

# Beyond storytelling:

towards survivor-informed  
responses to modern slavery

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This report is informed by the expertise and experience of the team at Anti-Slavery Australia. Anti-Slavery Australia, at the University of Technology Sydney, is the only specialist legal, research and policy centre in Australia working to end modern slavery. Since 2003, our team has been providing pro bono legal and migration services to people who have experienced or are at risk of modern slavery in Australia; engaging in research and advocacy grounded in the firsthand experience of survivors; and delivering training on modern slavery to frontline service providers, government, community, law enforcement, student and educators.

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*...with the experience that I went through, and how I kind of overcame everything ... [I thought] why not share that with people that are struggling with the same thing. And why not raise awareness of what happened. How you can be better afterwards. And how, obviously, your trauma doesn't define you.*

Survivor (anonymous)<sup>1</sup>



# Acronyms and abbreviations

ACRATH	Australian Catholic Religious Against Trafficking in Humans
AFP	Australian Federal Police
AGD	Attorney-General's Department
ABF	Australian Border Force
Anti-Slavery Australia	Anti-Slavery Australia, University of Technology Sydney
<i>Criminal Code</i>	<i>Criminal Code Act 1995 (Cth)</i>
DHA	Department of Home Affairs
DSS	Department of Social Services
LEEP	Lived Experience Engagement Program
<i>National Action Plan</i>	<i>National Action Plan to Combat Modern Slavery 2020-2025</i>
<i>National Roundtable</i>	<i>National Roundtable on Human Trafficking and Slavery</i>
<i>Modern Slavery Act</i>	<i>Modern Slavery Act 2018 (Cth)</i>
OSCE	Organisation for Security and Co-operation in Europe
<i>Trafficking Protocol</i>	<i>Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention Against Transnational Organised Crime</i>
<i>US Advisory Council</i>	<i>United States Advisory Council on Human Trafficking</i>

**Disclaimer:** the images used in this report are stock images and illustrate some of the types of labour undertaken in sectors where exploitation is known to occur. It is not suggested that any person pictured is a victim of modern slavery.

# Key terms

## Modern slavery

Modern slavery is an umbrella term that is defined in the Modern Slavery Act 2018 (Cth) and covers the offences in Divisions 270 and 271 of the *Criminal Code Act 1995* (Cth), including: trafficking in persons, slavery, servitude, forced labour, deceptive recruiting for labour or services, forced marriage, and debt bondage, as well as trafficking in persons as defined in the *United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* ('*Trafficking Protocol*')<sup>2</sup> and 'the worst forms of child labour', whether or not such conduct occurred in Australia or not.<sup>3</sup>

## Victims and survivors

This report uses the terms 'survivors', 'victims' and 'survivor advocate'. We acknowledge that individuals who have experienced or been affected by modern slavery may not identify with any or all of the terms 'victim,' 'survivor' and 'victim-survivor'. The term victim may be utilised in legal contexts but can suggest a lack of agency.<sup>4</sup> The term survivor is used to acknowledge the strength and agency of a person who is no longer in a situation of modern slavery.<sup>5</sup> The term survivor advocate is used to refer to a person with lived experience of modern slavery who advocates for changes to current responses to human trafficking, slavery and slavery-like practices.

## Survivor-informed and survivor-led responses

In the context of human trafficking, survivor-informed practice has been defined as the 'meaningful input from a diverse community of survivors at all stages of a program or project, including development, implementation and evaluation.'<sup>6</sup> Survivor leadership has been explained by survivor scholar Dr Minh Dang as the 'process and practices of using one's lived experience to benefit others.'<sup>7</sup> A survivor leader has also been described as 'a survivor who is a professional innovator in any discipline within the field of anti-trafficking.'<sup>8</sup>



# 1. Report summary

**This report shines a light on the contribution that survivors of modern slavery can make to the design, implementation, monitoring and evaluation of Australia’s response to modern slavery. Drawing on survivor-authored or informed literature and interviews with survivors, survivor advocates and organisations working with survivors, this report charts the push — led by survivors — to engage with survivors in meaningful, ethical, and trauma-informed ways to improve responses to modern slavery. Australia’s initial response to modern slavery was characterised by a strong focus on criminal justice outcomes and was not informed by the voices of survivors. Opportunities to learn from survivors have been missed and they have not been recognised as experts in their own experiences. A welcome inclusion in the National Action Plan to Combat Modern Slavery 2020-2025 is a commitment to ensuring that ‘the voices of victims and survivors, particularly women and children, inform our responses to modern slavery’.<sup>9</sup>**

Survivors have valuable, and diverse expertise; as survivor scholar Dr Minh Dang, has observed, ‘survivors’ insights are wasted when they are restricted to telling personal stories’.<sup>10</sup> It is essential that any participation by survivors in the development, implementation and evaluation of responses to modern slavery occurs with their full, free and informed consent, protects confidentiality, and does no harm. When survivors choose to share their expertise, government, civil society and businesses have a responsibility to listen, learn and respond. This report identifies promising survivor-informed and survivor-led initiatives as well as important principles and guidance to consider in developing frameworks to engage with people with lived experience of modern slavery.

Efforts to ensure the voices of survivors inform Australia’s response to modern slavery are still in their infancy. A reoccurring theme in interviews was that long-term investment in survivor leadership is essential to ensure that the expertise of survivors is valued and that efforts to facilitate survivor inclusion are neither tokenistic nor retraumatising. This requires dedicating time and resources to long-term collaboration and genuine partnerships between survivors, civil society and law and policy makers, and providing appropriate remuneration to survivors for their time and expertise.

The development of Australia’s response to modern slavery is at an important juncture. The first statutory review of the *Modern Slavery Act 2018* (Cth) is underway. This report encourages the Australian Government to embed engagement with survivors at the planning stage of law and policy reform processes with time and resources allocated for survivor engagement, including through collaborative partnerships and research. The perspectives of survivors should inform the development, implementation and evaluation of the next National Action Plan to Combat Modern Slavery as well as reviews of the impact of modern slavery laws. Interviews with survivors revealed strong support for survivor advisory councils as a mechanism for survivors to speak directly to law and policy makers about how to improve responses to modern slavery. This report suggests the establishment of a statutory survivor advisory council could embed survivor expertise in the development of Australia’s response to modern slavery.

However, this study also shows that there are multiple ways for the voices of survivors to inform responses to modern slavery, including through investing in research that is designed and undertaken in collaboration with survivors of modern slavery and through meaningful engagement by business with groups that may be affected by modern slavery.

This report recognises the critical importance of government, civil society and business being prepared to change existing systems and practices to create safe spaces for survivor-informed and survivor-led responses to modern slavery. The United Nations Special Rapporteur on Contemporary Forms of Slavery Professor Tomoya Obokata identified a need for guidance on how to facilitate meaningful survivor inclusion and this was echoed by organisations working directly with survivors in Australia. As one survivor advocate suggested ‘with the process of learning from survivors, there is also a process of unlearning’ which requires reflecting on the limitations of existing frameworks to address modern slavery and ‘changing the systems that we are working with from within’.<sup>11</sup>



## 2. Research aims and methodology

**This report is one output from a research study about how the expertise and experience of survivors can inform Australia's response to modern slavery. This research aims to advance knowledge and understanding of emerging best practice and principles in providing meaningful opportunities for survivors to inform the design, implementation, and evaluation of Australia's responses to modern slavery. This study locates efforts to facilitate survivor inclusion within a rights-based approach to slavery and human trafficking. A desk-based literature focused on research and guidance that was either authored by survivors or informed by the perspectives of survivors. The review identifies examples of survivor-informed practices of survivor-informed practices in the international and Australian context as well as principles for effective engagement with survivors. Following the desk-based review, interviews were undertaken with survivor advocates, survivors, and representatives of non-government organisations who work directly with survivors of modern slavery and with the United Nations Special Rapporteur on Contemporary Forms of Slavery Professor Tomoya Obokata.<sup>12</sup>**



This study learns from the expertise and experience of survivor leaders and advocates in Australia and overseas. Fourteen semi-structured interviews were undertaken, including eight interviews with individuals with lived experience of modern slavery.<sup>13</sup> Four survivors chose to participate on a strictly confidential basis and four survivors, all of who are involved in public advocacy, elected to be identified by name and position. Participants were not asked to provide information about their experience of modern slavery. Instead interviews focused on how to create meaningful opportunities for survivors to shape responses to modern slavery and participants' reflections about their involvement in survivor-informed or survivor-led initiatives.

Case studies are used to provide examples of survivor-informed and survivor-led initiatives. Interviews were also conducted with six non-government participants who are, or have been, involved in survivor informed-initiatives or programs. While participants may have different experiences and ideas about how survivors might shape law and policy reform, a thematic analysis was used to identify common themes from the data as well as points of difference or contestation.<sup>14</sup> Academic publications will examine key themes and findings.

The purpose of this report is to provide a snapshot of growing efforts to create meaningful opportunities for the voices of survivors to shape Australia's response to modern slavery. While there are many different strategies to facilitate survivor inclusion and leadership, this report pays particular attention to the role of survivor advisory councils and opportunities for engagement with survivors in the Australian context. By identifying emerging initiatives and good practice principles this report seeks to contribute to an ongoing discussion about how to facilitate meaningful opportunities for survivors to shape Australia's response to modern slavery.

Comment was sought from the Attorney-General's Department about the development of the *Victim and Survivor Engagement and Empowerment Strategy*. A limitation of this study is that it has not been co-produced or co-designed with survivors. This report reflects the views of the authors and not necessarily the views of those who were interviewed. Interviews undertaken for this study highlighted the benefits of adopting participatory approaches to design, production and dissemination of modern slavery research and this report recommends investment in research about modern slavery that is co-produced with survivors.



# 3. Survivor-informed responses to modern slavery

At a national and international level, there is growing recognition that survivors of modern slavery should be given meaningful opportunities to inform and influence the design, implementation, monitoring and evaluation of anti-slavery measures<sup>15</sup> and that ‘anti-slavery efforts need to be more systematically survivor-informed.’<sup>16</sup> The *National Action Plan to Combat Modern Slavery* promises to ensure ‘the voices of victims and survivors, particularly women and children, inform our responses to modern slavery’.<sup>17</sup> To this end, the Attorney-General’s Department is committed to the development of a *Victim and Survivor Engagement and Empowerment Strategy* to prioritise empowering survivors and strengthening their voices.<sup>18</sup>

## A rights-based approach to modern slavery

A survivor-centred response to modern slavery conceptualises survivors as rights holders who are entitled to meaningful opportunities to participate in decisions that impact on their rights. The United Nations Special Rapporteur on Contemporary Forms of Slavery has observed that there is 'growing recognition that giving victims and survivors' agency and voice through their active participation in programme and policy design and delivery strengthens those initiatives, has benefits for survivors and reinforces rights' and recommended that:

*anti-slavery efforts are survivor-informed and victim-centred, inter alia by incorporating victim-survivor identification, protection, and support provisions into national legislation specific to contemporary forms of slavery and by respectfully, equitably, and inclusively incorporating victim-survivor knowledge and input into policymaking, programme design and programme implementation at local, regional, and global levels.<sup>19</sup>*

A former UN Special Rapporteur on Trafficking in Persons acknowledged that 'genuine inclusion of the views and voices of those who have been trafficked assists in developing a proportionate response and reflecting the rights and desires of victims as well as the inherent complexity of the issue'.<sup>20</sup>

In cases where modern slavery occurs in the supply chains or operations of large corporations, survivors can face insurmountable barriers accessing justice and remedies. Therefore, the design and implementation of human rights due diligence processes should involve 'meaningful consultation with potentially affected groups and other relevant stakeholders', in accordance with the *United Nations Guiding Principles on Business and Human Rights*.<sup>21</sup>

Survivor narratives can have powerful functions, such as demanding social responsibility, challenging preconceptions and allowing survivors to assert their own identity.<sup>22</sup> They serve as a form of protest, liberation, therapy, self-discovery, and solidarity, for both the individual survivor and others who cannot speak up.<sup>23</sup> However, both historic and contemporary narratives have been shaped by outsiders, who edit and extract accounts, and focus on limited aspects of survivors' experiences.

To ensure survivors are truly heard, it is necessary to move beyond storytelling and recognise the importance of their expertise as activists, experts, and leaders in the development of law and policy to address slavery and human trafficking.<sup>24</sup>

***Many survivors understand the benefit of sharing some aspects of our story to raise awareness; however, our experience in slavery is not the only, nor the primary, topic that we want to discuss. We want to talk about policy change. We want to design social service programs and lead our own organisations and programs. We want to build grassroots solutions and to sustain ourselves. Like all humans, we want self-determination and autonomy, coupled with interdependence and community support.<sup>25</sup>***

Dr Minh Dang, Executive Director Survivor Alliance and Research Lead in Survivor Scholarship and Well-being at the University of Nottingham

## Australia's response to modern slavery

This report examines growing efforts to ensure that survivors of modern slavery have meaningful opportunities to inform and influence the development of Australia's response to modern slavery. Australia's initial response to modern slavery was strongly focussed on the criminal justice system<sup>26</sup> and designed without input from people with lived experience of modern slavery. Following the entry into force of the *Modern Slavery Act 2018* (Cth) in January 2019, this focus has broadened to include the responsibility of companies to identify and address modern slavery risks in their domestic and offshore operations and supply chains. However, the perspectives of survivors have been missing from law and policymaking processes.

*I think in the trafficking space we are still a little bit behind in terms of that lived experience practice and really knowing how to embed that practice in our day-to-day work.*

Lina Garcia Daza, the Australian Red Cross

The current National Action Plan to Combat Modern Slavery promises to 'ensure the voices of victims and survivors, particularly women and children, inform our responses to modern slavery'. However, while survivor-informed responses are an important goal, they are not yet a reality.

The National Action Plan promotes a collaborative response built on the participation of victims/survivors and other stakeholders working in partnership and recognising that survivors 'play a key role in shaping our response to modern slavery'. While the National Action Plan states that it was shaped by 'the voices of victims and survivors', it is unclear what level of engagement there was with survivors in developing the plan. A total of 47 submissions were received in response to a public call for submissions on the development of the National Action Plan, all from NGOs, corporations, or academics, while 27 targeted community consultations canvassed the views of 44 civil society organisations, international organisations, and academics.<sup>27</sup> The perspectives of survivors may have been expressed through civil society organisations but how this occurred is not recorded.

Without frameworks or guidance for engaging with survivors directly in a safe and ethical way, there has been a tendency to depict survivors of modern slavery as vulnerable victims, unable to speak for themselves.<sup>28</sup> The voices of survivors have sometimes been considered in the context of victim impact statements, media interviews, or through anonymised quotes in submissions made by NGOs. However, direct survivor engagement in official reviews of Australia's response to modern slavery has been rare as has the involvement of survivors in research about modern slavery, although this is starting to change.



*In 2017 there was a parliamentary inquiry into establishing a Modern Slavery Act in Australia. The Hidden in Plain Sight report recommended the establishment of a Modern Slavery Act in Australia, a Commonwealth Anti-Slavery Commissioner, and improved protection and support for victims and survivors. The Modern Slavery Act came into force in 2019 but many of the important recommendations made by the Hidden in Plain Sight report to improve victim support and access to remedies were ignored.<sup>29</sup> The Hidden in Plain Sight Report highlighted survivor testimony from an Australian survivor, Mr Moe Turaga, as well as survivors of orphanage trafficking and domestic servitude in Cambodia.<sup>30</sup> The inquiry held ten public hearings in 2017; six in Canberra, one in Sydney, two in Melbourne, and one in Mildura, and received 225 submissions.<sup>31</sup> The Mildura hearing, heard from 21 witnesses.<sup>32</sup> Provision was made for interpreters at public hearings where necessary and/or requested. Hearings were held in public and only one witness (a non-survivor) gave evidence at a closed session.<sup>33</sup> Mr Moe Turaga, the only Australian survivor to give oral evidence, appeared at the Mildura hearing with The Freedom Partnership.<sup>34</sup> The Chair of the Committee reports that organisations giving oral evidence were offered the opportunity to present survivor testimony and bring along survivors as witnesses, but oral survivor testimony was limited due to the willingness of survivors to give public testimony, survivor availability, organisations not bringing along such witnesses, and other reasons.<sup>35</sup>*

Under the National Strategic Priority 4 (partner) the Attorney General's Department will develop a *Victim and Survivor Engagement and Empowerment Strategy*. The Australian Institute of Criminology (AIC) was commissioned to develop a Monitoring and Evaluation Framework for the National Action Plan to Combat Human Trafficking and Slavery 2020–25 and will report on its evaluation of the National Action Plan in 2026. The AIC reports that the evaluation framework recognises the need to have a broad definition of the victim-survivor voice, including by using methods that do not require direct engagement such as the use of court documents and victim impact statements.<sup>36</sup>

*It is important that survivors sit directly with politicians and have a conversation... survivors can guide governments and policies. People will come with different stories and different ideas.*

Moe Turaga, Modern Slavery Advocate

A reoccurring theme in interviews with survivor advocates was the importance of law and policy makers hearing from survivors themselves. For example, Moe Turaga, an Australian survivor advocate, said that it is important that survivors have direct access to law and policy makers, while emphasising that survivors may require support to feel confident and safe sharing their experience and expertise with law and policy makers.

Survivor advisory councils can play a valuable role in embedding the voices of survivors in responses to modern slavery in government and non-government settings. However, participants also emphasised that the power imbalance between the State and survivors has to be squarely confronted in the design of survivor advisory councils and in mechanisms to consult with survivors.<sup>37</sup> For example, one survivor advocate considered that the 'biggest question' is how survivor advisory councils maintain their independence from the State. The survivor advocate explained:

*What do you tell [the government] if they tell you we're not going to do this, we're going to do this and we want you to evaluate this document, rather than what you want to do?<sup>38</sup>*

While Australia has not established a survivor advisory council or formal mechanism to consult with survivors in the development of laws and policies to respond to modern slavery, a government-funded pilot to establish a Survivor Advisory Council involving survivors of criminal labour exploitation is underway and is examined later in this report. In response to a question about what progress has been made towards the development of a *Victim and Survivor Engagement and Empowerment Strategy*, ABF (now AGD) responded:

*Work to inform Action Item #31 of the National Action Plan to Combat Modern Slavery 2020-25, to develop a Victim and Survivor Engagement and Empowerment Strategy, is underway through the funding of the Salvation Army's Lived Experience Engagement Program (LEEP) as part of the Modern Slavery Grants Program. The Attorney-General's Department plans to leverage the learnings gained from this project in the development of a broader victim and survivor engagement and empowerment strategy, including considerations for consultation and publication. The Strategy will be developed within the term of the National Action Plan.*<sup>39</sup>

In the context of responses to family violence, survivor advisory councils have been established to 'give people with lived experience of family violence a voice and ensure they are consulted in the family violence reform program.'<sup>40</sup> For example, the establishment of the Victorian Victim Survivors Advisory Council implemented the recommendation of the Royal Commission into Family Violence that 'the Victorian Government and agencies that respond to family violence identify and develop safe and constructive ways to ensure that the voices of victims are heard and inform policy development and service delivery'.<sup>41</sup> Lived experience engagement frameworks have also been utilised in a range of other contexts such as mental health and refugee and asylum seeker policy where communities have been marginalised and deprived of meaningful opportunities to participate in decision-making that impacts on their rights.<sup>42</sup>

The Terms of Reference for the first statutory review of the *Modern Slavery Act (2018)* (Cth) do not specifically refer to the impact of the Act on victims and survivors or to consultation with victims and survivors.<sup>43</sup> The Issues Paper released in August 2022 states that the review 'is to be conducted in an open, transparent and consultative manner' by inviting written submissions from stakeholders, engaging in targeted consultations both in and outside government, and conducting surveys of entities who report under the Act.<sup>44</sup> The focus of the consultation outlined in the Issues Paper is on the Australian business community, investors, and civil society. While the Issues Paper does not specifically mention consulting with victims and survivors, or workers affected by modern slavery the Review encourages submissions from all interested groups and these could include submissions from victims and survivors of modern slavery, workers and unions.

The first statutory review of the Modern Slavery Act presents an opportunity for engagement with unions, organisations that provide direct services to survivors, survivors themselves, and those potentially affected by modern slavery in offshore and onshore operations and supply chains of entities that report under the Modern Slavery Act. Effective due diligence by companies to identify and address modern slavery risks in business supply chains, must seek out the views of workers who may be affected by modern slavery and ensure that workers have meaningful opportunities to report exploitative practices and access remedies.

The review's focus on human rights due diligence is also an opportunity to give consideration to Worker-Driven Social Responsibility initiatives, which operate on the understanding that,

*'in order to achieve meaningful and lasting improvements, human rights protections in corporate supply chains must be worker-driven, enforcement-focused, and based on legally binding commitments that assign responsibility for improving working conditions to the global corporations at the top of those supply chains.'*<sup>45</sup>

## The importance of survivor-informed and survivor-led responses

Guidance developed by the [Survivor Alliance and University of Nottingham's Rights Lab](#) recognises that survivors are experts by experience and can offer advice and feedback on how services or policy can be developed or improved.<sup>46</sup> In the context of human trafficking, survivor-informed practice has been defined as the 'meaningful input from a diverse community of survivors at all stages of a program or project, including development, implementation and evaluation.'<sup>47</sup>

A growing body of research shows that unless survivor-informed practices are adopted, 'research, policy, law enforcement and service initiatives will remain limited and haphazard'.<sup>48</sup> However, the risks of tokenism, further exploitation, and re-traumatisation must be addressed. Survivors interviewed for this study believed that listening to advice from survivors would improve laws and policies. However, they also emphasised that survivors should not be expected to recount traumatic experiences and that opportunities to participate in law and policy processes should be accompanied by appropriate advice and support, including in relation to safety and confidentiality.

Some survivors interviewed for this study expressed the view that law and policy makers did not understand the difficulties that they had faced after they had left a situation of exploitation. For these survivors their interest in advocacy reflected a desire to make a positive difference for other survivors.

*I think there are a lot of doors being slammed in your face, when you're trying to get back on your feet ... So whether it is getting your documents together or finding employment, I think if I were to speak to government officials, I'd want to raise the importance of helping these people. Obviously, you may not be touched by it personally, or you may not know someone, but you know, this is real help that people need.*

Survivor, modern slavery<sup>49</sup>

One survivor stated "if they asked *how could we help you?*, you'd be raising awareness. They would know so much more."<sup>50</sup> Another survivor emphasised that 'your trauma doesn't define you' and that law and policy makers should listen to survivors about the support they needed to rebuild their lives.<sup>51</sup> Survivors drew attention to how, even after they had exited the situation of exploitation, their 'lived experience' of modern slavery did not end and that legal procedures were re-traumatising.

*Our case, it took us like, nearly five, six years. Giving the statements over and over again .. [details going through an appeals process] it's a long period of time ... I would just like them to make the procedure quicker.*<sup>52</sup>

Survivors' perspectives are vital to understand the impact of laws and policies to address human trafficking and slavery. Amy Rahe, the Managing Director of Strategic Partnerships at the Freedom Fund suggests that the failure to focus on long-term financial security of survivors may be because anti-trafficking organisations are not led by people who have experienced exploitation as well as a failure to track the long-term impact of responses to modern slavery on survivors. While Rahe has observed a positive 'shift in language' in the United States to recognise the expertise of survivors, she emphasised the importance of challenging assumptions about survivors and thinking differently about survivor inclusion and survivor leadership, observing:

*...the sector has moved largely away from talking about victims to talking about survivors and mixing that sometimes with lived experience. But there's some people who will still walk into a room and ... call somebody a victim who's called themselves a survivor. Othering language such as ...people like that, when there's, you know, a survivor right in front of you. Things like saying survivors have no experience, survivors have no skills, survivors are too traumatized. Generalizing statements, again, just othering language.*

Bella Hounakey, a member of the U.S Advisory Council on Human Trafficking, noted that one of the issues that the Council had advocated for since its inception in 2015 was greater support for the mental health of survivors. This advocacy led to increased awareness of the issue as well as some progress 'in terms of facilitating, and budgeting for organisations'.<sup>53</sup> In the Australian context, survivors interviewed for this study expressed concern about the way in which legal procedures resulted in them reliving traumatic experiences.

*That would be great advice to give to the government, you know, something that's very practical, there must be a way to minimise that kind of storytelling. And it's not [just] me, you know, like I met a lot of women at the women's refugee you know, and most of them were like, I can write down my story myself. And I can write a book because I had spent so much at time at the police station ... [with the case manager], the doctor, the therapist, repeating the same thing again and again.<sup>54</sup>*

**Survivors have, you know, suffered terrible harm. Australia is in need of a lot of work force right now. And you know, if you make survivors stronger from the beginning, they can be really helpful for the government ... they can help in lots of ways.**

Survivor, modern slavery<sup>55</sup>

Modern slavery occurs in the context of multiple forms of systemic discrimination, and structural disadvantage. Dr Dang, the Executive Director of the Survivor Alliance, argues that while non-survivors have a lived experience of continuous freedom, understanding the relationship of survivors to freedom is vital to transform the way modern slavery is understood and to improve responses to modern slavery.<sup>56</sup> Efforts to consult with survivors should recognise the collective as well as the individual impacts of modern slavery and strive to engage with communities, families, at risk groups, victims, and survivors to understand and address the root causes of modern slavery.

Trauma-informed and narrative approaches to trauma can help empower survivors to make meaning of their experiences by situating 'individual healing' within a 'structural context'.<sup>57</sup> A large part of this process is advocacy, which Dr Dang et al defines as 'engagement in self-determined social justice work which connects personal issues to larger social problems'.<sup>58</sup>

Dr Dang argues that community-based advocacy can help survivors understand their experiences within a wider context to help them depersonalise their trauma and see from others that their responses are normal. Another survivor advocate emphasised that learning from lived experience involves connecting individual experiences to systemic problems:

*...the challenge from my perspective is about looking at the problem as a bigger problem, as a societal problem, rather than looking at individual problems and trying to develop person-centred kinds of services here and there.*

There are many examples of where the perspectives of survivors could inform the development of Australia's response to modern slavery. Planning for survivor inclusion should be considered in budgeting for services, research, and projects. The Australian Border Force (ABF) received \$10.6 million in the 2020-21 Federal Budget for the implementation of the National Action Plan, which included \$4.4 million to support research and efforts to combat modern slavery in Australia. In 2021, ABF established a civil society advisory group to provide advice to the Government on the development of a scheme of forced marriage protection orders (FMPOs) and enhanced civil protections for people facing forced marriage.<sup>59</sup>

Research has found that people with lived experience of forced marriage believe it is imperative that strategies to address forced marriage are informed by those who are directly affected.<sup>60</sup> This underscores the importance of creating meaningful opportunities for consultation and collaborative partnerships with those directly affected by forced marriage in the development of prevention initiatives.



*The experience of Moe Turaga, a survivor of modern slavery and an advocate for ending modern slavery globally, illustrates the power of survivor advocacy as well as areas where greater support for survivor engagement could be provided. Born in Fiji, Moe Turaga's father passed away when he was thirteen and he became responsible for caring for both his immediate and extended family. When he was seventeen a trusted cousin suggested he go to Australia to earn more money for his family. When he arrived in Australia in 1988, his passport was taken, and he was told that he would have to repay the debt for his travel and visa. Turaga worked a twelve-hour day seven days a week in a grape farm in Victoria. Any money he earned was given to his cousin. In an article for the [Human Rights Defender](#), Turaga explained:*



*After about two years, I was finally able to contact my mother and found out that my cousin had never sent money to her. She had not received anything since I had worked as a machinist. I couldn't believe this, and I was emotionally devastated. I felt cheated and deceived by this man who I and our community trusted. But I also felt trapped because of his position of power in our society and that I would be shamed by my community if I complained or came home empty-handed. I would be seen as the wrong-doer or the rebellious person who didn't make good of the opportunity that was provided to me. He would be believed while I would be considered ungrateful. He could poison the community against me. The power and fear of this shame kept me in a prison without walls, afraid to ask for help. Also, my passport was still with the migration agent in Sydney. So, I kept on working for a while in hope that I could find a way out of this situation. [Another farmer became aware of the situation and offered to employ him] ....We had to leave the grape farm at night for our safety. She taught me skills like how to drive a forklift, drive a car and operate other farm machines. It was exhilarating to get paid a real wage into my own hand and to finally have money to get new clothes. It makes me sad now, but I remember how happy I was to finally replace a pair of pants that I had almost worn through. I was proud to send the money I made to my mother and hear her voice on the phone.*

*In 2017, Turaga shared his story at the Bali Process Business and Government Forum in Perth. Since then, he has been an advocate for change. He has helped to shed light on agricultural exploitation hot spots in Victoria, NSW, and Queensland, and engaged with vulnerable temporary visa holders in horticulture and hospitality. He gave evidence at the Commonwealth Inquiry into Establishing a Modern Slavery Act, and his story appears as part of the official *Hidden in Plain Sight* report. In evidence to the Inquiry, Mr Turaga drew on his own story to provide insights into barriers migrant workers face to reporting exploitation and expressed his scepticism about proposals for a national hotline stating “the big fault with a national calling system is sometimes those numbers don't get answered or you wait 10 minutes and give up.” Turaga also called upon the committee to consider “the medical needs and medical support for migrant workers when they were sick and couldn't get into local hospitals because of their situations.”*

Photo supplied by Mr Moe Turaga and reproduced with his permission.

# 4. Promising practice and principles for lived experience engagement

**This section identifies examples of promising practice in survivor informed and led responses to modern slavery, drawing on the desk-based literature review and interviews with survivors and survivor advocates.<sup>61</sup> Learning from the lived experience and expertise of survivors can support survivor recovery, improve access to remedies,<sup>62</sup> and support the development of effective responses to modern slavery. Government, civil society, and business can play a critical role in facilitating survivor inclusion but organisations need to carefully assess how they can best contribute to this goal in safe, ethical and meaningful ways that recognise and value the expertise of survivors.**

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## Emerging international practice

Survivors can inform and lead the development of responses to modern slavery in different ways. While it must always be clear that there is no obligation for survivors to engage with activities that seek to inform and change responses to modern slavery, it is also critical that meaningful opportunities for participation and engagement are provided so survivors can share their expertise. Engagement with survivors can involve a spectrum of different activities from a low level of engagement to ongoing engagement and leadership.

Survivors can influence policy and law reform in ways that do not involve the retelling of stories of exploitation in public, but can involve law and policy development, monitoring and evaluation, participation in public or confidential advocacy, and the design, implementation and evaluation of services and programs, community engagement and awareness raising, and consultation. Strategies to invest in survivor-informed and survivor-led responses to modern slavery include:

- The establishment of Survivor Advisory Councils to involve survivors in law and policy making processes and embed survivor expertise in the design, implementation, and evaluation of national strategies to address modern slavery.
- The creation of meaningful opportunities for survivors to be involved in research about modern slavery, not just as interview subjects but as researchers or peer researchers in studies that adopted participatory approaches to research.
- Investment in survivor-led organisations and employment and educational opportunities for survivors with lived expertise, recognising that survivors may wish to share their expertise without identifying publicly as a survivor.
- Employment of survivors in advocacy, media, policy roles or program and service delivery and design, as well as consultants to business seeking to identify and address modern slavery in their operations and supply chains.

Survivor Advisory Councils recognise the expertise of survivors and have the potential to embed survivor perspectives in the development of official responses to modern slavery. The United States Advisory Council on Human Trafficking was established by the *Justice for Victims of Trafficking Act 2015*, also known as the *Survivors of Human Trafficking Empowerment Act* with a sunset clause providing for its termination. This sunset clause was recently extended until 2031.<sup>63</sup>

An important feature of the U.S Survivor Advisory Council is its statutory foundation. The Council's role is set out in legislation and includes providing advice and recommendations to inform the best practice in human trafficking prevention,<sup>64</sup> and publishing annual reports. The Council also provides a contact point for government agencies seeking survivors' input and perspectives on responses to human trafficking.<sup>65</sup>

Dr Dang, an inaugural member of the U.S Advisory Council, argues that Survivor Advocacy Councils should adopt the following core principles:<sup>66</sup> first, lived experience is a source of expertise; second, healing from trauma is an individual and collective practice; third, community building resists oppressive practices and challenges structural inequity; and fourth activities must create shifts in society that will improve the quality of life for survivors.<sup>67</sup>

While Dr Dang noted that inaugural members did not receive remuneration,<sup>68</sup> Bella Hounakey, a current member of the Council, reported this had changed and the governance of the Council has improved since its inception because ...

*.... we keep passing on the torch because the goal is for the government, survivor leaders and for profit and non-profits can work together as a collaboration, as a cohesive body for the common goal, which is to combat trafficking, which is to bring about the goals of the Trafficking Protection Victims Act of 2000.*<sup>69</sup>

Hounakey observed that people ‘who are making laws for the entire country who may have never come across a survivor, they might have heard about them, they might have read stories about them, they might have seen them on TV, they might receive letters from them’ but the Survivor Advisory Council creates change because those involved in making law and policy start ‘seeing survivor leaders as professionals, saying, you know, what, I am not defined by being trafficked’.<sup>70</sup>

***Today, I’m defined as a professional ... I knew what it was to be trafficked. Now I know what you’re doing in terms of I am the recipient of your policies. I’m the recipient of the law you make, I’m the recipient of your inability to combat trafficking. I represent the many faces of many victims. The ones that made it and the ones who didn’t make it. And so, I think that the Council represents one of the successes of the US government’s effort to be transparent and to be inclusive.***

Bella Hounakey, Member, United States Advisory Council on Human Trafficking

In Europe, the OSCE has established an International Survivors of Trafficking Advisory Board (ISTAC), which consists of 21 members who are survivor leaders. The ISTAC was established as a mechanism for providing guidance, advice, and recommendations to the OSCE Office for Democratic Institutions and Human Rights and participating States to support its efforts to combat human trafficking, including providing advice on the drafting of legislation, policy, and practices, undertaking research, and educative and capacity building functions. The ISTAC also aims to guide survivor leaders to foster the growth of survivor networks and standardise survivor-related terminology and frameworks.<sup>71</sup>

Access to work, educational and training opportunities can support the recovery of survivors and give survivors a voice in shaping law and policies to address modern slavery.

The engagement of survivors as employees or consultants on anti-slavery initiatives can help ensure action to address modern slavery is informed by the expertise of survivors. For example, the [Agents for Change](#) report and podcast published by the Anti-Trafficking Monitoring Group was co-authored by survivors and non-survivors and provides practical advice on how to ensure people with lived experience of modern slavery are ‘offered the choice to play a central and constant role to contribute to policy making and system building in a meaningful way’, as well as ‘providing a practical route to rebuilding their lives’.<sup>72</sup>

Survivor advocates identified evaluation of survivor-informed programs and initiatives as an area that required greater attention. Without evaluation and monitoring, it is unclear whether consultation with survivors translates to meaningful long-term change. For example, the UNODC’s ‘Victims voices lead the way’ campaign 2021, launched as the theme of the World Day against Trafficking in Persons, called for recognition that “victims voices are key to preventing trafficking, supporting survivors, and bringing perpetrators to justice”.<sup>73</sup> However, it is unclear whether this campaign had an impact beyond awareness raising on World Trafficking Day.

***There is growing recognition of the importance of investing in survivor-leadership. According to Amy Rahe of the Freedom Fund, “we can dream bigger, we can think differently, about what it means to have survivor engagement, survivor inclusion and survivor leadership, because so far we have moved at a snail’s pace”. The [Survivor Leadership Fund](#) is an initiative of the Freedom Fund that supports survivor-led organisations that are working to combat modern slavery with unrestricted grants to improve their impact. In doing so, the Fund aims to shift the power back to those who are most impacted by modern slavery and enable them to make a difference.***

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## Emerging Australian practice

### Consultative mechanisms

The Australian Government has established formal mechanisms to consult with civil society and business about the development of Australia's response to modern slavery on an ongoing basis. Since 2008 the National Roundtable on Human Trafficking and Slavery has met annually. Participation in the Roundtable is by invitation only and has not included any formal engagement with survivors.<sup>74</sup> While the *National Roundtable* has published *Guidelines for NGOs working with Trafficked People*, there is a lack of guidance on best practice for government agencies, businesses, and civil society in facilitating survivor inclusion. For example, the UN Special Rapporteur on Contemporary Forms of Slavery commented that

*there is a need for guidance on consultation and engagement with survivors, such as a toolkit, or guidance ...for the policymakers, as well as the MPs or Parliamentarians so that they can actively engage [with survivors].*<sup>75</sup>

In the Australian context, Lina Garcia Daza, commented:

*I definitely think that it will be very beneficial to get some guidance around how to engage with the survivors and really let the survivor lead. Yes, definitely. I think that the government has taken a really good step towards that with the inclusion of that focus in the national action plan to combat modern slavery.*<sup>76</sup>

In 2020 the former government established a modern slavery expert advisory group with ten members drawn from business, civil society and academia. These appointments initially failed to include organisations that worked directly with survivors. A coalition of unions and civil society expressed fears that the heavy business representation could lead to 'the disturbing result that Australia's efforts in combatting modern slavery will be driven by companies that are subject to Australia's modern slavery laws, rather than the interests of people at risk of modern slavery',<sup>77</sup> and the

President of the Australian Council of Trade Unions, Michele O'Neil, said that the advisory group was 'incomplete and ill-informed without workers' voices at the table'.<sup>78</sup>

While the composition of the working group has subsequently expanded (there are now five key peak bodies and 17 individual representatives),<sup>79</sup> there is no survivor representation. From the limited publicly available information, the eleven meetings of the advisory group have focused on businesses, business operations and supply chains, and compliance with the Modern Slavery Act reporting requirements. It is unclear what consideration has been given to the rights, interests and views of survivors. The discussion of remediation and the inclusion of the Cleaning Accountability Framework in the eighth meeting, and the presentation of Walk Free's report into modern slavery risks in the garment industry in the tenth meeting, are examples of where the views of survivors or survivor advocates may have been the focus of the discussion.

### Front-line organisations

There are many different organisations in Australia working directly with survivors of modern slavery. Among front-line workers interviewed for this study there was a strong view that more work needs to be done to create meaningful opportunities for survivors to inform and influence responses to modern slavery. Organisations that work directly with survivors of modern slavery in Australia reported consulting with survivors in the development of law and policy submissions and in the evaluation of services and being led by survivors' aspirations and conceptions of justice in service delivery and design (for example, the Australian Red Cross, ACRATH<sup>80</sup>, Anti-Slavery Australia and Salvation Army).

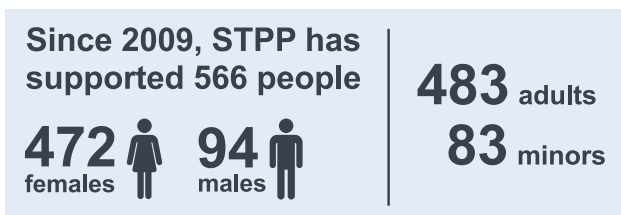
This section provides a snapshot of how some of the organisations working directly with survivors of modern slavery in Australia are seeking to develop more survivor-informed ways of working. Following the entry into force of the Modern Slavery Act, an emerging area is engagement with workers in human rights due diligence processes. Work-

driven responsibility initiatives and worker voice mechanisms which recognise that improving labour practices and preventing modern slavery is founded on a commitment to decent work and workers' rights are the subject of growing attention in Australia. This is an important field of research but not the focus of this report.

The Australian Red Cross is responsible for delivering the government funded Support for Trafficking People Program (STPP) which can be accessed by individuals who the Australian Federal Police suspects are victims of 'modern slavery' and refers to the STPP.<sup>81</sup>



The Australian Red Cross has supplied this graphic to illustrate the support available under the Support for Trafficked People Program.



**At the time of writing the Australian Red Cross was supporting 130 people referred to the STPP by the AFP.**

These statistics were provided by the Australian Red Cross and are current to June 2022.

Lina Garcia Daza, the Trafficking Lead at the Australian Red Cross described doing survivor informed work as working in ways where service providers are “being led by [survivors’] goals, their aspirations their willingness to do or not to do things,” stating that the STPP strives to ‘be driven by them throughout the whole process.’ Garcia Daza explained that the Australian Red Cross has developed a lived experience engagement framework to guide their work with survivors of modern slavery and seeks to work with survivors and communities that are affected by modern slavery to better understand and respond to modern slavery.

Anti-Slavery Australia engages directly with survivors through the Centre’s free and confidential legal and migration service available to people who have experienced or are at risk of modern slavery in Australia. The legal team provides confidential, culturally sensitive legal advice and long-term representation to assist survivors access justice.

The service has operated since 2003 and has informed law reform in multiple areas such as advocacy to improve the visa system for people who have experienced modern slavery, initiatives to establish a national compensation scheme for survivors of modern slavery and to promote better ways for survivors to access support.

Anti-Slavery Australia prioritises the lived experience of survivors in the delivery of a free legal practice for survivors of modern slavery, research and policy development. Informed by this study, Anti-Slavery Australia plans to establish a small survivor engagement team to provide a framework for survivor inclusion with the intention of including the lived experience and expertise of survivors in the design and operation of Anti-Slavery Australia activities. The survivor engagement team will be chaired by a survivor who will consult with other survivors in response to specific questions from the legal, research and advocacy teams. Survivors will meet on an ad hoc basis and be paid for their expertise. Survivors will establish an engagement protocol that will include the terms of engagement and address privacy and confidentiality in a trauma-informed way. International best practice and feedback from survivors will be considered and applied to Anti-Slavery Australia activities to ensure services are survivor centred and address the needs of survivors.

The Salvation Army, which administers the government funded Lived Experience Engagement Program (LEEP), previously established a Freedom Advocates program to raise awareness and mobilise communities, government, and business to respond to modern slavery.<sup>82</sup> Since 2011 the Salvation Army supported an unidentified number of survivors to become Freedom Advocates.<sup>83</sup> Freedom Advocates have contributed to submissions,<sup>84</sup> visited politicians, attended the National Roundtable on People Trafficking and Slavery, and shared their experiences with the media, researchers, and the UN Special Rapporteur on Trafficking in Persons.<sup>85</sup> They have also provided mentorship, resources and guidance to peers who are facing forced marriage.<sup>86</sup> However, the program is not currently active due to funding constraints. There is no publicly available evaluation of the program.

The Freedom Hub was founded by Sally Irwin in 2014 to develop initiatives to end modern slavery and support victims and survivors. According to its website, the Freedom Hub includes a Survivor school for victims, two ethical cafés, and an Ethical Business Consulting Service including compliance training for business and modern slavery risk assessments.<sup>87</sup>

In 2021 the Freedom Hub Survivor Advisory Board was established, which Irwin describes as ‘a group of survivors who want their voices heard, not to share their past but to see a better future for others.’ Irwin reports that the Advisory Board comprises of a small number of survivors ‘who have all recovered from their ordeal and are leading independent successful lives’.<sup>88</sup> The board meets online up to four times a year. Board members can be contacted through the Freedom Hub to respond to research questions or requests for comment on government policy with the expectation that they will be ‘paid for their time’. Contact with survivors is mediated by the Freedom Hub: the Freedom Hub may provide ‘unedited responses’ to questions or facilitate anonymous telephone interviews with questions to be sent ahead and survivors able to “back out of the interview at any time, even mid-interview.” Irwin reports members have ‘provided feedback on three policies from external businesses and have assisted the Freedom Hub to develop their own policies, submissions and classes’.<sup>89</sup>

## The Lived Experience Engagement Program (LEEP)

The Salvation Army’s Lived Experience Engagement Program (LEEP) is an Australian Government funded pilot program for survivors of modern slavery to engage directly with government through a Survivor Advisory Council. The funding supports “a program design phase and one year of operating the program to facilitate the creation of a pilot Survivor Advisory Council”.<sup>90</sup> Recruitment began in July 2022 and the Salvation Army hopes to recruit 6-10 survivors to participate in a yearlong program.<sup>91</sup>

In an interview for this study, Claudia Cummins, the Program Manager of the Salvation Army’s Trafficking and Slavery Safe House programs, stated that it is “really important there is ongoing scope for these types of things to be funded because one year is not enough time to establish it, it’ll just be getting started,”<sup>92</sup> explaining:

*We would love to get to a level where we actually have survivors in leadership positions because most movements, most social justice movements, have survivors or people who have been most impacted as key spokespeople, as key leaders in that movement, and it can’t really be a movement without those people leading.<sup>93</sup>*

LEEP is only open to individuals with lived experience of criminal labour exploitation and aims to support survivors to effectively engage with government in consultations about initiatives to address criminal labour exploitation. Consistent with Australia’s legal framework, LEEP is open to survivors of criminal exploitation in the sex industry as well as survivors of domestic servitude. This breadth of coverage is important however LEEP is not open to survivors of forced marriage, exit trafficking, or slavery that does not involve criminal labour exploitation.

The LEEP model is based upon ‘best practice principles for survivor engagement’, which are reproduced below, and promises to be ‘trauma-informed and built upon safety, diversity, inclusion, trust and equality.’<sup>94</sup> Participants will be supported to prepare for meetings and provided with an interpreter in their language. Participants are not employees of the Salvation Army but will be remunerated for their participation on the Survivor Advisory Council through the payment of an hourly honorarium fee and childcare and travel costs will be reimbursed. Participants can elect to participate in LEEP without publicly disclosing their identity and referrals to legal advice will be provided where required.<sup>95</sup>

To apply to participate in LEEP, potential participants contact the project officer or program manager for a discussion about their wellbeing, goals, and ability to share their experiences for advocacy and consultation.<sup>96</sup>

As a trauma-informed program, a psychologist is available for emotional support, and participants can also debrief with a dedicated project officer. A recruitment brochure promises that the Australian Government recognises that modern slavery still happens in Australia but has a ‘plan for change’ and ‘wants to learn from your lived experience, because this work can’t be done without you’.<sup>97</sup>

Cummins states participants will be offered training and

*...opportunities to consult directly with government on aspects of the National Action Plan and initiatives related to preventing, identifying and responding to modern slavery, in particular criminal labour exploitation. The Survivor Advisory Council will also form group recommendations for government and other key stakeholders working to combat modern slavery in Australia, including on effective lived experience engagement.*<sup>98</sup>

LEEP is unique in the Australian landscape and its evaluation will inform the Attorney-General Department’s development of the Victim and Survivor Engagement and Empowerment Strategy.<sup>99</sup> Cummins nominated two important issues to consider in the evaluation. The first was the impact on participants, ‘in terms of if it has been a positive experience for them, the impacts on them, and their sense of confidence and empowerment.’ The second was whether ‘the government [will] incorporate advice from the Survivor Advisory Council. And that might be more difficult to measure in some ways because obviously change takes time.’<sup>100</sup>

### The Salvation Army LEEP Program Best Practice Principles

Empowerment	Participation in lived experience engagement should create opportunities for key leadership skills to be developed and strengthened
Equity and Equality	Lived experience work should be valued equally to that of other professionals, and structural barriers to participation must be addressed
Diversity and inclusion	Diverse experiences are represented to ensure contributions are reflective of a range of experiences, and appropriate support and flexibility provided to enable this
Visibility	Survivors’ lived experience is recognised and acknowledged as being valuable and integral to creating change, with opportunities for survivors to be present and part of decision-making events and discussions
Transparency	There is clarity and consistency about the purpose and process of engagement and opportunities for ongoing feedback to improve participation
Safety	Maintaining physical and psychological safety and minimising any risk of negative legal impacts is integral to engagement, with individual support strategies consistently reviewed
Trust	Relationships developed through lived experience engagement work are collaborative and reflective of the other core principles including equality, transparency, empowerment and safety
Support	Individualised and holistic support is provided to uphold safety and well-being throughout participation in lived experience engagement work

This information was provided by Claudia Cummins, LEEP Program Manager at the Salvation Army.



## Lessons from the family violence sector in Australia

Modern slavery can intersect with and overlap with family violence and domestic violence. In both sectors, strategies to engage with survivors raise safety and confidentiality considerations. Efforts to engage with survivor advocates in the family violence sector may be helpful in informing strategies to embed the voices of survivors in the development of the next National Action Plan to Combat Modern Slavery and in the development of collaborative partnerships between survivors and front-line organisations.

The next National Plan to Reduce Violence Against Women is due to be released in October 2022 and will provide a ten-year strategy to inform the policy and service frameworks to address violence against women and children.<sup>101</sup> The Victim-Survivor Advocates Consultation Final Report (the Victim-Survivor Advocates report) presented findings from consultation with victim-survivors<sup>102</sup> and identified strategies to ensure the expertise of victim-survivors is embedded into the development, delivery, implementation, and monitoring of the next National Action plan, and into workplaces or sector organisations that work in family, domestic and sexual violence spheres.<sup>103</sup> To this end it recommends the establishment of a national victim-survivor advisory group with a formal structure as a key mechanism for embedding the lived experience and expertise of victim-survivors as part of the next National Plan.<sup>104</sup>

The Victim-Survivors Advocates report highlights the need for the advisory group to be trauma informed and create a safe space for victim-survivors. To do so requires resources to ensure victim-survivors are remunerated for the time and commitment, akin to what would be offered to professionals, and receive appropriate support to share their expertise.<sup>105</sup> There is also a need to ensure that diverse lived experiences are represented on the advisory council<sup>106</sup> and in the governance of the next National Plan.<sup>107</sup>

Beyond this stand-alone advisory group, the Report notes other ways to engage the expertise of victim-survivors such as embedding engagement with lived experience into federal funding for the delivery of programs or services.<sup>108</sup>

Importantly, victim-survivors ought to be engaged not just at a policy level but across all systems in a formal way. This finding has resonance for development of strategies to facilitate survivor inclusion in responses to modern slavery in Australia.

***Members of the Victorian Victims Survivor Advisory Council (VSAC) are appointed by the Minister for Prevention of Family Violence. VSAC seeks to give those with lived experience of family violence a voice and an opportunity to be consulted in family violence reform programs.<sup>109</sup> VSAC works to inform the Victorian state government and national family violence sector of domestic and family violence and makes specific recommendations to parliamentary inquiries, such as the Parliamentary Inquiry to Consider Family Violence in the Family Law System.<sup>110</sup>***

The Family Violence Expert by Experience Framework, which was co-produced by survivors, enhances the ability of specialist family violence services to provide opportunities for survivor advocates to influence policy development, service planning and practice.<sup>111</sup> It provides ten best practice principles for engaging survivors and service providers in collaborative processes that recognise the expertise of victim survivors, the importance of providing remuneration for time and input, as well as the need for survivors to be given trauma-informed support and for their legal, physical, emotional and cultural safety to be considered.

The relationship between a survivor advocate and a service is to be built on trust and reciprocity and address inherent power imbalances through genuine involvement. Engagement with survivor advocates must be transparent, accountable, and sustainable through regular review, avenues for feedback, and continued partnerships. Inclusion of victim-survivors from diverse backgrounds is vital to ensure those who are not usually heard have opportunities to participate.

The Family Violence Expert by Experience Framework recommends the establishment of a Survivor Advocate Industry or Representative Body to be run and led by survivor advocates as the peak organisation for survivor advocates and to provide guidance on minimum standards of conditions and pay, provide emotional support and development and learning opportunities.<sup>112</sup> The Framework also provides resources for survivors and organisations and encourages their sharing of knowledge and experience.<sup>113</sup>

*Domestic Violence NSW Voice for Change advocates group (DVNSW) is an independent NGO that provides representation and advocacy services for women and families experiencing domestic violence. 'Voices for Change' was DVNSW's first project aimed at ending domestic and family violence through media advocacy. It launched in November 2018 with one group of survivor advocates before growing to three groups. These advocates participated in over 39 media opportunities and met directly with the NSW government to provide advice on how to ensure NSW is safe for victims.<sup>114</sup> The 2021 Voices for Change report notes the positive impact of media advocacy in raising awareness of domestic violence and advocating for changes to laws and policies.<sup>115</sup>*



## Promising practice and principles for survivor-informed responses to modern slavery

This section identifies promising practice and principles for building survivor-informed and survivor-led responses to modern slavery. It does not offer an exhaustive survey but draws on guidance that has been developed by survivors and interviews conducted with survivors, survivor advocates and front-line organisations.

### Respect, protect and promote human rights

A core principle of a human rights-based approach to modern slavery is the active, free and meaningful participation of rights-holders in the development and implementation of policies and programs that affect their interests.<sup>116</sup> This extends beyond mere consultation and involves the inclusion of victims' views and experiences in the development of legislative responses to modern slavery.<sup>117</sup> Without addressing the structural barriers to survivor inclusion, survivors will continue to be excluded from debates about laws and policies that impact on their rights. A survivor advocate pointed out survivors with uncertain immigration status may be living in circumstances of state-produced precarity, asking:

*Are there any safe spaces for survivors to speak about their own lived experiences, spaces that they're completely safe, whether it's from social cultural kinds of stigmatization, or legal precarity?<sup>118</sup>*

Survivor advocates interviewed for this project emphasised that responses to modern slavery needed to attend to the impact of systemic discrimination on marginalised communities and the root causes of modern slavery.

*I think, for me, the first thing is trafficking issues are not just individual or person centric kind of issues, they're societal problems, they're bigger than the individual, they affected the individual first, yes, but they also affected their family members, their local communities and the entire society in large. So, we need an approach that addresses the system and its roots causes.<sup>119</sup>*

States have obligations under international human rights law to respect, protect and fulfill the human rights of people at risk of or who have experienced slavery and human trafficking. A key theme in survivor informed and authored literature is that responses to slavery and human trafficking must address the structural causes of exploitation and support communities who are affected by modern slavery, including through supporting workers to take collective action to improve labour rights. A survivor advocate who was interviewed for this study emphasised the importance of "creat[ing] safe spaces for these individuals to speak up" before observing that 'it's difficult to find such spaces in the framework of the state or in other places as well'.

The *UN Recommended Principles and Guidelines on Human Rights and Human Trafficking* recognises the important contribution survivors can make to developing and implementing anti-trafficking measures but emphasises that these contributions must be 'on a strictly voluntary basis'.<sup>120</sup> All efforts to engage with survivors must seek to promote, protect and fulfill the human rights of victims and survivors, without discrimination on the basis of race, religion, sex, gender, sexual orientation, age, disability or other grounds.



## Adopt trauma-informed survivor-centred methods of working

All efforts to engage with survivors need to prioritise their safety and make appropriate referrals to facilitate their access to essential services, specialised assistance and support. Government agencies and NGOs who work with survivors should always act to protect people's safety, which includes only disclosing personal information with informed consent and protecting rights to privacy and anonymity. To give informed consent, the survivor must be aware of and understand all the facts and information to decide what they want to happen.<sup>121</sup> Survivors may require access to professional interpreters and legal advice to make informed decisions about what action they want to take.

*Just because you're a survivor does not mean you're safe from that world or that environment. You're being a survivor. That's an amazing thing. But you can still be a victim of what's happened. And ...[if] the people that actually got you involved in that situation, if they find out what you're doing, raising awareness, obviously advocating or anything like that, you know, that could put you in danger.*

Survivor, Modern Slavery<sup>122</sup>



Anti-Slavery Australia, Frontline Worker Guide: Identifying and responding to forced marriage in Australia (Guide, My Blue Sky, 4 July 2022).

Organisations that seek to work with survivors should establish trauma-informed workplaces that provide access to psychological support and counselling and support the well-being of survivors and non-survivors. Single incident trauma is defined as trauma occurring from a one-off event, for example, a natural disaster or experiencing an assault. Complex trauma is the result of underlying and cumulative trauma often because of experiencing violence within the community, such as domestic violence or exploitation and human trafficking, and can have significant longterm health impacts.<sup>123</sup>

The principles of a trauma-informed response include safety, trustworthiness and transparency, peer support, empowerment, and voice and choice.<sup>124</sup> Services should be accessible and non-discriminatory and recognise the expertise of survivors. The Trauma-informed Code of Conduct for All Professionals working with Survivors of Human Trafficking and Slavery (TiCC) assists professionals to build and maintain a relationship of trust with survivors, convey a sense of safety, security and calm in their work, increase survivor's confidence and reduce the risk of re-traumatisation or causing distress, and stay safe and well to avoid burn out or secondary traumatisation.<sup>125</sup> Interviews with survivors should occur in a safe and private space and with the informed consent of the participant.<sup>126</sup>

Survivors hold knowledge, experience, and expertise to inform strategies to prevent modern slavery, and identify those at risk of, and subject to modern slavery.<sup>127</sup> While survivors may not wish to have any involvement in the development of law and policy, they will not be able to make this choice unless they are supported to recover and claim their rights.

Bella Hounakey emphasised that survivor leadership is only possible if there are adequate efforts to identify, support and assist victims to recover and rebuild their lives. Hounakey referred to her own experience to illustrate this point, observing that:

*'mental health, the type of pain you go through after trafficking, it's very dark, the only way you navigate that is support'*

***And then you see the ones who didn't make it, or even in my own story, there were 22 of us that were trafficked. Seven out of that 22, seven of us are functioning now, the rest aren't. And the only difference is that we receive trauma informed care, we were, we are, in a stable environment where our basic needs were provided for.***

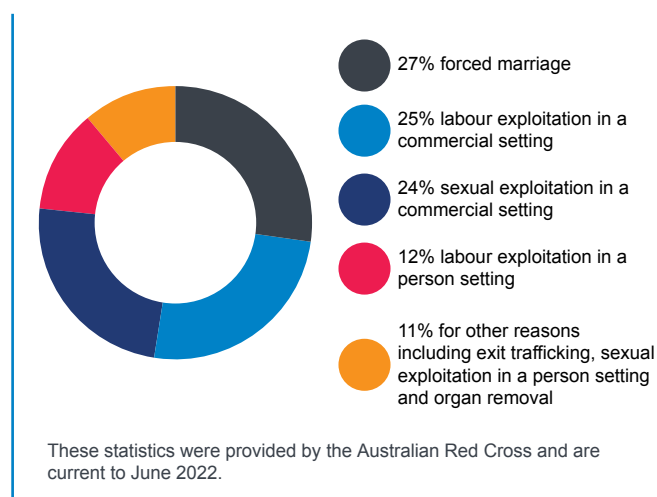
Bella Hounakey, Member, United States Advisory Council on Human Trafficking

[Survivor Alliance recommends](#) that during a consultation with a survivor, the following factors should be considered: location, timing, attendees, introductions, ground rules, confidentiality, power and privilege dynamics, agendas and lines of questioning, dress code, and language. An accessible, neutral location at an appropriate time for the survivor should be facilitated to ensure the survivor does not feel intimidated or uncomfortable during the meeting. Consideration should be given to who will attend the consultation and survivors should be advised that they can bring a friend for support or their children if needed. The survivor should be given clear information about the purpose of the meeting, who will attend, and the level of confidentiality e.g., whether it is being recorded, whether notes will be taken, and whether pseudonyms will be used.<sup>128</sup>

## **Reflect diversity, challenge inequity, and support inclusion**

Strategies to engage with survivors should recognise that survivors have diverse backgrounds and experiences. Survivors have a variety of different cultural backgrounds, speak different languages, and have a wide range of skills, experiences and interests. Strategies to engage with survivors should be multifaceted, recognising that there are many ways for survivors to influence policy and law reform that do not involve the retelling of stories of exploitation in public, but which focus on the ability of survivors to claim their rights and rebuild their lives and to inform prevention initiatives and law and policy reform.

There are many different manifestations of modern slavery. Since 2009, the Support for Trafficked People Program (STPP) has supported 566 people. The Australian Red Cross has provided data about the reasons that people were referred to the STPP by the AFP, which are represented in the below graph.



Efforts to facilitate survivor inclusion should recognise diverse experiences of modern slavery. Adequate resources are essential to support meaningful participation by survivors with different backgrounds. Modern slavery occurs against a backdrop of systemic intersectional discrimination, gender inequity, and structural disadvantage and long-term investment in survivor-informed and survivor-led responses must acknowledge and address structural barriers to participation.

While funding for an Australian pilot survivor advisory council is welcome, a limitation of LEEP is that it is only open to survivors of labour exploitation. Some of the survivors interviewed for the project could not participate in the LEEP, despite expressing support for the establishment of a Survivor Advisory Council, because they do not fall within the parameters of the pilot program.

**... we've seen impact in terms of government or policymakers hiring lived experience experts for consultations or creating positions within organisations.**

Dr Minh Dang, Executive Director Survivor Alliance and Research Lead in Survivor Scholarship and Well-being at the University of Nottingham

## Prioritise agency, choice, and empowerment

It is vital that survivors have the information that they need to make informed choices about whether to participate in activities to inform the design, implementation, or evaluation of Australia's response to modern slavery. Moe Turaga, an Australian survivor advocate, stated that clear information about the 'process' and 'platform' for speaking out is required so that survivors can make informed decisions about participation.

*'I want acknowledgment from government ... if I speak out about it what is the protection is going to be like?'*

Turaga also emphasised the importance of creating environments of trust and confidence where survivors feel able to speak about their experiences.

Government agencies, civil society organisations and business who want to engage with survivors need to assess whether they have the capacity to create the conditions that support safe and meaningful engagement. Survivors may find authority figures intimidating and imbalances of power and privilege should be identified, acknowledged, and addressed. Survivors should be provided with relevant information ahead of time, including agendas, discussion items, and appropriate or inappropriate lines of questioning should be noted prior.<sup>129</sup> Consideration should also be given to language used, the availability of the interpreters, and addressing concerns about confidentiality and how the information that is shared will be used.

Business and civil society may be able to play an important role in recognising the expertise of survivors through employment opportunities. Universities may also be able to create dedicated scholarship and educational opportunities. However consideration must be given to whether the organisation can implement trauma-informed work practices, and address any potential barriers to employment or risks of exploitation.<sup>130</sup> Importantly, organisations should recognise the importance of protecting confidentiality and privacy and act in accordance with the 'do no harm' principle.

Some participants expressed concern that 'gatekeeping' by NGOs can prevent survivors from making informed choices. For example, one participant expressed concern that opportunities to engage with law and policy makers may not be passed on to survivors themselves.

*I always wonder if people are passing on information. And I know, certainly here a lot of direct service organizations do a lot of appropriate caretaking and then do some problematic caretaking. And what I mean mostly by that is there's a way that survivors become synonymous with children. And it's not through any ill intent. It's just this, I can't understand that trauma, it must have been so horrific. So, I'm going to pretend like you have no skills in life. And you have you don't understand this world. And I'm going to protect you from everything, because it just seems like anything you've gone through is too bad. And so, I think a lot of people just say no ... No, nobody, nobody can do anything. And again, there's some I think there's some good stuff there. And then I also think there's a lot of harm in doing that. Because it means people don't get choice and choices [are] ... the definition of freedom..*

Amy Rahe, Managing Director of Strategic Partnerships, Freedom Fund

Lina Garcia Daza explained that the Australian Red Cross operates from a strengths-based approach that focuses on each person's individual strengths. However, she identified 'multiple challenges' to developing survivor informed responses to modern slavery, including what she described as the 'misconception of thinking that whatever you do, and however you involve survivors will re-traumatise them.' This 'nervousness' could be counterproductive and result in not adopting approaches that sought to empower survivors. Garcia Daza said this points to the need to 'put structures in place' to ensure survivors are 'equipped to make informed decisions'.

## Provide training, support, and facilitate collaborative partnerships

### Training for survivors

Survivor advocates and survivors identified the need to provide survivors with appropriate training and support to engage with law and policy makers or in advocacy, research, or other forms of engagement. For example, Moe Turaga emphasised the importance of providing survivors with training and psychological support. He describes sharing his expertise and experience as 'a big psychological burden', and considers that it is vital to have training, which on how to 'make sure we [survivors] can change policies.' Gaps in long-term support and the failure to prioritise economic and social inclusion can undermine the ability of survivors to recover and rebuild their lives. Access to long-term support and adequate resourcing for training and educational opportunities is vital.

*I guess what I really struggled with coming back is obviously employment, support housing, you know, the financial side of things, the emotional side of things and, if I am studying, how I can do this?*

Survivor, modern slavery

When strategies to facilitate survivor inclusion provide pathways to training and work this can also support recovery goals and long-term economic and social inclusion. Dr Minh Dang is the co-founder and executive director of Survivor Alliance, an international NGO with a network of over 400 survivors around the world. Dr Dang describes Survivor Alliance as 'focused on building sustainable communities with by, of, and for survivors of slavery and human trafficking'. Survivor Alliance's employment Pathways Program provides paid job opportunities, mentoring and training, to survivors within antislavery organisations. The pilot program, which supports fellows to develop skills and experience in the non-profit sector, was designed with survivors' input and the first two fellowships launched in late 2020 in partnership with the Freedom Fund.<sup>131</sup>

Dr Dang emphasised the importance of employment pathways:

*We talk about this moment of freedom and getting out of trafficking, but we don't think about the quality of life after. And so, access to sustainable living wage above living wage jobs is necessary and there aren't pathways for people to develop that. You think about even undergraduate university students, you need the first job to get your first job. And so how is that true for survivors of trafficking if you went from being trafficked in brick kilns and that's the skill set you know how to, you know, and that's not just because it might be triggering to work in a brick kiln, but it's not [a] sustainable income for you, or you just don't want to do that work and that wasn't in your life plan. So, we try and create employment pathways.*

Survivors interviewed for this study were supportive of a survivor advisory council but identified the need for information and support about how the council would work.<sup>132</sup> For example, one survivor commented 'I can speak about what happened to me where I want to help' but without advice from someone who was 'well-informed on all the steps' she would have safety concerns. Other survivors identified different goals, such as working in service delivery.

*A lot of my caseworkers were good people. And I thought I can be caseworker someday. I can talk to a survivor. I can help them someday.*

Survivor, modern slavery<sup>133</sup>

The [Toolkit for Building Survivor-Informed Organizations](#), published by the United States Department of Health, provides guidance for organisations on establishing procedures to assess the readiness and appropriateness of clients to transition to staff positions and how to avoid dual relationships.<sup>134</sup>

### *Training for organisations, agencies and companies engaging with survivors*

Australia does not have any guidance for law and policy makers and front-line organisations seeking to engage with survivors in the design, implementation, and evaluation of laws or policies or in advocacy, research, or service delivery activities. International experts and front-line service providers identified a need for greater guidance for government agencies and NGOs on how to embed survivor voices and expertise into the design, implementation and evaluation of anti-slavery measures and to support collaborative partnerships and genuine consultation. However, there are some useful resources produced by or with survivors in other jurisdictions.

Guidance developed by the Survivors Alliance [“Nothing about us, without us: Survivor involvement in anti-slavery policy makers: Guidance for policy makers”](#) aims to support policy makers who wish to involve victim survivors in their work. It provides suggestions and guidance on what should be considered and done before, during, and after working with survivors. It is intended to be used for building, delivering services, and developing legislation or policy with the active involvement of survivors through consultation, co-production, or facilitating survivors to work on advisory boards. Underpinning this Guidance is the recognition that survivors have unique and valuable expertise and can offer advice and feedback on how services or policy can be better developed and improved<sup>135</sup> Dr Dang observed that the Survivor Alliance's work with law and policy makers currently tends to focus on:

*...introducing the concept of Survivor engagement period, and introducing that as a valuable practice, and how to do it ethically and appropriately. And some of our measures of engagement around that have to do with are they now asking for lived experience expertise? How are they doing that? And because for better for worse, now, in different places, people do understand that, or that they need to at least pretend to care about lived experience expertise, even if they do a tokenistic job of it. And so, it's monitoring how people are, are misusing that as well and correcting people.*



NGOs who work directly with survivors can play a critical role in facilitating survivor inclusion, however, the power structures and communication practices within anti-trafficking organisations have sometimes marginalised and re-traumatised survivors. Writing in the *Journal of Human Trafficking*, Sue Lockyer identifies four themes in survivor-informed literature and advocates for a shift, guided by survivors, to more ethical, equitable and meaningful participation in these organisations.<sup>136</sup> First, organisations should plan for tensions and paradoxes (such as the tension between the desire to include survivors and the need to avoid re-traumatisation). Organisations should not assume that people with lived experience will identify with the term survivor or wish to share their expertise, and must always be guided by what survivors want and need rather than organisational imperatives. Second, value survivor expertise, which entails providing appropriate compensation for time and input. Third, ensure efforts to facilitate survivor inclusion trauma-informed and prioritise safety and healing. Fourth, design processes for meaningful input by recognising the diversity of experiences of slavery and human trafficking and seeking to facilitate survivor inclusion at all stages and levels of planning and organisation.<sup>137</sup>

## Recognise and value expertise

Survivor consultation and engagement strategies should value the expertise of survivors by providing appropriate remuneration and support.

Valuing the expertise of survivors through financial remuneration is a key principle of effective engagement with people with lived experience of modern slavery as it recognises expertise and time.<sup>138</sup> Survivors have subject matter expertise and need to be paid appropriately for their work, including contributions to advocacy, research, and consultations. Other participants identified that remuneration was important to value expertise, avoid exploitation, and because ‘it’s their information, it’s their IP’.

The issue of remuneration should be considered and costed in the planning and funding of programs and initiatives to respond to modern slavery. The appropriate remuneration will vary depending on the circumstances and the nature of survivor engagement but must be agreed to by the participant.<sup>139</sup>

Survivor advocates also linked remuneration to the broader issues of resourcing and independence, highlighting the structural barriers to participation (for example, uncertain immigration status, being incorrectly identified, financial insecurity) and the impact of the vast power imbalance between the State and survivors on the ability of survivors to “come forward and say what they what to say”. One survivor advocate observed that creating safe spaces for meaningful consultation required consideration of:

*...power dynamics, or let’s say the relationship between the state and these individuals. And that has to do with trust, and it has to do with transparency, and it has to do with providing adequate resources and everything around these issues.*

This survivor advocate observed that ‘resourcing was key’ ...

*to create your own kind of systems and structures of working and advising the government and, and developing your own kind of policy frameworks outside of the parameters of the state where the state is not imposing anything [on the survivors]<sup>140</sup>*

Multiple participants emphasised the value of creating long-term opportunities for survivor involvement rather than short-term or one-off consultation opportunities.<sup>141</sup> One-off payments (for example, honorarium fees) did not have the same transformative potential as sustainable opportunities for employment.<sup>142</sup>

The payment of survivors who contribute to research through participating in interviews has been justified based on the symbolic importance of paying participants who have been previously exploited.<sup>143</sup> However, researchers should consider competing concerns around the “commodification of human beings” and the quantification of participants’ experiences<sup>144</sup> as well as the impact of payment.<sup>145</sup> The survivors who engaged in this study received payment in the form of a cash voucher.<sup>146</sup> Under the National Health and Medical Research Council’s guidance on Ethical Conduct in Human Research, payment for time is justifiable based on the actual time contributed rather than the time lost from work or judgments as to the worth of that time to the participant.<sup>147</sup>

Payment for inconvenience is justifiable if it reflects a ‘reasonable participant standard, and payment for expenses is justifiable if it reflects the actual expenses.<sup>148</sup> The payment for participants in this study is higher than the payment models suggested in the Council’s guidance.<sup>149</sup> However, it was considered justifiable as it is proportionate to the burden of the research and does not undermine participants’ capacities to provide voluntary consent.<sup>150</sup> Since this project focuses on valuing the knowledge and expertise of survivors, a higher amount was considered justified in recognition for survivor expertise which has been under-recognised.<sup>151</sup>

## Be transparent and accountable

Guidelines on frameworks to engage with survivors emphasise the importance of building trust over time and being accountable about what impact survivor engagement may or may not have. Survivors should have clear information about the purpose of the engagement, the nature and length of commitment, the support and compensation that is available, and their rights to withdraw from participation.

Guidance developed by [Survivor Alliance recommends](#) that after a survivor has participated in a law and policy consultation or evaluation, information should be provided to the survivor about the impact of their engagement and any consequences.

***A good practice includes being very clear about whether or not any survivor input is going to make a difference. So, consultations that are just there to say that there’s been a consultation is completely unethical. They need to genuinely be willing to take in feedback that doesn’t necessarily mean every single piece of feedback, but if there’s no willingness to address the concerns, then it’s a waste of time for people and frustrating and betrays the trust of people coming to share their thoughts. Good practice also includes some form of remuneration, whether for travel time, etc.***

Dr Minh Dang, Executive Director Survivor Alliance and Research Lead in Survivor Scholarship and Well-being at the University of Nottingham

Survivors should be provided with choice about how they wish to be identified in any publications and be provided with published or final copies of the work they contributed to. Survivors should have meaningful opportunities to provide feedback (including making complaints) about the outcomes of consultation or programs.<sup>152</sup> In the context of research with survivors of modern slavery, the institutional ethics process will provide an additional avenue for complaints.

Be clear about the purpose of engagement and any difficulties or limitations assessing the impact of survivor engagement. Reflecting on how to assess whether government was listening to survivors, one survivor said:

*It’s a hard one. So, if the government listens to survivors and the survivors say something like we think there should be a way that a survivor can tell the story once and not more once. And the government says, yep, that’s a good idea. That’s what’ll we do. But then how can we tell the new system is working?<sup>153</sup>*

These observations point to the need to invest in initiatives that facilitate survivor engagement and leadership over the long term. This entails developing strategies that assess the impact of survivor-informed initiatives on the design, implementation and evaluation of laws, policies, and programs to address modern slavery and support the development of sustainable partnerships. Law and policymakers, NGOs and researchers need to reflect on the sustainability of projects and programs to support survivor engagement and, wherever possible, strive to ensure engagement supports long-term work and survivor leadership.

## ‘Do No Harm’

The principle of ‘do no harm’ confronts the risk that after a person has left a situation of modern slavery the actions of States and NGOs may result in further harm to that person. The ‘do no harm’ principle requires any organisation and individual coming into direct contact with individuals who are at risk of or who have experienced modern slavery to ‘assess the potential for harm and provide alternatives to mitigate risks’.<sup>154</sup> This principle applies to front-line officials, government and non-government service providers and the media.

The ‘do no harm’ principle must be considered in designing ethical research procedures to ensure that participants and subjects of research projects are not harmed by their involvement in the research,<sup>155</sup> that research only occurs with informed consent of participants,<sup>156</sup> and the risk of re-traumatisation is considered and addressed. However, simply seeking to ‘do no harm’ can be an empty aspiration within research practices<sup>157</sup> as a starting point from which to build more participatory approaches to research,<sup>158</sup> including co-design and production. The ‘do no harm’ principle is consistent with a human rights approach to modern slavery, which recognises that anti-trafficking measures must not adversely impact on human rights.<sup>159</sup>

The [Survivor-Informed Practice self-guided assessment tool](#) developed by the Human Trafficking Leadership Academy aims to assist organisations to assess to what level their projects are survivor-informed and identify potential areas for improvements.

The first assessment area focuses on meaningful input and considers whether programs or projects have provided opportunities for survivors to be employed or in leadership positions, to hire survivor consultants, or to utilise survivor-developed guidance and resources in the absence of direct survivor input. The second assessment area questions whether programs seek input from survivors with a diverse range of perspectives such as sex and labour trafficking, domestic and foreign nationals, or LGBTQI survivors. It also considers whether organisations and projects have incorporated best practises from other survivor-informed fields such as domestic violence and whether a strengths based process exists for identifying the scope and nature of survivor engagement. The final area of assessment examines the extent to which survivor engagement has informed the development, design, and implementation stages of the program or project and whether feedback mechanisms exist.<sup>160</sup>

***Being involved in anti-trafficking work does not have to be telling your trauma narrative publicly, it can be creating a peer support group, it could be becoming a researcher.***

Dr Minh Dang, Executive Director Survivor Alliance and Research Lead in Survivor Scholarship and Well-being at the University of Nottingham

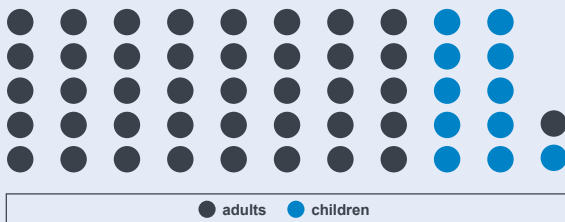
## Recognise the rights and needs of children

In Australia a small but growing number of children have been identified as victims of modern slavery; however, the issue is likely to be underreported and there is a lack of research about this issue in the Australian context. The most common reason that the AFP refers to children to the STPP is that the person under 18 is at risk of or has experienced forced marriage.<sup>161</sup> Further consideration needs to be given to the question of how Australia’s response to modern slavery can be informed by survivors who were subjected to these practices as children.

**1 in 7 people**  
supported by the  
Australian Red Cross  
through the STPP are children



**In 2021-2022 the AFP referred  
52 people to the STPP,  
including 11 children**



**In 2021 FY**  
**52 referrals**  
were made to the  
STPP with the most  
common reason for  
referral being forced  
marriage followed by  
labour exploitation



These statistics were provided by the Australian Red Cross and are current to June 2022.

The *NGO Guidelines on Working with Trafficked People* recognises that children who have experienced trafficking and slavery have different needs to adults and require a separate response that protects, respects and fulfills their rights under the *Convention on the Rights of the Child*. Currently, there is no publicly available guidance on procedures to respond to child victims of modern slavery.

Action item 24 of the National Action Plan to Combat Modern Slavery is the development of a *Protocol for the treatment of children suspected as victims of human trafficking, slavery and slavery-like practices*. This protocol should provide guidance on how to implement the three Ps (provision, protection and participation) of child rights in the context of modern slavery. Careful consideration needs to be given to participatory rights of children noting that the *Convention on the Rights of the Child* provides that ‘State Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child’.<sup>162</sup>

### **Invest in survivor leadership and long-term collaborative partnerships**

A reoccurring theme in interviews was the need to invest in survivor leadership and to provide survivors with opportunities to set the agenda for law and policy reform, research, and service delivery. Several survivor advocates noted the difference between efforts to facilitate survivor inclusion and initiatives that invest in survivor leadership.<sup>163</sup>

Dr Dang defines survivor leadership broadly to include as the ‘process and practices of using one’s lived experience to benefit others’.<sup>164</sup> However, she was blunt about the limited opportunities for survivors to be involved in law and policymaking as leaders:

*It’s nearly non-existent right now. Because if we actually had survivor leadership, we would have survivors as policymakers. And we still have a fundamental block in imagining that when we say, how do we have survivors lead policy? Pretty rarely does anybody think, right, let’s think of a pathway just like we think of helping women run for office, we rarely think about let’s help survivors run for office, let’s help survivors think about being in law school, etc. So, I think we are many, many, many miles from that.*

Dr Dang emphasised the importance of moving beyond recounting stories of exploitation to recognising expertise and investing in survivor leadership. Interviews with survivor advocates highlighted the diverse skills of survivors and the importance of looking beyond storytelling to consider opportunities for survivor expertise to inform the development of law and policy reform, service delivery, program design, advocacy, and research. This is a point made by the OSCE, which notes that:

*[S]urvivor leaders are highly active in international efforts to combat trafficking. They are founders of NGOs and business, consultants, training providers, public speakers, authors, and advocates across governmental, civil society and private sectors. They are lawyers, judges, policy makers, health care professionals, social workers, charity founders and artists. Many survivors are front-line service providers and cultural mediators, lending their expertise and insight into meetings victims' complex needs.<sup>165</sup>*

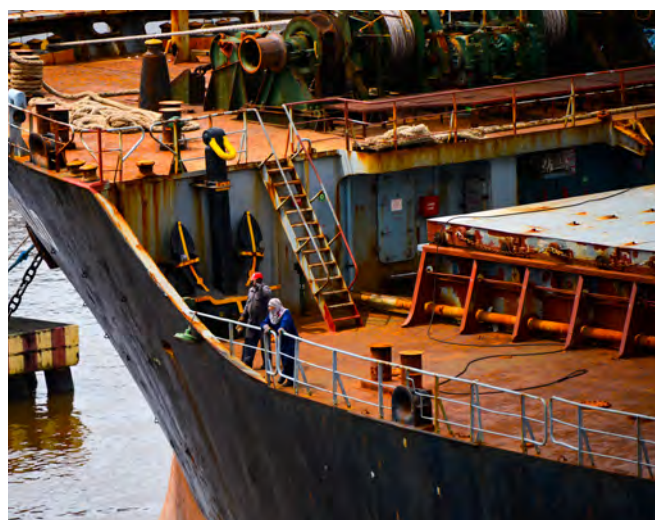
Bella Hounakey observed that organisations that are not survivor-led may have 'competing priorities' linked to funding or other imperatives, remarking:

*... in my experience, thus far as a professional, as an advocate, as survivor leader, I think there's always a competing priority that just doesn't usually prioritize the needs of survivors. But survivor led organizations, most of the time, always prioritize the needs of survivors.*

Dr Dang explained that at Survivor Alliance part 'of our theory of change [is] to flip the power dynamic in the sector'. Reflecting on pathways to survivor leadership, Dr Dang said:

*One of the areas of leadership that is available for survivors to make a difference in is research. And so, in terms of when we do leadership development, we really promote research as a path as opposed to, becoming a public speaker... my role as a research fellow is quite integrated and it's because I don't separate my worlds. I'm a scholar, activist, and those are connected.*

***The Freedom Rising Project aims to build an international anti-slavery movement that is led by survivors and women. It builds on the existing work of the Freedom Fund and works to provide individuals with the skills and support required to run organisations effectively and build collective power. The project is situated within a local context and provides training for leaders in their own language. It works to build stronger, more strategic organisations and an inclusive and effective movement. To achieve these aims, the project aims to create change along three levels – the leader, the organisation, and the movement. Within this structure, each cohort of leaders receives leadership and technical skills training for 12 months that is focussed on personal growth, leadership development, movement-building, and organisational management.<sup>166</sup>***



## Planning and evaluation

Guidance published by the [Survivor Alliance recommends](#) that before engaging with survivors, the following factors should be considered: necessity, time frames, scope for change, process, language, training and mentorship, remuneration, and inclusion. In considering these factors, it should be noted *why* survivor input is being sought, whether sufficient time is available for survivors to participate, and whether the process of their participation has been clearly explained. Survivor input should only be considered if there is potential scope for change from the advice and feedback they provide; tokenism must be avoided. This requires consideration of the availability of training and mentorship to ensure survivors can be supported in their participation. Importantly, available resources for remuneration need to be allocated to compensate survivors for their expertise and time. Finally, consideration needs to be given to how to include a representative range of survivors.<sup>167</sup>

Multiple interviewees emphasised the critical importance of considering how to facilitate survivor engagement at the planning stage for programs, consultation on law and policy reform, and research design. For example, Amy Rahe, the Director of Strategic Partnerships at the Freedom Fund observed that:

*It's the thing that people always struggle with is, oh, we don't have budget for it. But it's creating the budget line, we know how budgets get made, and you have to create the budget once and just put it there.*

Multiple interview participants highlighted the importance of evaluation to assess whether law and policy makers genuinely engaged with, and responded to, the views of survivors.

The UN Special Rapporteur on Contemporary Forms of Slavery Professor Tomoya Obokata described Survivor Advisory Councils as a good step forward but observed:

*Something like an Advisory Council is good, but I mean, the extent to which their voice is actually reflected [in government action] is another question. So, I mean ... some countries may establish these just to satisfy these victims, but that is also the important point is that their voice is actually being heard and implemented one way or another. So that the effectiveness of these entities ... that needs to be measured objectively in a sense.<sup>168</sup>*

Participatory approaches to evaluation allow for engagement with the local communities of survivors, develop a deeper understanding of the long-term impact of interventions on their lives, and can provide survivors with meaningful opportunities to inform research and influence future action.<sup>169</sup> Claudia Cummins explained that LEEP will take a 'representative participatory approach' to evaluation, explaining that feedback and input from everyone associated with the project, including 'survivor participants, program facilitators, government representatives' will be sought throughout the project through surveys and interviews. This will inform an evaluation of the impact of the program 'on both the individual and system level', with a final report on the findings available in November 2023.<sup>170</sup>



# 5. Embedding survivor expertise in Australia's response to modern slavery: opportunities for engagement

Many law and policy makers have never met or spoken to a survivor of modern slavery. Survivors and survivor advocates interviewed for this study emphasised the importance of being able to speak directly to law and policy makers. While it is important to develop multifaceted strategies to listen and learn from the expertise of survivors, a Survivor Advisory Council could provide a formal structure for law and policy makers to engage with survivors of modern slavery.

## Create safe spaces for survivors to inform action to address modern slavery

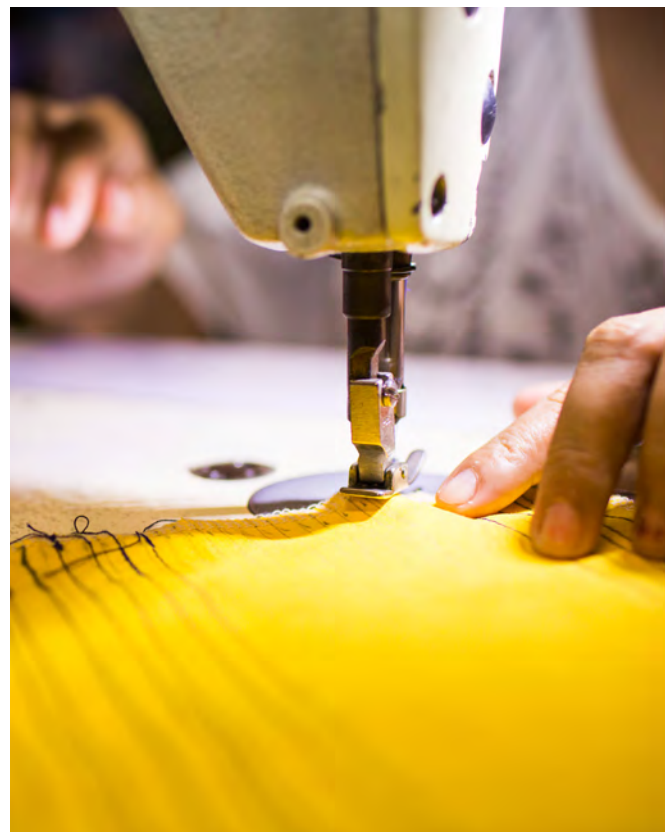
At the time of writing, the first statutory review of the Modern Slavery Act was underway. The consultation process should engage with the perspectives of survivors, a focus that has been missing in earlier reviews of Australia's response to modern slavery. This report has demonstrated the importance of creating safe spaces for survivors to inform action to address modern slavery. Processes to engage with survivors need to be informed by an awareness of the dangers of the sensationalised and unauthorised use of personal accounts of exploitation and the potential risks of re-traumatisation.

While it is important to consider a diverse range of strategies to engage with survivors, a Survivor Advisory Council could provide a formal structure for law and policy makers and United Nations Special procedures to engage with survivors of modern slavery in a safe supported environment. The UN Special Rapporteur on Contemporary Forms of Slavery Tomoya Obokata has recognised that the input of survivors is invaluable, commenting:

*Including survivors in all decision making is extremely important and it's part of my job to ensure that happens. So, whenever I make concrete recommendations, I always say include survivors, as well as the civil society sector, so that their voices are heard. I mean, there is no point providing something that is not wanted by victims.<sup>171</sup>*

This requires moving beyond storytelling and recognising that there are different ways for survivors to influence change that do not necessarily involve sharing their stories publicly. It is also necessary to address concerns that law and policy makers will not act on the input of survivors or invest in survivor leadership. This highlights the need to move beyond tick-a-box consultations to long-term investment in survivor leadership and to evaluate the actions taken by government in response to advice from survivors. There is also a need for guidance and training for law and policy makers on facilitating meaningful survivor inclusion.

The expertise of survivors should be embedded in the development of the next National Action Plan to Combat Modern Slavery and in official mechanisms for consultation about Australia's response to modern slavery, including the National Roundtable and the Modern Slavery Expert Advisory Group.<sup>172</sup> The third edition of the *Guidelines for NGOs working with Trafficked People* was produced by members of the National Roundtable on Human Trafficking and Slavery. However, the Roundtable has not produced guidance for government agencies working with survivors of modern slavery. A productive area for future work for the Roundtable, guided by a Survivor Advisory Council and collaborative partnerships with civil society and government agencies, could be the development of guidance for government agencies working with survivors.





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## Invest in participatory approaches to research

Listening to survivors and creating spaces for their voices to be heard is essential to evaluate the impact of responses to modern slavery and to inform future action. A literature review identified a small number of studies in Australia that drew on qualitative research as well as studies undertaken in partnership with workers in industries where cases of modern slavery had been identified.<sup>173</sup> Lina Garcia Daza of the Australian Red Cross saw amplifying the voices of survivors in evaluating policies and programs and undertaking research as part of an 'evidence based approach' to law and policy reform.

*We at all times take an evidence-based approach. So, every time that we do our submissions to government, or like any research piece, or anything we really take that approach. And as part of that approach is making sure that we are raising the client voices as much as we can, and [being] guided by them. So, for example, at the moment, we are, like, we have just finally finalized a research piece that was analysing the needs of survivors of modern slavery with dependents ... of course, our clients with dependents were at the centre of that research. They contributed to the research.*

Garcia Daza explained that the insights of survivors in program evaluation is critical in advocating for change to current ways of operating, pointing to the example of a survivor-informed evaluation of a pilot program to provide extended support through the STPP to people facing forced marriage. This pilot program is now a permanent program with the result that people facing forced marriage have access to an extended period of support.<sup>174</sup>

Participatory approaches to modern slavery research have the potential to create collaborative partnerships where survivors can shape the conception, design and dissemination of research and which can also support empowerment by providing training and leadership opportunities. Dr Dang explained that research that doesn't consider the standpoint of survivors misses a vital body of knowledge.

*Everybody's got an epistemology and ontology that drives their work and a standpoint, and if we just aren't including the epistemology ontology standpoint of people who have lived experience, I think that we're missing a whole body of knowledge that is important. [That's] not to say that it might be better or right compared to others, but at least it needs to be added to the conversation.*

For example, Dr Dang has found there is a lack of research about the mental health outcomes of survivors of modern slavery. Dr Dang is now undertaking a study with modern slavery survivors exploring their concepts of mental health recovery. This is an example of research that adopts a methodology that engages survivors in key aspects of the study, including research design and management, data analysis and dissemination of findings.<sup>175</sup>

Participatory approaches to research about modern slavery reflect the principles that firstly, research ought to empower those affected by the issue to effect social change, and secondly to achieve this it is necessary for research to be community led and informed by those with lived experience at all stages of the project.<sup>176</sup> In this way participatory action research is underpinned by the conviction that 'people with lived experience should be actively involved as leading participants in developing research and advocacy that aims to influence anti-slavery policy'.<sup>177</sup>

A recent report on participatory research with survivors of modern slavery developed in consultation with Survivor Alliance considers how to address barriers that can prevent or affect survivor engagement, including through providing appropriate training and support, and recommends that stakeholders and partners aim to diversify engagement within their projects and facilitate survivor leadership in research design and production.<sup>178</sup>

In the Australian context, there is a lack of research that has been co-designed or co-produced with survivors of modern slavery. Research underway as part of 'Speak Now': A Forced Marriage Education and Prevention Project | Anti Slavery Australia<sup>179</sup> uses an innovative youth-led research method to inform forced marriage prevention and response. In this project members of at-risk communities serve as research assistants and undertake fieldwork with their peers. Peer researchers chose to explore the pressures that young Australians experience around marriage and relationships, designed and undertook focus groups on this topic with their peers, co-analysed the data and contributed to writing up the findings from the research.

Dr Jacqueline Nelson, a research fellow on Speak Now, believes that a crucial element of this project is that peer researchers are also working with the broader Speak Now team to design and implement interventions with young people in Australia to raise awareness of the pressures and generate conversation about how to navigate these pressures and seek support. The strength of this youth-led research method is that the peer researchers co-design and play a central role across all stages of the research, from design to dissemination. This participatory method creates a safe space for young people to speak amongst peers, which allows for perspectives from the younger generation who are disproportionately affected by forced marriage.<sup>180</sup>

**Marriage: You have the right to...**

- Be informed and have a say in your marriage plans
- Say no to sex, even when married
- Stop or leave a marriage without fear of harm and shame
- Be free from abuse and control, in and outside of your home
- Be respected, supported and safe, no matter your decisions around marriage
- Make decisions about who and when you marry
- Make informed decisions about your body and your sexual health
- Enjoy a childhood free from marriage
- Feel safe and be safe, both you and your loved ones
- Access help no matter your age, gender, sexuality, visa status, disability, language, religion or culture

**My Blue Sky provides free & confidential legal advice.**

We can help you understand your rights and options, whether you are getting married or already married.

Get help at [mybluesky.org.au](https://mybluesky.org.au)

ANTI-SLAVERY AUSTRALIA | MYBLUESKY - my future -

Funded by the Australian Government Department of Social Services.

Following extensive consultations with frontline workers, young people, people with lived experience and community stakeholders across Australia, the Speak Now project created this community poster to raise awareness of rights around marriage. The poster has been translated into 18 community languages and is accompanied by information about getting help. Image credit: Speak Now, Anti-Slavery Australia

## Beyond storytelling: establishing an Australian Survivor Advisory council

Survivor advisory councils are a potentially powerful mechanism for embedding survivor expertise in the design, implementation, and evaluation of Australia's response to modern slavery. Reflecting on his experience as a survivor advocate, Turaga identified the need for a dedicated body, a 'survivor hub' where survivors could 'sit down as equals,' and 'build their confidence. He described this hub as a 'safe zone for you [survivors] to be able to tell all your stories basically in a safe place, not to be judged and be acknowledged and be assisted in anything that you will need going further to fully enjoy your freedom.' This type of hub is, in his view, vital to support survivors so that 'they can stand up and talk about their experience' and advocate for change.

***I think that [a survivor advisory council] is an amazing idea. Because obviously, to hear from the victims themselves, you get what they need help with, you know, it's coming from them, ... not people speaking on behalf of them. And I think it adds a lot of meaning to it, a lot of benefit.***

Survivor, modern slavery<sup>181</sup>

Interviewees who were familiar with the operation of Survivor Advisory Councils in other jurisdictions identified the benefits of such mechanisms in moving beyond storytelling and ensuring survivors direct access to law and policy makers. The US Advisory Council is entrenched in legislation and members are appointed for two years. Amy Rahe observed that strength of such councils is that 'it begins to normalize that survivors are involved'.

*I would say it's one of the first steps in survivor quote, unquote, 'inclusion'. You know, often when I say inclusion, I really mean leadership ... Advisory councils are often a checkbox, and it's just like, Okay, we've done this tick. And the advice that's being given could be incredible.*

*But whether or not that goes anywhere, is totally up to the people receiving the information. They don't have to do anything with it. So, I think there's power in saying, 'hey, we have to bring in those with lived experience,' and it's starting to normalize that. I think the limitations are it gives people an exit strategy, or it gives people a way out of having to think more deeply about what it means to bring survivors into policy positions, into government offices, which is, what would be even more powerful, you know, or bringing people into large organizations who do a lot of policy work.*

Rahe described 'the weakness of advisory councils' as the potential for a 'tick the box' approach to consultation as the government may 'not necessarily take in the information and advice.' Rahe also commented that survivor advisory councils can result in the exclusion of a diversity of voices, commenting that 'the sector tends to know about give survivor names at a time'. These reflections point to the need to invest in a diverse range of programs to facilitate survivor-inclusion and leadership and to ensure that law and policy makers are transparent about what level of engagement with survivors has occurred and how this engagement has informed the law and policy processes.

Dr Dang, who was an inaugural member of the US Advisory Council, argues that '[c]ommunity-based and group-based advocacy efforts also help survivors understand their experience in a wider context' and describes 'how survivors and allied NGOs campaign to create an institutional structure for survivors to provide feedback and recommendations to the US Federal agencies'.<sup>182</sup> Dr Dang argues that survivor led organisations such the National Survivor Network 'helped shift common anti-trafficking practises from ignoring and tokenizing survivors' voices to respecting and including survivor feedback'.<sup>183</sup> In an interview for this study, Dr Dang said:

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*I think the strengths is that there is direct access for people with lived experience to higher level policymakers. So, there isn't the gatekeeper of the NGOs, which I think [while] well intended, it tends to be a barrier. And those NGOs have their own means to reach out to those policymakers. So that's a benefit is there's a direct link, the challenge is those groups are so small that they can never be fully representative.*

Dr Dang also identified the importance of 'helping people understand what an advisory board is and what are its limitations', explaining that the board can become a 'platform for all desires for change, when that might not be the most appropriate place'. She explained that 'when people are rooms with people of power, they're going to seek whatever change they can get in any realm' but if the scope of the board is limited 'it might be frustrating that they can't do anything about immigration'. Another survivor advocate underscored the importance of enabling people to 'find their own safe spaces', explaining that it is really important to:

*... to destitute your own voice as a speaker and listen to other voices, as people who can inform and tell us and also design their own kind of ways of living and ways of creating spaces.*

This report highlights that there are many ways that survivors can contribute to the design, implementation and evaluation of responses to modern slavery. The experience in the U.S suggests that creating the institutional infrastructure for survivors to influence law and policy and investment in survivor advocacy can result in broader change with government and non-government agencies and organisations 'more regularly seeking meaningful inclusion and engagement with survivors as subject matter experts and consultants'.<sup>184</sup>

The establishment of a statutory survivor advisory council in Australia could provide survivors with direct access to law and policy makers and meaningful opportunities to influence the law and policy agenda. If properly resourced, it could be a visible representation of a long-term commitment to engage with survivors. Without legislative entrenchment, there is a risk that survivor advisory councils nested in NGOs could be abandoned or ignored.

Any Survivor Advisory Council should be appropriately resourced and provided with secretariat support to facilitate effective engagement with law and policymakers. Depending on the arrangements made for its governance, the reports of a Survivor Advisory Council could be tabled in Parliament. When the administration of a survivor advisory council is tied to a particular NGO, this can raise questions with respect to independence and remuneration (for example, whether members of the advisory council are employees of a particular NGO).

In the long term, a survivor advisory council could be supported by a secretariat and provide advice and guidance to the Australian Government on the development and implementation of the National Action Plan to Combat Modern Slavery. While the Council would form its own agenda, it could potentially provide guidance on appropriate remuneration for survivors and frameworks to engage with survivors.

# 6. Conclusion

**In the two decades since Australia codified the offence of slavery, survivors' perspectives have been missing from discussions about law and policy reform to address modern slavery. However, as the first statutory review of the Modern Slavery Act gets underway there is a critical opportunity to give deeper consideration to how government, civil society and business can facilitate survivor inclusion and invest in survivor leadership. This report has identified opportunities for engagement with survivors in the design, implementation, and evaluation of Australia's response to modern slavery. Such engagement will require a long-term investment in survivor leadership and a long-term commitment on the part of the new Australian Government to be transparent and accountable about the opportunities it creates for survivors' voices to be heard and how the advice and insights of survivors inform future action to address modern slavery.**

The Australian Government has an opportunity to embed survivor expertise in the development of the next National Action Plan and ensure survivors' voices are heard in the first statutory review of the Modern Slavery Act. A commitment to survivor-centred responses to modern slavery has implications for **Government**, in the design, implementation and evaluation of responses to modern slavery, for **civil society**, particularly those organisations working directly with survivors, and for **business** in identifying and addressing modern slavery risks in their operations and supply chains, and establishing effective monitoring, grievance and remediation mechanisms. This report echoes and supports calls made by survivors of modern slavery to invest programs, policies, and partnerships that support survivor-leadership.

This report makes the following recommendations to Government:

#### RECOMMENDATION 1

Establish a statutory Survivor Advisory Council with broad functions, including to provide advice and guidance to the Commonwealth Government on the development, implementation and evaluation of the next National Action Plan to Combat Modern Slavery.

Ensure members of the Survivor Advisory Council receive appropriate remuneration and support. This remuneration should be the responsibility of the Commonwealth Government and appropriate arrangements should be made to ensure the Council is independent from the Government of the day.

#### RECOMMENDATION 2

Dedicate funding for positions with people with lived experience of modern slavery in the development of the National Action Plan and in grants project funding under the next National Action Plan.

#### RECOMMENDATION 3

Encourage government officials to undertake training with survivor led organisations or non-government organisations working in partnership with survivors on strategies to engage with and consult with survivors.

#### RECOMMENDATION 4

Ensure the review of the Modern Slavery Act is informed by the voices of survivors by developing proactive strategies to seek the views of survivors.

The report makes the following recommendations to Government, universities, business and civil society.

#### RECOMMENDATION 5

Invest in research about modern slavery that is co-designed and co-produced with survivors.

Invest in educational fellowships and training opportunities for survivors, respecting the fact that survivors may not wish to publicly identify as survivors of modern slavery.

#### RECOMMENDATION 6

Organisations working directly with survivors of modern slavery or undertaking work that impacts directly on the rights of survivors should develop frameworks to guide their work with survivors and develop strategies to engage with people with lived experience in ways that are meaningful, respectful, ethical and sustainable.

# Further resources and reading

Hutchinson, Kimberley, KJ and Nancy Esiovwa, 'Agents for Change: Survivor Peer Researchers Bridge the Evidence and Inclusion Gap' (Briefing The Anti Trafficking Monitoring Group, 2021)

Anti-Slavery Australia, *Frontline Worker Guide: Identifying and responding to forced marriage in Australia* (Guide, My Blue Sky, 4 July 2022).

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Chandra, Shubha, Sara Enright and Alice Pease, 'Empowerment and Employment of Survivors of Human Trafficking: A Business Guide' (Guide, Global Business Coalition Against Human Trafficking, 1 December 2020)

National Human Trafficking Training and Technical Assistance Center, 'Toolkit for Building Survivor-Informed Organizations' (Toolkit, NHTTAC, February 2018)

Browne, Hannah, Nancy Esiovwa and Minh Dang, 'The Journey of Our UK Survivor Network: Challenges & Successes' (Report, Survivor Alliance UK CIC, October 2019)

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# Endnotes

- 1 Interview with Survivor 1 (anonymous) (23 June 2022).
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- 3 *Modern Slavery Act 2018* (Cth) s 4.
- 4 A victim may also include, in some circumstances, the immediate family or dependents of the direct victim.
- 5 OSCE Office for Democratic Institutions and Human Rights, 'National Referral Mechanisms: Joining Efforts to Protect the Rights of Trafficked Persons' (Handbook, OSCE/ODIHR, 2022) 28.
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- 7 Dr Minh Dang, 'Beyond Silos: Amplifying Marginal Voices and Underexplored Methods in Human Trafficking Research' (Keynote speech, QUB School of Law, 16 June 2022) [Beyond Silos Keynote Dr Minh Dang \(Survivor Alliance\) - YouTube](#).
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- 9 Commonwealth, *National Action Plan to Combat Modern Slavery 2020-25* (Action Plan, 9 December 2020) 21.
- 10 Minh Dang, 'Survivors are speaking. Are we listening?', Global Slavery Index (Web Page, 2018) [Survivors are speaking. Are we listening?](#).
- 11 Interview, survivor advocate (20 April 2022)
- 12 This research was undertaken in accordance with UTS HREC institutional ethics approval ETH21-5738.
- 13 The qualitative methodology enables the researchers to document the views and insights of survivors of modern slavery about the role of survivors in informing legal and policy responses to modern slavery. Participants were able to elect whether they participated on anonymous basis or whether they were identified in the report and were provided with an opportunity to review the transcript.
- 14 Virginia Braun and Victoria Clarke, 'Using Thematic Analysis in Psychology' (2006) 3(2) *Qualitative Research in Psychology* 77, 97. Participants were asked open questions in semistructured interviews. The audio recordings of the interviews were transcribed to document participants' views and insights to facilitate a thematic analysis of the qualitative data. The qualitative methodology enables the researchers to document the views and insights of survivors of modern slavery about the role of survivors in informing legal and policy responses to modern slavery. Mindful of the risks of re-traumatisation, survivors were not asked about their experiences of modern slavery rather invited to comment on strategies to support survivor-informed responses to slavery. The research is not quantitative in nature. Instead, insights are derived from a thematic analysis of the interviews. The sample size has enabled the research team to collect sufficiently rich data for the identification and exploration of participants' views about the how survivors can inform legal and policy responses to modern slavery and research and the analysis of themes that emerge from the data as well as the identification of similarities and differences within the data set.
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- 16 *Current and emerging forms of slavery: Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences*, UN Doc A/HRC/42/44 (25 July 2019), [61].
- 17 Commonwealth Government, *National Action Plan to Combat Modern Slavery 2020-25* (Action Plan, 9 December 2020) 21.
- 18 The government also aims to empower vulnerable individuals and groups under National Strategic Priority 1 (Prevent). Principle 4 and National Strategic Priority 3 (Support and Protect) are focused on providing holistic and tailored support and protection to victims which meet their needs and empower them to rebuild their lives. The government will review existing measures to ensure they are victim-centred and trauma-informed, but the opportunity for survivors to have input in this process is not stated.
- 19 *Current and emerging forms of slavery: Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences*, UN Doc A/HRC/42/44 (25 July 2019), [61]. This follows earlier calls by the UN Special Rapporteur on Contemporary forms of slavery to 'systematically integrate considerations of gender equality into their research, policies and programmes, including the voices of women victims and survivors': *Contemporary forms of slavery, including its causes and consequences Note by the Secretary-General*, UN Doc A/73/139 (10 July 2018) at [56]; *Contemporary forms of slavery, including its causes and consequences Note by the Secretary-General*, UN Doc A/72/139 (17 July 2017).
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- 26 Segrave, Marie and Sanja Milivojevic, 'Auditing the Australian Response to Trafficking' (2010) 22(1) *Current Issues in Criminal Justice* 63; Frances Simmons, Jennifer Burn, and Fiona McLeod, 'Modern slavery: the case for remedy and reparation' (2022) 45(1) *University of New South Wales Law Journal* 148



- 27 The programs or transcripts from these workshops are not readily available, nor is any information as to whether interpreters were available at these workshops, where they were held, or whether they facilitated the participation of victim-survivors.
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- 29 Frances Simmons, Jennifer Burn, and Fiona McLeod, 'Modern slavery: the case for remedy and reparation' (2022) 45(1) *University of New South Wales Law Journal* 148.
- 30 Survivor testimony was included in the report: Mr Moceica Matai Turaga: Joint Standing Committee of Foreign Affairs, Defence and Trade, Parliament of Australia, Inquiry into Establishing a Modern Slavery Act in Australia (Hidden in Plain Sight Report, 2017) 219, [7.146]; 272-274; Ms Sinet Chan (orphan trafficking): Joint Standing Committee of Foreign Affairs, Defence and Trade, Parliament of Australia, Inquiry into Establishing a Modern Slavery Act in Australia (Hidden in Plain Sight Report, 2017) 227-228; Ms Sophea Touch (domestic service in Cambodia): Joint Standing Committee of Foreign Affairs, Defence and Trade, Parliament of Australia, Inquiry into Establishing a Modern Slavery Act in Australia (Hidden in Plain Sight Report, 2017) 48-49, 55; Tom and Mia's Legacy submission (submission included accounts from those who worked on farms) Joint Standing Committee of Foreign Affairs, Defence and Trade, Parliament of Australia, Inquiry into Establishing a Modern Slavery Act in Australia (Hidden in Plain Sight Report, 2017) 193-194; 285-287; 300.
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- 32 Ibid 331, 335.
- 33 Ibid 331.
- 34 Ibid 335
- 35 Email Correspondence from Mr Chris Crewther, Former Federal MP and Chair of the Foreign Affairs & Aid Sub-Committee (and the 'Inquiry into establishing a Modern Slavery Act in Australia'), Joint Standing Committee on Foreign Affairs, Defence and Trade, 5 September 2022.
- 36 Email correspondence from the Australian Institute of Criminology 13 September 2022
- 37 Interview, survivor advocate 20 April 2022; Interview Minh Dang Executive Director Survivor Alliance 4 April 2022; Interview Amy Rahe, Managing Director of Strategic Partnerships Freedom Fund 11 April 2022.
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- 49 Interview with Survivor 1 (anonymous), 23 June 2022.
- 50 Interview with Survivor 1 (anonymous) 23 June 2022.
- 51 Interview with Survivor 1 (anonymous) 23 June 2022.
- 52 Interview with Survivor 3 (anonymous) 21 June 2022.
- 53 Interview with Bella Hounakey, 18 April 2022.
- 54 Interview with Survivor 2 (anonymous), 21 June 2022
- 55 Interview with Survivor 2 (anonymous June 2022)
- 56 Interview, Dr Minh Dang, 4 April 2022; see also discussion in Nicholson, Andrea, Minh Dang and Zoe Trodd, 'A Full Freedom: Contemporary Survivors' Definition of Slavery' (2018) 18 *Human Rights Law Review* 689
- 57 Dang, Minh and Sharon Hawkins Leyden, 'Psychological Well-Being for Survivors: Creating a New Legacy' in Makini Chisolm-Straker and Katherine Chon (eds), *The Historical Roots of Human Trafficking* (Springer International Publishing, 2021)
- 58 Ibid 331
- 59 Australian Border Force, *Annual Report 2020-21* (Report, 2021) 133-134.
- 60 Commonwealth, *National Action Plan to Combat Modern Slavery 2020-25* (Action Plan, 9 December 2020) 21, 28; The Anti-Trafficking monitoring group, *Agents for Change: Survivor peer researchers bridge the evidence and inclusion gap*, The Anti-Trafficking Monitoring (Publication, 2021); *Contemporary forms of slavery, including its causes and consequences Note by the Secretary-General*, UN Doc A/73/139 (10 July 2018), [56].
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