

NATIONAL ACTION PLAN TO COMBAT MODERN SLAVERY 2020-24: PUBLIC CONSULTATION PAPER

SUBMISSION TO THE DEPARTMENT OF HOME AFFAIRS

About The Freedom Hub

The Freedom Hub helps rebuild the lives of people who have experienced modern slavery and slavery like conditions within Australia.¹ We are a place of safety and hope for survivors and provide them with long-term, ongoing support. We are passionate partners in the fight to end global slavery.

We operate in three key ways:

1. Running a Survivor School with free classes to help survivors develop confidence, life skills for reintegration, and work ready skills to find and maintain employment.
2. Operating a social enterprise café, events venue and ethical retail range with 100% of profits funding the administration of our Survivor School and cause.
3. Partnering with businesses and non-government organisations (**NGOs**) to work towards the ending of modern slavery in Australia and worldwide.

Our Submission

The Freedom Hub welcomes this opportunity to provide comment to the Australian government in developing the National Action Plan to Combat Modern Slavery for 2020-24. We look forward to working with the Australian government throughout this process and respond to the consultation questions below.

Question 1: Do the 12 goals capture key areas of focus for Australia over the next five years?

Our work is largely encompassed by goal 10. That is, providing appropriate support, protections and remedies to empower victims of modern slavery. We support the Government's inclusion of a victim-focused goal and advocate for further exploration and deeper focus in this area.

We recommend goal 10 includes developing a more victim-focused system for identification and referral of potential survivors. A system that had a deeper focus on victims would require a review of the current process. The current system requires survivors to be identified and referred by the Australian Federal Police (**AFP**). Engaging with the AFP can be a traumatic experience for survivors. We recommend goal 10 consider equipping NGOs and local authorities with the ability to refer victims to the Support for Trafficked People Program and to support survivors through the justice system. Assessment of whether a person may have been a victim of a slavery-related offence could be determined by a trained decision maker after that person has been referred, similar to the UK's National Referral Mechanism. This would allow victims to be better supported in the process of referral for remediation.²

We recommend that goal 10 include reviewing the restrictions placed on visas available to survivors. In particular, we suggest reconsidering the 90-day limit on the Bridging F visa (subclass 060). The 90-day limit effectively gives non-citizen survivors an inadequate amount of time to

¹ For more information go to <https://thefreedomhub.org/>

² Section 6.33 of the 'Hidden in Plain Sight' report reflects concerns with the role of the AFP in this process https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Foreign_Affairs_Defence_and_Trade/ModernSlavery/Final_report/section?id=committees%2Freportjnt%2F024102%2F25296

determine if they intend to prosecute their offender. Our experience suggest that this time limit is inappropriate. Additional time is needed in order to give survivor's the space to ensure they receive the support and time to consider the psychological impacts of moving forward with a prosecution. Their decisions are deeply weighted especially as the consequence of deportation hangs.

We note that many survivors have no ID. Lack of identification impacts their ability to work or study which has a direct impact on reintegration and wellbeing. We consider this to be another important area for the government to consider to allow for the effective implementation of goal 10.

Question 2: Should there be additional goals to address other areas of focus, emerging issues or trends? If so, what should they be?

Better collaboration between agencies and NGOs

We note that goal 12 states that the government will work collaboratively with non-government stakeholders to combat modern slavery. It is broadly understood that collaboration is the key to effective front line service support for survivors. Collaboration requires organisations to be able to share knowledge. Importantly, the sharing of knowledge avoids double handling and unnecessary re-traumatising.

We recommend the government focus on establishing an effective information sharing regime which enables crucial details regarding identified survivors to pass between NGOs and from government agencies to NGOs. Such a regime would facilitate support of identified survivors whilst maintaining appropriate confidentiality. This of course would be dependent on the consent and ongoing approval of consent by the survivor and ensuring such regimes complied with relevant privacy laws.

Children and young adults in relation to forced marriage

Goal 7 refers to combatting forced marriage. This is a clear emerging issue in Australia and requires a multi-faceted response.

We recommend the government consider developing a specific framework and amending goal seven to specifically reference both child and adult survivors of forced marriage. We have experienced a significant difference in working for example with survivors of forced marriage aged 35 and those aged 16. We think addressing these differences is crucial in ensuring appropriate support is provided.

For example, we understand that Australia's Child Protection Framework 2009 – 2020 targets support services for recovery of abused or neglected children, however this Framework does not address the unique circumstances faced by child victims of modern slavery. This might be a worthwhile area for future government review.

We appreciate that assistance under the Government's Support for Trafficked People Program has been extended to 200 days without having to participate in a criminal justice process. This is a great move forward, however, we would recommend that the government consider extending this further, particularly in the case of children and young adults. Survivors of forced marriage are often having to consider prosecuting their own family, and require time to make such significant and life altering decisions.

Question 3: 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?

The government can best reflect the voices of victims in the 2020-24 Plan by prioritising the inclusion of organisations who work directly with survivors. This should include the stakeholders involved in the 2020 consultation roundtables. Victim-focused NGOs engage with survivors in a different way to government and other NGOs, and their perspectives will be important in shaping

an effective response. They can offer specific examples of the reality of living as a survivor in Australia.

We also recommend the Government consider reviewing the UK response to modern slavery and particularly the survivor-focused part 5 of the *Modern Slavery Act 2015* (UK). This legislates the importance of victim protection by offering civil legal aid for survivors. This includes the appointment of independent child trafficking victim advocates and enables victims to give evidence without fear of conviction for offences connected to their slavery. Incorporating these ideas into the Australian plan would enable survivors to be better protected.

Question 4: Are there evaluation methods, data sources or metrics the Government should consider in developing an evaluation framework?

The Freedom Hub uses qualitative data to evaluate the effectiveness of the Survivor School. We use metrics such as survivor confidence levels, initiative, self-esteem and ability to gain and maintain employment. We gather initial metrics in these categories during an on-boarding process by asking questions and assessing body language. We repeat this review every six months.

We recommend the Government look to standardise the metrics used in social impact reports in relation to survivors. We would recommend that confidence levels are considered as a key metric. In our experience, we have found that confidence is a solid indicator that a survivor is re-integrating well into society.

We recognise the challenges that confidence measurement will pose, however believe standardised metrics are important in ensuring accountability and effectiveness.

General comments

We acknowledge and appreciate the work of the Australian Government in shaping this National Action Plan. We would like to stress the urgency of its implementation.

We would also like to emphasise the importance of the goals being people-focused and people-driven. Such an approach ensures trauma informed policy development.

Finally, we would like to recommend the establishment of an Independent Commissioner to represent a voice for survivors. This would work towards survivors' voices and lived experiences being accurately reflected in policy development.

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