States 'should consider ways to facilitate access to effective non-State-based grievance mechanisms dealing with business-related human rights harms' (UNGP 28).²⁰
- 4.6 ALHR submits that the 2020-2024 Plan should incorporate information about non-judicial grievance mechanisms as a means of support for victims and as a means of empowering victims to report.
- 4.7 Further, general guidelines on appropriate support services, complaint mechanisms and minimum expectations of suppliers, should be prepared by the Government as a way of benchmarking standards for reporting modern slavery risks. As a means of examining the efficacy, or types, of non-judicial grievance mechanisms, the Government should engage with stakeholder groups such as modern slavery survivors and civil society.

Social inclusion

- 4.8 In June 2019, the Special Rapporteur on trafficking in persons, especially women and children presented her Report to the Human Rights Council on innovative and transformative models of social inclusion of survivors of human trafficking into societies. Ms Giammarinaro noted that

¹⁹ ALHR Guidance submission (2019), above n 1, p11 at [5.5]; ALHR, Modern Slavery Bill submission (2018), above n 1, p5 at [18].

²⁰ UN Special Representative (2011), above n 17, at pp 30 – 31.

victims who have experienced forms of sexual, labour or other forms of exploitation often face loss of self-esteem, marginalisation and humiliation, further isolating them from families and communities. This increases their vulnerability, exposing them to the risk of being re-victimised, re-trafficked or being involved in other criminal activities.²¹ Thus, States have a duty to ensure that adequate support is given to survivors through the implementation of remedial mechanisms which achieve greater social inclusion.²²

- 4.9 ALHR notes that in upholding the Government's duty to adopt and implement long term solutions to ensure social inclusion occurs for victims in the Australian community, **ALHR recommends that the Government should ensure victims of modern slavery are empowered through their meaningful participation in the consultation process in the preparation of the 2020-2024 Plan.**

5. **Consultation Paper Question Four - The Government is committed to ensuring that we can measure the impacts of the 2020-24 Plan. Are there evaluation methods, data sources or metrics the Government should consider in developing an evaluation framework?**

- 5.1 ALHR is encouraged by the Government's call to further develop its evaluation methods, data sources and metrics in developing an evaluation framework.

International sources

- 5.2 ALHR is of the view that Government should consider the methodology developed by the International Labour Organisation (ILO), Walk Free Foundation and the International Organization for Migration (IOM). Such methodology underpins the key statistical document *Global Estimates of Modern Slavery: Forced Labour and Forced Marriage*.²³ This statistical document has had the benefit of input from the Office of the High Commissioner for Human Rights (OHCHR).
- 5.3 ALHR is also of the view that in keeping with Australia's historical commitments to, and ratification of, ILO instruments,²⁴ the Government should consider more broadly the resolutions and guidelines that form the statistical standards adopted by the International Conference of Labour Statisticians (ICLS).²⁵ For example, in 2013, following the 19th ICLS, a Resolution was adopted to create a working group to share best practices on improving forced labour surveys. This led to the establishment of the ILO Data Initiative on Modern Slavery, which incorporates the ICLS guidelines into best practice norms.²⁶
- 5.4 ALHR observes that in relation to the offence of forced labour, the 'Guidelines concerning the measurement of Forced Labour' (Forced Labour Guidelines) denotes that any evaluation framework must be flexible enough to account for the varied characteristics of reporting entities, but must simultaneously be adequately proscriptive to ensure stakeholders can effectively examine an organisation's compliance over time.²⁷

²¹ UN Human Rights Council (HRC), Report of the Special Rapporteur on trafficking in persons, especially women and children, 23 April 2019, A/HRC/41/46, p3 at [5].

²² Ibid, p4 at [5].

²³ International Labour Organization (ILO) and Walk Free Foundation (2017), above n 9.

²⁴ Parliament of Australia, The International Labour Organisation's core labour standards and the Workplace Relations Act 1996, 29 November 2007, https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/rp/RP0708/08rp13#_ednref28.

²⁵ International Labour Organisation, Methods in labour statistics, <https://ilostat.ilo.org/resources/methods/#standards>.

²⁶ International Labour Organisation (ILO), ILO Data Initiative on Modern Slavery, 27 April 2015, https://www.ilo.org/global/topics/forced-labour/publications/WCMS_364025/lang--en/index.htm.

²⁷ International Labour Organisation (ILO), 'Guidelines concerning the measurement of Forced Labour', ICLS/20/2018/Guidelines.

- 5.5 A number of evaluation metrics from the Forced Labour Guidelines can be utilised by the Australian Government, including:
- 5.5.1 **Enforcement:** Continue to monitor reporting rates, investigation rates, prosecution rates and other key enforcement metrics.²⁸
 - 5.5.2 **Supply Chain Analysis** through the development of a register which includes:
 - 5.5.2.1 Organisations who have reviewed their supply chains;
 - 5.5.2.2 Bodies examined which form supply chains; and
 - 5.5.2.3 The directors, management or similar governing personnel in supply chain bodies.
 - 5.5.3 **Comparing** similar supply chain companies and the strategies employed by them, complaint numbers and other indicators as a way of determining underreporting or risk areas.
- 5.6 **ALHR recommends that when developing its evaluation framework, the Government considers the risks faced by victims in the collection of data to measure the effectiveness of the 202-2024 Plan.** It is important that where datasets and information is published, the underlying 'data analysis and reporting [must] ensure a sufficient sample size so that individuals cannot be identified, especially when data is disaggregated by various characteristics.'²⁹ Such data should be disaggregated by social identifiers, such as sex, gender, age, disability etc, to ensure evidence-based, inclusive and efficient responses.
- 5.7 ALHR notes that the Human Rights Council recommended in its recent Concluding Observations of Australia that firewalls be implemented between public services and immigration enforcement, noting that this would allow for better collection of disaggregated data by government agencies, especially on undocumented migrants.³⁰
- 5.8 The Special Rapporteur on violence against women, Dubravka Šimonović, observed in her Report dated 17 April 2018 that in Australia there is an inconsistency (which has been conceded by Government) in the data on women and children violence collected at a state level and data on health and homelessness collected at a federal level.³¹ This inconsistency, she observed, is in the absence of an overall national reporting system, which, if established, would aid the Government in obtaining a more reliable data source for violence against women and children.

Best practice norms in the UK

- 5.8 The UK relies on three sets of data sources in order to properly identify the scale of modern slavery within its borders. These data sources provide critical signals and guidance to the UK Government in order to effectively identify risks of modern slavery practices and ongoing compliance of the different mechanisms developed by the UK Government.
- 5.9 These data sources, contained in the 2019 UK Modern Slavery Report,³² are as follows:

²⁸ Ibid at [20].

²⁹ Ibid at [36].

³⁰ UN Human Rights Committee (HRC), Concluding Observations on the sixth periodic report of Australia, 1 December 2017, CCPR/C/AUS/CO/6, p21 at [130].

³¹ UN General Assembly, Report of the UN Special Rapporteur on violence against women, its causes and consequences on her mission to Australia, 17 April 2018, A/HRC/38/47/Add.1, p7 at [31].

³² HM Government, 2019 UK Annual Report on Modern Slavery, p7 at [1.01], https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/840059/Modern_Slavery_Report_2019.pdf.

- 5.9.1 Referrals of potential victims^{33]} to the National Referral Mechanism (NRM), the UK's identification and support system for victims of modern slavery.³⁴ In 2018, there were 6,985³⁵ potential victims referred to the NRM (a 36% increase from 2017), of whom 45% (3,128) were exploited as children. NRM data is taken from a live management system and as such, subject to change as new information is discovered and records updated accordingly. The data used within this report is accurate as of 12 July 2019.
- 5.9.2 Referrals of potential victims under the 'duty to notify' provision of the Modern Slavery Act 2015 which applies to England and Wales.³⁶ Specified public bodies have a duty to notify the Government if they encounter an adult victim of modern slavery. In 2018, 1,551 potential adult victims were referred via duty to notify.
- 5.9.3 The number of modern slavery crimes recorded by the police. In the year to March 2019, police in England and Wales recorded 5,059 modern slavery offences, a 49% increase on the previous year. Police Scotland recorded 159 crimes for human trafficking and the Police Service of Northern Ireland (PSNI) recorded 38 offences.
- 5.10 ALHR notes that although these three sources of data are crucial in order for the UK to properly understand the effectiveness of its current modern slavery laws and regulations, traditional measures, such as victimisation surveys or police records, should not be wholly relied upon given the prevalence of under-reporting in this area due to the inherent and insidious concealment of modern slavery practices.³⁷
- 5.11 The monthly operational data from the UK demonstrates that in June 2019 there were over 1,479 active law enforcement investigations as compared with 188 in November 2016. The 2019 UK Modern Slavery Report credits an increase in training for frontline police officers on the signs of modern slavery and improved operational intelligence on the nature of modern slavery as the reason for the increase. This is in keeping with Guideline 8 of the UNGPs which provides that 'States should ensure that governmental departments, agencies and other State-based institutions that shape business practices are aware of and observe the State's human rights obligations when fulfilling their respective mandates, including by providing them with relevant information, training and support.'³⁸
- 5.12 **ALHR recommends that the Australian Government consider establishing a centre tasked specifically with developing state-of-the-art data and evaluation measures to support an evidence-based approach to addressing modern slavery.** This recommendation is in keeping with the announcement by the UK Home Office of a £10 million Policy and Evidence Centre for Modern Slavery and Human Rights (UK Policy and Evidence Centre), funded by the UK Research

³³ The phrase 'potential victims' is used in relation to National Referral Mechanism statistics as it designates that an individual has been identified and referred as a potential victim of modern slavery but does not indicate the outcome of a decision which may or may not confirm their victim status.

³⁴ The phrase 'potential victims' is used in relation to National Referral Mechanism statistics as it designates that an individual has been identified by a First Responder and referred as a potential victim of modern slavery into the National Referral Mechanism.

³⁵ Due to the nature of the live management system and identification of duplicate referrals, this figure differs from the 6,993 potential victims reported by the National Crime Agency in their 2018 annual report.

³⁶ There are similar 'duty to notify' legislative provisions in Scotland and Northern Ireland but these have not yet been implemented.

³⁷ HM Government, 2019 UK Annual Report on Modern Slavery, p7 at [1.03], https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/840059/Modern_Slavery_Report_2019.pdf.

³⁸ UN Special Representative (2011), above n 17, at p10.

and Innovation (UKRI) Strategic Priorities Fund and led by UKRI's Arts and Humanities Research Council (AHRC) and the Bingham Centre for the Rule of Law.³⁹

- 5.13 ALHR encourages information sharing and collaboration between the Australian Government and the UK Policy and Evidence Centre, once operational, and any other relevant national and inter-governmental bodies in order to assist in developing effective evaluation methods, data sources and metrics in Australia.
- 5.14 ALHR further encourages the sharing of information and foreign intelligence by the Australian Government, where appropriate, with entities within Australia to assist them in addressing the prevalence and use of forced labour internationally within their own supply chains. This would increase transparency and allow for greater accountability in combating modern slavery risks in global supply chains.
- 5.15 ALHR submits that the Government should implement appropriate monitoring and evaluation processes that are ongoing, integrated and cross-sectoral.
- 5.15 Finally, **ALHR recommends that the Government should continue to communicate and collaborate with civil society to ensure that consultation and participation occurs during the development, implementation, monitoring and evaluation of the 2020-2024 Plan, in particular the evaluation framework for the plan.**

If you would like to discuss any aspect of this submission, please email me at: president@alhr.org.au

Yours faithfully



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ALHR

ALHR was established in 1993 and is a national association of Australian solicitors, barristers, academics, judicial officers and law students who practise and promote international human rights law in Australia. ALHR has active and engaged National, State and Territory committees and specialist thematic committees. Through advocacy, media engagement, education, networking, research and training, ALHR promotes, practices and protects universally accepted standards of human rights throughout Australia and overseas.

Any information provided in this submission is not intended to constitute legal advice, to be a comprehensive review of all developments in the law and practice, or to cover all aspects of the matters referred to. Readers should take their own legal advice before applying any information provided in this document to specific issues or situations.

³⁹ UK Home Office, 9 July 2019, Government to launch new modern slavery research centre, <https://www.gov.uk/government/news/government-to-launch-new-modern-slavery-research-centre>.