

What is this inquiry about and how is it tracking?

On 15 February 2017, the Foreign Affairs and Aid Sub-Committee ("the Sub-Committee") of the Joint Standing Committee on Foreign Affairs, Defence and Trade ("the Committee") of the Parliament of Australia commenced an inquiry into whether Australia should adopt national legislation to combat modern slavery, comparable to the United Kingdom's Modern Slavery Act 2015.

The terms of reference for the inquiry are:

- The nature and extent of modern slavery (including slavery, forced labour and wage exploitation, involuntary servitude, debt bondage, human trafficking, forced marriage and other slavery-like exploitation) both in Australia and globally;
- The prevalence of modern slavery in the domestic and global supply chains of companies, businesses and organisations operating in Australia;
- Identifying international best practice employed by governments, companies, businesses and organisations to prevent modern slavery in domestic and global supply chains, with a view to strengthening Australian legislation;
- The implications for Australia's visa regime, and conformity with the Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children regarding federal compensation for victims of modern slavery;
- Provisions in the United Kingdom's legislation which have proven effective in addressing modern slavery, and whether similar or improved measures should be introduced in Australia; and
- Whether a Modern Slavery Act should be introduced in Australia

For further information, please see this [press release](#) announcing the inquiry. A number of public hearings have been held in different locations around Australia. In April/ May 2017, a delegation from the Sub-Committee visited the UK to meet with representatives from the UK Government, businesses and NGOs.

On 17 August 2017, the inquiry Sub-Committee [announced](#) that it had tabled its interim report.

The [interim report](#) summarises the evidence heard so far on global supply chain reporting. The report highlights the strong support from businesses, unions and NGOs for the introduction of supply chain reporting requirements for businesses and organisations operating in Australia. The report **recommends that the Australian Government consider introducing a Modern Slavery Act in Australia**, including a mandatory supply chain reporting requirement.

A final report will be tabled in December 2017.

How can I make a submission?

The formal deadline for interested persons to make online submissions addressing the [terms of reference](#) has now passed. The Committee Secretary may be contacted by email and contact details are available [here](#).

What elements should a Modern Slavery Act in Australia include?

Submissions by civil society organisations and groups have included a broad range of recommendations on potential modern slavery legislation in Australia, including proposals for strengthening the model provided by the UK Modern Slavery Act.

Initial statements by some Australian civil society groups including [Walk Free Foundation](#) and [The Salvation Army Freedom Partnership](#) identified three major governance gaps, which a Modern Slavery Act should address:

1. **Anti-Slavery Commissioner** - appointment of an Anti-Slavery Commissioner to provide independent oversight, with powers to monitor laws and hold business and the Government accountable.
2. **Modern Slavery Statements** - requirement for certain organisations doing business in Australia to annually report on steps taken to eradicate modern slavery within their organisation and supply chains.
3. **Central Repository** - creation and maintenance of a publicly accessible repository of all modern slavery statements filed each year.

The [International Trade Union Confederation](#) (ITUC) published recommendations on how legislators can build on the UK Modern Slavery Act, build around three key areas:

1. Supply Chain Transparency
2. Extraterritoriality
3. Due Diligence and Civil Remedies for Supply Chain Violations

The [Advisory Committee of the Modern Slavery Registry](#) (Business & Human Rights Resource Centre, Humanity United, Freedom Fund, Anti-Slavery International, Ethical Trading Initiative, Unicef UK, Focus on Labour Exploitation (FLEX), Freedom United, CORE Coalition) has put forward recommendations that build upon the transparency in supply chains provision of the UK Modern Slavery Act:

- introduce a central **registry** maintained by the government,
- introduce a publicly available **list** of companies required to report,
- require **mandatory due diligence** and **disclosure**,
- include **public procurement** incentives,
- strengthen **monitoring** and **enforcement** by government, including **sanctions** and
- strengthen access to **remedy** for victims.

Resources:

- Open Democracy: Jeffrey Vogt, Director of the Rule of Law Department, Solidarity Center (22 March 2017) - [Efforts to clean up global supply chains so far come up short](#)
- ITUC (2 February 2017) - [Closing the loopholes - How legislators can build on the UK Modern Slavery Act](#)
- Walk Free Foundation (2017) - [The case for an Australian Modern Slavery Act](#)