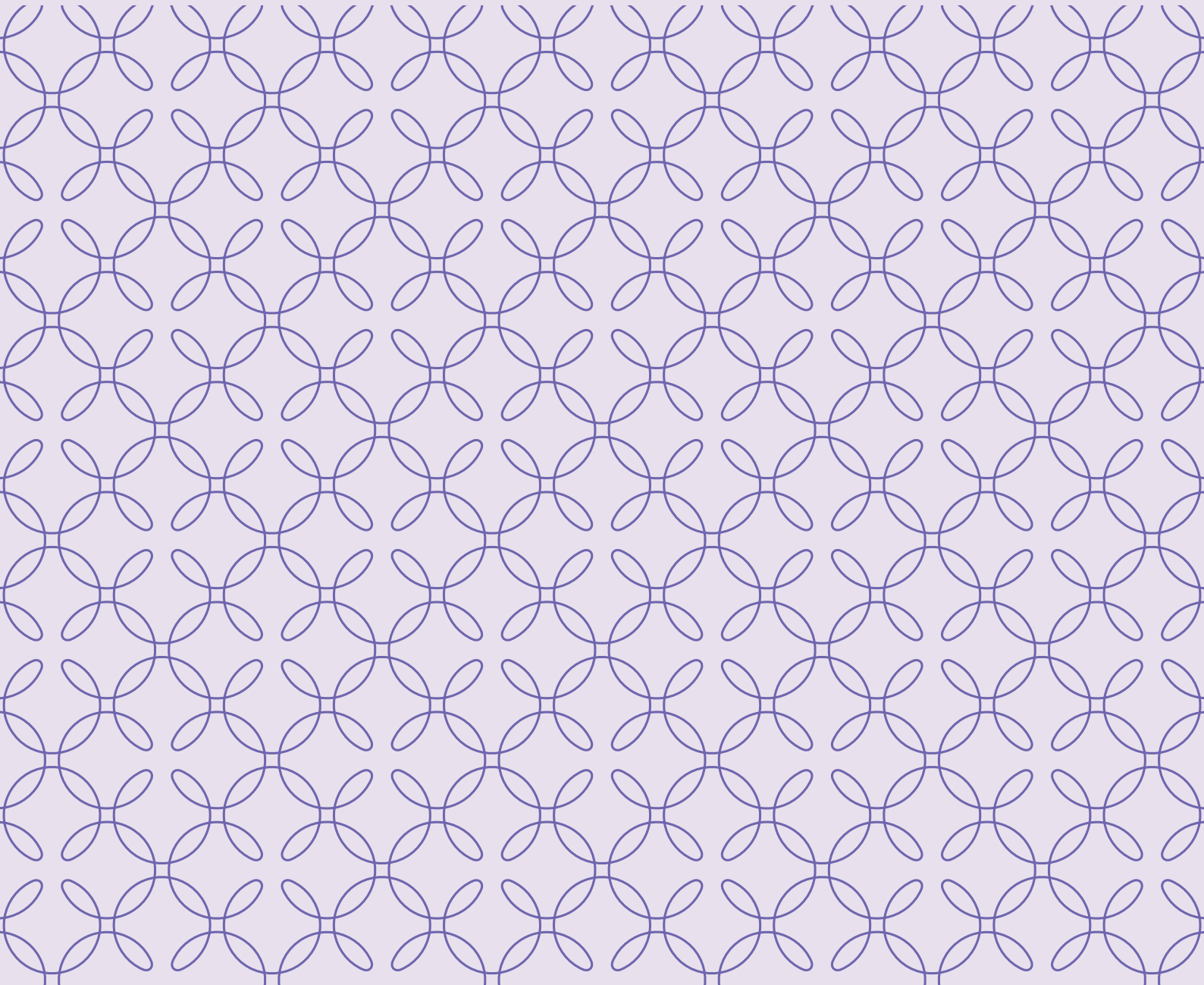


Working together for real freedom

NSW Anti-slavery Commissioner's
Strategic Plan 2023–2026



This strategic plan required under section 11 of the Modern Slavery Act 2018 (NSW) has been developed by the Office of the NSW Anti-slavery Commissioner.

The Office of the NSW Anti-slavery Commissioner would like to acknowledge the contributions of the James Martin Institute for Public Policy, which provided support during the consultation process and the development of this Strategic Plan.

© NSW Anti-slavery Commissioner, 2023

Contents

Acknowledgement of Country	4
A message to people with lived experience of modern slavery	6
Foreword from the Anti-slavery Commissioner	8
Modern slavery in New South Wales	10
Plan on a Page	15
About this Strategic Plan	16
How we will implement this Strategic Plan	18
Our Priorities and Actions 2023–2026	22
Build prevention capacity	24
Enable remedy	28
Foster responsible business practices	32
Change the narrative	36
Develop a community of purpose	40
Notes	43

Acknowledgement of Country

As New South Wales
Anti-slavery Commissioner,
I acknowledge that Aboriginal
and Torres Strait Islander
peoples are the first peoples
and traditional custodians
of Australia and the oldest
continuing culture in
human history.

I acknowledge that First
Nations communities in New
South Wales have survived
practices that today we call
modern slavery.

The legacies of that treatment continue to affect
Aboriginal and Torres Strait Islander people today,
and through them affect the New South Wales
community and economy.

My Office and I pay our respects to elders past
and present and commit to respecting the lands
we walk on, and the communities we walk with.

We celebrate the deep and enduring connection
of Aboriginal and Torres Strait Islander peoples
to country and acknowledge their continuing
custodianship of the land, seas and sky.
We acknowledge their ongoing stewardship
and the important contribution they make
to our communities and economies.

We reflect on the continuing impact of government
policies and practices and recognise our responsibility
to work together with and for Aboriginal and Torres
Strait Islander peoples, families and communities,
towards improved economic, social and cultural
outcomes, self-determination and for real freedom.

► Wombeyan Dreaming (Kangaroo Dreaming)

Gumbaynggirr/Dunghutti artist, Uncle Richard Campbell #28,
is a survivor of Kinchela Boys Home who continues to advocate for
healing from practices implemented at Kinchela outside Kempsey,
NSW that reflect what today would be called modern slavery.
This painting is part of his creation story.



A message to people with lived experience of modern slavery

What does this Strategic Plan mean for survivors and others with lived experience of modern slavery?

We will try to help you find your path to real freedom.

There are details on how you can seek help and support. Reach out to us if you need help or assistance and we will do what we can to help direct you to the safety and support services you need to enjoy real freedom. A key part of this Strategic Plan is the establishment of a new hotline arrangement to make this even easier.

We will work to make the system easier and better to use.

We will work to make it easier to access quality accommodation, care, advice, support and justice. We acknowledge that survivors of modern slavery may need long-term help and support to enjoy real freedom.

We aim to empower you.

Modern slavery involves serious restrictions of freedom. We will work to help you recover power in your own life, by giving people with lived experience voice and influence in our work, as beneficiaries, colleagues and partners. We will work to give you greater control over narratives, programs and policies that affect you as a person with lived experience.



Help and Support

Modern slavery is a challenging issue and this Strategic Plan may bring up strong feelings for some people. Please take care as you read this Strategic Plan. **If you have immediate concerns for your safety, the safety of another person, or there is an emergency, dial Triple Zero (000).**

You can contact the Office of the Anti-slavery Commissioner on antislavery@justice.nsw.gov.au. You can also contact the Australian Federal Police (AFP) on 131 237 (131AFP) or go to the AFP website at www.afp.gov.au. The AFP can help keep you safe, provide advice and refer you to other services that provide accommodation, financial support, counselling, and legal and immigration advice.

For further support, contact (listed alphabetically):

1800 RESPECT (1800 737 732)

National domestic, family and sexual violence counselling, information and support service
1800respect.org.au

Anti-Slavery Australia

Free and confidential legal advice and support
Call 02 9514 8115
Email ASALegal@uts.edu.au

Australian Red Cross

Support to Trafficked People Program
Call 03 9345 1800
Email national_stpp@redcross.org.au

Domus 8.7

Advisory service on remedy pathways for individuals and organisations affected by modern slavery
Email antislavery@sydneycatholic.org

Freedom Hub

Survivor support
Call 1800 373 348 (1800 FREEHUB)
Email info@thefreedomhub.org

Lifeline (13 11 14)

Free, 24/7 crisis support
lifeline.org.au

Mental Health Line NSW (1800 011 511)

Free, 24/7 mental health support

My Blue Sky

Help relating to forced marriage
Call 02 9514 8115 – SMS text to 0481 070 844
Email help@mybluesky.org.au

The Salvation Army

Accommodation support
Call 1300 473 560
Email endslavery@salvationarmy.org.au

Free, confidential interpretation is available on the Translating & Interpreting Service on 131 450.

Foreword from the Anti-slavery Commissioner



Though we rarely recognise it, modern slavery restricts the freedom of many people in New South Wales (NSW).

There are an estimated 16,400 people in the state who are victims of modern slavery.

They include workers trapped in forced labour on farms in regional NSW, or in domestic servitude in urban households.

Women and children, made vulnerable through domestic and family violence or homelessness, groomed and coerced into sexual exploitation, in person or through social media platforms.

Cleaners and security guards working in office blocks, caught in the grip of debt bondage.

Girls forced to marry in NSW or overseas.

People living with disability who are being exploited in segregated workplaces or in institutional care.

And many more people, including First Nations and Pacific Island communities, who are living with the personal, community and intergenerational trauma caused by modern slavery suffered here or abroad.

The restrictions on freedom that such criminal behaviour imposes have real and enduring costs.

They leave lasting scars in people's lives, and in the social and economic life of the NSW community. They create mental and physical health burdens, reduce people's economic capacity, and lead to policing and criminal justice costs for the state.

Modern slavery is estimated to cost NSW around \$956 million to \$9.6 billion.¹

It's not just an issue for us here in NSW. Some of the products and services that we buy as private consumers or through public procurement – from smartphones to rubber gloves, from organ tissue to energy – are made through modern slavery, both here and overseas.

NSW taxpayers may be unwittingly funding modern slavery.

Many dedicated people and organisations have worked over decades to address modern slavery in NSW. Yet most people in the state are only now becoming aware of the extent of the issues.

Many organisations are now considering how they can help ensure everyone in our state enjoys real freedom from slavery.

The *Modern Slavery Act 2018* (NSW) gives us a unique opportunity to work together for real freedom.

It established an independent Anti-slavery Commissioner, with functions relating to victim identification, support and assistance; awareness-raising; prevention; and managing modern slavery risks in supply chains.

I was appointed to this role by the Governor, starting in August 2022. My work is supported by a small office in the NSW Department of Communities and Justice.

This Strategic Plan sets out a roadmap for our efforts between July 2023 and June 2026.

It provides a framework for developing the awareness, capabilities, practices and partnerships needed to address modern slavery in NSW.

I will report annually to NSW Parliament on progress against this Strategic Plan.

The Strategic Plan sets out actions aimed at achieving five interconnected Priorities:

- Build prevention capacity
- Enable remedy
- Foster responsible business practices
- Change the narrative
- Develop a community of purpose

We developed this Strategic Plan through consultation with more than 2,500 people between September 2022 and May 2023.

This document explains what we heard during these consultations, the five Priorities that emerged, the actions we will take to achieve those Priorities, and how they fit with Australia's existing *National Action Plan to Combat Modern Slavery 2020–25*.

Our actions will be based on a set of core values: respect for people; collaboration and partnership; innovating based on evidence; transparency, honesty and integrity; and independence.

We will put people with lived experience at the heart of our efforts. Modern slavery involves grave restrictions on freedom and agency. We will work to help people with lived experience reclaim that agency through our work.

We have already employed a Lived Experience Advisor as a founding member of our team, and people with lived experience will serve on the new Advisory Panel I am establishing to inform work under this Strategic Plan.

Addressing modern slavery is not, however, the task solely of the Anti-slavery Commissioner or my Office. It is something we must work together to achieve – government, civil society, unions, business, media, researchers, and affected communities, including people with lived experience.

We will work closely with partners to bring this plan to life, bringing the anti-slavery community together twice a year in a NSW Anti-slavery Forum.

Everyone in NSW has a human right to be free from slavery. Working together, we can ensure we all enjoy real freedom.

Dr James Cockayne

Modern slavery in New South Wales

Modern slavery occurs when one person treats another as if they owned them – restricting their freedom.

Modern slavery includes various forms of exploitation. These are defined in the *Modern Slavery Act 2018* (NSW) ('the Act'), which also references the *Criminal Code Act 1995* (Cth) and the *Crimes Act 1900* (NSW). These include: slavery, servitude, sexual servitude, forced labour, forced marriage, debt bondage, trafficking in persons, deceptive recruiting for labour or services, organ and tissue trafficking, and certain forms of child abuse.

The High Court of Australia has ruled that the use of the 'powers of ownership' is central to the prohibition on slavery in Australian law.² When a person is subject to modern slavery, their freedoms are restricted, and their dignity and agency are undermined. This can be a result of various forms of coercion, fraud and violence, such as grooming, deception, threats, coercive control, restriction of movement, fraudulent debt, wage theft or violence.

Around 40% of people in modern slavery in Australia are estimated to be in NSW.

Globally, there are close to 50 million people in modern slavery.³ By the best available estimates, somewhere between 1,500⁴ to 41,000⁵ of these people are in Australia – and available data on reporting and service provision suggests 600 to 16,400 of these are in NSW.

People are more likely to be exploited if they are vulnerable – due to their age, their migrant status, gender or sexual identity, language skills, disability, poverty, homelessness or other factors. So modern slavery may coincide with other forms of exploitation and abuse – domestic and family violence, child abuse, gender-based violence, online abuse, and workplace offences.

Women account for more than 80% of people that access the national Support for Trafficked People Program.⁶ In one report, more than a quarter of responding migrant workers in Australia indicated they were offered or paid a lower wage than other employees because of their nationality, and 35% of respondents indicated that they were paid or offered a lower salary because of their visa type.⁷

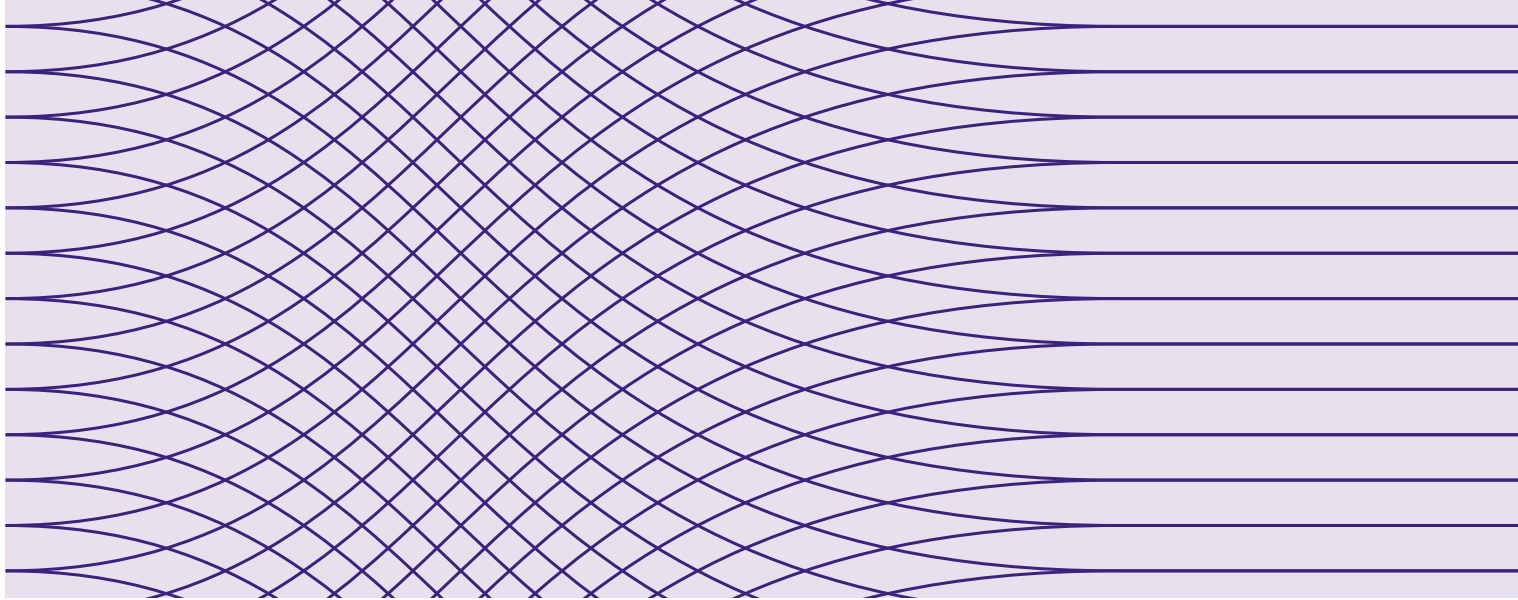
We heard of modern slavery risks across the state – in cities and in the country, online and offline, and in supply chains stretching well beyond NSW.

In our consultations, we heard of indicators of forced labour of workers on NSW farms and debt bondage of cleaners and security guards in city office blocks. We heard of international students exploited in NSW in retail, hospitality and sex work. We heard of women and girls trafficked out of NSW to a foreign country for a marriage to which they did not consent, as well as forced marriages here in NSW. Forced marriage is the form of modern slavery that is currently most often reported to the Australian Federal Police.⁸

We heard that social media platforms are being used by offenders in NSW to solicit and groom children in foreign countries into sexual exploitation. And we heard about refugees and new migrants who are living today with the experience of modern slavery in the past, for example as child soldiers or victims of trafficking and sexual slavery during war.

We heard about modern slavery risks linked to NSW business and government supply chains. These include the use of forced labour to produce goods used in NSW, from apparel and electronics to solar panels and organ tissue. Modern slavery risks can also be relevant to the work of organisations commissioned by the NSW government to provide social and other services, since they may deal with people at risk and people who have lived experience of modern slavery.





Modern slavery results from the failure of our systems to identify vulnerability and to prevent and remedy exploitation.

Modern slavery happens when our legal, financial, procurement, healthcare, immigration, child protection and other systems fail to identify vulnerability to exploitation and fail to prevent and address it.

Convictions for modern slavery offences are very difficult to secure. Nationally, there have been just 30 convictions for these offences, though there were, for example, 1,123 reports of modern slavery to the Australian Federal Police in the four years from FY2017/18 to FY2021/2022.⁹

In our consultations, we heard that people with lived experience do not always have adequate choice and control over the services they need – accommodation, primary healthcare, employment, education and justice. We heard that they often face lengthy delays, and sometimes even face discrimination and stereotyping.

Accommodation providers and case workers report a shortage of crisis and long-term housing options in NSW able to cater to the needs of people with lived experience of modern slavery.¹⁰

Modern slavery imposes significant economic and social costs on NSW.

All of this imposes real costs and limits the contribution that people with lived experience can make to society and the community. Modern slavery in NSW likely costs us at least \$956 million – and perhaps as much as \$9.6 billion.¹¹

People with lived experience of modern slavery suffer serious and enduring impacts on their mental, physical, social and economic wellbeing. Modern slavery takes a toll on education and career development, earning capacity, and a survivor's family and community. The effects of trauma can impact through subsequent generations.

The effects of modern slavery also ripple out through society and the economy. Modern slavery reduces productivity and innovation, increases inequality and poverty, and breeds corruption.¹²

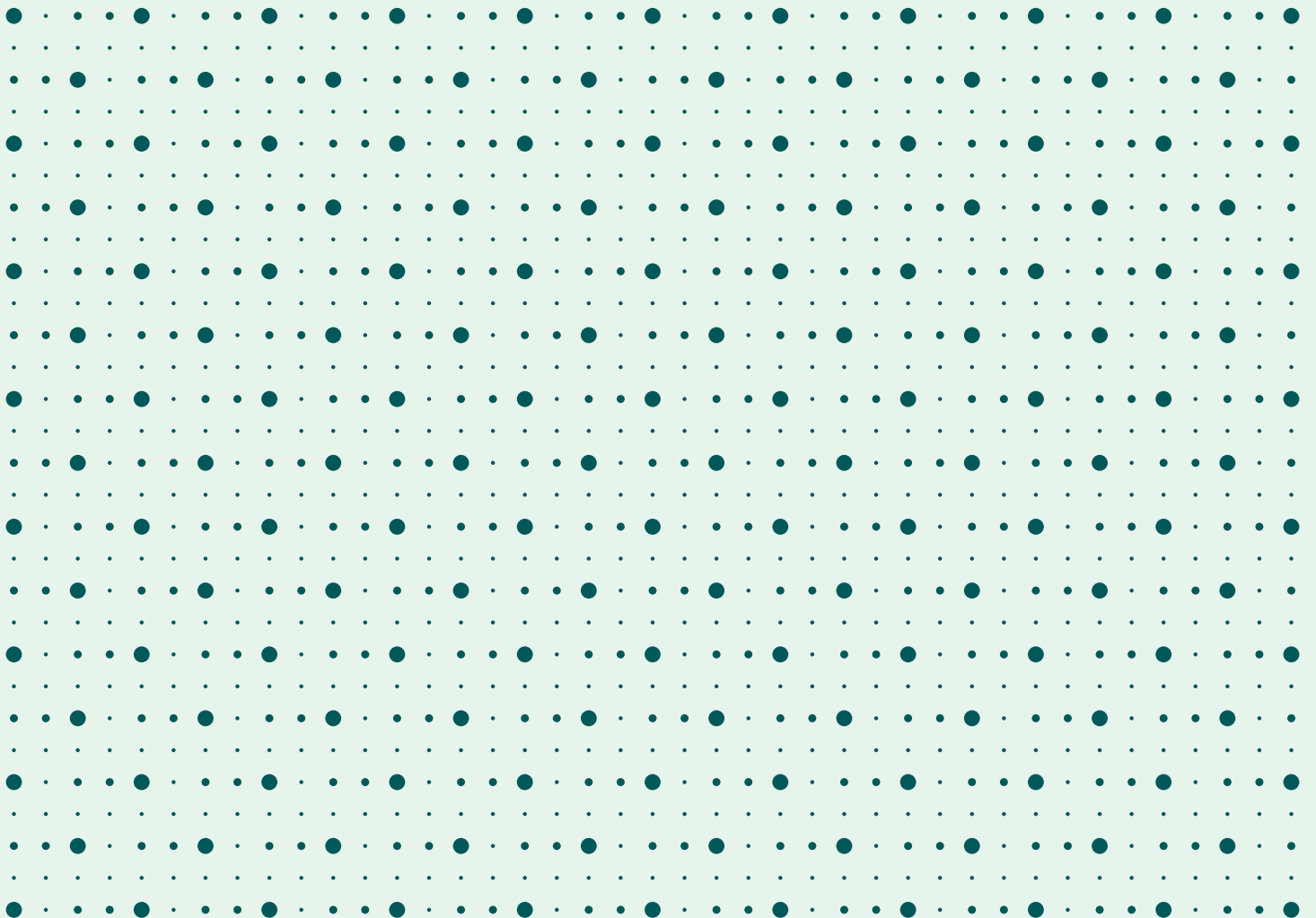
There is momentum in NSW to tackle modern slavery. This Strategic Plan offers a roadmap for working together for real freedom.

The *Modern Slavery Act 2018* (NSW) offers NSW an opportunity to make real inroads against modern slavery. It places our state as a leader on public procurement, survivor engagement and public policy reforms. NSW is also home to world-leading academic experts and modern slavery risk management startups.

As the first Australian state or territory to enact modern slavery legislation, and the largest subnational economy in the southern hemisphere, the changes we make in NSW may have a significant impact across the region. Our consultations demonstrated significant appetite for meaningful action on modern slavery – from those with lived experience, business and union leaders, investors and procurement officers, government and civil society service providers, law enforcement, research and community organisations.



“This Strategic Plan sets out a roadmap for our efforts between July 2023 and June 2026. It provides a framework for developing the awareness, capabilities, practices and partnerships needed to address modern slavery in NSW.”



Plan on a Page

Vision: A New South Wales that fully realises the human right to live free from slavery.

Our priorities

Build prevention capacity	Enable remedy	Foster responsible business practices	Change the narrative	Develop a community of purpose
----------------------------------	----------------------	--	-----------------------------	---------------------------------------

Our objectives

To ensure NSW government and non-government systems can identify vulnerability to modern slavery and prevent victimisation.	To improve access for people with lived experience to effective remedy – including essential services, justice, self-determination and empowerment.	To show leadership in identifying and addressing modern slavery in supply chains and investment portfolios.	To make the case for anti-slavery in a convincing and empowering way.	To lay the foundations for sustainable and inclusive implementation of the Modern Slavery Act 2018 (NSW).
---	---	---	---	---

Our actions

Equip frontline workers. Establish an effective support and referral hotline.	Strengthen access to effective remedy. Foster survivor leadership.	Remove products of modern slavery from public procurement. Foster responsible business practices in the private sector.	Raise awareness across NSW in a way that empowers survivors. Build the business and policy cases for anti-slavery.	Organise an inclusive community of purpose. Ensure the sustainability of efforts under the Act.
--	---	--	---	--

Our core values

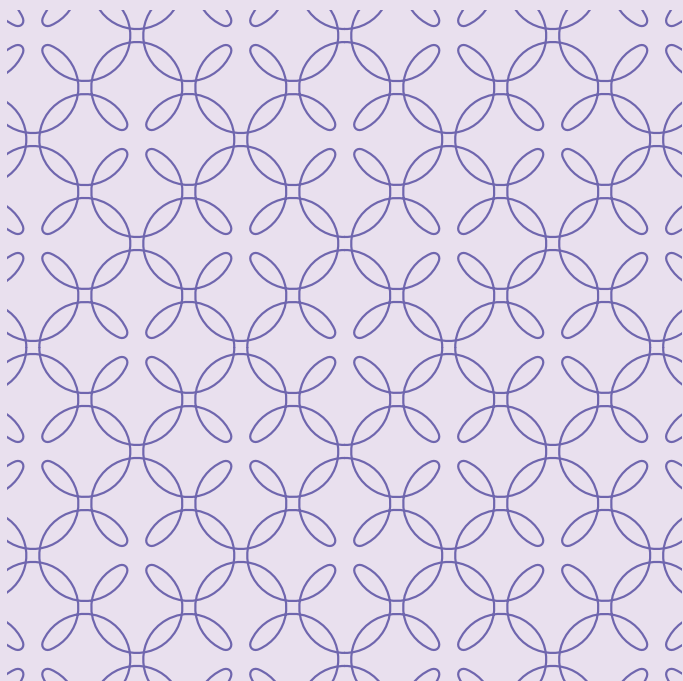
Respect for people • Collaboration and partnership • Innovating based on evidence
Transparency, honesty and integrity • Independence

About this Strategic Plan

What is in the Strategic Plan?

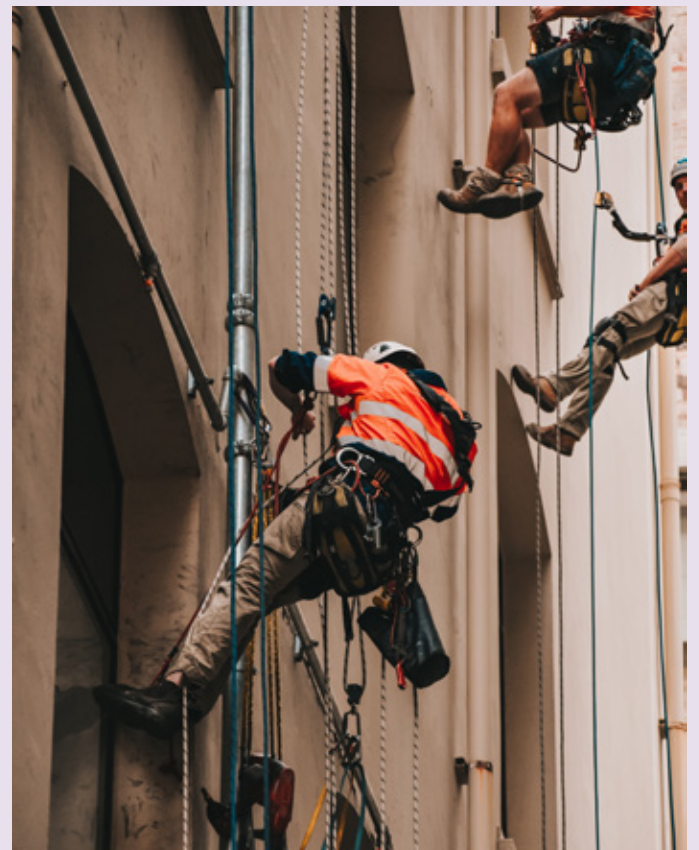
The Strategic Plan 2023–2026 sets out a framework for action, which includes:

- **Five Priorities** for our work between 1 July 2023 and 30 June 2026.
- **A corresponding Objective** for the work we will undertake to achieve each Priority, informed by what we heard during consultations.
- **Actions** for each Priority, outlining specific steps we will take and areas of opportunity.
- An explanation of how we will **measure progress**, and how our work will align with the *National Action Plan to Combat Modern Slavery 2020–25*.



Why was the Strategic Plan developed?

The world leading *Modern Slavery Act NSW (2018)* ('the Act') and the *Modern Slavery Amendment Act 2021 (NSW)* establish the role of NSW Anti-slavery Commissioner, setting out the Commissioner's functions (sections 9, 12 of the Act) and the requirement to deliver a Strategic Plan (section 11).

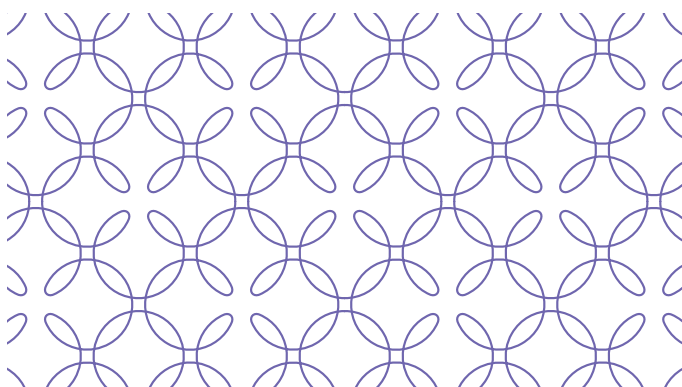


How was the Strategic Plan developed?

The Strategic Plan was developed between September 2022 and May 2023. It has been developed through research, evidence and consultation. This work was supported by a collaborative partnership with the James Martin Institute for Public Policy.

We heard from over 2,500 people during the process, through:

- An online, public kickoff webinar.
- Small group expert workshops with 65 experts, focused on service provision, supply chains and investment, criminal justice and partnerships.
- Over 100 written and online responses to a Discussion Paper and an online survey conducted through Have Your Say, both open to the public.
- Direct engagement with people with lived experience of modern slavery and whistleblowers.
- Formal consultation with the Minister (Attorney General), as required by the Act.



Is this the NSW Anti-slavery Commissioner's first Strategic Plan?

This is the first strategic plan under the Act. Working Together for Real Freedom aligns with the *National Action Plan to Combat Modern Slavery 2020–2025*, as required by the Act (section 11(5)).

It also aligns with Australia's existing commitments to the UN Guiding Principles on Business and Human Rights, the OECD Guidelines for Multinational Enterprises, and relevant human rights and international labour standards. We will continue to ensure our work is grounded in local and international best practice.



How we will implement this Strategic Plan

Core Values

Our work will reflect our core values:

- respect for people;
- collaboration and partnership;
- innovating based on evidence;
- transparency, honesty and integrity; and
- independence.

Working together

The Strategic Plan is underpinned by what we heard throughout our consultations: that effective anti-slavery requires collaboration and partnership. We will achieve the Objectives of this Plan not only through our own actions, but by working together. We welcome approaches to the Commissioner at any time.

We will consult closely with relevant stakeholders to receive their feedback as we implement the Strategic Plan, and work with them to take Actions that advance the Plan's Priorities. We will undertake ongoing consultation through numerous channels, three of which are described in the table 'Consultation Channels'.



Consultations channels

	Channels mandated by the Modern Slavery Act 2018 (NSW)	Advisory Panel	Anti-slavery Forum
Description:	<p>Bodies with which the Commissioner has various obligations of consultation under the Act:</p> <ul style="list-style-type: none"> • NSW Parliament Modern Slavery Committee • Minister (Attorney General) • NSW Auditor-General • NSW Procurement Board 	<p>Newly formed multistakeholder group. Includes representatives from various sectors, and some members with lived experience. Meets quarterly.</p>	<p>Open forum held twice each year, as an anchor for an anti-slavery community of purpose.</p>
Role:	<p>While the Act establishes the Anti-slavery Commissioner as an independent statutory officer, it also requires various kinds of reporting to and consultation with these bodies. The Commissioner will report annually to the Modern Slavery Committee on progress in implementing this Strategic Plan. He consults with the Minister in developing the Plan. And he consults with the NSW Procurement Board and Auditor-General to consider the effectiveness of public procurement due diligence reforms.</p>	<p>The Advisory Panel will provide expert advice and counsel to the Anti-slavery Commissioner under defined Terms of Reference, to support implementation of the Plan. It will support the development and implementation of Actions to advance the Strategic Plan.</p>	<p>Provides a forum for the Commissioner to update stakeholders on progress and receive feedback. Also provides a forum for active community engagement, information-sharing and learning, and development of new partnerships and practice arrangements.</p>

Empowering people with lived experience

We are working towards a NSW where people with lived experience are free from slavery and its consequences. This includes choice and control over the decisions that affect them, and opportunities for meaningful engagement and leadership.

We have started by employing a Lived Experience Advisor in the Office of the Anti-slavery Commissioner. As a full member of our team from the outset, our Lived Experience Advisor is working with us to ensure we meaningfully and safely engage with people with lived experience, and helping us centre lived experience in new projects and programming. We will also centre lived experience in the Advisory Panel, through paid participation, and through participation in the NSW Anti-slavery Forum.



Transparent progress measurement

We will monitor, evaluate and report on the progress of the Strategic Plan in an Annual Report to NSW Parliament, and in regular discussion with the Advisory Panel and NSW Anti-slavery Forum. Each Action has a corresponding Progress Measure which details what we aim to achieve by 2026. As the actions are implemented, we will work collaboratively to develop indicators and data collection methods to demonstrate and evaluate progress. We will consult with the Advisory Panel and draw on expertise on good practice in monitoring and evaluation from NSW and beyond. We will also explore opportunities to strengthen data collection and the evidence base on modern slavery through our progress measurement.

Get involved

You can get involved in our work to implement this Strategic Plan in several ways:

- **Be part of the NSW Anti-slavery Forum.** It meets twice a year. We will provide details on our website.
- **Join or connect with the Advisory Panel.** This multistakeholder expert group provides advice to the Anti-slavery Commissioner at least four times a year.
- **Contact the Office of the Anti-slavery Commissioner.** We are happy to share details of our work, receive your feedback and answer your questions. There may be opportunities for you to get involved directly in our projects. You can reach us on antislavery@justice.nsw.gov.au.
- **Ask your local council what they are doing to ensure they are not buying goods or services made with modern slavery.** They have a key role to play in ensuring the NSW public is not funding modern slavery, here or elsewhere.
- **Encourage your local MP to engage with efforts by the NSW Parliament Modern Slavery Committee to tackle modern slavery.** The Committee plays a key role in the fight to end modern slavery in NSW. Active engagement from across Parliament will help ensure continuing support for this work.



Our Priorities 2023–2026

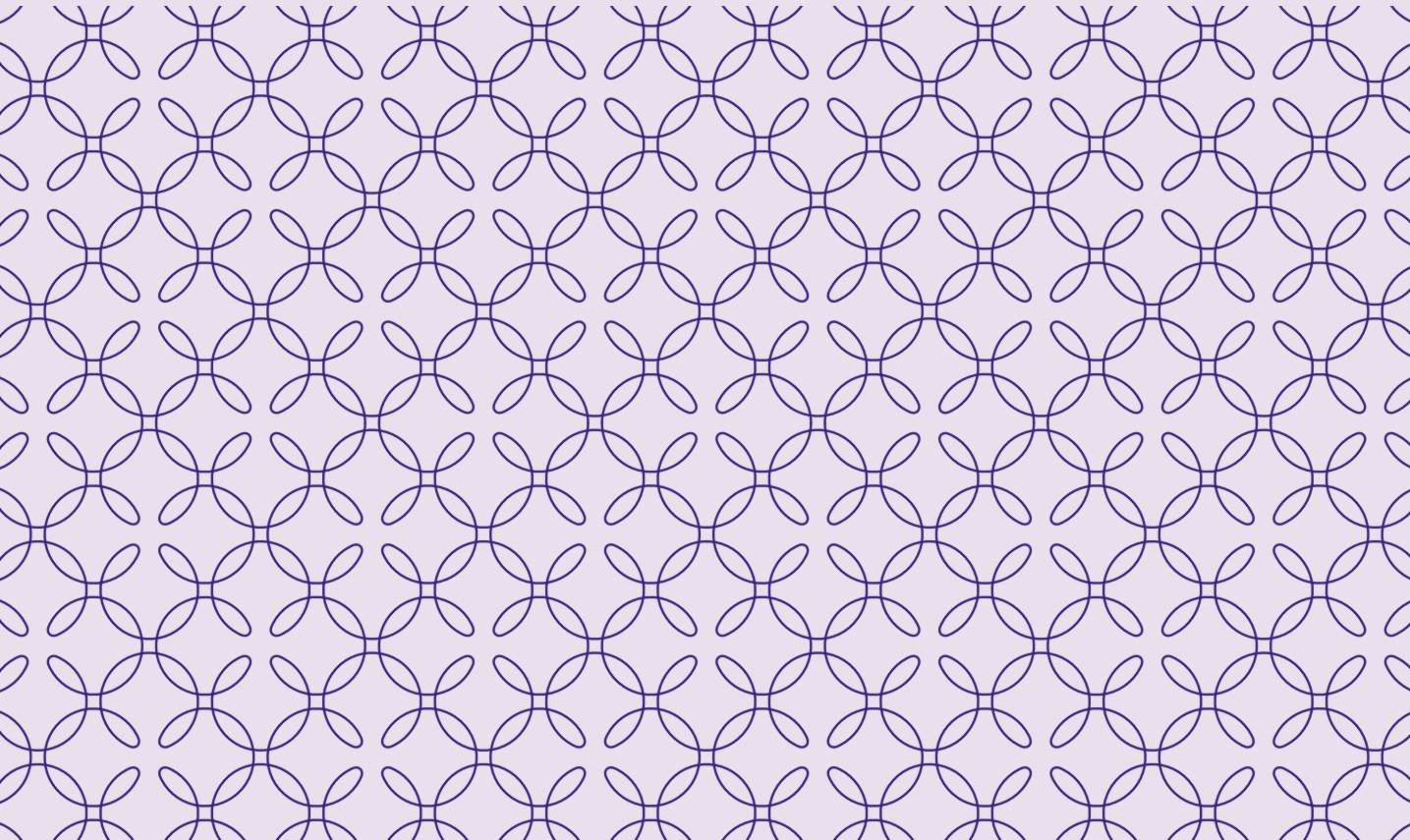
The following pages set out the five Priorities in *Working Together for Real Freedom*. Each section sets out the Objective underpinning the Priority and the actions we will take to achieve the Priority. We also explain how we will know if progress is being made, and how these actions align with the Commonwealth *National Action Plan to Combat Modern Slavery 2020–25*.



Build prevention capacity

Objective

To ensure NSW government and non-government systems can identify vulnerability to modern slavery and prevent victimisation.



Our actions

Equip frontline workers

We will equip frontline workers across NSW to identify vulnerability to modern slavery and prevent victimisation through trauma-informed and culturally appropriate practices.

We will do this by...	Supporting the development and delivery of information, education and training for frontline sectors, such as healthcare, criminal justice, family services, settlement services, child protection and workplace regulation. We will initially collaborate with workers in the care sector, particularly healthcare, to develop tailored resources and arrangements for identification, referral and support for those at risk of modern slavery.
We will know if progress is being made if...	Frontline workers are equipped with knowledge and have access to skill development opportunities to identify modern slavery indicators and incidents and take appropriate referral or preventive action.
Alignment with National Action Plan	Action Items 2, 4, 12, 13, 29

Establish an effective support and referral hotline

We will establish a hotline arrangement to provide advice and assistance to people, including children, who have experienced or are at risk of modern slavery, as required by section 12(d) of the *Modern Slavery Act 2018* (NSW) ('the Act').

We will do this by...	Collaborating with diverse state and national stakeholders, including people with lived experience and service providers to whom referrals will be made, to develop a fit for purpose hotline arrangement. We will also draw on international best practice.
We will know if progress is being made if...	People who have experienced or are at-risk of modern slavery have improved access to effective advice and assistance through a hotline.
Alignment with National Action Plan	Action Items 22, 29

Further opportunities for action

We will explore further opportunities to build prevention capacity, for example by using the Commissioner's power to report to Parliament to draw attention to particular forms of vulnerability or institutional drivers of modern slavery, such as labour market regulation, social media platform regulation, coercive control and family violence.

Why we chose this priority

What we heard

During consultations, we heard a clear call for strengthening modern slavery prevention capabilities across sectors and functions, from healthcare to procurement. Building prevention capacity is critical to addressing the system failure that allows vulnerability to modern slavery to become victimisation.

Frontline workers in criminal justice, healthcare, homelessness, disability, women's safety and family violence, child protection and other service sectors told us they wanted more resources and training to improve their ability to recognise, assess and verify modern slavery risks in NSW and supply chains. They emphasised that better awareness of modern slavery indicators and appropriate referral pathways are needed to support early, effective intervention. They also highlighted that cross-sector collaboration, information sharing, and enhanced data collection are critical in enabling early identification and prevention of emerging risks.

There was support for a modern slavery hotline, as is required under the Act, to strengthen access, for those at risk, to effective, trauma-informed responses. We heard that in order to be effective, this hotline will need to be designed to serve at risk populations, built in close coordination with the service providers to whom it will refer cases, and should draw on lessons learned from similar hotlines in the UK, US and beyond.

Only 4% of *Have Your Say* respondents thought NSW was doing well in identifying victims and survivors of modern slavery.

Key insights

Modern slavery often goes unseen and unrecognised

For every case of modern slavery reported in Australia, at least another four likely go unreported.¹³ In our consultations, many people with lived experience indicated they were not aware that their experiences could be described in these terms.

Frontline workers are critical in identifying modern slavery

Many victims access frontline services while in situations of exploitation, though they often go unidentified as victims of modern slavery by those service providers. Frontline sector workers – in healthcare and other care services, the police force and teaching – account for 60% of the public sector in NSW.¹⁴

Preventing modern slavery unlocks widespread gains

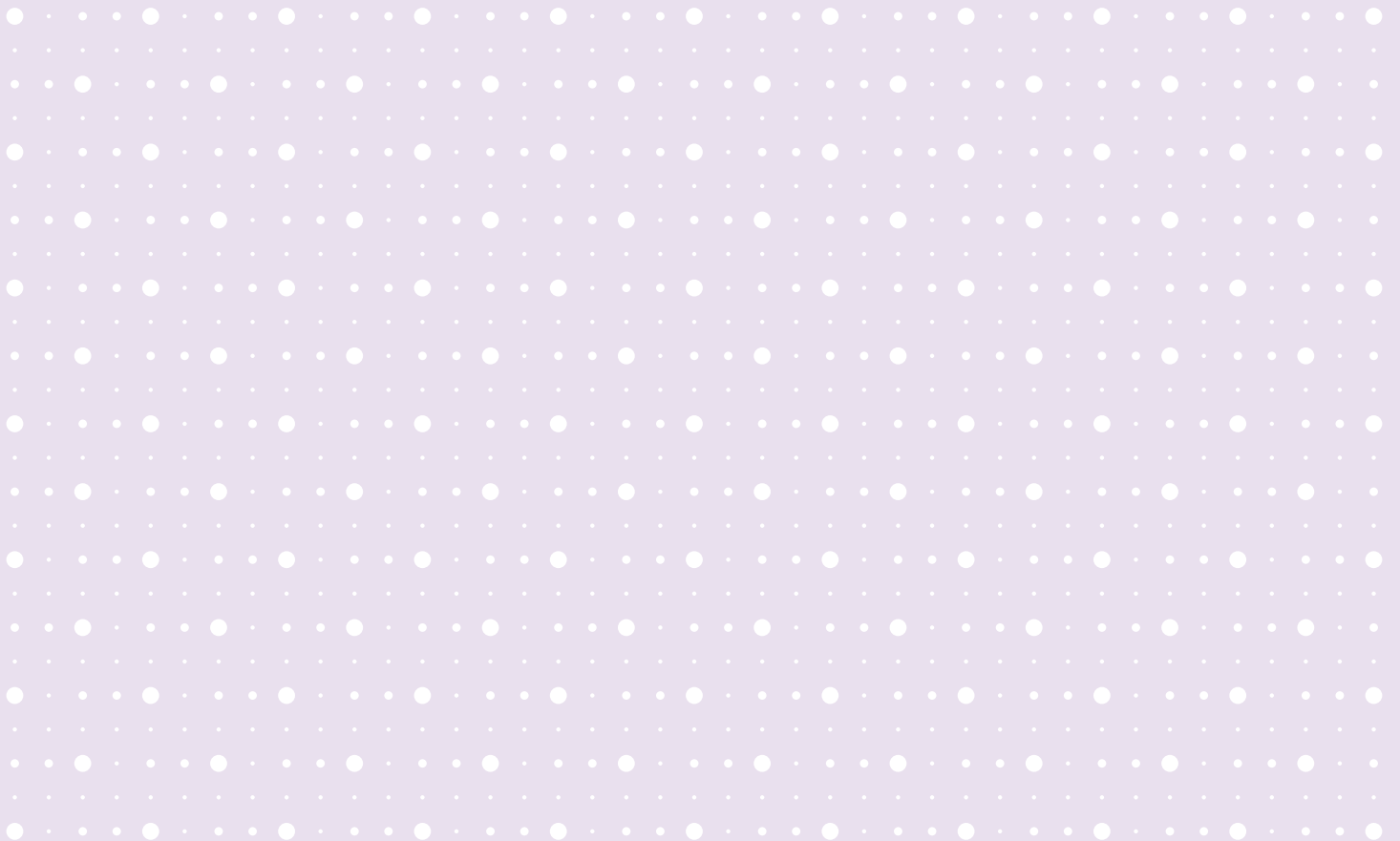
International Monetary Fund researchers estimate that ending child forced marriage – just one form of modern slavery – would increase GDP by 1.05%.¹⁵



Enable remedy

Objective

To improve access for people with lived experience to effective remedy – including essential services, justice, self-determination and empowerment.



Our actions

Strengthen access to effective remedy

We will strengthen access to effective remedy for people with lived experience of modern slavery.

We will do this by... Enabling improved information sharing, coordination and resourcing of essential services for people with lived experience.

We will collaborate with government, business, service providers, unions and criminal justice actors to identify and address barriers to remedy.

We will know if progress is being made if... People with lived experience have increased access to timely, coordinated and people-centred remedy, especially essential services.

Alignment with National Action Plan Action Items 22, 25, 28

Foster survivor leadership

We will actively foster survivor leadership in NSW anti-slavery efforts.

We will do this by... Incorporating lived experience into the design, delivery and governance of our work under this Strategic Plan, ensuring, where possible, survivors are paid for their time and expertise, and provided with trauma-informed safeguards and skills development.

We will work with survivors through the inclusion of lived experience on our Advisory Panel and the appointment of a Lived Experience Advisor in the Office of the Anti-slavery Commissioner.

We will know if progress is being made if... People with lived experience have ongoing meaningful opportunities to influence and lead NSW anti-slavery efforts.

Alignment with National Action Plan Action Items 31

Further opportunities for action

We will promote and enable access to effective remedy through our work towards other Priorities. For example, in our work to Foster responsible business practices, we will promote efforts by government buyers and private sector actors in specific supply chains to develop effective grievance mechanisms and otherwise provide and enable effective remedy in line with the UN Guiding Principles on Business and Human Rights.

Why we chose this priority

What we heard

During consultations, we heard that people in NSW with lived experience of modern slavery often feel trapped by the legacies of that experience, unable to really enjoy their freedom. We heard that many survivors struggle to access the essential services such as housing, primary care, and legal and financial advice they need to recover. We heard that they can face lengthy delays, limited referral pathways, cultural and linguistic barriers and limited availability of trauma-informed and rights-based services. This can place them at risk of further exploitation and other harm. Those we heard from emphasised the need to better understand survivors' experience of support services and criminal justice processes to enable more coordinated, transparent and tailored responses to modern slavery.

We also heard that people with lived experience typically have a very limited role in designing and delivering anti-slavery efforts in NSW. We heard that this may reduce the fitness for purpose of some of those efforts. It also means that we may be missing an opportunity to restore and nurture the agency of people with lived experience, through participation in developing and delivering anti-slavery interventions – rather than being treated as a passive beneficiary of those efforts. Many we consulted said that for anti-slavery efforts to be effective, survivors and others with lived experience need to play a much bigger role shaping and delivering them, being treated not just as clients, but as colleagues.

“Whilst the best intentions of sustainability professionals, academics, consultants and organisations can go into designing and implementing anti-slavery efforts, it is the lived experience of modern slavery survivors that sets out exactly what can happen, what needs to happen, and what changes need to be made.”

Submission in response to the Anti-slavery Commissioner's Strategic Plan Discussion Paper

Key insights

People with lived experience of modern slavery find it challenging to access essential services

Australian Red Cross research in 2021 found that the majority of people with lived experience of modern slavery exit short-term accommodation support with no long-term accommodation arrangements, and usually also with no stable source of income.¹⁶

Meaningful engagement of people with lived experience improves policies, programs and outcomes

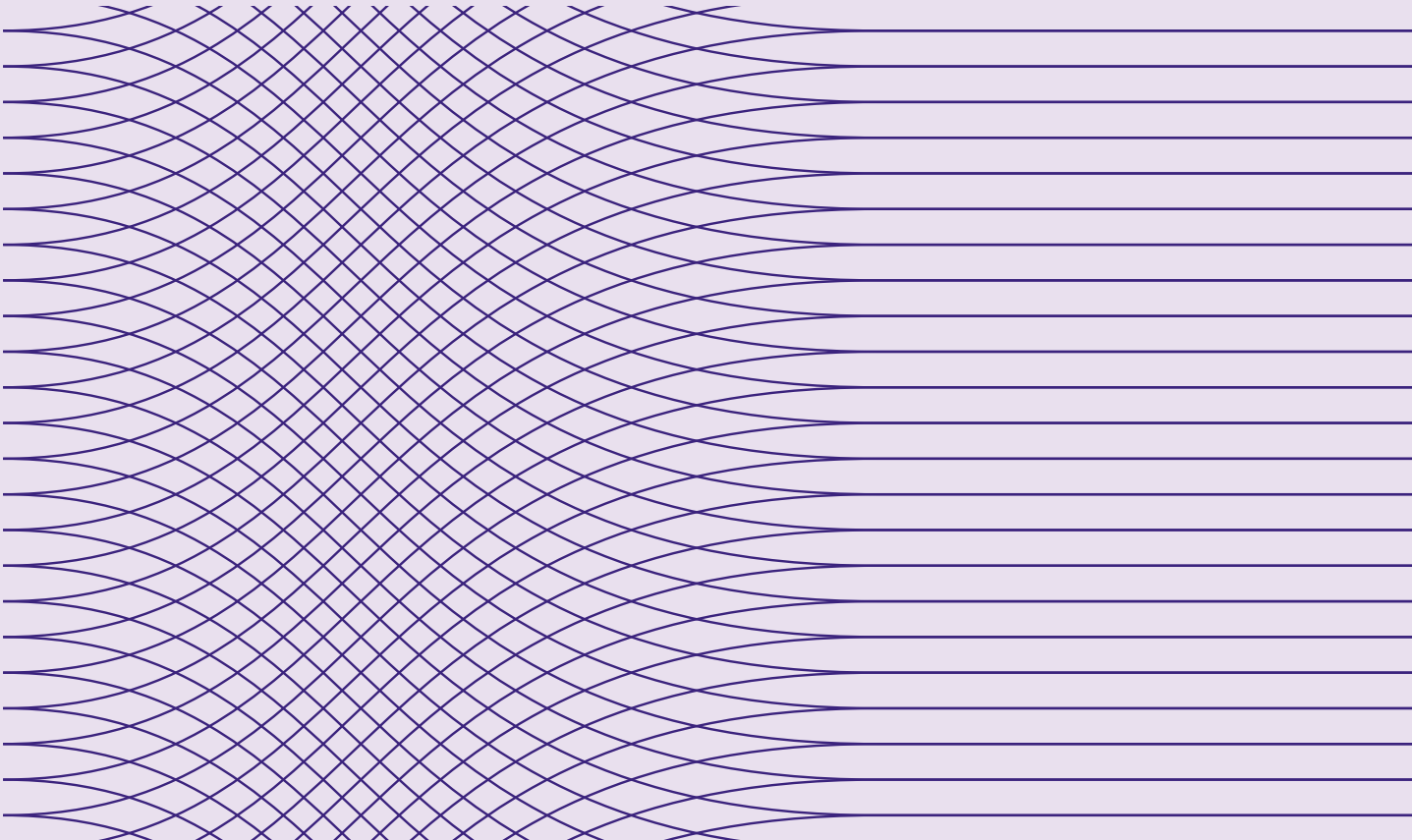
Including people with lived experience in program design and development has demonstrated benefits for them: improved confidence, financial stability, professional development and reduced risk of further exploitation. Programs also become more effective, with improvements seen in prevention and rehabilitation, data collection and engagement with affected communities.



Foster responsible business practices

Objective

To show leadership in identifying and addressing modern slavery in supply chains and investment portfolios.



Our actions

Remove products of modern slavery from public procurement

We will support NSW public buyers to identify and address modern slavery risks in their procurement, and monitor the effectiveness of their efforts.

We will do this by...	Collaborating with stakeholders across NSW public procurement, including government departments and agencies, local health districts, local government and state owned corporations, to develop information, education and training in line with the UN Guiding Principles on Business and Human Rights. The Commissioner will consult with the Procurement Board and the Auditor-General to monitor the effectiveness of due diligence procedures.
------------------------------	---

We will know if progress is being made if...	NSW public buyers demonstrate continuous improvement in effective modern slavery due diligence in their supply chains.
---	--

Alignment with National Action Plan	Action Items 7, 11
--	--------------------

Foster responsible business practices in the private sector

We will encourage business, including small to medium enterprises, to adopt good practice in addressing modern slavery.

We will do this by...	Raising awareness and providing or improving access to advice on steps that can be taken to identify and to mitigate modern slavery risks in supply chains and investment portfolios, and to remedy any resulting harms. This may include use of the Commissioner's power under section 27 of the Act to issue Codes of Practice.
------------------------------	---

We will know if progress is being made if...	NSW businesses have improved access to sector or supply-chain specific good practice and advice on identifying, addressing and remedying modern slavery risks.
---	--

Alignment with National Action Plan	Action Items 6, 28
--	--------------------

Further opportunities for action

We will explore opportunities for harnessing data generated by our work on public procurement and private business practices, to foster commercial and financial innovation in NSW. This could, for example, include development of new financial instruments or products, such as sustainability-linked bonds, to increase funding available for anti-slavery oriented work.

Why we chose this priority

What we heard

We heard in our consultations that some of the products bought by government buyers, local councils and with public funds appear to be made through modern slavery. This ranges from cotton uniforms to rubber gloves, from solar panels to cleaning services. However, we also heard that the Act puts NSW in a position to take a leadership role in addressing modern slavery risks through public procurement. These efforts will only succeed if they are adequately resourced across government, to ensure the roughly 15,000 government workers involved in public procurement understand how to effectively identify and manage modern slavery risks.

We also heard that the changes underway have the potential to catalyse commercial innovation in the state, with a number of start-ups developing world-leading modern slavery risk management solutions, and ground-breaking anti-slavery efforts amongst institutional investors. There were widely shared concerns that current modern slavery reporting by Australian businesses, under the *Modern Slavery Act 2018 (Cth)*, focuses on legal compliance over meaningful action. We heard that government, business and investors would benefit from more training and guidance, co-developed with industry, to strengthen responsible procurement practices in line with the UN Guiding Principles on Business and Human Rights – and to ensure they are effective in reducing modern slavery risks to people, not only to businesses and government buyers.

There is also an opportunity to facilitate collaboration between businesses, and between business, governments and civil society, to address challenges in high-risk supply chains. We heard there was a particular need to consider the role that small to medium enterprises play in addressing modern slavery risks, and ensure that procurement reforms do not become an unwitting barrier to entry for those firms or Aboriginal and Torres Strait Islander enterprises.

“We need to leverage the NSW Government’s procurement ‘superpower’ to move the dial on modern slavery.”

Expert workshop participant

Key insights

NSW is one of the largest jurisdictions globally requiring public bodies to stop buying products made with modern slavery

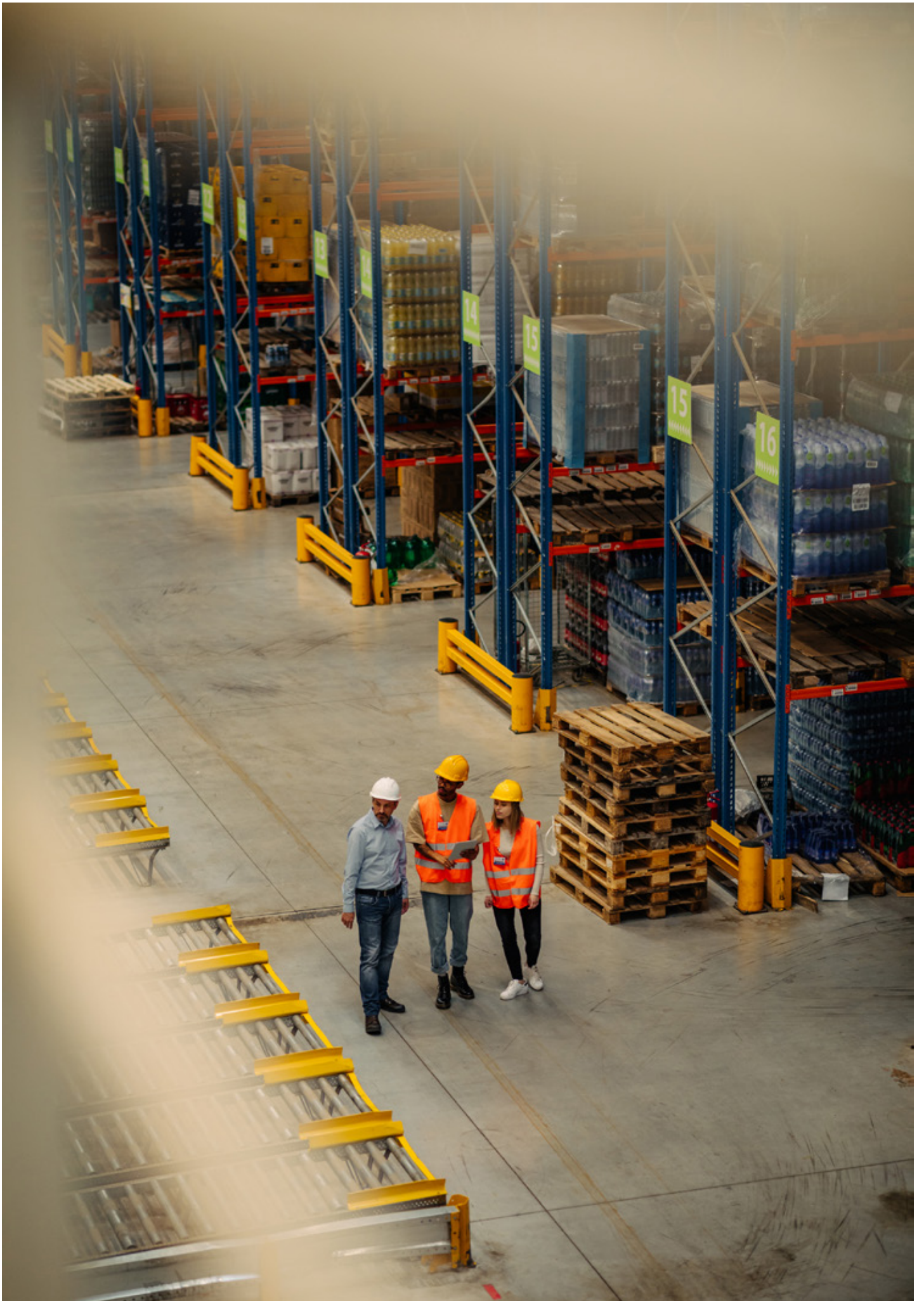
NSW is the 8th largest economy in Asia. In 2020–21 the NSW Government spent around \$34 billion on goods, services and infrastructure, with close to a quarter directed to small to medium enterprises.¹⁸ Since 1 July 2022 NSW government buyers and local councils have been obliged to take reasonable steps not to buy products of modern slavery. The Anti-slavery Commissioner is given powers to support and monitor these efforts, and to help ensure their effectiveness.

Business is falling short in effectively addressing modern slavery

Nearly 50% of companies operating in high-risk sectors do not identify widely reported modern slavery risks in their reporting under the *Modern Slavery Act 2018 (Cth)*.¹⁹

NSW businesses have a critical role to play in innovation on commercial solutions

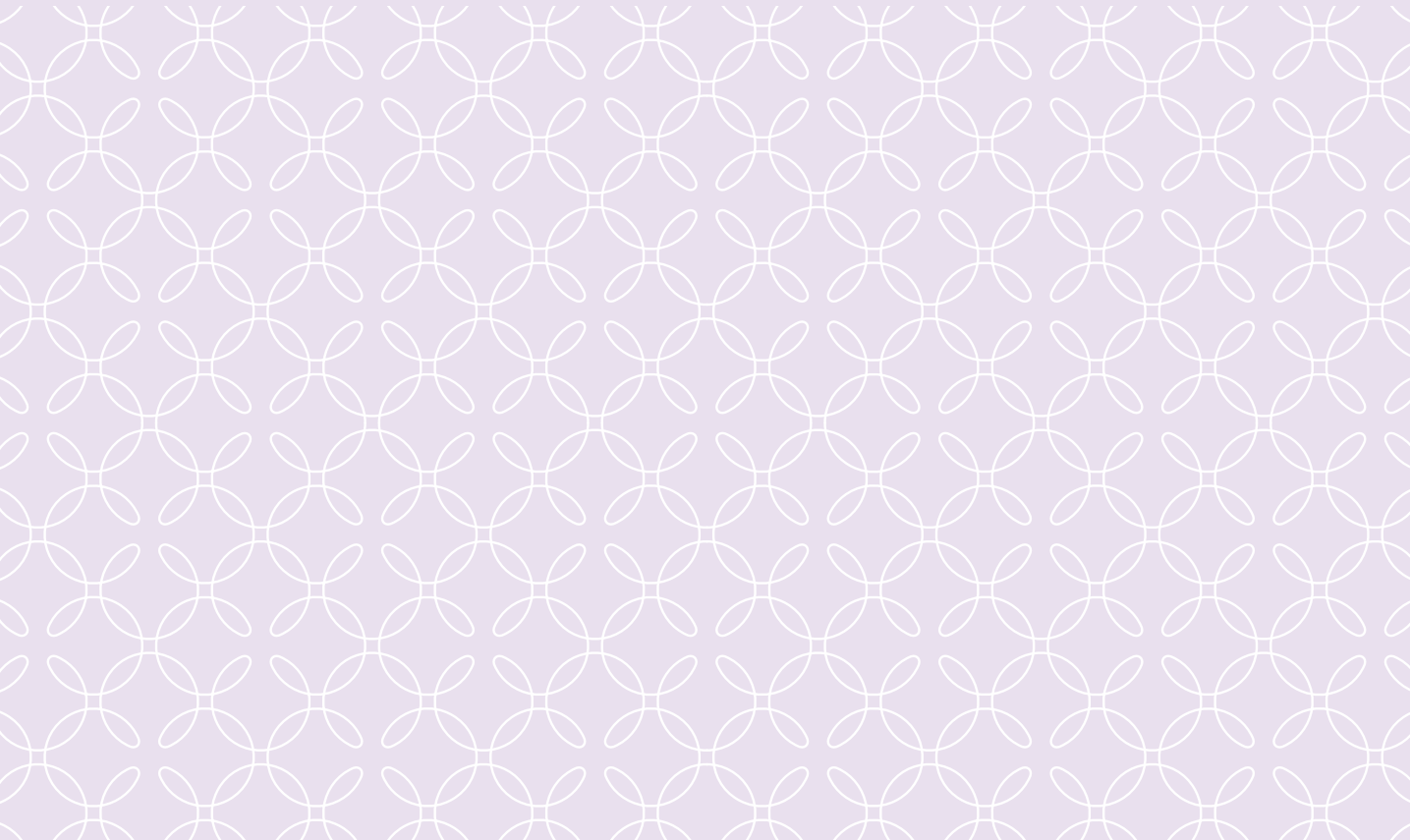
Institutional investors and technology start-ups based in NSW are at the forefront of efforts to find market-based solutions to modern slavery risks. This has potentially significant commercial development possibilities.



Change the narrative

Objective

To make the case for anti-slavery in a convincing and empowering way.



Our actions

Raise awareness across NSW in a way that empowers survivors

In communities across NSW, we will raise awareness of modern slavery through communication that empowers people with lived experience.

We will do this by...	Organising both broad-based and targeted engagement, through direct advocacy and outreach, and through support to others' efforts. We will undertake targeted engagement with rural and regional communities, and culturally and linguistically diverse (CALD) communities. We will engage media and professional communicators to strengthen the sector's knowledge and skills and encourage a trauma-informed approach to reporting and communication and ethical story-telling.
------------------------------	---

We will know if progress is being made if...	The NSW public have improved access to culturally appropriate, trauma-informed information on modern slavery risks and responses.
---	---

Alignment with National Action Plan	Action Items 2, 4
--	-------------------

Build the business and policy cases for anti-slavery

We will build the economic, business and broader public policy cases for anti-slavery, through research, analysis and advocacy.

We will do this by...	Undertaking empirical and policy research, including through research partnerships. We will mobilise opinion leaders to encourage participation in anti-slavery efforts, and deepen understanding of how anti-slavery benefits us all.
------------------------------	--

We will know if progress is being made if...	Business and policy leaders have access to stronger evidence supporting investment in and support for anti-slavery efforts, and use that evidence in their own work and advocacy.
---	---

Alignment with National Action Plan	Action Items 2, 29, 43
--	------------------------

Further opportunities for action

Consultations with First Nations and Pacific Island people during the preparation of the Strategic Plan suggest that the Commissioner may have a role to play in fostering better understanding of the contemporary impacts of historical slavery and slavery-like practices in NSW. During the course of implementing this Strategic Plan, we will explore ways to support such truth-telling efforts.

Why we chose this priority

What we heard

We consistently heard from a diverse range of people that more work is needed to raise awareness and understanding of modern slavery in NSW, as well as in domestic and global supply chains. In particular, people at risk of modern slavery need to be better supported, with multilingual, accessible, culturally appropriate resources, to understand the risks they face, and know where and how to access help.

We heard that the important role everyone – from business to civil society and the general public – can play in tackling modern slavery needs to be more effectively communicated. One *Have Your Say* respondent indicated that the one thing they would change in how NSW responds to modern slavery would be “creating greater awareness of modern slavery and what practical steps as a community and as consumers we can take to eliminate it”.

Many people we spoke to were concerned that widely peddled stereotypes of victim-survivors impede effective identification and action, or, worse, risk exploiting people with lived experience. This can contribute to the difficulties people with lived experience face in enjoying real freedom. Some people we consulted drew attention to the role of the media in perpetuating these stereotypes. Many people called for a reframing of the narrative on modern slavery that puts the empowerment of people with lived experience at the centre, communicating why their empowerment leaves us all better off, and mobilising audiences to actively support that empowerment.

In the *Have Your Say* survey, 79% of respondents said they are interested in hearing more about where the risks of modern slavery exist in NSW.

Key insights

Public awareness of modern slavery is limited

More than half (55%) of respondents to our *Have Your Say* survey reported knowing not much or only a little about modern slavery.

Modern slavery disproportionately impacts migrant communities, yet they are unsure where to go for help

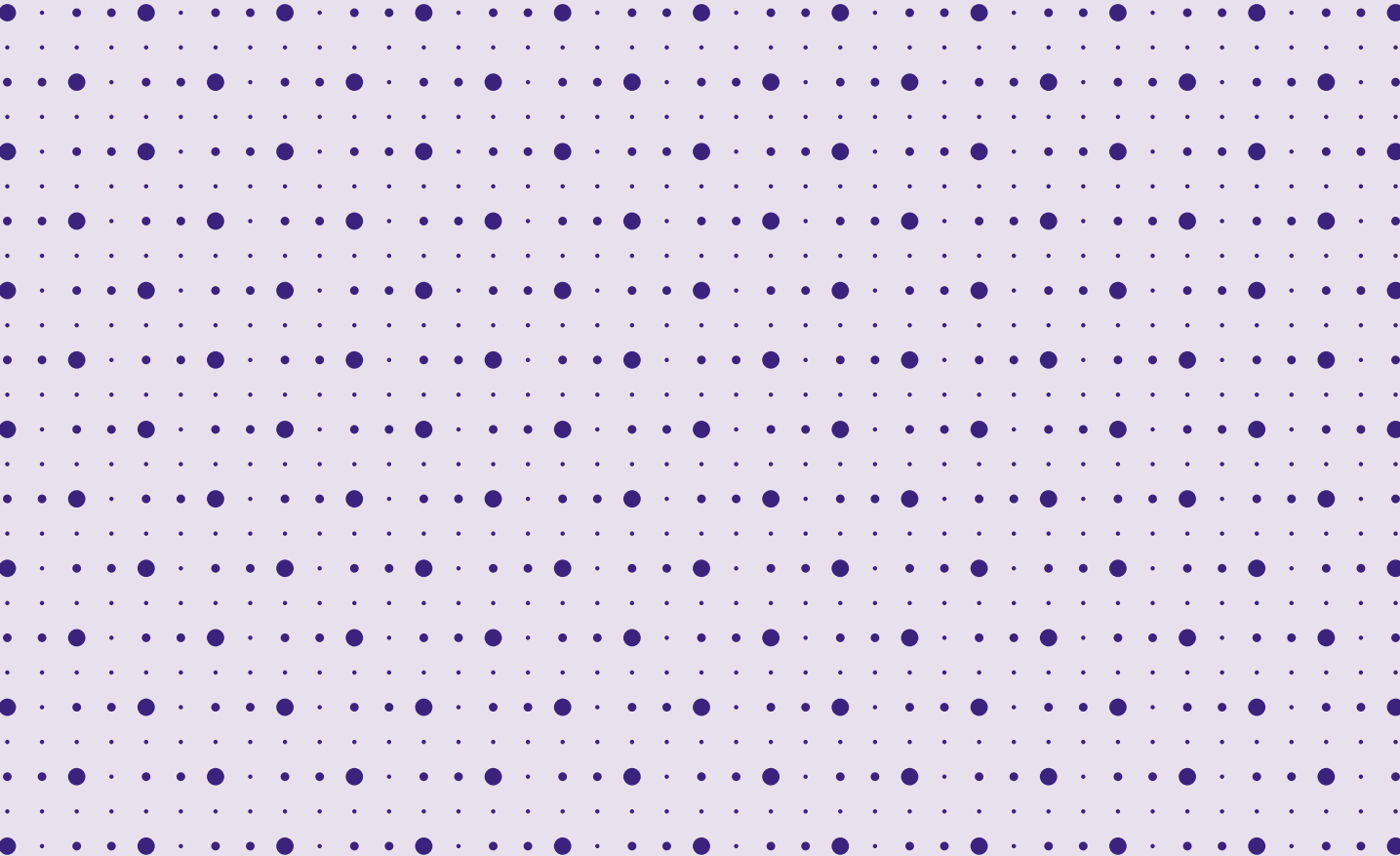
Globally, adult migrant workers are more than three times more likely to experience forced labour than are non-migrant workers.²⁰ Language barriers and limited knowledge of their workplace rights often prevent migrant workers from reporting exploitation. In Australia, 62% of surveyed workers say they do not know who to contact for help or advice if they, or others they know, experience modern slavery.²¹



Develop a community of purpose

Objective

To lay the foundations for sustainable and inclusive implementation of the Act.



Our actions

Organise an inclusive community of purpose

We will foster collaboration among those fighting slavery in NSW, while growing participation in anti-slavery efforts to include people from more diverse sectors and backgrounds.

We will do this by... Creating opportunities for information-sharing, policy discussion and collaboration. We will convene a twice-yearly NSW Anti-slavery Forum, addressing all the Priorities in this Strategic Plan, to encourage the development of sectoral cohesion, strategy and resourcing.

We will know if progress is being made if... The NSW anti-slavery community is growing, more diverse, and engaging in collaborative action to address modern slavery risks and harms.

Alignment with National Action Plan N/A

Ensure the sustainability of efforts under the *Modern Slavery Act 2018 (NSW)*

We will work to secure adequate and sustainable resourcing arrangements, and establish effective partnership, information-sharing and data-collection arrangements to underpin the work of the Office of the Anti-slavery Commissioner.

We will do this by... Engaging the NSW Parliament, government of the day and other stakeholders to secure resourcing for the Office of the Anti-slavery Commissioner, and for other stakeholders contributing to the Objectives in this Strategic Plan (such as procurement teams in NSW government departments). We will also put in place necessary safeguards, data management and cooperation agreements to implement the Act.

We will know if progress is being made if... The Office of the Anti-slavery Commissioner, and other entities working towards the Objectives in this Plan, have this work fully funded and suitable cooperation arrangements in place.

Alignment with National Action Plan N/A

Further opportunities for action

We heard during consultations that making anti-slavery efforts routine in NSW will require strengthening frameworks for collecting, sharing and analysing case data. From 2023 to 2026 we will explore opportunities to strengthen these systems in NSW, both by embedding modern slavery related information and variables in existing data systems, and by fostering new data collection and sharing arrangements. Where appropriate this will align with the Monitoring and Evaluation Framework developed under the Commonwealth *National Action Plan*.

Why we chose this priority

What we heard

Many people we consulted saw the arrangements put in place by the NSW Parliament through the *Modern Slavery Act 2018* (NSW) and related legislation as positioning the state to become a global anti-slavery centre of excellence. For this to happen, we heard, the Anti-slavery Commissioner will need to play a central catalytic and mobilising role: developing capabilities, trust and partnerships, and facilitating action by others.

Some of those we consulted expressed concern about how anti-slavery efforts in the state are and will be resourced. Many people stressed that the Anti-slavery Commissioner will need to adopt a collaborative approach, with people with lived experience at the heart of these efforts, while also drawing in capabilities and partners from a variety of sectors: government, business, civil society, unions, media and research.

Others, particularly those affected by new public procurement reporting obligations, stressed the importance of securing appropriate resourcing to make good on the opportunities for excellence created by the Act. They emphasised that this will require appropriate resourcing, both from NSW government, and, as appropriate, from private sector, philanthropic, research funding and other sources to support action by third parties that helps deliver on the Objectives of this Strategic Plan.

Some people consulted suggested that this work is more likely to secure appropriate funding if the Anti-slavery Commissioner plays a catalytic and convening role to help develop communities of practice, shared approaches, data-and information-sharing arrangements, case management systems or development strategies. Others noted the importance of close coordination between the NSW Anti-slavery Commissioner and other Australasian jurisdictions, particularly any new Australian national Anti-Slavery Commissioner, should such a role be created during the life of this Strategic Plan.

“It’s exciting to see NSW leading the country in implementing a Modern Slavery Act that goes beyond supply chain reporting, and recognises the role of an Anti-slavery Commissioner”

Expert workshop participant

Key insights

There is strong appetite for greater involvement in anti-slavery efforts in NSW

In the *Have Your Say* survey, 75% of respondents said they are interested to hear more about how they could help fight modern slavery.

Notes

1. Figures calculated based on NSW case data and methodologies used in: S Reed, S Roe, J Grimshaw and R Oliver, *The economic and social costs of modern slavery*. Research Report 100 (London: UK Home Office, 2018); S Lyneham, C Dowling and S Bricknell, *Estimating the dark figure of human trafficking and slavery victimisation in Australia*. Statistical Bulletin no. 16 (Canberra: Australian Institute of Criminology, 2019), available at <https://www.aic.gov.au/publications/sb/sb16>
2. *R v Tang* (2008) 237 CLR 1.
3. International Labour Organization, Walk Free and International Organization for Migration, *Global Estimates of Modern Slavery: Forced Labour and Forced Marriage* (Geneva, 2022).
4. Australian Institute of Criminology, *Estimating the dark figure of human trafficking and slavery victimisation in Australia* (Canberra: 2019), p. 6.
5. Walk Free, *Global Slavery Index: Australia* (Perth, 2023).
6. Australian Red Cross, *Support for Trafficked People Program: Data Snapshot: 2009 to 2019* (North Melbourne: 2019), p. 3.
7. UnionsNSW, *Wage theft – the shadow market: Empowering migrant workers to enforce their rights* (Sydney, 2022), p. 28.
8. Australian Federal Police, *Reports of Human Trafficking and Slavery to AFP reach new high*, (Canberra, 2022); S Lyneham and S Bricknell, *When saying no is not an option: Forced marriage in Australia and New Zealand* (Canberra: Australian Institute of Criminology, 2018), p. 2.
9. S Lyneham, *Attrition of human trafficking and slavery cases through the Australian criminal justice system* (Canberra: Australian Institute of Criminology, 2021).
10. G Mebalds and LM Garcia Daza, *Barriers in accommodating survivors of modern slavery: Working towards safe, suitable, and sustainable housing* (North Melbourne: Australian Red Cross, 2021), p. 24.
11. See note 1.
12. See J Cockayne, *Developing Freedom: The Sustainable Development Case for Ending Modern Slavery, Forced Labour and Human Trafficking* (New York: United Nations University, 2021), available at https://www.developingfreedom.org/wp-content/uploads/2021/01/DevelopingFreedom_MainReport_WebFinal.pdf
13. Australian Institute of Criminology, *Estimating the dark figure*, op. cit., p. 6.
14. Based on NSW Public Service Commission, *Workforce Profile Report* (Sydney: 2021), p. 23.
15. P Mitra, E Pondi Endengle, M Plant and L Almeida, “Does Child Marriage Matter for Growth?”, IMF Working Paper, WP/20/27, Washington, D.C., February 2020.
16. Mebalds and Garcia Daza, *Barriers in accommodating survivors*, op. cit.
17. Modern Slavery & Human Rights Policy & Evidence Centre, *Promising practices in the engagement of people with lived experience to address modern slavery and human trafficking*, (London: 2022), p. 4-5. See also F Simmons and J Burn, *Beyond Storytelling: towards survivor-informed responses to modern slavery* (Sydney: Anti-Slavery Australia, 2022), available at <https://antislavery.org.au/beyond-storytelling-towardssurvivor-informed-responses-to-modern-slavery/>
18. K Cambourne, “Billions of NSW government dollars going to small and medium businesses”, Publicaccountant, 8 February 2022.
19. F Dinshaw, et al., *Broken promises: Two years of corporate reporting under Australia’s Modern Slavery Act* (Melbourne: Human Rights Law Centre, Business & Human Rights Resource Centre, UNSW Australian Human Rights Institute, University of Melbourne, Baptist World Aid, RMIT Business and Centre, The University of Western Australia & the University of Notre Dame Australia, 2022), p. 3.
20. ILO et al., *Global Estimates*, op. cit., p. 36.
21. Australian Red Cross, *Review of the Modern Slavery Act 2018 (Cth): Submission to Professor John McMillan, AO, supported by the Attorney-General’s Department* (North Melbourne: Australian Red Cross, 2022), p. 11.

**Office of the
NSW Anti-slavery
Commissioner**