

Modern Slavery & Anti-Trafficking Laws

AskLOIS

Factsheet



This fact sheet summarises the Ask LOIS webinar on this topic presented on 5 August 2020 by Sandeep Dhillon, Lawyer, Anti-Slavery Australia
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This factsheet will cover the following:

- **Anti-Slavery Australia**
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Anti-Slavery Australia

A specialist centre providing:

- free legal and migration services to people who have experienced or are at risk of modern slavery in Australia
- education and training
- research and advocacy informed by client work

Estimates of modern slavery

Global estimates:

- 24.9 million people in forced labour
- 15.4 million people living in a forced marriage

Australian estimates:

- 1,567 victims of modern slavery
- Currently, only 1 in 5 victims is ever detected

In 2019, Anti-Slavery Australia helped:

- Over 200 people who experienced modern slavery in Australia
- People with over 39 different countries of origin/nationalities

What is Modern Slavery

- Human trafficking
- Slavery
- Servitude
- Forced Labour
- Debt Bondage
- Deceptive recruitment for labour or services
- Forced marriage
- Worst forms of child labour

Human Trafficking

Organising or facilitating the movement or proposed movement of a person into, within or out of Australia using coercion, threat or deception.

Forced Labour

When a person does not consider themselves free to stop working, or to leave the place where they work, because of threats, coercion or deception.

Servitude

When a person does not consider themselves free to stop working, or to leave the place where they work, because of threats, coercion or deception **and** the person is significantly deprived of their personal freedom in aspects of their life outside of work.

Risk factors

- Poverty
- Inequality
- Discrimination
- Gender-based violence
- Conflict
- COVID 19

Vulnerable groups

- Women
- Children
- Migrants
- Refugees and people seeking asylum
- People in occupations with low visibility and legal protections

Indicators

- Controlled or restricted, limitations on freedom of movement; monitored; guarded or confined; abuse of vulnerability
- Intimidation and threats including threats of deportation
- Threatened or actual physical, psychological and/or sexual abuse/violence
- Travel or identity documents taken by employer or third party
- Abusive living or working conditions
- Living at the workplace or another place owned/controlled by the employer
- No discretion over life decisions

- Isolation – geographic, social and/or linguistic
- Deception about nature and conditions of work
- Debt-bondage (labour or services provided as security for the repayment for an inflated debt)
- Withholding, underpayment or no payment of wages
- Excessive hours of work or overtime
- Creation of fear of exposure, distrust of law enforcement
- Unable to end employment at any time

understanding the nature and effect of the marriage ceremony.

Who to contact

- Anti-Slavery Australia / My Blue Sky
- 02 9514 8115
- Emergency services 000
- Australian Federal Police 131 237

Case Study

R v Pulini & Pulini

Isikeli and Malavine Pulini were found guilty of forced labour offences by a Brisbane District Court in 2009, the first such convictions in Australia, after forcing a Fijian woman to work as their domestic servant for eight years. Malavine Pulini was also found guilty of trafficking the woman, who had her passport taken from her when she arrived in Brisbane on a tourist visa in 2008. They were sentenced to 5 and 6 years in prison respectively. The couple's appeal to the QLD Supreme Court was dismissed.



Figure 1. Text reads: people in slavery today could be exploited anywhere: home, restaurants, factory, farm

Forced marriage

A marriage is a forced marriage when a person gets married without freely and fully consenting because of threats, deception or coercion, or when a person was incapable of