



AUSTRALIAN CATHOLIC BISHOPS CONFERENCE

Bishops Commission for Pastoral Life

Bishop Terry Brady (Chairman)
Bishop Michael McCarthy
Bishop Bosco Puthur
Bishop Vincent Long Van Nguyen ofm conv

19 February 2016

Committee Secretary
Parliamentary Joint Committee on Law Enforcement
PO Box 6100
Parliament House
Canberra ACT 2600
le.committee@aph.gov.au

Dear Committee Secretary

Inquiry into Human Trafficking

This submission is from the Australian Catholic Bishops Conference (ACBC) as prepared by the Bishops Commission for Pastoral Life (BCPL).

The ACBC is a permanent institution of the Catholic Church in Australia and the instrumentality used by the Australian Catholic Bishops to act nationally and address issues of national significance.

The BCPL is one of a number of commissions established by the ACBC to address important issues both within the Church and in the broader Australian community. The BCPL has responsibility for commenting on human trafficking.

The Catholic community is the largest religious group in Australia with 5.4 million Australians or more than one quarter of the population identifying as Catholic. The Church provides Australia's largest non-government grouping of hospitals, aged and community care services, providing approximately 10 per cent of healthcare services in Australia. It has over 1700 schools enrolling more than 750,000, or approximately one in five, Australian students. It provides community services to more than one million Australians every year.

The ACBC seeks to participate in public debate by making reasoned arguments that can be considered by all people of goodwill.

The ACBC appreciates the opportunity to make a submission to the Inquiry into Human Trafficking.

Trafficking is moving people with the use of threat, deceit or coercion in order to exploit them. This includes people who do not cross a national border.¹ Human trafficking may include people moved against their will for a range of reasons including forced labour, forced marriage or prostitution. There is a view commercial surrogacy should also be included in the definition of human trafficking, given people can pay a surrogate mother for a child and transport that child to another place or country when that is in pursuit of their own interests rather than the interests of the child.²

Human trafficking and slavery is a terrible consequence of economic and social exclusion,³ where:

- We don't recognise the human dignity of each person, so people are treated as an object or a means to an end
- People are in poverty and don't have access to adequate education or employment
- We put money and not people at the centre of the economy, or
- There is conflict and violence and people are forced to emigrate putting themselves at greater risk of falling victim to trafficking.⁴

Shining a light on the hidden problem of human trafficking

Part of the problem in getting to grips with trafficking is that it is a hidden problem. There are a lot of opportunities to shine a light on human trafficking, including documenting the hidden number of trafficked people, informing businesses and communities about ways to clean up supply chains so people don't buy goods or services made by exploited people and educating people about the dangers of forced marriage and what help is available. Australia also has an important obligation to help people in third world countries to escape economic and social exclusion.

Statistical measures

It is difficult to determine the extent of trafficking given official reports tend to be limited to documenting confirmed cases of trafficking. The reports also tend to focus on trafficking in adult women for sexual exploitation, rather than a whole range of other categories of trafficked people like labour trafficking and domestic servitude. There needs to be a serious attempt to estimate the hidden number of trafficked people in Australia. This is a key area for action by the Australian Government, given documenting the size of

¹ McLeod, F, Human trafficking and modern day slavery – an affront to human dignity. *Griffith Journal of Law and Human Dignity*, Vol 2(1) 2014, page 147.

² Jeffreys, S, Reject commercial surrogacy as another form of human trafficking. *The Conversation*, 11 August 2014.

³ Address of the Holy Father, Meeting with the Members of the General Assembly of the United Nations. UN Headquarters, New York, 25 September 2015.

⁴ "No longer slaves, but brothers and sisters." Message of His Holiness Pope Francis for the Celebration of the World Day of Peace, 1 January 2015.

the problem helps not only in planning to address the full extent of the problem, but also in arguing for the resources needed.⁵

Cleaning up supply chains

The Australian Government established a Supply Chains Working Group in 2014⁶ and it forms part of the National Action Plan to Combat Human Trafficking and Slavery. The Working Group is investigating strategic approaches to addressing labour exploitation.

One approach that should be investigated as part of a community awareness strategy is the United Kingdom's *Modern Slavery Act*, which again uses information to shine a light, this time on the exploitation of workers. Under the UK legislation, businesses that reach a minimum turnover must issue an annual report on what they are doing to ensure their business and supply chain is not involved in human trafficking and the exploitation of workers. This is enough to highlight the issue to businesses as something they need to pay attention to and to allow the community to hold them to account.⁷

The approach of businesses to cleaning up and reporting on their supply chains could be informed by the Supply Chain Working Group. In addition, late last year the Australian Human Rights Commission, the Australian Centre for Corporate and Social Responsibility and Global Compact Network Australia produced the report *Human rights in supply chains: promoting positive practice*, to assist businesses to eliminate exploitation from their supply chains.⁸

Preventing forced marriages

Forced marriages are difficult to investigate because victims and witnesses are often afraid of reprisals or of bringing shame on their families.⁹ It is much better to try to prevent forced marriages than try to convict people after the fact. One important piece of preventative work is a school education resource developed by Australian Catholic Religious Against Trafficking in Humans (ACRATH).

In 2015 ACRATH worked to ensure the problem of forced marriage could be more easily seen by school students and that those students who may be at risk of forced marriage would know where to go for help. ACRATH ran a 2015 pilot scheme to raise awareness in schools about forced marriages and to help children be aware of the protections offered by the law and the support options available to them if they find themselves under threat of forced marriage.

⁵ Wise, M and Schloenhardt, A, Counting Shadows – Measuring trafficking in Persons in Australia. *International Journal of Criminology and Sociology*, 2014, 3, 249-266.

⁶ Media Release from the Minister for Justice, the Hon Michael Keenan MP, "Government's response to human trafficking and slavery report. 27 October 2014.

⁷ Landau, I, UK Companies poised to act on forced labour, but Australia lags behind. *The Conversation*, 17 February 2016.

⁸ Australian Human Rights Commission et al, *Human rights in supply chains: promoting positive practice*. Melbourne, December 2015

⁹ Megan Palin, Forced child marriages in Australia: 'they're being groomed from the moment they're born'. *News.com.au*, 27 October 2015.

It is important for schools to have the opportunity to use this program. The ACBC urges the Attorney General's Department to extend the funding available to ACRATH.

Overseas aid to address economic and social exclusion

Finally, Australia has an important role to play internationally as an affluent nation. Overseas aid is an important way in which Australia can contribute to reducing economic and social exclusion and therefore some of the factors that put people at risk of being trafficked. The Coalition Government has cut Australia's overseas aid by more than \$11 billion since it was elected in 2013.¹⁰ These funds would have been a significant boost to aid and humanitarian programs. Australia and Australians have a moral obligation to share their good fortune with people less fortunate.

The ACBC would like there to be:

- More work on documenting the trafficking problem, so there is detailed statistical estimate of the extent of human trafficking in Australia
- Promotion of slavery-free supply chains, through improved industry accountability and consumer awareness
- Continuation of the ACRATH program to provide curriculum materials to schools informing students about forced marriage, their legal rights and where they can go for help if needed, and
- More funds for Australia's aid program, so we can assist people in third world nations out of poverty and away from the risk of human trafficking.

I would be happy to answer any questions the Committee may have. I can be contacted via Mr Jeremy Stuparich, Public Policy Director at the ACBC on 02 6201 9863 or at policy@catholic.org.au

Yours faithfully

Most Rev Terence Brady
Auxiliary Bishop of Sydney
Chair of the Bishops Commission for Pastoral Life

¹⁰ Caritas Australia, Australia's Drastic Cuts to Aid Will Weaken our Global Leadership Role. Media Release, 13 May 2015.