



# **Response of Good Shepherd Australia New Zealand to The Criminal Justice Response to Slavery and People Trafficking, Reparations, and Vulnerable Witness Protections**

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Submission Paper

Further information

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## 1. Introduction

Good Shepherd Australia New Zealand welcomes the opportunity to respond to the Attorney-General's Discussion Paper on The Criminal Justice Response to Slavery and People Trafficking, Reparations, and Vulnerable Witness Protections (Discussion Paper).

Good Shepherd Australia New Zealand is the organisational body that manages the ministries and works of the Sisters of the Good Shepherd in Australia and New Zealand. We work in the tradition of the Sisters of the Good Shepherd, a Catholic order of nuns. Good Shepherd is a network of people and organisations working to enhance the dignity and worth of each person. Our mission is expressed in the following manner:

*Our mission is to bring about change and partnerships which enhance life and increase hope for disadvantaged, marginalised and oppressed persons, families and communities, especially women and girls.*

As the title of the *United Nations Protocol to Suppress, Punish and Prevent Trafficking in Persons, Especially Women and Children* (Trafficking Protocol) acknowledges, women and children are particularly vulnerable to trafficking and related forms of exploitation. Good Shepherd Australia New Zealand therefore views both the prevention of trafficking of persons and the seeking of justice for victims of such crimes as fundamental issues.

Good Shepherd Youth and Family Service St Kilda provides counselling to marginalised women, including those involved in street sex work and brothel work, and has worked with women who have been trafficked. Good Shepherd Youth and Family Service has also conducted research into trafficking, such as its 2002 Occasional Paper by Liz Gordon, *Profit and Loss: The Trafficking of Women and Children for Prostitution*.

Good Shepherd Australia New Zealand has also been actively involved in Australian Catholic Religious Against Trafficking in Humans (ACRATH) since its foundation, including making significant financial contributions and assuming various leadership roles within the organisation.

At an international level, Good Shepherd has also done much work in relation to trafficking, particularly through the Good Shepherd Asia Pacific Justice Peace Network, which represents 19 countries in the region. Good Shepherd provides shelters, counselling, healthcare and legal assistance for survivors of human trafficking, conducts education and



training programs on anti-human trafficking, and carries out prevention, rehabilitation and repatriation work with survivors of trafficking.

Good Shepherd's prevention work includes providing information to and conducting awareness-raising activities with those women and girls preparing to work overseas or migrate for marriage, as well as providing them with emergency contacts where they are believed to be at risk of debt bondage or other exploitation. This type of work has been undertaken by Good Shepherd in the Philippines since the 1980s. Good Shepherd also runs projects to provide women and girls with alternative sources of income, so they are not forced to resort to prostitution or working overseas due to dehumanising poverty.

The Congregation of Our Lady of Charity of the Good Shepherd also engages in advocacy work at various levels of government and with United Nations (UN) organisations in order to advance the rights and status of women and girls. It has special consultative status with UN Economic and Social Council and is a member of various UN committees, including the NGO Committee on the Status of Women and the NGO Committee on Migration.

We believe that we therefore have relevant expertise which puts us in a position to comment on the issues raised in the Discussion Paper.

Good Shepherd Australia New Zealand supports the principles underpinning the Discussion Paper, particularly the need for law reform in relation to:

- the criminal justice response to people trafficking and slavery
- reparation for victims of people trafficking
- protection for vulnerable witnesses.

Specifically, we support:

- amendments that bring Australia into line with its international human rights and labour law obligations
- amendments to the Criminal Code that would broaden the scope of criminal liability – these amendments would ensure easier prosecution and conviction of perpetrators of crimes that are recognised under international law
- amendments that would acknowledge the rights of victims of trafficking, slavery and like offences to dignity and respect



- amendments that would acknowledge the pain that the victims of trafficking and similar offences have suffered
- amendments that would enable victims to feel as though they have been given an opportunity to be heard and to tell their story.

The following comments include suggestions in response to some of the questions and issues raised by the Discussion Paper.

## **2. The criminal justice response to people trafficking and slavery**

### ***Harbouring and receiving***

Article 3(a) of the Trafficking Protocol defines ‘trafficking in persons’ as:

*the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of the position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of the person having control over another person, for the purpose of exploitation.*

Good Shepherd Australia New Zealand believes that the trafficking offences should not simply focus on the movement of people across jurisdictional borders (Pearson, 2007:32). By only focusing on the organisation or facilitation of the entry or exit of trafficked persons, the trafficking offences do not sufficiently address the harbouring and receiving of such persons. Sometimes there may be a clear link between the organisation or facilitation of movement and the end result of exploitation, but exploitation can also be many times removed from the initial movement of the person into or out of Australia (or within Australia).

The introduction of new separate offences of forced labour, and forced and servile marriage,<sup>1</sup> may address this critical gap in the criminalisation of exploitation. However, we recommend that the offences relating to trafficking in persons, under Subdivision B of Division 271 of the Criminal Code, be re-framed to include the harbouring and receiving of persons for the purpose of exploitation.

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<sup>1</sup> For further information please see Response of Good Shepherd Australia New Zealand to the Attorney-General’s Discussion Paper on Forced and Servile Marriage.

## **Forced labour**

Forced labour is a serious violation of human rights. The United Nations *Recommended Principles and Guidelines on Human Rights and Human Trafficking* (2002) require that national laws not only criminalise trafficking, but that they also criminalise its component acts and 'related conduct', which includes 'forced labour or services, slavery or practices similar to slavery and servitude'. Furthermore, Australia has international obligations under the International Labour Organization (ILO) *Forced Labour Convention 1930 (No. 29)* to suppress forced labour, and obligations under the *International Covenant on Economic, Social and Cultural Rights* to protect the right to freely choose one's work and under the *International Covenant on Civil and Political Rights* to ensure no one is required to perform 'forced or compulsory labour' (Broderick and Byrne, 2009). Good Shepherd Australia New Zealand therefore believes that there should be a separate offence of forced labour under the Criminal Code.

The 2010 United States *Trafficking in Persons* report highlighted (at p.66) that some men and women are fraudulently recruited to work temporarily in Australia, and are subsequently subjected to conditions of forced labour, including confiscation of travel documents, confinement, and threats of physical harm. However, 'forced labour' should not simply be a form of exploitation for the purposes of the trafficking offences. The offence of forced labour should apply to both victims of trafficking and those victims who have not been trafficked. Exploitative practices such as forced labour, slavery and practices similar to slavery, do not always occur as a result of trafficking (Simmons and Burn, 2010:713; Hathaway, 2008; cf Gallagher, 2009a:814-17). According to the ILO, at an international level, only about 20 per cent of all forced labour cases are due to trafficking (ILO, 2005:14). Anti-trafficking measures have been criticised for only protecting 'a small subset of persons subjected to contemporary forms of slavery' (Hathaway, 2008:6). Those who have been subject to exploitation amounting to forced labour, but are not seen as victims of trafficking, also need to be protected.

It has been suggested that some situations of forced labour may constitute slavery (Cullen and McSherry, 2009; Simmons and Burn, 2010:726; Anti-Slavery Project, 2010:34). But there should be a separate offence of forced labour so that where a slavery or trafficking offence would be difficult to prove, there is an alternative offence available to the prosecution. It is not sufficient that cases involving forced labour may be subject to civil penalties under legislation such as the Fair Work Act 2009 (Cth). According to the ILO,

forced labour is not the same as unlawful or poor working conditions. Rather, forced labour constitutes a severe violation of human rights. However, it is acknowledged that the line between forced labour and substandard working conditions may not always be abundantly clear (Simmons and Burn, 2010:713).

Also, the commission of a crime in cases of severe labour exploitation may be more apparent to a jury were the defendant to face a charge of 'forced labour' as opposed to a charge of 'trafficking in persons' with all its connotations of sexual exploitation. A separate offence of forced labour may combat the stereotype that the trafficking of people occurs predominately in the sex industry and may therefore have something of an educative effect on the public.

### ***Definition of forced labour***

If a new offence of forced labour is created we recommend that it be defined through the ILO definition of forced labour. The ILO defines forced labour using the term 'menace of any penalty'. This is broader than the Criminal Code's requirement for forced labour to include the use of 'force' or 'threats'. Menace of any penalty has been found to include a loss of rights or privileges and psychological coercion (ILO, 2009:12).

Even if a new offence of forced labour is not created, at the very least the current definition of forced labour should be broadened. Traffickers have developed increasingly sophisticated methods of persuasion and coercion that do not fit readily into blatant force or threats. Instead, the term 'menace of any penalty' more readily encapsulates the evolving nature of trafficking. Trafficked persons can be effectively controlled by traffickers through a variety of means, such as social, cultural and physical isolation, confiscation of travel and personal identity documents, and the victim's fear of reprisals against family members and fear of deportation (Simmons and Burn, 2010:715). Traffickers may not need to resort to explicit threats or the use of force in order to achieve compliance with their demands.

### ***Offence of deceptive recruiting for labour services***

Alternatively, or in addition to the offence of forced labour, we support the introduction of a new offence of 'deceptive recruiting for labour services'. This offence would be drafted in a similar manner to section 270.7 (Deceptive recruiting for sexual services). It would provide that a person who, with the intention of inducing another person to enter into an engagement to provide labour services, deceives that other person about factors such as those listed in section 270.7(1)(aa)-(e) is guilty of an offence. It is important that this offence does not

require the use of ‘force or threats’, because, as discussed above, such a requirement may be difficult to prove.

### ***Debt bondage***

The offence of debt bondage is a summary offence with a penalty of 12 months’ imprisonment. The Explanatory Memorandum explains that it ‘provides an alternative offence where it may be more difficult to satisfy the evidential requirements of one or more of the more serious offences’, such as the people trafficking offences or slavery.

There is a benefit to having the offence of debt bondage as a summary offence: summary offences are not triable by jury (Debeljak et al, 2009). Rather, they are tried by judge or magistrate alone. Debeljak et al (2009) have pointed out that the unpredictability of jury trials has been blamed for the low success rate of Australian prosecutions in the context of trafficking for the purpose of sexual servitude (PJCACC, 2005:8-10). Juries will have their own (often biased) views about the seriousness of the offences, the harm caused, and the credibility of victims (Debeljak et al, 2009).

However, the merits of the offence of debt bondage being classified as a low-level offence are questionable: debt bondage is a key means of exploitation evident in Australian human trafficking cases – almost all victims in those cases have entered into some kind of unenforceable contract (Broderick and Byrnes, 2009; Gallagher, 2009b). Even the aggravated offence of debt bondage, which is an indictable offence that applies in relation to crimes against child victims, only has a penalty of 2 years’ imprisonment. The low penalties for these offences suggest that the impugned behaviour and the related harms suffered by victims are not so serious (Debeljak et al, 2009).

Furthermore, if the offence of debt bondage were to be made an indictable offence, it could be included on an indictment containing counts for offences such as slavery. This would allow a jury to return a verdict on the offence of debt bondage in a case where they find a defendant not guilty on slavery grounds. For example, in the High Court case on slavery, *R v Tang* (2008), Gleeson CJ affirmed the Court of Appeal’s comments that the offence of debt bondage would have been clearly made out on the facts (had that offence existed at the time the relevant conduct occurred).

We believe that debt bondage is serious and should be treated as such. Despite the difficulties inherent in gaining a conviction in a jury trial, it is essential that the offence of debt

bondage, under section 271.8 of the Criminal Code, be raised to an indictable offence with a higher penalty.

### **3. Reparation for Victims of People Trafficking**

Article 6(6) of the Trafficking Protocol provides that Australia should 'ensure its domestic legal system contains measures that offer victims of trafficking in persons the possibility of obtaining compensation for damages suffered'. Compensation is necessary to prevent the re-victimisation of trafficking victims, as improving their financial position reduces their vulnerability and allows them to rebuild their lives.

#### ***Reparation orders***

The provision of reparation orders can be a mechanism for affirming that what happened to the victim was wrong and that the offender must pay for their crime, not only through imprisonment but also financially. Ancillary orders provide a means of establishing a legally enforceable civil debt against an offender without requiring separate civil action (ALRC, 2006:269).

When an offender is to be sentenced, the prosecution must consider whether it is appropriate to seek a reparation order under the Crimes Act 1914 (Cth) (Anti-Slavery Project, 2010:30). Amendments should be made to ensure that courts give reparation orders for victims of trafficking and other related offences, such as slavery. We note that in the United States, the Victims of Trafficking and Violence Prevention Act requires, under § 1593, that the court must direct the defendant to pay the victim for the victim's losses.

Reparations orders have never been made in relation to trafficking victims. Indeed, no reparations orders have been made under the Crimes Act for non-economic loss. Appropriate measures to change this trend may involve the following:

- the amendment of Part IB of the Crimes Act to explicitly provide that a reparation order can be made in relation to non-economic loss, such as pain and suffering and loss of expectation of life (ALRC, 2006:277-8; Anti-Slavery Project, 2010:30)
- an amendment of s 21B(1)(d) to remove the necessity of a strict direct connection between the loss suffered by the victim and the commission of the offence, where the victim is a victim of a trafficking offence, so that 'a secondary loss by way of a ripple effect' that occurs as a result of an offence may be considered.

However, there are various problems with reparation orders. First, a reparation order is a civil judgment and needs to be personally enforced by the victim. Secondly, the defendant's ability to pay will impact the victim's ability to receive reparation under the Crimes Act. Judges will generally take into account an offender's means when making a reparation order under section 21B, so orders will vary according to the defendant's resources rather than the harm suffered by the victim (ALRC, 2006:273-4). Thirdly, and more significantly, not all victims of trafficking will be involved in a court case. Victims may be unwilling or unable to testify against the offender, or the prosecution may be unable to bring a case to court due to insufficient evidence against the trafficker.

An amendment to the Proceeds of Crime Act 2002 (Cth) to enable the civil-based forfeiture of an offender's assets to provide compensation for victims may be a possible solution to the problem that reparation orders pose in relation to the defendant's financial means (Anti-Slavery Project, 2010:30). In *Commonwealth DPP v Xu* (2005) the alleged proceeds of trafficking in persons were restrained, but the preservation of assets for the purposes of restitution or compensation of victims of crime is currently only available under Victorian legislation, in the Confiscation Act 1997 (Vic).

However, we believe that a more effective solution would be to develop a compensation fund for victims of federal crimes. Alternatively, we would support the harmonisation of state compensation schemes for victims of crime, which would include measures to provide for improved access to these funds for trafficked persons.

### ***Victims of crime compensation***

State and territory victims of crime compensation schemes are designed to address the financial impacts of violent crime, such as counselling and medical expenses (McLeod, 2010). In every state and territory there are different victim compensation schemes, with different threshold requirements, eligibility requirements and burdens of proof (Burn, 2010). As far as we are aware, compensation has only been awarded to two trafficking victims, the first in New South Wales and the second in Victoria (however, other Victorian cases are currently in progress) (McLeod, 2010; Debeljak et al, 2009; VDCPC, 2010:206).

There are various obstacles to seeking victims of crime compensation for victims of trafficking (VDCPC, 2010:206-209; AHRC, 2009:22). For example, Fitzroy Legal Service has commented that their trafficked clients had not reported their situation to the police due to fear of retaliation by their traffickers, and that it is 'virtually impossible' to make a

successful claim before the Victorian Victims of Crime Assistance Tribunal in the absence of a police statement (VDCPC, 2010:207).

Additionally, Fiona McLeod SC (2010) has highlighted that in the absence of physical violence and proof of chronic mental consequences, 'the victim has no claim under State and Territory victims of crime compensation legislation.' While crimes involving sexual exploitation may inherently involve violence (rape), other crimes involving trafficking and debt bondage may not involve violence. These compensation schemes therefore provide no remedy in situations where a person has been trafficked for the purposes of non-sexual exploitation, such as forced labour, and where threats have been used rather than force (VDCPC, 2010:206).

Also, the awards of compensation available under state and territory schemes are not uniform and do not adequately reflect the suffering of victims (McLeod, 2010). For example, in Victoria, a victim may receive up to \$60,000 for matters such as reasonable counselling, medical expenses, loss of earnings and damage to clothing; but there is only up to \$10,000 available for 'special financial assistance' due to a 'significant adverse effect', which includes grief, distress, trauma or injury experienced as a direct result of the act of violence. A cap of \$10,000 is too restrictive.

The Victorian Drugs and Crime Prevention Committee (2010) has recommended that any person found to be a victim of trafficking in Australia be eligible for crimes compensation under the relevant state compensation scheme. However, our preferred approach would be the development of a national compensation scheme for victims of federal crimes (McLeod, 2010; Simmons and Burn, 2010:729; ALRC, 2006:276; AHRC, 2009:22; Pearlman, 2008). The federal scheme should be 'tailored to meet the particular vulnerabilities of the group of victims, for example, by recognising the typical delay or failure to make police complaints and by increasing the pain and suffering award' (McLeod, 2010). There must also be consideration regarding how victims of non-sexual crimes, such as forced labour, could receive compensation under a federal scheme.

#### **4. Protection for Vulnerable Witnesses**

According to the United Nations *Recommended Principles and Guidelines on Human Rights and Human Trafficking* (2002), anti-trafficking measures 'shall not adversely affect the human rights and dignity of persons, in particular the rights of those who have been trafficked'. In particular, States should ensure that 'legal proceedings in which trafficked



persons are involved are not prejudicial to their rights, dignity or physical or psychological well-being.'

Elizabeth Broderick (2008) has commented that 'while Australia has a framework to prosecute traffickers, we don't have a framework to protect victims' rights. The emphasis is largely on law enforcement rather than protecting the human rights of the victim.'

### ***Protection in legal proceedings***

As the Discussion Paper noted, there are currently no protections under Commonwealth legislation available for vulnerable adult witnesses who give evidence in Commonwealth proceedings – this deficiency should be rectified. It is not sufficient for courts to rely upon inconsistent state and territory legislation.

Victims of trafficking and like offences are generally very vulnerable persons. They often suffer from trauma – due to experiences of intimidation, and psychological and physical violence – as well as having a fear of the criminal justice process (Gallagher, 2009b; Moskowitz, 2008). They may find the court process very intimidating due to linguistic and cultural barriers, and low levels of education and communication skills (Gallagher, 2009b). There is also the fear of publicity and the salient fear of reprisals from the trafficker or the trafficker's associates, fear of deportation and fear of facing the defendant in court (Gallagher, 2009b; Moskowitz, 2008).

Provisions should be put in place to allow witnesses alternatives to providing in-court testimony. For example, witnesses should be able to provide evidence by closed-circuit television so they do not have to face the defendant/s. Facing the person who trafficked them is very traumatic for a victim (David 2008b:61). Trafficked persons fear reprisals; offenders may harm them and their families. At no stage should self-represented defendants be permitted to directly question the victim.

There should also be provisions preventing inappropriate or aggressive cross-examination of victims. Giving evidence can prove to be a damaging experience for a witness. For example, the alleged victim in *R v Tran, Xu & Qi* (2005) was subjected to repeated questions that suggested she was a liar (David, 2008a:3). Due to her traumatic experience in court, she was later unwilling to appear as a witness for a retrial (David, 2008:3). Prior inconsistent statements have been a key issue in several Australian trafficking cases. According to Fiona David (2008), alleged victims have indicated that initially they did not tell the police the whole story in order to protect their family in Australia or overseas. Additionally, trauma can have a

significant impact on the memory and behaviour of trafficked persons, which can lead to confusion about chronology or even complete inability to recall important events (David, 2008:3; Moskowitz, 2008). The credibility of some trafficked persons may also be attacked if they are sex workers or illegal migrants (David, 2008:4; Gallagher, 2009b).

Where trafficking crimes involve a sexual element, it is clear that trafficked persons need protections that are similar to those made available to witnesses in sexual assault matters (David, 2008:5). Such measures include protection from further trauma associated with having to confront their abuser (use of screens or closed-circuit television), protections against unnecessary repetition of testimony, and protections from harsh and unfair cross-examination particularly in relation to prior sexual history (David 2008:5; ICMPD 2006:55-63).

However, we believe that protections should be available to any vulnerable witnesses giving evidence in crimes against a person (rather than crimes against the Commonwealth). Part IAD could be amended to apply generally to the protection of witnesses in these proceedings, such as crimes under Division 270 (Slavery, sexual servitude and deceptive recruiting), Division 271 (Trafficking in persons and debt bondage) of the Criminal Code. The provisions in Part IAD, such as those in relation to evidence of sexual reputation, evidence of sexual experience, disallowing inappropriate or aggressive cross-examination, cross-examination by defendants, and evidence given by closed-circuit television, should be applicable to vulnerable adult witnesses as well as children. Furthermore, section 15YE (Disallowing inappropriate or aggressive cross-examination) should be extended in line with protections available under section 41 of the Evidence Act 1995 (Cth) to impose an obligation, rather than a discretion, on judges to disallow improper questions.

### ***Suppression orders***

The Trafficking Protocol provides that states must protect the privacy and identity of victims. We believe that the Standing Committee of Attorneys-General's model provisions on suppression and non-publication orders should be implemented at a Commonwealth level as well as at a state and territory level. The provisions under proposed section 8, which include that a court may make an order where it is 'necessary to protect the safety of any person' or 'necessary to avoid causing undue distress or embarrassment to a party to or witness in criminal proceedings involving an offence of a sexual nature', are particularly important.

The Commonwealth should not have to rely upon the application of state and territory laws for the suppression of witness names in Commonwealth matters. The suppression of witness names is very important. Traffickers are often part of a crime syndicate, so even if a particular defendant is convicted a victim will still be at risk of retribution for giving evidence. The non-publication of witness names will increase victim safety. Also, where the offence involves sexual exploitation, the victim will not wish to be identified due to the stigma attached to the conduct involved.

For example, the problems with relying upon state law were seen in the New South Wales *Kwok* case (David, 2008b:53). The prosecutor had to rely upon common law arguments to apply for non-publication orders in relation to the names and identities of all the complainants in the case. The District Court of New South Wales only agreed to make a non-publication order for one of the complainants as they did not believe they had the power to make the other orders. Although the New South Wales Court of Criminal Appeal did find the District Court had the power to make such orders where this was necessary for the administration of justice (without non-publication orders victims would be less likely to report or give evidence in matters regarding sexual servitude, due to the risk of shame and stigmatisation) (*R v Kwok*, 2005), applying for such important orders would be much simpler were a law to exist at a federal level.

### ***Victim impact statements***

The Trafficking Protocol requires that victims be able to present their views and concerns during criminal proceedings against offenders, in a manner not prejudicial to the rights of the defence. Good Shepherd Australia New Zealand believes that victims should have the opportunity to make a victim impact statement. Providing a victim impact statement can be therapeutic, reducing their sense of powerlessness (Garkawe, 2007). It gives them a chance to explicitly state how the defendant's actions have impacted on them – an opportunity they may not receive at any other point in the trial.

In order to ensure consistency between Commonwealth proceedings, it is essential that federal legislation provide for the use of victim impact statements in the sentencing of federal offenders (ALRC, 2006:42-3). State and territory provisions regarding victim impact statements should be considered in making a decision in regards to an appropriate law at a Commonwealth level.

For example, we would support an amendment to the Crimes Act similar to the victim impact statement provisions under the Sentencing Act 1991 (Vic). That is, a law which provides for a victim impact statement which:

- informs the judge of the impact of the offence on the victim and of any injury, loss or damage suffered by the victim as a direct result of the offence
- can be read to the court by the victim via closed-circuit television, or read on behalf of the victim by someone else (such as the prosecutor) where the victim does not wish to read the statement themselves.

We would also recommend that the new law provides that:

- a support person may be beside the victim while they are reading the statement
- the court may direct that only certain persons may be present while the statement is being read aloud
- cross-examination of the victim in relation to the statement is prohibited
- a victim cannot express an opinion in relation to the appropriate sentence.

We believe that such a provision would affirm the human rights of victims while not unduly infringing the rights of defendants. Although there is an argument that victim impact statements can lead judges to give disproportionate weight to the impact of a crime on the victim, victim impact statements are an integral part of restorative justice practices. Without their availability, victims can feel isolated by the criminal justice system.

## **5. Conclusion**

This submission outlines the need for law reform in relation to the criminal justice system's response to people trafficking. We share the Department's view that people trafficking does not occur solely for the purposes of sexual exploitation and can occur for a number of reasons including forced labour. Additionally, the evolving methodology of people trafficking offenders has left considerable challenges in relation to the prosecution of these offences.

We recommend a range of reforms including a new offence of 'forced labour', the making of a new indictable offence of debt bondage, an amendment to the Crimes Act to explicitly provide that a reparation order can be made in relation to non-economic loss, a compensation fund for victims of federal crimes, and greater protection for vulnerable

witnesses. Good Shepherd Australia New Zealand would welcome the opportunity to provide further comments as the Department considers these issues further.



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