



Statement by the Minister for Home Affairs,
the Hon Brendan O'Connor MP

The Government's Response to Trafficking in Persons

17 June 2009

I am pleased to present this inaugural report of the Anti-People Trafficking Interdepartmental Committee to the Parliament.

This report reflects the hard work of the former Minister for Home Affairs, the Hon Bob Debus MP, and I thank him for his commitment to bringing traffickers to justice, whilst protecting the victims of these offences.

The former Minister worked closely with the Minister for Immigration and Citizenship, Senator the Hon Chris Evans; the Minister for Foreign Affairs, the Hon Stephen Smith MP; and the Minister for the Status of Women, the Hon Tanya Plibersek MP, on the Government's response to trafficking in persons.

People trafficking is a crime which may have a traumatic and lasting impact on victims and the Government is committed to combating it.

The extent of people trafficking is hard to measure but it is clear that it affects almost every country in the world. Men, women and children are trafficked for a range of exploitative purposes including sexual servitude, forced labour and the harvesting of organs. In Australia, most – but by no means all – identified victims of trafficking have been women trafficked for exploitation in the sex industry.

The Minister for Home Affairs has responsibility for the whole-of-government anti-people trafficking strategy as well as the way in which the Australian Customs and Border Protection Service deals with people smuggling across Australia's maritime borders. It is important at the outset to note the distinction between these two crimes. People trafficking is the physical movement of people across borders through deceptive means, coercion or force. The motivation for people-traffickers is the prospect of exploiting their victims once they reach the destination country. People smuggling, on the other hand, is the organised, illegal movement of people across borders, usually on a payment for service basis.

Australia ratified the *United Nations Convention against Transnational Organized Crime* in 2004 and its supplementary *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* in 2005. The Government's anti-people trafficking strategy was established in 2003 and implements Australia's obligations under the People Trafficking Protocol. The strategy has three equally important needs: to do as much as we can to prevent people trafficking; to prosecute

offenders; and to provide support to victims of trafficking, including by protecting their human rights.

The Australian National Audit Office (ANAO) recently undertook a review of the management of the anti-trafficking strategy. The Government welcomed this review: it provided us with an opportunity to assess the progress of the strategy. Given the reprehensible nature of the crime, we welcome any input that may enhance the Government's response to trafficking in persons.

One of the recommendations arising from the ANAO's review was that there should be a more systematic annual reporting of outcomes under the anti-trafficking strategy. The Government recognised that there would be considerable benefit in the production of a single, consolidated annual report. This first report of the Anti-People Trafficking Interdepartmental Committee captures the period from the implementation of the strategy in January 2004 up to April 2009. In the future, the Committee will report on outcomes annually. This first report on the achievements of the anti-people trafficking strategy will also serve as a response to a Senate motion moved by my colleague Senator Stephens, Parliamentary Secretary for Social Inclusion and the Voluntary Sector, on 19 June 2007.

The Office for Women has already implemented a number of the enhancements suggested by the ANAO in relation to its administration of the Support for Victims of People Trafficking Program. This has included the negotiation of a new contract for the provision of case management services with the well-known humanitarian organisation, the Australian Red Cross. The revised administrative arrangements

ensure that the provider appreciates the high standard of service required for victims of trafficking.

My colleague the Minister for Immigration and Citizenship, Senator the Hon Chris Evans, has announced changes to the People Trafficking Visa Framework that will simplify the framework, and importantly give victims and their immediate family members greater certainty about their immigration status. These changes are the result of consultations with a range of stakeholders.

The Department of Immigration and Citizenship (DIAC) has also addressed the ANAO's recommendations relating to visa cancellation procedures, and is working with partner agencies to improve referral processes. DIAC welcomed the ANAO's comments regarding the professionalism and sensitive conduct of its compliance teams.

In response to recommendations from the ANAO report, the Australian Federal Police (AFP) has reviewed and expanded investigation guidelines for the Transnational Sexual Exploitation and Trafficking Teams. These guidelines complement the existing AFP specialist training to further support investigators in this complex type of crime.

The Government has recently taken a number of steps to strengthen the national response to trafficking in persons.

This week, my colleagues and I were pleased to announce changes to the Government's anti-people trafficking strategy, which will provide enhanced support for victims of this crime.

We have also strengthened partnerships with non-governmental organisations (NGOs). NGOs and industry bodies have access to information about the situation on the ground, particularly in relation to victims, and their insights can help inform Government policy. In June last year, the Government convened the inaugural National Roundtable on People Trafficking and today, we convened the second of these meetings. The Roundtable brings together anti-people trafficking NGOs, service providers, support organisations for victims of crime as well as the legal, employer and union sectors to implement a whole-of-community approach to fighting this crime.

The meeting of the Roundtable in 2008 has led to practical outcomes for Australia's response to trafficking. For example, the Roundtable identified as a priority improving the experience of victims of trafficking in the criminal justice process. In response to this, the Attorney-General's Department has been working with the National Judicial College of Australia to develop education resources for judicial officers on people trafficking. The Judicial College hosted the first seminar for the judiciary on Monday in Sydney.

In March of this year, the then Minister for Home Affairs, the Hon Bob Debus MP, launched the *Guidelines for NGOs working with trafficked people* in Sydney along with the President of the Australian Human Rights Commission, the Hon Catherine

Branson QC and the Director of the NGO Anti-Slavery Project, Associate Professor Jennifer Burn. A Working Group established by the Roundtable and chaired by the Sex Discrimination Commissioner, Ms Elizabeth Broderick, developed the Guidelines. The Guidelines are a practical resource to assist community organisations to protect the rights of victims of trafficking, and, in the words of one key anti-people trafficking advocate, “provide the gold standard for ethical ways of working with trafficked people”.

People trafficking is a complex transnational crime. It is therefore imperative that we collaborate closely with our neighbours to prevent this crime in source countries, take complementary approaches to criminal justice, and provide effective support to victims of trafficking whether they remain in Australia or return to their countries of origin. Specialist anti-people trafficking officers within the AFP and DIAC are posted overseas to facilitate this type of regional cooperation to combat trafficking.

Australia has taken an active role in international efforts to combat people trafficking. Australia, with Indonesia, co-founded and co-chairs the *Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime*. Addressing factors that make people vulnerable to trafficking is an important part of Australia’s national and international strategies to prevent trafficking. The Bali Regional Ministerial Conference in April re-focused attention on people smuggling and trafficking in persons, and Bali Process member states’ Ministers agreed to convene an Ad Hoc Group mechanism to develop a regional response to current challenges in the region, including any specific people trafficking challenges.

To further our international engagement in this area, the AFP is hosting an International Conference on Trafficking in Persons later this month. This conference will bring together law enforcement agencies from source and destination countries, including South Korea, China, Vietnam, Indonesia, Malaysia, Thailand and Australia. They will discuss proactive strategies to combat people trafficking, as well as opportunities for more effective international cooperation and information exchange.

In 2009-10, Australia will provide A\$3.8 billion in official development assistance through AusAID, to help reduce poverty and promote sustainable development. The aid program also addresses violence against women and children, and includes a number of activities that specifically work to combat trafficking in persons at the regional level.

My colleagues and I look forward to presenting the next report of the Anti-People Trafficking Interdepartmental Committee.