



## Transcript - Modern Slavery

**Kate:** Lorraine, welcome back. We thought for this next segment, we'd talk about some contemporary issues. We've talked a lot about human rights in general, and so we thought now we'd kind of look at three specific examples. So the first one we're going to look at is human trafficking and modern slavery, can you tell us, what does slavery look like in a contemporary context and how is this relevant to human rights?

**Lorraine:** It's an incredibly important issue, and of course, slavery is something that people often have opinions about from what they know occurred hundreds of years ago, what they've seen in movies of slaves being in shackles and chains. But actually, modern slavery is something that is still a continuing problem but does look a little bit different. So in Australia, we have a definition of modern slavery under section four of our Modern Slavery Act, which talks about a range of behaviours, everything from human trafficking to the worst forms of child labour. So modern slavery is an umbrella term that encompasses a range of exploitative behaviours that really take away a person's freedom to make their own choices and decisions. But one of the really important things to realize is that there's no universally accepted definition of modern slavery around the world, and in fact, despite Article four of the Universal Declaration of Human Rights telling us that no one should live in slavery or servitude, we know that over half the countries around the world don't actually at the moment have modern slavery as something that is criminalized or have laws against the enslavement of people.

**Kate:** That's crazy. So we've got an act about modern slavery, but what does that kind of look like practically? What kind of ways are we seeing modern slavery in Australia?

**Lorraine:** The reality is modern slavery isn't just a problem that exists in other places; it is an issue here in Australia, and the statistics are overwhelming. If you look at the most recent estimates from the Walk Free Global Slavery Index, they estimate that around the world, almost 50 million people every single day are living in conditions of modern slavery, and one in four of those victims are estimated to be children. We know that in Australia, the estimates are that 41,000 people on any given day are living in conditions of modern slavery. And that can be everything from labour exploitation to sexual trafficking, through to forced marriage. So it's a wide variety of behaviours. But the other thing that's really important to remember is that the statistics don't actually tell us the full story about the human suffering and the human impact because behind every number, there's an individual human being who has hopes and dreams for their future but who, because of the conditions they're being kept in, are having their human rights severely curtailed, and it causes an enormous amount of damage and harm.

**Kate:** Yeah, so these individuals, what kind of protections does the legislation offer? Are there any other protections that we have in place in Australia or in New South Wales that can help protect these individuals?

**Lorraine:** There are a variety of legislative responses. The first thing to note is that modern slavery itself is criminalized under our criminal code, and there are a variety of offenses relating to, for example, human trafficking. So there are a variety of offenses under the criminal law. But there's also a Modern Slavery Act, which looks at making sure that businesses take action to make sure that their business activities aren't contributing to modern slavery and they don't have modern slavery in their supply chains. That's a transparency model law, which means it's about ensuring that businesses are open and accountable about the steps they're taking to ameliorate the risk of modern slavery. One of the challenges though is that the law, in and of itself, does need strengthening. For example, there are no penalties attached for businesses not taking action to address modern slavery. So, I think that's one of the things we could do to really help strengthen Australia's response.

**Kate:** So adding in different punishments for modern slavery... Is there any other ways that you see legislation or even, I'm not sure if it's in the common law, but that lacking in protecting these human rights?

**Lorraine:** There are a whole variety of things that we could and should be doing to strengthen our response. So I think the first point to make is that Australia should be really proud of the role we've played in terms of taking steps to combat modern slavery. So we were the second country in the world to introduce modern slavery legislation. We were the first country in the world to introduce a public online repository for modern slavery statements. And when you look around the world at the role that we've played, we're taking a leading role in concrete activities to try and help identify and protect victims and ensure that perpetrators are prosecuted and punished. But I think even though we've done all that, we can do more. That's both through reforming our laws,



and we've just had a statutory review into Australia's Modern Slavery Act, and there were a number of really significant recommendations made about what we can do to improve that legislation. But also, things like New South Wales has an Anti-Slavery Commissioner, who was only introduced a few years ago, and that's a role that's making a real difference in terms of raising awareness, educating people, educating business and government about what they can do to help address modern slavery, and doing things like looking at ways government procurements can be improved to help eradicate modern slavery from the supply chain and really improve responses. So I think a federal Anti-Slavery Commissioner would be something that would be really helpful, and the national parliament's currently considering legislation to introduce a national Anti-Slavery Commissioner.

**Kate:** Wow, I didn't know that. That's amazing. Do you think the responses that we've had, are they effective? How can we increase effectiveness? You said we're looking at having a federal Anti-Slavery Commissioner. Is there anything else that could make our response more effective, or do you think it's good as it is?

**Lorraine:** I think it's a good first step, but I think there's always more that we need to do. A really important part of that is ensuring that the laws around modern slavery are as strong as they possibly can be. But it's also really important to make sure that government, businesses, and individuals actually understand what modern slavery is and what things they can do to help address it. So if we look at individuals, you know, obviously each of us as individuals aren't going to be able to solve modern slavery on our own overnight. But there are things we can do, like making ethical purchasing decisions, for example, to think about the way our behaviour could actually make a difference. I think it's something that's really important for all of us to realize: firstly, that modern slavery does occur in Australia, and secondly, there are steps that we can take as consumers to actually think about helping to be part of the solution.

**Kate:** So, as we were talking before, you were telling me you went to a conference, and they were talking about chocolate and how they have an index about slavery in their supply chains. Could you expand and share about that?

**Lorraine:** Sure. So just last week, I went to the launch of the Chocolate Scorecard, which is an amazing initiative done by Be Slavery Free. What they do is they go and assess and work with chocolate companies, retailers, suppliers, and actually rank them or give them scores in terms of, for example, are they addressing slavery risks? Are they paying living wages to the people who are producing the chocolates? How ethical and environmentally conscious are they in terms of the way they produce chocolate, the way they sell chocolate? What it does is it gives you an easy way as a consumer of identifying the companies that are doing a really good job to not just produce really yummy chocolate but to produce it in a way that's ethical, and that when you purchase that as a consumer, actually does make a difference.

**Kate:** So if we're looking at that, what kind of chocolate companies ranked the highest in there?

**Lorraine:** I'd encourage everyone to go online and have a look at the Chocolate Scorecard rather than my giving an endorsement. But look, certainly, I think it is a way of thinking through how things you do in everyday life can make a difference. You know, if by eating a little bit of chocolate, you can help defeat modern slavery, I think that is a really positive thing for people to be doing.

**Kate:** I think that's a really positive thing, and it's something small that we can all be doing just to ensure that not just our rights are kept but everyone else's as well.

**Lorraine:** That's a really important thing to realize about human rights. You know, it can be really overwhelming, particularly at the moment with everything that's going on in the world. It's so easy to see all of the things that are going wrong and all of the challenges we face, and they're really important to recognize, be honest about, and to be concerned about. But we have to be really positive about the fact that we can make a difference as individuals. This isn't something that we should just despair about; it's actually something where we should get involved, think about in our own lives what little things can we do that might not solve all of the problems overnight but will actually make a difference because individuals can actually have a real impact. And ultimately, human rights, you know, the big declarations, the big principles, they're important. But human rights, at its heart, is about how we treat each other as human beings, and so, in our day-to-day lives, living those values and making sure that we bring human rights to life through the decisions we make and the things we do, that's really important.

**Kate:** Yeah, definitely. So part of your role as commissioner, you take a specific look at human trafficking and modern slavery. How do you look at these human rights issues?



**Lorraine:** So we do a number of things, and if we look particularly at the modern slavery issue, one of the things that we do is we are part of government reviews and government inquiries to actually look at how our laws could be strengthened in Australia. So we play an important role in terms of consulting on those things. We're part of a number of formal groups that look to address modern slavery. So, for example, there's the National Roundtable on Human Trafficking and Modern Slavery that brings experts together from government, academia, business, and civil society, and we sit on that to look at new approaches to addressing modern slavery. But another really important part of our role is taking a practical approach to helping create awareness and education so that people understand what this issue is but also what steps they can take to address it. So one of the things we're really proud of is the work we do with businesses, for example, to look at what more can businesses do to help address modern slavery and how can we provide some really practical guidance and suggestions to them to help ensure that they're able to take a really human rights compliant approach.

**Kate:** That's so cool that you're being able to work with different businesses and governments to try and really bring awareness to this human rights issue and try to put in place steps to be able to resolve those. Do you think... Has there been any technology that's helped you try to impact it on this human rights issue, and how have you seen that play out?

**Lorraine:** Yeah, and the question of technology is a really interesting one because what we've seen is there are some technological developments and advancements and innovations that are really helpful when it comes to combating human trafficking and modern slavery, and there are some businesses that are producing amazing innovations that use technology in ways to help identify vulnerabilities in supply chains, to help identify vulnerabilities in communities, and to help think about ways that we can better collect data to help us address challenges of modern slavery. So technology can play a really important role. The flip side of that is the people who are trafficking humans, the people who are criminals in this process and are doing the wrong thing, are also using technology. But they're using it to subvert the law and to actually improve the way that they're going about human trafficking and modern slavery. So we need to be really aware with technology that there are some enormous benefits that it can bring; it can be used in ways that really strengthen human rights. But there are also risks; it can be used by bad people to do bad things, and we need to find ways to guard against that. So, for example, one of the emerging issues in our region is the increasing use of scam centres in Southeast Asia and people being trapped in modern slavery, forced to work in those centres to then scam people in countries like Australia out of their money. This newly emerging technology has allowed that to occur, and it's having a really serious impact, and we're seeing that as a growing example of modern slavery in our region.

**Kate:** That's terrible that that's happening. But it's good that we've noticed it as an issue and we're working towards improving it.