

Parliament of the Commonwealth of Australia

**PARLIAMENTARY JOINT COMMITTEE  
ON THE AUSTRALIAN CRIME COMMISSION**

**Supplementary report to the  
Inquiry into the trafficking of women for sexual servitude**

August 2005

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# RECOMMENDATIONS

## Recommendation 1

**1.16** The Committee recommends that the ACC continue its involvement in law enforcement strategies against sexual servitude and trafficking in women.

## Recommendation 2

**1.32** The Committee recommends that a review of the new legislation take place a year after its implementation, and as part of that review, consideration be given to amendments to include the provision to the court of victim impact statements specific to these offences, similar to those contained in the NSW *Crimes (Sentencing Procedure) Amendment (Victim Impact Statements) Act 2004*.

## Recommendation 3

**1.62** The Committee recommends that the ANAO consider undertaking an evaluation of the results of the National Action Plan, after three years of operation.





**PARLIAMENTARY JOINT COMMITTEE ON THE AUSTRALIAN CRIME  
COMMISSION**

## **The trafficking of women for sexual servitude**

### **Supplementary report**

#### **Introduction**

1.1 On 26 June 2003, the PJC decided to conduct an own motion inquiry into trafficking of women for sexual servitude, with the Committee tabling its report in June 2004.

1.2 During the course of the inquiry the government introduced a National Action Plan to combat the trade, which included a range of measures such as the instigation of a legislative review across all Australian jurisdictions; the creation of an Australian Federal Police Transnational Sexual Exploitation and Trafficking Team; improved arrangements for cooperation between relevant Commonwealth agencies; and a new victim support system. In addition, the ACC Board issued a Determination authorising the use by the ACC of its special powers to investigate the trafficking trade.

1.3 Given the timing of the action plan's release, the Committee was unable to offer any assessment of the effectiveness of these reforms. However, with 12 months elapsed since the report, the completion of the legislative review, and the introduction of the Criminal Code Amendment (Trafficking in Persons Offences) Bill 2004 – which proposes amendments to the Commonwealth *Criminal Code Act 1995* – the Committee decided that it was timely to reassess the situation.

1.4 Accordingly, the Committee invited key officials involved in the implementation of the action plan, to update the Committee on the progress of the anti-trafficking measures. This occurred on Thursday 23 June; those attending included:

- Ms Joanne Blackburn, First Assistant Secretary of the Criminal Justice Division, Attorney General's Department, and also Chairperson of the inter-departmental committee coordinating the action plan;
- Mr Alastair Milroy, CEO Australian Crime Commission;
- Mr Vincent McMahon; Executive Coordinator, Border Control and Compliance Division, DIMIA; and
- other officers of the three agencies.<sup>1</sup>

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1 A full list of participants is at Appendix 1.

1.5 This short Supplementary Report provides an overview of Australia's efforts to understand and control the illegal trafficking of women for sexual servitude, and addresses several issues that emerged during the discussions with government officials.

1.6 The Committee prefaces these comments with the general observation that, since the Committee's last report, a significant amount has been achieved in creating an effective and equitable response to the trade into Australia of women for the sex industry. The Committee commends the officials involved for their work.

## **Understanding the criminal trade**

### ***Progress in detection***

1.7 In a submission to the round table, the Australian Crime Commission ('ACC') informed the Committee that since 2003 when the ACC Board authorised a Special Intelligence Operation to gather intelligence on 'people trafficking for sexual exploitation' ('PTSE'), the ACC had undertaken extensive intelligence collection to fill intelligence gaps in law enforcement's understanding of PTSE.<sup>2</sup>

1.8 The ACC's submission notes:

Since the authorisation of the PTSE determination, the ACC had summonsed 107 people to 93 examinations ... conducted in Sydney, Melbourne, Adelaide, Perth, Brisbane and Kalgoorlie.<sup>3</sup>

1.9 Ninety percent of the examinations took place in the eastern mainland states. In addition, the ACC indicated that over 50 interviews were conducted across Australia with persons who preferred to give information outside a formal examination. There were eight notices to produce documents under section 29 of the ACC Act, and six search warrants issued under section 22 of the ACC Act were executed on premises in four states; this resulted in the seizure of a 'large quantity' of documentation.<sup>4</sup>

1.10 The profile of those examined showed that the greatest number (31%) were sex workers. Other examinees included owner/managers of premises (26%) partners/associates (12%), financiers (12%), customers (8%), owner/managers (8%) and professional support workers (3%).

1.11 The ACC's preliminary findings showed that the intelligence mainly concerns the trafficking of adult women, who come predominantly from South Korea, Thailand and the People's Republic of China. The organisers of trafficking are South Korean, Thai, Malaysian, Indonesian and ethnic Chinese, many of whom are Australia based.

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2 *Submission*, Australian Crime Commission June 2005, p. 2.

3 *Submission*, ACC June 2005, p. 3.

4 *Submission*, ACC June 2005, p. 4.

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There appears to have been a fall in the number of Thai sex workers, and an increase in the number of South Korean sex workers.

1.12 The Commission also indicated:<sup>5</sup>

- While deceptive recruiting appears to be in decline, deception about contracts, terms and conditions is becoming more common. Further, various kinds of contracts and debt bondage arrangements are increasing.
- Sydney remains the most significant entry point for trafficked women.
- Women who have been trafficked may not see themselves as victims; they see their situation as one in which they can improve their families' lives and may even be hostile to Australian law enforcement's attempts to extricate them from their position.
- Unsafe sexual practices may be required of trafficked women in debt bondage arrangements.

1.13 The ACC also believes that there are several areas of law reform which should be addressed. These include State and Territory laws as well as regulatory reform within the sex industry to detect, address and prevent the exploitation of foreign sex workers. The ACC also recommends using the tax legislation to detect and prevent tax avoidance associated with trafficking in women.<sup>6</sup>

1.14 The intelligence gathered by the ACC shows that the problem of trafficking in women is not insignificant. The Committee notes in particular the ACC's comments concerning the potential for tax offences by the organisers of trafficking in women.

1.15 In view of this, and of the new legislation which is about to become law, the Committee views with some concern, the ACC's comment at the end of its submission that the future of the PTSE determination beyond September 2005 is the subject of liaison with its key stakeholders.<sup>7</sup> The Committee recognises extension of the determination is an ACC Board decision, which must be taken in light of competing demands and finite resources. Acknowledging this, the Committee makes the following recommendation:

### **Recommendation 1**

**1.16 The Committee recommends that the ACC continue its involvement in law enforcement strategies against sexual servitude and trafficking in women.**

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5 *Submission*, ACC June 2005, p .5.

6 *Submission*, ACC June 2005, p. 6.

7 *Submission*, ACC June 2005, p. 7.

### ***Organised Crime involvement***

1.17 The Committee was particularly interested in the extent of any relationship between trafficking in women and established organised crime networks. In his opening remarks to the Committee (and also noted in the ACC's submission)<sup>8</sup> Mr Milroy indicated that:

Current ACC intelligence indicates that organised groups involved in crimes such as drug trafficking, credit card and identity fraud activities may also be involved in people trafficking for sexual servitude.<sup>9</sup>

1.18 In later evidence, Ms Sharpe from the ACC explained that the ACC had seen some links to organised criminal groups, for example, some linked with identity and credit card fraud, but these links were not overwhelmingly strong.<sup>10</sup> The Director of Intelligence, Mr Kitson, expanded on this:

I think we would see that those groups or networks who are involved in people trafficking engage in other activities rather than it being, if you like, conventional or traditional organised crime groups already operating in Australia seeking to use women or other people as commodities, though that potential remains ...<sup>11</sup>

1.19 The Committee notes that at this time, there appears to be no strong involvement of organised crime in people trafficking locally. However it remains concerned that the potential is there for organised crime involvement in trafficking for sexual servitude, as unlike people-trafficking for other reasons, there is an ongoing income to be made.

1.20 Further, better law enforcement often has a side effect of forcing amateurs out. Those who are left are sophisticated professionals. The Committee will maintain an interest in the ACC's intelligence in this area.

### **Legal response**

#### ***Commonwealth legislation***

1.21 In the National Action Plan announced in October 2003, the Government included a review of all Commonwealth and State legislation, with the intention of ensuring the consistency and adequacy of criminal law provisions relating to trafficking. In its first report the Committee recommended:

... that the following matters be examined in the legislative review announced as part of the government package:

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8 *Submission*, ACC June 2005, p. 4.

9 *Committee Hansard*, 23 June 2005, p. 3.

10 *Committee Hansard*, 23 June 2005, p. 17.

11 *Committee Hansard*, 23 June 2005, p. 17.

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- the adequacy of existing provisions of the *Criminal Code Act 1995* covering recruiting transportation and transfer of women for the purposes of trafficking;
  - amending section 270(7) of the *Criminal Code Act 1995* to broaden the offence of deception to include deception regarding not only the type of work to be done, but expressly the kind of services to be provided, whether of a sexual nature or not; and
  - adopting the use of victim impact statements in sentencing.<sup>12</sup>

1.22 The legislative review has since been completed, and resulting amendments were introduced in the *Criminal Code Amendment (Trafficking in Persons Offences) Bill 2004*, which was subsequently referred to the Senate Legal and Constitutional Legislation Committee for consideration. The bill was passed by the Parliament on 21 June 2005, and was assented to on 6 July 2005. The amendments commenced on 3 August 2005.

1.23 The provisions of the bill included two of the three matters recommended by the Committee, but not the use of victim impact statements, although this had been put forward as a possible amendment by the opposition.

1.24 The Bill amends the *Criminal Code Act 1995* ('the Code') and the *Telecommunications (Interception) Act 1979* ('the TI Act'). The amendments to the Code add a new division 271 (Trafficking in persons and debt bondage) to the Act. The amendments to the TI Act ensure that telecommunications interception warrants are available for the new offences.

1.25 The Bill criminalises trafficking in persons by creating the following offences:

- trafficking persons into, and within Australia;
- trafficking children into, and within Australia;
- aggravated offences similar to those above, where force, threats or deception are used; the deception offences include situations where a person is deceived as to the nature of the work or of the sexual services to be provided;
- where there is a chain of participants, the legislation is drafted to capture each one of those participants as an offender;
- a new offence of debt bondage to capture situations in which unfair debt contracts force victims to pay off inflated costs of transporting the victim to Australia. There are similar provisions for children and debt bondage.

1.26 In addition to the offence provisions, the legislation includes the following:

- amendments to the TI Act which classify the offences in the Bill (with the exception of the debt bondage offence) as category 2 offences. This allows

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12 PJC on the Australian Crime Commission: *Report on the Inquiry into the trafficking in women for sexual servitude* (June 2004), Recommendation 4. p. xiii.

telephone interception warrants to be issued under Part VI Division 4 of the *Telecommunications (Interception) Act 1979*.

- amendments to bring the legislation further into line with the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children Supplementing the United Nations Convention Against Torture;
- amendments regarding deception about the nature of sexual services a person will be required to provide (part of Recommendation 4 of this Committee's report);
- provisions concerning debt bondage, and the freedom the person providing the services will have to move away from work or the place of residence, and to cease providing sexual services;
- provisions dealing with trafficking from Australia;
- provisions for the treatment of child witnesses; increases in the penalties for trafficking in children.
- an amendment to sub-subparagraph 270.7 1A(c)(ii) to include inducement or deception in languages other than English in matters which may be considered by the court or a jury in a prosecution under section 270.7(1).

1.27 The Committee considers the legislation comprehensively addresses the criminalisation of trafficking in women and children. However, the Committee would have liked to see the use of victim impact statements included in the bill, as was recommended in its first report, as part of recommendation 4.

1.28 In its report on the bill, the Senate Legal and Constitutional Legislation Committee noted that HREOC and World Vision supported the use of victim impact statements in particular where child victims were concerned.

1.29 However, the Attorney General's Department responded, noting that section 16A(2)(d) of the *Crimes Act 1914* allows the use of evidence or statements in court by the victim to be used in determining the sentence to be imposed on a person for a federal offence. The department indicates that statements may include information about the impact of the offence.<sup>13</sup>

1.30 This Committee maintains its initial view that a specific provision dealing with victim impact statements, their use and content in these proceedings would be a valuable addition to the reforms. As it stands, the Commonwealth legislation only provides for victim impact to be dealt with in very general terms. The Committee reiterates its position from its report of June 2004, in which the Committee took the view that:

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13 Senate Legal and Constitutional Legislation Committee: *Report on the Criminal Code Amendment (Trafficking in Persons Offences) Bill 2004 [2005]* March 2005, p. 32.

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Given the nature and effect of the sexual trafficking offences on the victim, there is a compelling reason to require that victim impact be considered when sentencing offenders.<sup>14</sup>

1.31 The Committee considers that omission of such a provision, risks incompatibility with State provisions, and in turn, has potential to dilute the effectiveness of the legislation.

## **Recommendation 2**

**1.32 The Committee recommends that a review of the new legislation take place a year after its implementation, and as part of that review, consideration be given to amendments to include the provision to the court of victim impact statements specific to these offences, similar to those contained in the NSW *Crimes (Sentencing Procedure) Amendment (Victim Impact Statements) Act 2004*.**

### *State legislation*

1.33 The Committee's previous report noted that the states and territories had either enacted or were in the process of enacting legislation compatible with the Commonwealth's 1999 amendments to the Code, or had legislation which could be used for trafficking offences.<sup>15</sup> At the round table hearing, the Committee heard that six states and territories have introduced sexual servitude offences.<sup>16</sup>

1.34 However, the Committee was concerned that the new amendments should also be followed up by the states. Ms Joanne Blackburn from the Attorney General's Department told the hearing:

The Commonwealth legislation can deal with trafficking people between states. The only area where you have potentially got an issue with those states that have not fully Implemented the MCCOC<sup>17</sup> model is where you have got people that come into Australia and are then maybe trafficked within the state... We can still cover it. The Commonwealth legislation has gone as broadly as we can within the constitutional limitations on the Commonwealth's powers. The fact that six of the states and territories have gone forward with the MCCOC model is encouraging.<sup>18</sup>

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14 PJC on the Australian Crime Commission: *Report on the Inquiry into the trafficking in women for sexual servitude* (June 2004), p. 52.

15 PJC on the Australian Crime Commission: *Report on the Inquiry into the trafficking in women for sexual servitude* (June 2004), pp 49-50.

16 *Committee Hansard*, 23 June 2005 p. 20; see also document tabled 23 June *State and Territory offences relating to sexual servitude* (Attorney General's Department).

17 MCCOC: Model Criminal Code Officers' Committee. The Committee includes representatives from states and Territories, as well as Commonwealth officers.

18 *Committee Hansard*, 23 June 2005, pp 20-21.

1.35 Ms Cockshutt from the Department told the Committee that domestic trafficking is covered by the new legislation, even though there are constitutional limitations. However:

We would have to wait and see when the act comes into being whether there will be any gaps identified by the police or the ACC when they are doing their investigations.<sup>19</sup>

1.36 In its submission to the Committee the ACC advised that its determination on PTSE has identified the need for comprehensive complementary PTSE legislation in all states and territories. The Committee notes that the ACC is in a unique position to make this assessment, as it operates across all jurisdictions, and must deal with the consequences of legislative gaps.<sup>20</sup>

1.37 Accordingly, the Committee takes the view that any defects in the legislation of this nature which come to light in the course of the work of the AFP or the ACC should be rectified without delay. As with the victim impact provisions, a lack of harmony between Commonwealth and State legislation places the effectiveness of these initiatives in unnecessary jeopardy.

### ***Visa arrangements***

1.38 During the first inquiry, the Committee was advised that the government's package of reforms introduced in October 2003 was designed to 'focus on the full cycle of trafficking from recruitment to reintegration and to giving equal weight to the three critical areas of prevention, prosecution and victim support.'<sup>21</sup> The National Action Plan included changes to visa arrangements that were designed to protect witnesses for the prosecution of sexual servitude charges.

1.39 DIMIA officials advised that since the new arrangements came into effect, 42 Bridging Visa F's have been issued, subsequently leading to 28 criminal justice stay visas, with 24 currently in effect.<sup>22</sup>

1.40 While applauding these policies, the Committee had reservations about the practical implications of several issues. In particular, the Committee recommended that the government ensure that no women accepted onto the victim support program be subject to compulsory return to their country. Further, the Committee recommended that arrangements be made to enable witnesses on Criminal Justice Stay Visas be able to return to their country of origin for short periods.<sup>23</sup>

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19 *Committee Hansard*, 23 June 2005, p. 20.

20 *Submission*, ACC June 2005, p. 6.

21 *Committee Hansard*, 26 February 2004, p. 14.

22 *Committee Hansard*, 23 June 2005, p. 6.

23 PJC on the Australian Crime Commission: *Report on the Inquiry into the trafficking in women for sexual servitude* (June 2004), Recommendations 8 and 9.



1.41 The Committee is pleased to note DIMIA's advice that the issue of travel has been solved.

1.42 However the former issue remains complex. As officials explained, it is necessary to balance the protection of the women with the need to avoid a situation where people could simply assert that they had been trafficked as a means for remaining in Australia,<sup>24</sup> and the need to prevent a perception that a witness has been 'bought' by the prosecution through the grant of permanent residency.<sup>25</sup>

1.43 Consequently, where a person has cooperated with an investigation, the key test remains whether that person is in danger if they returned to their country of origin. This criteria operates irrespective of whether the person's evidence had proven useful to prosecuting authorities.<sup>26</sup>

## Prosecutions

1.44 The Committee asked how many successful prosecutions had taken place under the 1999 legislation. Ms Blackburn told the hearing that there have been two cases, (which the Committee notes have been so far unsuccessful) one in Sydney and one in Melbourne. Ms Blackburn continued:

In the Sydney trial the jury failed to reach a verdict against the primary person who was accused, and the two co-accused, on 10 sexual servitude charges. In Melbourne one defendant was acquitted of eight out of 10 sexual servitude charges and the jury failed to reach a verdict on the remaining two charges. The jury also failed to reach a verdict on the charges against the co-accused in that case.<sup>27</sup>

1.45 The Committee was advised that the Commonwealth DPP is presently considering whether it will take action to seek a retrial of those charges on which there was no verdict reached by the jury. The Committee also heard that there are matters pending in which trials have not yet commenced.<sup>28</sup>

1.46 The Committee has observed that the new legislation includes a much broader range of offences. In evidence, Ms Blackburn said:

...we have constructed a broader range of offences that will enable us to take some alternative approaches ... particularly with some of the deceptive recruiting and debt bondage offences which are now in the new act, perhaps that will give us a broader canvas from which to draw the charges that are

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24 Mr McMahon, *Committee Hansard*, 23 June 2005, p. 12.

25 Ms Blackburn, *Committee Hansard*, 23 June 2005, p. 16.

26 Mr McMahon, *Committee Hansard*, 23 June 2005, p. 16.

27 *Committee Hansard*, 23 June 2005, p. 8.

28 *Committee Hansard*, 23 June 2005, p. 8.

laid against people who are suspected of having been involved in this activity.<sup>29</sup>

1.47 The Committee anticipates that these provisions will result in participants in trafficking for sexual servitude at all levels being brought before the courts.

1.48 In view of the fact that any future arrests will be subject to the new legislation, the Committee considers that the effectiveness and aptness of the charges and penalties contained in the legislation should be closely monitored by all agencies involved in the detection and prosecution of sexual servitude offences. Prompt amendment in response should follow so that in the words of Ms Blackburn, there is 'good investigation, good prosecution and good laws'.<sup>30</sup>

1.49 The Committee also notes that the legislation was developed with a view to ratifying the UN Protocol to prevent, suppress and punish trafficking in persons, especially women and children. As the Joint Standing Committee on Treaties has also recommended its ratification, the Committee looks forward to this taking place as soon as possible.

### **Community awareness strategy**

1.50 Part of the Commonwealth Action Plan included the development of a community awareness strategy. The Committee asked the Attorney General's Department which had carriage of developing the strategy, what progress had been made.

1.51 Ms Blackburn told the Committee:

... the Attorney-General's Department has been coordinating a community awareness strategy as part of the package. That strategy comprises four stages. Stage 1 is almost completed. We have completed extensive consultation with stakeholders to determine the focus of the strategy, to identify target audiences and to develop the key messages. We will shortly be moving to tender for an agency to undertake the design, marketing and publication of the outcomes of that strategy.<sup>31</sup>

1.52 The Committee was concerned that the process appears to have been a long one, and was advised that it involved several stages, including a review, consultation and selection of tender. Further, Ms Blackburn told the Committee:

One of the things that is coming back to us from the consultants, which is a Melbourne firm of consultants called Open Mind, is that it is quite difficult to get appointments with the people that you need to talk to. Given the kind of industry that they are involved in and the work they are in, it is difficult

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29 *Committee Hansard*, 23 June 2005, pp 9-10.

30 *Committee Hansard*. 23 June 2005, p. 9.

31 *Committee Hansard*, 23 June 2005, p. 6.

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to line up the appointments and then quite often it is difficult to get them to keep the appointments. So some of the delays have just been caused by the nature of the people that you are trying to get information from – they do not work nine to five.<sup>32</sup>

1.53 The Committee heard that the development of the strategy has been complex. Identifying the target audience for the strategy is an example of such complexity. Ms Blackburn explained that at a conceptual level, the target includes people who are working in the sex industry, users of the sex industry and service providers who might come in contact with people who are working in the sex industry, for example, medical service providers or clinics. Ms Blackburn continued:

The starting point was looking ... to ... those who might not at the moment recognise a victim of trafficking, whether they be colleague workers in the sex industry, providers of the various services or indeed the users of those services. That is part of the reason that it is quite a difficult campaign to develop. How do you communicate that message, for example, to users of brothels? This is what a trafficking victim looks like and you should be aware and you should know that this is a person that you should take some action in relation to; and similarly for co-workers in the sex industry to have an understanding that there may be workers in the sex industry who have been trafficked.<sup>33</sup>

1.54 The Committee recognises the challenge inherent in focusing the resources as efficiently as possible to ensure that the message reaches those who are in a position to act on it, and who are willing to do so. The Committee emphasises that the community awareness strategy is a significant element of the government's package and should be implemented as soon as possible after the legislation comes into effect.

### **Coordination and accountability**

1.55 An issue of some concern to the Committee at the time of its first report was the effectiveness of the coordination and accountability arrangements for the overall government effort. It seemed to the Committee that, notwithstanding the existence of the inter-departmental committee, no one individual – be it government minister or official – was really responsible for the final outcome or effectiveness of the National Action Plan.

1.56 For this reason, the Committee recommended the creation of more formalised arrangements, including the appointment of a Chairperson and Charter.<sup>34</sup>

1.57 This issue was again the subject of discussion. Ms Blackburn, based on her experience as convenor of the IDC, argued that the IDC has been a genuinely effective

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32 *Committee Hansard*, 23 June 2005, p. 6.

33 *Committee Hansard*, 23 June 2005, p. 22.

34 PJC on the ACC, Inquiry into the trafficking of women for sexual servitude, Recommendation 2.

body for coordinating the government response. It continues to meet twice a year or more often if developments require it. The IDC also receives strong representation at the senior executive service level from the relevant agencies.

1.58 Noting that there is no formal government response to this recommendation, Ms Blackburn nevertheless pointed out that a more formalised control structure is difficult given that no one agency can have responsibility for the actual delivery of large parts of the operational response to the trafficking problem.

1.59 At the same time, Ms Blackburn argues that the way in which the National Action Plan has in fact been coordinated is an excellent example of the whole-of-government policies that have been a focus of the current head of the Australian Public Service, Dr Shergold. She further noted that an overall level of supervision and control at the national level is exercised by the Australian Police Minister's Council.

1.60 The Committee makes two points in response. First, the recommendation to formalise the accountability arrangements in no way represents a vote of no-confidence in any individual, or their performance. Rather, it is an issue of systemic accountability. Second, the concern remains that in any situation such as this, where multiple agencies share responsibility, no-one has either the authority to ensure that actions are taken, nor is it necessarily clear who was responsible for an action, or a failure.

1.61 One possibility canvassed by the Committee is that the Australian National Audit Office (ANAO) conduct an audit of the overall National Action Plan. This would have the advantage of drawing together the results of every agencies' activities. It would further provide a useful evaluation of one of the first major 'whole-of-government' activities.

### **Recommendation 3**

**1.62 The Committee recommends that the ANAO consider undertaking an evaluation of the results of the National Action Plan, after three years of operation.**

### **International operations**

1.63 Given the overseas origin of the trafficked women – and many of the traffickers – effective offshore intelligence gathering and cooperation with other international police agencies is obviously a vital aspect of any effective national response.

1.64 The importance of this aspect was recognised in the National Action Plan which saw the permanent stationing of a DIMIA Compliance Officer in Bangkok. This officer is responsible for addressing issues of the return of trafficked women, awareness raising and increasing the level of cooperation with the Thai national government.

1.65 Then and now, Thailand is the major source of trafficked women, so there remains a strong case for retaining this specialist position. However, the Committee queried whether there would be benefit in extending the scope of such specialists to other source countries.

1.66 Government officials did not consider this to be necessary, pointing out that DIMIA already has thirteen compliance officers at their overseas posts, who have general responsibility for trafficking issues. In addition, the role of the officer in Thailand was to take a wider regional role in regional consultations, including with Korea and China.<sup>35</sup> The Committee was also pleased to note Ms Blackburn's comments that the AFP continue to receive strong cooperation from national governments in source countries.<sup>36</sup>

### **Conclusion**

1.67 The Committee notes with satisfaction that the undertakings made in the Government's package of October 2003 have been realised. The Committee commends the work done by the agencies involved in bringing this package to fruition, and also thanks the officers of the Attorney General's Department, the ACC and DIMIA for their participation in the round table.

Senator Santo Santoro  
**Committee Chair**

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35 Mr McMahon, *Committee Hansard*, 23 June 2005, p. 20.

36 Ms Blackburn, *Committee Hansard*, 23 June 2005, pp 4-5.



# **APPENDIX 1**

## **List of submissions**

1. Australian Crime Commission

## **Documents tabled**

*Canberra, Thursday 23 June 2005*

1. Attorney-General's Department. Table of State and Territory offences relating to sexual servitude.
2. Department of Immigration, Multicultural & Indigenous Affairs. Table showing numbers of people trafficking referrals.





## **APPENDIX 2**

### **Witnesses who appeared before the Committee**

*Canberra, Thursday 23 June 2005*

#### **Australian Crime Commission**

Mr Alastair Milroy, Chief Executive Officer

Mr Kevin Kitson, Director, National Criminal Intelligence

Mr Lionel Newman, Director, Executive Services

#### **Attorney-General's Department**

Ms Joanne Blackburn, First Assistant Secretary, Criminal Justice Division

Ms Melinda Cockshutt, Principal Legal Officer

Ms Kathryn Ovington, Senior Legal Officer, International Legal Cooperation Section,  
International Crime Branch

#### **Department of Immigration, Multicultural and Indigenous Affairs**

Ms Yole Daniels, Assistant Secretary, Compliance and Analysis Branch

Mr Vincent McMahon, Executive Coordinator, Border Control and Compliance  
Division

Mrs Sharon Watts, Acting Director, Migration Fraud and Investigation

