



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



HOUSE OF REPRESENTATIVES

MINISTERIAL STATEMENTS

People Trafficking

SPEECH

Thursday, 24 November 2011

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

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Date Thursday, 24 November 2011
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Questioner
Speaker O'Connor, Brendan, MP

Source House
Proof No
Responder
Question No.

Mr BRENDAN O'CONNOR (Gorton—Minister for Privacy and Freedom of Information, Minister for Home Affairs and Minister for Justice) (10:17): by leave—I am pleased to be speaking on the government's anti-people-trafficking strategy. On Tuesday the government tabled the third report of the Anti-People-Trafficking Interdepartmental Committee. As Minister for Home Affairs and Minister for Justice, I am the lead minister for Australia's whole-of-government anti-people trafficking strategy. I oversee this strategy in collaboration with my ministerial colleagues—the Minister for Immigration and Citizenship, the Minister for Foreign Affairs and the Minister for the Status of Women—who have responsibility for particular aspects, including the people-trafficking visa framework, the Support for Victims of People Trafficking Program and Australia's aid program.

People trafficking is a serious, complex and international crime. It causes grave contraventions of human rights. All around the world, slavery and servitude remain the daily reality for many of our fellow human beings—and Australia is not immune. That is why President Obama, during his address to the Australian parliament on 17 November 2011, described a 'yearning for liberty and progress', a yearning for freedom. Indeed, President Obama described this yearning for an end to such criminal practices when he talked about those 'women of courage who go into brothels to save young girls from modern-day slavery'.

While most identified trafficking victims in Australia have been women in the sex industry, a growing number of people—both men and women—are being trafficked to Australia to work in other industries. For many in our community, the term 'people trafficking' conjures images of women in brothels being kept in sexual servitude. While this is the terrible reality for some, in Australia we are combating people being trafficked and exploited in different settings, including forced labour in construction, hospitality, agriculture and domestic labour. Globally, people trafficking takes many forms: forced or bonded labour, domestic servitude and forced marriage, sexual slavery, organ harvesting, and the exploitation of children. The Gillard government is committed to doing all that we can to eliminate people trafficking in all its forms in Australia and abroad.

Australia's anti-trafficking strategy

The Australian government has a comprehensive set of actions in place which targets people trafficking in all its forms, including for sexual and labour exploitation. Since Australia introduced its whole-of-government strategy in 2003, Australian authorities have identified 187 suspected victims. Fortunately, compared to many of our neighbours, the number of victims identified here is low. Our strong migration and border controls and our geographic isolation mean that opportunities to traffic people to Australia are limited. We are, however, a destination country for victims of trafficking, in particular for people trafficked from Thailand, Malaysia, the Philippines and South Korea.

While the number of victims is comparatively low, one victim is one too many. That it is why it is important to never lose sight of the impact exploitation has on each individual. In short, it is devastating. People are brought here either forcibly or under false pretences with the promise of a good job or further education. The image of Australia as a land of opportunity is far from what trafficking victims encounter. They are subjected to appalling treatment, often locked up and made to work in slave-like conditions. They are cut off from family and friends.

The human face of this crime can be seen in a recent case. A young man was brought to Australia from India to work in a restaurant. When he arrived at his new job, he faced the following conditions: working 12 hours a day seven days a week with few breaks, and being forced to live and bathe at the restaurant. He had limited freedom of movement, was continually abused and his family back home was threatened.

In another case, a woman from the Philippines was brought to Australia for what she thought was a marriage. Instead she was kept as a slave. She was forced to work 12-hour days in a shop for little pay, and on returning to the residence of the offenders, where she lived, she worked as a domestic helper performing household chores

and providing childcare services. She spoke little English and was culturally isolated. When she tried to flee her passport was confiscated.

Cases like these reinforce the need for the Australian government to do all it can to prevent people trafficking and practices akin to slavery, to equip our agencies to investigate and prosecute offences, and to support and protect the victims. This is a commitment that the government is delivering upon.

Delivering for Victims

Since 2007 the Australian government has provided more than \$70 million to support a range of domestic, regional and international anti-trafficking initiatives. During the past year these initiatives have provided support to victims of trafficking for sexual exploitation and other forms of forced labour, and brought about the successful prosecution and conviction of a number of people traffickers. Australia provides a comprehensive range of support services for suspected victims of people trafficking. Since 2004, the Support for Victims of People Trafficking Program has assisted 187 people—167 of whom are women and 20 men. Of these, 151 were women trafficked into the sex industry, while the other 16 women and the 20 men were allegedly trafficked into other industries. A total of 80 clients were on the support program at some point during 2010-11, including 29 new clients referred to the program during the year. The Australian Red Cross provides the support program on behalf of the Australian government, and I thank them for their invaluable efforts.

A typical client of the support program is a woman whom I will call Ms J. Ms J was trafficked to Australia for the purpose of sexual exploitation and was referred to the support program in 2006. Ms J gave evidence against her alleged traffickers at trial and retrial. After assisting police and prosecutors, and due to the danger she faced in returning home because of that assistance, Ms J was granted a visa that allows her and her children to live in Australia permanently. Ms J has now been reunited with her children. She is studying and her children have settled into school, and the family now looks forward to a stable future.

In 2010-11, the Department of Immigration and Citizenship granted 42 witness protection (trafficking) (permanent) visas—28 to victims of trafficking and 14 to their immediate family members. This is the visa that allows trafficking victims such as Ms J to remain in Australia permanently if they have assisted the Australian Federal Police with a trafficking investigation or the Commonwealth Director of Public Prosecutions with a prosecution and if they are likely to be in danger if they are sent home.

Since 2007, the Australian Federal Police has undertaken more than 200 investigations into trafficking related offences. People-trafficking investigations are often long and complex and require significant resources. They often include close cooperation with counterparts in source countries in order to break transnational people trafficking syndicates. In 2010-11, the AFP undertook Operation Burlywood with the Royal Malaysian Police, which resulted in the disruption of a major trafficking syndicate operating between Australia and Malaysia.

Since establishing its specialist trafficking in persons teams, Australian Federal Police investigations have led to the conviction of 14 people in Australia for trafficking and slavery offences. Three more matters are currently before the courts. In 2010-11, two people were convicted and a third person was sentenced. The couple convicted ran a brothel and brought five women to Australia from Thailand. The offenders forced all of their victims to work seven days a week, on average for 16 hours a day. The victims were forced to work and sleep in locked premises, and were not allowed to leave the brothel except in the company of the offenders or a trusted associate. Their passports were confiscated and they had their access to the outside world cut off. The offenders forced the victims to work during severe illnesses and infections. The couple were each convicted of 10 slavery charges at both trial and retrial, and in December last year were both sentenced to 12 years imprisonment.

These convictions are a clear warning to people who believe they can commit these abhorrent crimes with impunity: slavery and people trafficking will not be tolerated in Australia. They will be prosecuted with the full force of the law.

In addition to these strong criminal sanctions, a variety of important civil mechanisms exist to address exploitative conduct. For example, during 2010-11 the Fair Work Ombudsman undertook more than 585 investigations involving foreign workers and recovered more than \$510,000 in unpaid entitlements from their employers. The Australian Building and Construction Commission also regulates compliance with wages and entitlements in its industry, and recovered \$15,700 on behalf of foreign workers.

Regional commitment and collaboration

Internationally, Australia is a recognised regional leader in efforts to combat people trafficking and takes an active role in international efforts. Australia and Indonesia co-chair the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime. The Bali process provides a strong platform for cooperation between countries in our region with a shared interest in the prevention of irregular migration, including people trafficking.

Another key part of the government's national and international strategy to prevent trafficking is addressing the factors that make people vulnerable to trafficking. In 2011-12, Australia will provide \$4.8 billion in official development assistance to help reduce poverty and promote sustainable development. The aid program addresses violence against women and children, and includes a number of activities to help combat people trafficking and labour exploitation at the regional level. The aid program also supports NGO projects in the region that raise awareness, strengthen community resilience to trafficking and support victims.

Yesterday I convened the annual National Roundtable on People Trafficking. The roundtable brings together anti-people-trafficking NGOs, service providers, support organisations for victims of crime as well as legal, employer and union bodies to implement a whole-of-community approach to fighting this crime. The Minister for Immigration and Citizenship and the Minister for the Status of Women joined me at the roundtable.

At the roundtable, we were joined by the United Nations Special Rapporteur on Trafficking in Persons, Joy Ezeilo. Ms Ezeilo is currently in Australia for a full program of meetings with agencies and NGOs which deal with people trafficking. The special rapporteur is responsible for assessing measures taken by countries to target people trafficking and to protect the human rights of trafficking victims. Australia strongly supports this mandate and the government welcomes this opportunity to discuss its successes and challenges with Ms Ezeilo.

Government focus for 2012

At last year's roundtable, the government released two discussion papers for public consultation, one on the criminal justice response to slavery and people trafficking, and one on forced and servile marriage. Both papers sought views on whether the existing offences in the Criminal Code sufficiently cover all forms of exploitation and all forms of slavery-like conduct. I was pleased by the level of community engagement on these issues and at this year's roundtable I released exposure legislation on these issues for comment by stakeholders.

Also at last year's roundtable, I announced funding for non-government bodies to undertake projects to raise awareness of labour exploitation and to provide outreach to groups and individuals who are vulnerable to this. This initiative is an important aspect of the focus we have put on labour trafficking and exploitation in recognition that the sex industry is not the only industry in which trafficking victims are exploited.

The Australian government has now provided five organisations with a total of just over \$486,000 for this work. The Australian Council of Trade Unions, the Australian Hotels Association, the Australian Red Cross, Asian Women at Work and the Construction, Forestry, Mining and Energy Union are the five organisations who have been beneficiaries of the government support. And I would like to thank the agencies which make up the IDC, particularly those dedicated officers in the front-line agencies which provide direct support and outreach to victims. The Australian government remains committed to working in partnership internationally and domestically with nongovernment organisations to raise awareness, bring the perpetrators to justice and protect and support victims. During the coming year, the Australian government will continue to work to strengthen our framework to combat people trafficking in all its forms, to ensure the most comprehensive and robust response possible. Only by working together can we combat this heinous crime.

I ask leave of the House to move a motion to enable the member for Stirling to speak for 14 minutes.

Leave granted.

Mr BRENDAN O'CONNOR: I move:

That so much of the standing orders be suspended as would prevent the member for Stirling speaking in reply to the ministerial statement for a period not exceeding 14 minutes.

Question agreed to.