Global Slavery Index 2023 **Country Study**

KEY STATS

Population (2021) 25,500,000 GDP per capita, PPP (Current intl \$) \$53,317

PREVALENCE OF

MODERN SLAVERY per 1,000 people

ESTIMATED NUMBER **OF PEOPLE LIVING IN MODERN SLAVERY**

7/100 **VULNERABILITY TO MODERN SLAVERY**

67/100

GOVERNMENT RESPONSE TO MODERN SLAVERY

Overview

Australia, as a country with relatively higher levels of wealth,¹ and therefore more resources to dedicate to addressing modern slavery, had the strongest government response to modern slavery in the Asia Pacific region, and the equal second strongest response globally. This reflects relatively strong criminal justice mechanisms and efforts to address underlying risk factors, as well as a range of positive measures introduced since the 2018 Global Slavery Index, including launching a new national action plan against modern slavery² and implementing the Modern Slavery Act to address modern slavery in global supply chains.³ However, there are opportunities for the government to strengthen its response, for example, through improving measures to identify and support survivors, closing legal loopholes to raise the minimum age of marriage to 18 with no exemptions, and establishing the role of national Independent Anti-Slavery Commissioner under the Modern Slavery Act. Australia had the lowest vulnerability to modern slavery in Asia and the Pacific, and relatedly, the second lowest prevalence of modern slavery in the region.

Estimated prevalence of modern slavery across Asia and the Pacific

Australia

Prevalence

Low

The 2023 Global Slavery Index estimates that on any given day in 2021, there were 41,000 individuals living in modern slavery in Australia. This equates to a prevalence of 1.6 people in modern slavery for every thousand people in the country. Within Asia and the Pacific, Australia is ranked 26 out of 27 countries in terms of prevalence of modern slavery, and 149 out of 160 countries globally. In the financial year ended 30 June 2022, authorities received 294 modern slavery reports⁴ While this represents the highest number of annual reports ever received,⁵ it suggests that modern slavery remains underreported in Australia given the estimated prevalence rate of modern slavery.



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Forced labour

Forced labour exploitation

The Australian Federal Police (AFP) received 42 reports of forced labour from 1 July 2021 to 30 June 2022.⁶ Forced labour predominantly occurs in high-risk industries such as agriculture,⁷ construction,⁸ domestic work,⁹ meat processing,¹⁰ cleaning, hospitality, and food services.¹¹ Many of these industries rely on migrant workers who enter Australia on temporary visas.¹² For example, Pacific migrants who have arrived on labour mobility schemes designed to fill worker shortages have been exploited in rural areas,¹³ experiencing wage theft and unsafe working conditions.¹⁴

Forced labour continues to be reported in domestic services¹⁵ where government oversight is limited. A 2019 study published by the Salvation Army identified 35 migrants assisted through its programs who had been trafficked into domestic servitude, of whom 91 per cent were female.¹⁶ It found that almost all individuals had been deceived during their recruitment: some were lured with the promise of marriage, while others had intentionally sought work in domestic services and were then exploited, including by foreign diplomats, or had migrated for other types of work and were subsequently coerced into domestic work.¹⁷ Perpetrators confiscated identity documents, used or threatened violence, and took advantage of victims' lack of familiarity with their environment and financial situation.¹⁸ Fijian victims of domestic servitude in Australia have also reportedly had their movements monitored, their communication with family and other support networks limited, and their travel home restricted.¹⁹

Forced commercial sexual exploitation of adults

In the year ended 30 June 2022, just under one fifth (18 per cent) of reports received by the AFP related to sexual servitude and exploitation.²⁰ In 2021, a Queensland man was charged for both organised unlawful prostitution and sexual servitude offences for allegedly holding women as young as 17 in conditions of servitude and forcing them into sex work.²¹ Two women were also charged as part of the police operation.²² More than half of offenders convicted in Australia between 2005 and 2019 of trafficking for sexual exploitation were women, many of whom were motivated by a desire to financially support family members,²³ or who had previously been in situations of exploitation themselves.²⁴

Commercial sexual exploitation of children

Twenty-one reports of trafficking in children were referred to the AFP in the financial year ended 30 June 2022,²⁵ and of individuals referred to the Support for Trafficked People Program (STPP) between 2017 and 2020, 14 per cent were children.²⁶ However, the form of exploitation is not specified. In 2020, an investigation into an online child sexual abuse network led to the arrest of 14 men across New South Wales, Queensland, and Western Australia on charges of child exploitation. The operation uncovered 46 child victims across the three states.²⁷

Australian offenders have also been found to send payments or travel overseas, primarily to the Philippines, to engage in the sexual exploitation of children.²⁸ A 2020 study of financial transactions made by Australians to facilitators of child sexual abuse in the Philippines indicates that viewers were typically aged between 50 and 69, and more than half (55 per cent) did not have a criminal record.²⁹ In May 2019, a Queensland man was sentenced for paying a mother based in the Philippines to livestream the sexual abuse of her two daughters over the course of nearly five years.³⁰ Such cases of online child sexual exploitation, of children both in Australia and overseas, only increased following the onset of the COVID-19 pandemic.³¹

Forced marriage

The most common form of modern slavery cases reported to authorities in Australia is forced marriage, including child marriage.³² Identifying people impacted by forced marriage has been a priority in Australia, with the number of reports increasing since 2013 when it was made an offence in the Commonwealth Criminal Code.³³ In the financial year ended 30 June 2022, almost half of the 84 forced marriage reports to the AFP involved children under the age of 18.³⁴ A study of women and girls in Australia and New Zealand who had faced threatened or actual forced marriages found that common experiences within the marriage included physical, verbal, sexual and financial abuse, restrictions on their movement, domestic servitude, and being barred from accessing education and employment, typically at the hands of their husband or members of his family.³⁵ Participants were engaged to be married between the ages of 12 and 24, and for those who were married, the marriages took place between the ages of 14 and 21. Some participants believed that their husbands were also forced into the marriage.³⁶ Survivors of forced marriage can face longterm impacts, including long-term social, financial, emotional, psychological, and physical impacts, as a result of their forced marriage.³⁷ In January 2020, Ruqia Haidari was murdered by her husband in Western Australia, just two months after allegedly being forced into marriage at the age of 20.38 Three people were arrested for allegedly coercing Ruqia into the marriage,³⁹ and in 2021, her husband received a life imprisonment sentence for murder.⁴⁰

Imported products at risk of modern slavery

Australia is not only affected by modern slavery within its borders: as one of the world's largest economies, Australia – like other G20 countries – is exposed to the risk of modern slavery through the products it imports. Nearly two-thirds of all forced labour cases are linked to global supply chains, with workers exploited across a wide range of sectors and at every stage of the supply chain. Most forced labour occurs in the lowest tiers of supply chains; that is, in the extraction of raw materials and in production stages.⁴¹ Given the G20's level of influence in the global economy, it is critical to examine their imports at risk of forced labour and efforts to address this risk. Australia imports US\$17.4 billion products at-risk of being made using forced labour annually. Table 1 below highlights the top five most valuable products (according to US\$ value per annum) imported by Australia that are at risk of being produced under conditions of modern slavery.

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Vulnerability

Figure 1.

Vulnerability of Australia to modern slavery by dimension, compared to the regional average



Australia is among the least vulnerable countries to modern slavery in the Asia Pacific region and globally. However, modern slavery is a structural feature of the economy as a result of systemic discrimination towards migrants and minority groups. Holders of working holiday, seasonal worker, international student, skilled temporary work and bridging visas have been subject to serious exploitation in Australia.⁴² Visa conditions that tie workers to their employers create a power imbalance that can be manipulated by employers.

The risks facing temporary migrant workers in Australia typically result from deception or fees incurred throughout the migration process and limited oversight, monitoring, and enforcement of worker rights and conditions in industries with high numbers of temporary migrant workers. Migration agents or labour brokers who organise visas or jobs for potential migrants commonly charge significant fees and deductions from pay, which may result in migrants being burdened with debts that they struggle to repay.⁴³ Research has identified that "rogue" labour hire companies are often part of an opaque sub-contracting network exploiting vulnerable workers.⁴⁴ This includes underpayment, non-payment of entitlements such as leave or superannuation, and sub-standard accommodation in certain industries such as agriculture,⁴⁵

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horticulture,⁴⁶ meat processing,⁴⁷ and construction.⁴⁸ A lack of monitoring and enforcement of labour laws in these industries across Australia puts temporary and undocumented workers further at risk of exploitation.⁴⁹

Cultural and language barriers, limited knowledge of workplace laws and standards, and reliance on employers who sponsor migrants' temporary visas can expose them to greater risks of modern slavery and exploitation.⁵⁰ For example, seasonal workers on government-run labour mobility schemes are dependent on fair treatment by employers who sponsor their visas to Australia, increasing their vulnerability to abuse.⁵¹ Seasonal workers are vulnerable to debt bondage stemming from a lack of regulation around how much employers can deduct from workers' wages for transport and accommodation. Workers may not feel comfortable coming forward to report abuse due to uncertainty around whether their treatment qualifies as exploitation and a fear of missing out on future work opportunities in Australia.⁵² Migrants on visas with restrictions on the amount of work that can be performed, such as student and humanitarian visas,⁵³ and irregular migrants⁵⁴ are also particularly vulnerable to exploitation.

Forced marriages in Australia are driven by community pressure to maintain cultural practices or protect families' reputations as well as economic pressures.⁵⁵ In a 2018 study that interviewed or analysed case files for 13 survivors of actual or threatened forced marriage in Australia and New Zealand, tradition, culture, faith, family honour, promiscuity and homosexuality, interracial and interfaith relationships, migration, better opportunities, age and sex were cited as reasons for the marriage.⁵⁶

Government response

Figure 2.



Government of Australia's responses to modern slavery by milestone, compared with the regional average

Australia has a relatively strong government response to modern slavery, in line with its higher wealth levels compared to other countries in the region.⁵⁷ Overall, Australia scored 67 per cent – the highest ranking within Asia and the Pacific, and the equal second highest ranking globally behind the United Kingdom.

Australia has criminalised all forms of modern slavery, including human trafficking, slavery, and slavery-like practices (including servitude and forced labour) under Divisions 270 and 271 of the Criminal Code,⁵⁸ and in 2022, ratified the Protocol of 2014 to the Forced Labour Convention P029.⁵⁹ However, gaps in the legislative framework remain: forced marriage,⁶⁰ and all marriages involving children below the age of 16⁶¹ are criminalised, yet a marriage involving a child aged 16 or 17 can still take place with court approval.⁶² Under the Crimes Act, survivors can access protections inside and outside the court, such as providing evidence via closedcircuit television, video-link or recording, and submitting a victim impact statement to the court.⁶³ While a visa framework is available to facilitate the stay of victim witnesses of modern slavery in Australia, it is highly dependent on engagement with police.⁶ Further, legislation does not recognise that survivors of modern slavery should not be penalised for conduct that occurred while under the control of criminals,⁶⁵ nor is there an existing national compensation scheme for survivors.66

Although the Australian Government provides funding to the STPP, civil society organisations indicate that resourcing for support services is insufficient.⁶⁷ The STPP is delivered by the Australian Red Cross to provide support services, including accommodation, physical and mental health services, skills development, and case management support.⁶⁸ In 2019, following a year-long trial, the Forced Marriage Support Stream was established as part of the STPP to provide support for up to 200 days for those in, or at risk, of forced marriage. Importantly, this support is not linked to victim contribution to the criminal justice process.⁶⁹ However, as admittance to the STPP requires screening and referral by the AFP, some victims may be reluctant to come forward. Victims' fear of police is driven by concern about getting their family in trouble, particularly in forced marriage cases, and a history of negative experiences with police in Australia or in other countries.⁷⁰ Encouragingly, the government has recently announced funding for a pilot program in 2024 to allow community providers to directly refer victims and survivors of modern slavery to support services without involving law enforcement.71

In 2020, the government launched an updated National Action Plan to Combat Modern Slavery (NAP) for the period 2020 to 2025.⁷² For the first time, the government also allocated \$10.6 million to implement the NAP.⁷³ The NAP's implementation is overseen by the Interdepartmental Committee on Human Trafficking and Slavery (IDC) – a group chaired by Australian Border Force, which also reports on the government's effectiveness in responding to modern slavery by publishing reports on a regular basis.⁷⁴ Although the IDC comprises government officials only, civil society are able to provide consultation via the National Roundtable on Human Trafficking and Slavery, and other working groups.⁷⁵

The government has taken some action to address the vulnerability of Pacific migrant workers on Australia's Pacific labour mobility schemes. Despite provisions for the protection of migrant workers on Australia's Seasonal Worker Program, such as registering employers and labour hire companies, the exploitation of participating workers has been documented in Australia.⁷⁶ In 2021, it was announced that the Pacific Labour Scheme and the Seasonal Worker Program would be combined into the singular Pacific Australia Labour Mobility (PALM) scheme. The PALM stream offers seasonal visas (up to nine months) and longer-term visas (one to four years) to prospective workers from nine Pacific Islands and

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Timor-Leste, and reportedly will seek to improve worker welfare.⁷⁷ In 2019, the government's Migrant Workers' Taskforce released a report setting out 22 recommendations to address migrant worker exploitation in Australia.⁷⁸ Although there has been insufficient action to implement the recommendations since the report,⁷⁹ the current Labor government has committed to implementing recommendations made by the Migrant Worker Taskforce to improve working conditions for those on the PALM scheme.⁸⁰

Australia has the strongest response in addressing modern slavery in government and business supply chains in Asia and the Pacific, receiving a score of 38 per cent for this milestone. In 2018, the Australian government passed the Modern Slavery Act (MSA). The MSA established a requirement for companies with an annual consolidated revenue over AUD \$100 million to release annual reports on their actions to address modern slavery in their operations and supply chains.⁸¹ Although the Australian MSA is encouraging businesses to investigate their supply chains, reports by Walk Free⁸² and other human rights organisations⁸³ found that businesses are not fully complying with the requirements of the Act, highlighting the need to strengthen the legislation and enforce compliance. Notably, the new Labor government has pledged the appointment of an Anti-Slavery Commissioner to work with business, the government, and civil society.⁸⁴ Further, despite recommendations that Australia amend its legislation to prevent goods produced with forced labour from being imported into the country,⁸⁵ there has been no commitment to any related legislative amendments.84



THE GLOBAL SLAVERY INDEX 2023

For more information on modern slavery, visit the Global Slavery Index 2023 website.



Recommendations

Survivors identified and supported

- Ensure support services and visas do not depend on participation in the criminal justice process, both in policy and in practice.



Criminal justice mechanisms

- Strengthen existing legislation to protect survivors of exploitation by ensuring they are not treated as criminals for conduct that occurred while under the control of traffickers.
- Establish a National Victim Compensation Scheme for survivors of modern slavery.



- Establish the national Independent Anti-Slavery Commissioner to coordinate the whole-ofgovernment response to modern slavery.
- Ensure survivors are included in the government response, including by consulting survivors in regular evaluations of the STPP's effectiveness and impact.

Risk factors are addressed

- Raise the minimum legal age of marriage to 18 for girls and boys with no exemptions.
- Implement the recommendations from the Report of the Migrant Workers' Taskforce.⁸⁷
- Ensure those who report exploitative employers under labour mobility schemes are not unfairly penalised, for example, through a loss of employment opportunities or visas. Establish whistleblower protections to enable migrant workers to report exploitation without risking their visa.⁸⁸

Government and business supply chains

- Strengthen the Modern Slavery Act by:
 - implementing financial penalties for noncompliance with the legislation,
 - enforcing compliance measures under 16A of the MSA (including publishing a list of noncompliant companies), and
 - introducing a mandatory human rights due diligence requirement.
 - Prevent the import of goods made with forced labour and provide support to producing countries to address forced labour issues.

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