

Partnering to End Modern Slavery: Australia's National Online Conference on Modern Slavery 8 – 10 June 2021

Summary

Anti-Slavery Australia convened Australia's inaugural national online modern slavery conference, 'Partnering to End Modern Slavery', from 8 to 10 June 2021. The conference featured 59 Australian and international speakers from across civil society, research and academia, government, law enforcement and business. Across twelve sessions, speakers shared their expertise and learnings on topics that included: survivor support and empowerment, emerging modern slavery trends as well as partnerships within and across sectors and partnerships in responding to modern slavery in supply chains.

Over 480 participants attended sessions across the three days. This included attendees from every State and Territory in Australia as well as a number of international attendees, and consisted of representatives from civil society, research and academia, government, law enforcement and business. 97% of participants surveyed said the conference met or exceeded their expectations, with almost 80% of the participants surveyed indicating that the conference exceeded or far exceeded their expectations.

The conference was convened by Anti-Slavery Australia with support from the Australian Government.



Image: Conference speakers.

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DAY ONE

Session 1

Welcome and Acknowledgement of Country

Professor Jennifer Burn, Director of Anti-Slavery Australia, opened the conference and introduced the main theme of building partnerships between stakeholders in diverse sectors.

Aunty Glendra Stubbs, Elder-in-Residence at the University of Technology Sydney (UTS), gave the Acknowledgement of Country and spoke about the history of slavery in Australia: **“We must address past slavery in this country to move on to modern slavery.”**



Image: Prof. Jennifer Burn (left) and Aunty Glendra Stubbs (right).

Opening Address

“Forging partnerships now should be about mutual benefit, reciprocity, and the bringing together of equals in any relationship.”



The Hon. Verity Firth – Executive Director at the UTS Centre for Social Justice and Inclusion – spoke about how partnerships should move away from a philanthropic model where the university delivers answers and communities, as the “sources of problems”, receive the answers. Partnerships should be forged on mutual, equal grounds where parties create knowledge together.

Image: The Hon. Verity Firth.

Remarks from The Hon. Jason Wood MP

“It is only through our joint efforts that we can combat these devastating crimes.”

The Hon. Jason Wood MP, Assistant Minister for Customs, Community Safety and Multicultural Affairs, spoke about how COVID-19 has increased people’s susceptibility to modern slavery and made it more difficult for them to access support. He outlined the Australian Government’s recent efforts to address modern slavery, including the launch of the National Action Plan to Combat Modern Slavery 2020-25 and over \$10 million in grant funding, and concluded by commending the Modern Slavery Act as a “landmark” achievement.



Image: The Hon. Jason Wood MP.

Presentation by Sophie Otiende

“Meaningful inclusion has to mean involving survivors in more activities rather than just them as service recipients.”



Image: Sophie Otiende.

Sophie Otiende, a protection advocate based in Kenya, spoke about the need to meaningfully include survivors in the anti-slavery movement. Ms Otiende noted that, unlike other social justice movements, the anti-slavery movement is not led or shaped by those affected by it. Ms Otiende emphasised the need to invest in capacity-building for survivors to allow them to contribute meaningfully to modern slavery responses. She argued that we must change our common perception of survivors as helpless “beneficiaries” who need other people to rescue or take care of them – adding that, if we believe this, we cannot truly value any input that they give.

Session 2

Identification and support of survivors, including a forced marriage case study

Chaired by Jules Kim of the Scarlett Alliance, this session examined current support frameworks for survivors of modern slavery in Australia, including identifying service gaps, impacts of COVID-19 and the need for support that is de-linked from criminal justice processes.

Tracey Edmonds – Department of Social Services (DSS)

Tracey Edmonds provided an overview of the Support for Trafficked People Program (STPP), which is delivered by the Australian Red Cross and provides a range of survivor support. Over time, the STPP has expanded to assist hundreds who have experienced slavery-like situations, including forced marriage, and demand is expected to increase, particularly due to COVID-19.

Charlotte Powell and Yolanda Mepham – Lighthouse Foundation

The Lighthouse Foundation conducted a qualitative evaluation of their Early and Forced Marriage therapeutic program for young women. The study found that, although participants experienced disorientation, alienation and loss from being unable to reunite with their families, they also experienced a strong sense of relief, safety and comfort at Lighthouse. They developed a sense of sisterhood and community amongst themselves, and began to build a sense of agency and confidence in determining their own futures.

Lina Garcia and Ginta Mebalds – Australian Red Cross

Lina Garcia and Ginta Mebalds shared preliminary findings of the Australian Red Cross' study of the barriers that survivors face when accessing short and long-term accommodation after exiting the STPP. The study identified a number of barriers that made survivors ineligible for accommodation or made housing options unsuitable for survivors' needs. The study is not yet finalised but, through identifying the unmet needs and service gaps in accommodation support for survivors, will demonstrate the ways in which these services can and should be improved.

Claudia Cummins – The Salvation Army Trafficking and Slavery Safe House

The Salvation Army Trafficking and Slavery Safe House provides housing and case management to a diverse range of clients, including assistance with finding transitional housing after clients no longer require the assistance of the Safe House. Data showed that only 56% of Safe House clients had spoken with the police about their trafficking experience, which highlights the importance of de-linking survivor support from engagement with the Australian Federal Police (AFP). Until this alternative referral pathway is achieved, there needs to be better cooperation among services to ensure survivors do not fall through the gaps.

Dr Nerida Chazal and Kyla Raby – University of South Australia (UniSA)

This research found that COVID-19 has exacerbated barriers to identifying victims of modern slavery in Australia, and to victims' ability to access support. It was surmised that this was largely due to police resources having been diverted to addressing COVID-19, as well as the moving of frontline services to remote working or altered service delivery modes. To better support survivors, it was recommended for the STPP referral pathways to be expanded beyond the AFP. The Red Cross is currently chartering a working group on this issue.

Sandeep Dhillon – Anti-Slavery Australia (ASA)

ASA’s legal practice supports survivors’ access to justice through a strength-based and rights-centred approach. To better support survivors, the STPP referral pathways should be broadened; permanent stay visas for survivors should not require cooperation with police or evidence that they would be in danger if they return to their home country; there should be visas allowing the temporary reunification of survivors and their families; and survivors should be able to access compensation through a slavery-specific national compensation scheme.



Image: Session 2 Q&A with the speakers.

*From left to right, top to bottom: Sandeep Dhillon, Claudia Cummins, Ginta Mebalds, Jules Kim, Kyla Raby, Dr Nerida Chazal, Lina Garcia, Charlotte Powell, Yolanda Mepham.
Not pictured: Tracey Edmonds.*

Session 3

Criminal investigation, prosecution and reparations

Chaired by Professor Jennifer Burn from Anti-Slavery Australia, this session provided insight into the investigation and prosecution of modern slavery offences in Australia, including how victims are supported in these processes.

Detective Superintendent Paula Hudson – Australian Federal Police (AFP)

The AFP is responsible for investigating modern slavery offences. Detective Superintendent Hudson noted that every report of suspected slavery received by the AFP is unique, and is treated very seriously on its merits.

The victim is “at the heart of [the AFP’s] response”, and their desired outcome is the one that the AFP aims to deliver. It was noted that investigating slavery offences often means having to be culturally sensitive and aware, as the AFP will often work with people from a variety of socio-cultural backgrounds. Generally, the AFP tries to first restore the person’s liberty and then support them to access help. The AFP gathers evidence in such a way that, if a victim does not wish to pursue a criminal justice outcome, they are able to change their mind in the future and return to the AFP. The AFP’s success with repatriating citizens who were exit-trafficked out of Australia was also discussed.



Image: Detective Superintendent Paula Hudson.

Simon Allen – Commonwealth Director of Public Prosecutions (CDPP)



Image: Simon Allen.

In its prosecution of modern slavery offences, the CDPP adopts a victim-centric approach that focuses on outcomes for survivors. The Witness Assistance Service includes social workers who support survivors and prepare them to be witnesses in court. There are also provisions to support victims during the processes of cross-examination and giving evidence.

The CDPP adopts a robust approach to deciding whether there is sufficient evidence and a reasonable prospect of success to prosecute, including consulting with victims and investigators.

When deciding upon the charges to be laid, the CDPP is careful to reflect the nature of the conduct and, if the evidence is considered to be sufficient to do so, will generally choose the most serious charge in the range of modern slavery offences.

Fiona McLeod AO SC – Victorian Bar

Outside of criminal proceedings, survivors encounter many issues when trying to access reparations. Civil proceedings must be initiated and run by survivors themselves, but they face challenges such as fear of their perpetrators and lack of understanding of legal processes. Survivors are currently also limited to state-based victims of crime compensation schemes, which are inconsistent across jurisdictions and often ill-suited to the types of abuse and crimes seen in modern slavery situations. Consequently, there is an urgent need for a national compensation scheme for survivors in order to address these issues.



Image: Fiona McLeod AO SC.

Session 4

Partnering across and within sectors to combat modern slavery

Chaired by Nicole D'Souza from the Australian Human Rights Commission (AHRC), this session highlighted the importance of modern slavery partnerships and outlined examples of effective partnerships.

Clare Middlemas – Australian Council of Trade Unions (ACTU)

The ACTU focuses on prevention, structural change and representing and empowering individuals. Temporary working visas were highlighted as often having particular conditions that make the visa holders more vulnerable to exploitation and slavery-like conditions. Clare Middlemas stressed the need to strengthen the Modern Slavery Act through the introduction of penalties, as well as the need to strengthen other laws on due diligence, workplace matters and union-conducted checks. It was recommended that businesses should engage with unions and recognise workers' freedom of association and right to collective bargaining.

Poonam Datar – Cleaning Accountability Framework (CAF)

CAF was formed in recognition of the high levels of exploitation within the cleaning industry. CAF developed a supply chain certification scheme and uses a collaborative model based on consultation with workers to promote workers' voices, as well as maintains a meaningful relationship with the United Workers Union. Poonam Datar also noted the merits and limitations of auditing in the detection of modern slavery, and emphasised the need for businesses to partner with civil society organisations to address supply chain risks.

Tu Le – Migrant Employment Legal Service (MELS) NSW

MELS is a joint initiative by four community legal centres that provides legal advice to migrant workers across NSW, recognising that over 91% of migrant workers suffer wage theft in silence. MELS also engages in community education and training through workplace rights publications as well as a 'train the trainer' program on employment and discrimination law for community leaders and community workers. MELS is always looking to form partnerships, including non-legal ones such as an adult English program for newly arrived migrants.

Rowan Kelly – Circle Green Community Legal

Rowan Kelly spoke about the value of community legal centres and of forming collaborative networks to share solutions and facilitate client advocacy within the modern slavery space. Drawing on Circle Green's partnership-building experience in WA, Mr Kelly identified factors that contribute to success, such as a common purpose, specific terms of reference and carefully chosen members. Mr Kelly also identified the main challenges of collaborative networks, including time and commitment, funding and individuals having different purposes. He noted that a coordinated response in assisting slavery survivors means that survivors would not have to recount their experiences to multiple agencies unnecessarily.

Kit Muirhead – Australian Women Against Violence Alliance (AWAVA)

Modern slavery is a gendered issue and also closely linked to family and domestic violence, which disproportionately impacts women. However, it is important to spot the differences and understand the different referral pathways. To effect change, AWAVA has successfully built collaborative networks and contributed to the National Advocacy Group on Women on Temporary Visas Experiencing Violence, including its 'Path to Nowhere Report'. In response to the violence experienced by women on temporary visas, Kit Muirhead noted the need to reform the migration system and ensure these women can access support services.



*Image: Session 4 speakers.
From left to right, top to bottom: Nicole D'Souza, Clare Middlemas, Poonam Datar, Tu Le, Rowan Kelly, Kit Muirhead.*

DAY TWO

Session 5

Welcome and Keynote Address

Following a welcome and introduction by Juliana Nkrumah AM of Settlement Services International (SSI), Dr Maree Marsh csb presented a keynote address on the need to include survivor voices in our responses to modern slavery. Reflecting on her experience preparing psychological reports for survivors, Dr Marsh noted the need for ethical and culturally appropriate inclusion that recognises the diversity of survivors' voices and does not sensationalise their trauma.

For survivors to feel comfortable sharing their stories, services must build trust, ensure survivors' physical and psychological needs are met, be mindful of staff turnovers, be careful not to over-promise, and be trauma-informed. If the survivor is sharing their story in a criminal justice context, the process needs to be more speedily managed or alternatively rely less on victim testimony. Once a survivor has completed the often distressing experience of sharing their story, services may need to remain in contact rather than abruptly closing their case.

Dr Marsh emphasised that **“It is imperative that survivors feel empowered to take ownership of the words that they say, and to set firm boundaries around when and how they will share their lived experience. We must, at all times, respect the survivors' agency”**.



Image: Dr Maree Marsh csb.

Session 6

Survivor experiences and the survivor voice in Australia

The Session Chair, Talie Star, opened the session by reiterating the importance of asking survivors what they want and of adopting trauma-informed approaches. However, the Chair also reminded us that “trauma-informed’ is not about reproducing a parent-child dynamic”, and invited the following panel discussion on how to “walk side by side with the survivor [and] create a relationship of equality”.



Image (left to right, top to bottom): Moe Turaga, Heather Moore, Feda Abdo, Talie Star.

Feda Abdo – Muslim Women Australia

Speaking from her experience working with survivors of family violence, Feda Abdo emphasised the importance of practice-led responses to including the survivor voice. Survivors must not be ‘commodified’, or assumed to all share the same (or similar) experiences, traumas and desires as each other. We must also consider who ‘owns’ their data and stories. Healing spaces and safety mechanisms must be provided to address re-traumatisation, and it was added that, if a survivor is asked to share their story, there should be a consideration of whether doing so would bring any healing benefit to them. Ms Abdo argued that the survivor voice has a place in advocacy and change, but it must be embedded to overcome structural barriers and to avoid becoming merely theoretical or symbolic.

Moe Turaga – Survivor Advocate

Moe Turaga shared his experience as a survivor of modern slavery on an Australian farm and discussed the barriers he had to overcome when sharing his story, including his fears of retaliation. However, he explained that many survivors of slavery have other substantial barriers that prevent them from speaking out, regardless of whether or not they would wish to do so; for example, “if they are worried about their safety, their visa, and their legal case, it may not be possible for them to tell their story in public”. Mr Turaga presented some practical considerations for those who are engaging with survivors and asking them to share their stories, including ensuring their safety and understanding the risks; providing them with compensation and holistic support, such as appropriate attire; respecting their expertise and responding to their recommendations; and being clear about the purpose of their engagement.

Heather Moore – The Salvation Army

Heather Moore spoke about how The Salvation Army’s Freedom Advocates program has provided a safe and self-determined way for survivors of modern slavery to participate in and lead initiatives, including awareness-raising and community education strategies. Ms Moore emphasised that organisations need guiding ethical frameworks on survivor engagement, covering matters such as risk assessment, informed consent and mutual benefit. Survivors should be included in designing these frameworks and should receive training and resources. In this process, we should not objectify survivors, define them by simply their experiences of modern slavery, or perpetuate disempowering narratives such as the ‘saviour complex’.

Session 7A

Research and emerging trends

Chaired by Samantha Lyneham from the Australian Institute of Criminology, this session presented emerging research and good research practices in the modern slavery space.

The Hon. Lisa Singh and Lauren Jackson – Walk Free

Walk Free has released two public research projects – the Global Slavery Index and the Promising Practices Database – which show the value of publishing data on modern slavery. This includes inviting feedback, improving insights and project design, and allowing participation from businesses and other organisations that use Walk Free's databases as a starting point. Ways to increase research transparency include providing for accessibility, independent evaluations, detailed methodologies and peer review.

Dr Kate van Doore – Griffith Law School

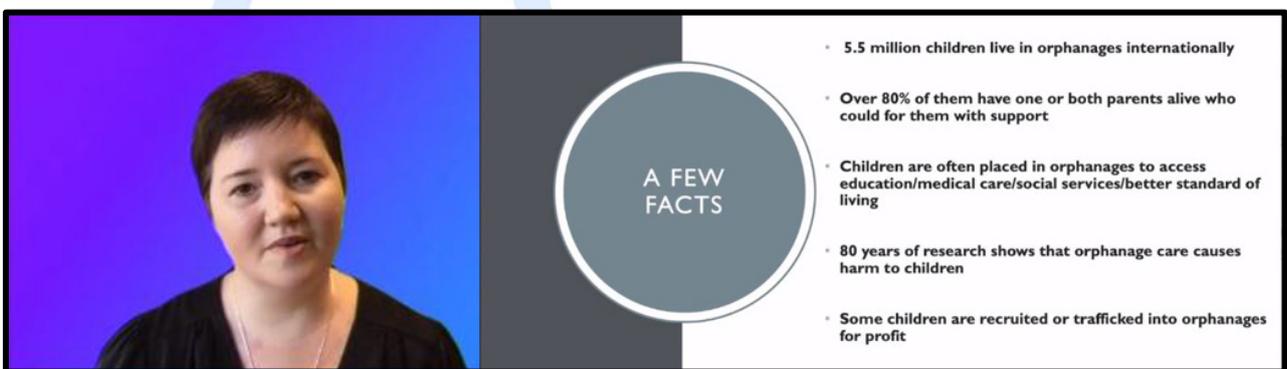


Image: Dr Kate van Doore.

Dr Kate van Doore is currently working on two projects on orphanage trafficking. She discussed the recruitment and trafficking of children into orphanages for profit, which can involve deceptive practices such as telling parents that their children will have a better life or keeping children in poor conditions to elicit donations. In response, Dr van Doore recommended a holistic approach by both contributing and impacted countries, which considers why we allow the institutionalised care of children and enforces existing legal and regulatory frameworks. It was noted that countries such as Nepal were progressing in addressing orphanage trafficking by prosecuting offenders under trafficking offences, rather than less 'serious' offences that could see the offenders released into the community shortly after and being allowed to re-engage in trafficking.

Sarah Napier and Coen Teunissen – Australian Institute of Criminology

Sarah Napier and Coen Teunissen discussed their research into child sexual abuse (CSA) livestreaming, and in particular the dynamic of western offenders paying for and watching a livestream of children from vulnerable countries being sexually abused. Facilitators may be involved, and offenders commonly access victims via initial online contact – commonly with an older female relative – or by travelling and befriending overseas families. This research has important implications for prevention strategies, showing CSA livestreaming is poverty-driven; offenders are opportunistic and may be responsive to deterrence measures; that CSA victims may become facilitators of others' CSA in later life; and big tech should put more effort into preventing child exploitation.

Dr Linda Steele – University of Technology Sydney (UTS)

Forced Labour?
Criminal Code 1995 (Cth) 270.6, 270.6A

provides labour or services

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:

- (i) to cease providing the labour or services; or
- (ii) to leave the place or area where the victim provides the labour or services

Provides labour or services in ADEs
Lack of choice to work at ADE (guardian/family or structural)
Lack of choice/ease of leaving ADE + use of restrictive practices + segregated transport/support + power imbalances

UTS

Footer content here

Image: Dr Linda Steele.

Dr Linda Steele argued that Australian Disability Enterprise (ADE) jobs, rather than benefiting people with disabilities, can actually drive discrimination and segregation and could potentially amount to forced labour or servitude. ADEs are not required to adhere to the national minimum wage, as other workplaces are. As a result, workers can be grossly underpaid. Furthermore, workers may be subject to restrictive and controlling practices, and may not have been offered a choice in whether or not they work for an ADE.

Dr Jessie Hohmann – University of Technology Sydney (UTS)

International law requires governments to take steps to realise the right to adequate housing. Dr Jessie Hohmann explained how this right is a helpful lens for understanding domestic servitude, which is a “housed, and very specific, hidden form of homelessness”. The control experienced by victims denies their right to housing, as they cannot enjoy their right to a private space or their complementary right to leave the home and participate in the public sphere. This usefully ties the violence experienced by survivors to a material outcome – that is, a home.

Session 7B

Collaborating towards freedom: progress and challenges for local antislavery partnerships in the UK

Dr Alison Gardner, from the University of Nottingham's Rights Lab, spoke about the UK's experience of local anti-slavery partnerships, including the key challenges and lessons.

Despite the lack of training and resources, partnerships formed in the UK between local police, local government, health providers and other stakeholders in recognition of the fact that modern slavery is an intersectional issue. Partnerships were initially focused on community engagement and training frontline staff, but over time have developed practices such as more victim-focused work, faith mobilisation, place-based approaches, co-located multi-agency work and multi-agency risk assessment processes. As partnerships develop, they require appropriate resources, strong leadership at all levels, coordination, engagement, agreed shared objectives and accountability frameworks.

Dr Gardner also spoke about developing anti-slavery resilience in communities, which involves accurately diagnosing the areas that need to change, challenging the cultural and institutional landscape, and bringing in survivor voices.

Who joins local antislavery partnerships?

Member categories (abridged)

Member Category	2017	2019
Non-Governmental Organisations	55	60
Police	50	55
Local Authority	45	50
Health	40	45
Fire and Rescue	35	40
Immigration (Including UKVI)	30	35
Gangmasters and Labour Abuse Authority	25	30
HM Revenue and Customs	20	25
Department of Work and Pensions	15	20
Faith based organisation	10	15
Private sector	5	10
Office of the Police and Crime Commissioner	5	10
National Crime Agency	5	10
Home Office	5	10
University	5	10
Regional Organised Crime Unit	5	10
Crown Prosecution Service	5	10
Probation and Prison Service	5	10
Central Government	5	10
Housing	5	10
Government Agency Intelligence Network	5	10
Criminologists	5	10

Word cloud terms: Learning and Development, Trading Standards, Refuge Support, Procurement, Operations, Research and Intelligence, Social Care, Youth Services, Housing, Communications and Media, Youth Offending, Employment and Training, Drug and Alcohol, Adult Services, Communities, Safeguarding, Community Safety, Fostering, Public Health, Legal, Licensing, Senior Director, Human Resources, Environmental Health, Business Development, Planning, Revenue and Benefits, Children's Services.

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AUSTRALIA'S NATIONAL CONFERENCE ON MODERN SLAVERY

ANTI-SLAVERY AUSTRALIA

Image: Dr Alison Gardner.

DAY THREE

Session 8

Welcome and Keynote Address

Using collaboration and partnerships to tackle modern slavery in business operations and supply chains: why it matters, what works, and where to next

Alexander Coward from Pillar Two welcomed attendees to the final day of the conference and introduced the keynote speaker, Vanessa Zimmerman, CEO and Founder of Pillar Two. Vanessa spoke about the types of partnerships that can help support the Modern Slavery Act and combat modern slavery in business operations and supply chains.

While business-focused partnerships offer the benefit of pooled resources and tailored approaches, they can encounter competition law constraints and risk becoming 'lowest common denominators' or 'echo chambers'. Non-business focused partnerships, such as investor, government or NGO-led partnerships, can enhance influence, legitimacy and the focus on root causes. However, there may be challenges with resourcing, building trust and influence with business, and differences of opinion. The effectiveness of partnerships can be assessed through monitoring, checking whether stakeholders are actually benefiting and looking for positive impacts on the root causes of modern slavery.

Ms Zimmerman proposed that businesses should consider how partnerships could support more effective responses; civil society organisations should evaluate how they can partner with businesses; investors should explore ways to engage with investees to address gaps; and the government should continue to provide for collaboration when developing guidance, policy initiatives and joint stakeholder opportunities.

What types of partnerships can help to support the Modern Slavery Act and combat modern slavery in supply chains?

- Collective business-to-business partnerships (such as an industry working group)
- Business-to-supplier partnerships (such as joint awareness raising or deep dives)
- Multi-stakeholder partnerships (such as civil society and business coalitions)
- Collective investor partnerships (such as investor alliances)
- Civil society-led partnerships (such as NGO coalitions)
- Government-led partnerships (such as multi-stakeholder advisory groups)

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AUSTRALIA'S NATIONAL CONFERENCE ON MODERN SLAVERY

ANTI-SLAVERY AUSTRALIA

Image: Vanessa Zimmerman.

Session 9

Business and civil society collaboration: addressing the risk of modern slavery in supply chains

Chaired by Dr David Cooke from the UN Global Compact Network Australia (GCNA), this session discussed how business can and should address slavery in supply chains through collaboration.

Carolyn Kitto – Be Slavery Free

Carolyn Kitto discussed the ‘shared responsibility model’ of addressing slavery in supply chains and having to figure out the role of each group involved. Responses require collaboration, ongoing resourcing, adaptation to new exploitative practices and solutions that are fit-for-purpose locally. We need to not only identify what ‘bad’ looks like and advocate for change, but also to present a vision of what the future can be.

Esty Marcu – University of Sydney

The size and complexity of Australian universities’ collective purchasing power and supply chains mean modern slavery is a strategic risk. Universities need to look beyond supply chains, at their affiliated entities. However, modern slavery also presents a strategic opportunity due to the unique role of academia in connecting business and civil society, and the importance of supporting students at risk of slavery and developing much-needed research. Actions by universities to address modern slavery must start at the executive level.

Prof. James Cockayne – Finance Against Slavery and Trafficking (FAST)

There are two sea changes in addressing modern slavery – first, investors are recognising that “insecure workers, and insecure supply chains, mean insecure profits”, and second, there is growing labour standard enforcement by governments. When addressing supply chain slavery, the greatest progress has come from business-civil society collaboration on developing a shared model, but governments also need to work with business. Governments need to follow through on creating penalties for the Modern Slavery Act and create leverage in difficult cases like Xinjiang, where forced labour has, in particular, tainted the solar panel global supply chain, posing challenges for renewable energy transition.

Kimberly Randle – FairSupply

FairSupply seeks to identify modern slavery risks in managed funds. Through her experience mapping supply chains of different types of securities in different countries, Kimberly Randle found there is very little data for investors to identify or address modern slavery risks. These risks are also very unlikely to be in the first tier of supply chains, meaning transparency over the entire supply chain and working with organisations to look beyond Tier 1 is crucial to successfully and comprehensively addressing modern slavery.

Justin Dillon – FRDM

FRDM helps companies to combat slavery and build resilient supply chains by creating product analyses. These show information about not only the product but also the broader organisation and industry. If a company discovers slavery in its supply chain, Justin Dillon advises the best approach is teaching and working with the supplier rather than cancelling their contract in the first instance. He notes that “we want to see progress over perfection”.



*Image: Session 9 speakers.
From left to right, top to bottom: Kimberly Randle, Dr David Cooke, Prof. James Cockayne, Esty Marcu, Justin Dillon, Carolyn Kitto.*

Session 10

Creating change through collaborative initiatives

Chaired by Alan Dayeh from Point Advisory, this session explored how modern slavery reporting entities can achieve change through partnership and offered practical examples of successful collaborative initiatives.

Sarah McGrath – Australian Human Rights Commission (AHRC)

National human rights institutions can provide a bridge between stakeholder groups. The AHRC has enhanced its impact by collaborating with governments, civil society and the private sector. Some basic partnership principles are respect, goal alignment, embedding human rights and thinking broadly about building long-term relationships. To create change, organisations should think critically about whether their partnerships are challenging them and bring in new stakeholders if they are not.

Tara Dermott – International Organization for Migration (IOM)

IOM's Corporate Responsibility on Elimination of Slavery and Trafficking (CREST) programme is an Asia-regional initiative that partners with governments, business and civil society on upholding migrant workers' rights in business operations and supply chains. The goal of its Theory of Change is ensuring migrants have access to decent work through ethical recruitment channels along the entire migration journey.

Måns Carlsson – Ausbil Investment Management

There has been increased investor attention to responsible strategies and the 'social' aspect of ESG. Ausbil approaches human rights issues by engaging with companies (and encouraging adoption of best practices) and with other investors and stakeholders. Måns Carlsson outlined examples of Ausbil's investor collaborations including PRI, the Investor Statement on Bangladesh, Investor Alliance for Human Rights, RIAA's Human Rights Working Group and IAST-APAC.

Robin Mellon – Better Sydney

Better Sydney collaboratively created an online platform that asks key suppliers in property and construction about their actions on human rights. The platform assesses trends across multiple supply chains and collects important data on where to apply more resources, allowing suppliers to talk about the things they are not doing or do not have. This information complements rather than replaces the work that organisations are already doing. In regards to the efficacy of suppliers in vetting their supply chains, Robin Mellon noted that "different people and different organisations are moving at different speeds...and that's okay, so long as there's a move towards continuous progress".

John McCarthy QC GCPO KCSG – Australian Catholic Anti-Slavery Network (ACAN)

ACAN was founded in response to the Modern Slavery Act and consists of 40 Catholic reporting entities. It provides templates, tools and training for staff and suppliers as part of its modern slavery risk management program. ACAN is an example of a collaborative initiative that delivers practical programs for people in the field. John McCarthy QC described ACAN as the embodiment of Catholic commitment to eradicating slavery in the supply chains of the Catholic Church in Australia.

Eleanor Pahlow – Australian Border Force (ABF)

Modern slavery statements from the first reporting cycle reveal good practices such as addressing the mandatory criteria, COVID-19 impacts, practical examples, and a plan for future action. Bad practices included not indicating approval by a governing body, not identifying the reporting entities and not describing consultation. Entities should increase collaboration to improve future modern slavery statements, especially by seeing compliance as a pre-competitive issue. It was foreshadowed that the 2022 review of the Modern Slavery Act will consider whether penalties should be introduced for non-compliance with the Modern Slavery Act.



*Image: Session 10 speakers.
From left to right, top to bottom: John McCarthy QC, Sarah McGrath, Alan Dayeh, Tara Dermott, Eleanor Pahlow, Robin Mellon, Måns Carlsson.*

Session 11 Remediation

Lauren Zanetti from the Australian Human Rights Commission chaired a conversation around the remediation of exploited workers, including what makes grievance mechanisms effective.

Prof. Justine Nolan – UNSW Australian Human Rights Institute

Remediation should be worker-centric and designed with their input, rather than being top-down or “one size fits all”. An effective system prioritises people over process, ensuring trust and that workers will not get in trouble. An example is the Fair Food Program which is designed and enforced by seasonal workers themselves. Companies need to engage genuinely, look at their limitations and where they need support, and ensure their worker voice tools are actually addressing problems. As companies are rarely human rights experts, they should look at collaborating with existing groups instead of “reinventing the wheel”.

Dr Laurie Berg – University of Technology Sydney (UTS)

Dr Laurie Berg’s research found severe and widespread underpayment of international students in Australia, but only 1 in 10 migrant workers complained because of the high risks and costs of taking action and the low chance of a positive outcome. This can impede detection of modern slavery and highlights the need to address labour enforcement issues. The 7-Eleven wage repayment scheme was effective because workers were assisted with calculating their claims; former workers were identified via social media; the process was confidential and accounted for lack of evidence; and the franchisor stepped in where franchisees could not. This showed migrant workers will come forward when remediation schemes are effective.

Julie Petticrew – Electronics Watch (EW)

Electronics Watch helps affiliated public sector organisations collaborate with others, including civil society monitors, to protect workers’ rights in electronics supply chains. EW’s work is underpinned by the involvement of workers, which is generally lacking in remediation and therefore a major issue. Another important aspect of remediation is focusing on the root causes and preventing future harm. Julie Petticrew presented the successful remediation case study of Cal-Comp in Thailand, where many workers received compensation after EW intervened.

Alexander Coward – Pillar Two

Grievance mechanisms must be properly resourced – it is not effective if, for example, whistleblower schemes can only accept complaints in English. COVID-19 has pushed the move towards technology but it is only one tool. The keys to effective grievance mechanisms are trust and accessibility, with businesses proactively promoting these mechanisms to workers and ensuring they feel comfortable using them. Global Compact Network Australia has published practical guidance for businesses on effective grievance mechanisms.



*Image (left to right, top to bottom):
Lauren Zanetti,
Prof. Justine Nolan,
Alexander Coward,
Dr Laurie Berg,
Julie Petticrew.*

Session 12

Keynote Address by UN Special Rapporteur Professor Tomoya Obokata and Closing Remarks

Keynote Address by Professor Tomoya Obokata, the UN Special Rapporteur on Contemporary Forms of Slavery, Including its Causes and Consequences

Prof. Tomoya Obokata reflected on the impact of COVID-19 on modern slavery, including exposing the unemployed and those working in certain sectors to exploitative working conditions and increased infection risks. Another challenge is the use of the internet and dark web for trafficking. The pandemic has increased the online sexual exploitation of children and, due to diverted law enforcement responses, have led to protection gaps that have been exploited by organised crime. We must understand informal and casual markets for modern slavery, including the relationships between the formal, informal and illegal economies.

Prof. Obokata emphasised that states bare responsibility for combating modern slavery but their efforts alone are not enough. Survivors' voices are often missing and states must recognise that all stakeholders need to be included. We also need to send a message to businesses that ethical supply chains and working conditions lead to much more sustainable profits.

Stakeholders can engage with the UN Special Rapporteur by responding to calls for input on thematic reports and by reporting suspected modern slavery incidents, on which he can liaise directly with governments, businesses and other stakeholders. Prof. Obokata also conducts country visits, including a visit to Sri Lanka later this year.



Image: Prof. Tomoya Obokata.

Closing Remarks by Professor Jennifer Burn, Director of Anti-Slavery Australia

Following a summary of the conference, Prof. Jennifer Burn launched the National Partnership Against Modern Slavery (partnership.antislavery.org.au), an online community of practice where members can: discuss and collaborate on projects; ask questions; share resources and updates; and network with other professionals.

The National Partnership is free to join and is currently welcoming members from community and non-profit organisations, frontline service staff, and academics and researchers.