

Resource Paper 19, 2021.

# Modern Slavery — Hidden in Plain Sight

A call for the local church to see, think and act



"There is a person being exploited. Someone who did not want to be used, bought or sold. Someone who just needed food, rent, someone who just didn't have anyone else to turn to or another choice. Until we see that person as our friend, neighbour, sister, daughter, etc., it will never stop." - Female survivor, U.S.<sup>1</sup>

<sup>&</sup>lt;sup>1</sup> ODIHR and UN Women, Guidance: Addressing Emerging Human Trafficking Trends and Consequences of the COVID-19 Pandemic, 2020, 5, <a href="https://www.osce.org/files/f/documents/2/a/458434\_3.pdf">https://www.osce.org/files/f/documents/2/a/458434\_3.pdf</a>, accessed 23 September 2020.

<sup>\*</sup>The above image does not depict an actual situation of modern slavery.

Slavery is illegal everywhere in the world. Yet today, millions of women, men, girls and boys are effectively slaves. They are placed under someone's control, used for the commercial or personal gain of another, and unable to leave. In Australia alone, there are an estimated 15,000 victims of modern slavery living amongst us.

Modern slavery is an egregious crime, a violation of human rights, and an affront to God. Just as faith in Christ drove William Wilberforce to courageously challenge the accepted practice of legalised slavery over 150 years ago, our faith in Christ must lead us to bravely advocate against modern slavery today. As the Church, we have a responsibility to respond to the reality of Modern slavery.

The simple theological reflection model of see, think, act will guide this paper.

- Let us **see** the reality of Modern Slavery globally and, here in Australia.
- Let us **think** about what we have seen. What does God say about slavery, and about our role as God's people in the face of this oppression?
- Finally let us move toward **action**; how must we respond to what we have seen and thought about?

Modern Slavery is horrific-but that must not paralyse us. Instead, let us see how the light of the good news of Jesus can shine brightly into this deep darkness. We must go with that light into the dark places.

## See the problem

Slavery isn't a historic problem. Wilberforce's success in bringing about the abolition of the transatlantic slave trade was rightly celebrated as an incredible achievement of justice. Yet, the exploitation of people in slavery-like practices did not stop. It continued under other guises and in other places, just as it has throughout human history. About 12.5 million



people were enslaved across the Americas during the 300 years of the transatlantic slave trade.<sup>2</sup> Today, there are approximately 40 million people enslaved worldwide.<sup>3</sup>

## What is modern slavery?

There is no globally recognised definition of modern slavery.<sup>4</sup> When governments and institutions use the term, they are referring to a wide range of serious exploitative practices. These practices include 'trafficking in persons', slavery, 'slavery-like practices', and 'the worst forms of child labour'.<sup>5</sup> The common thread in all these situations is the complex relationship between an offender and a victim—where offenders use coercion, threats or deception to exploit victims for personal or commercial gain, and undermine the victim's

<sup>&</sup>lt;sup>2</sup> Nolan J. and Boersma M., 2019, Addressing Modern Slavery, UNSW Press, p.2.

<sup>&</sup>lt;sup>3</sup> International Labour Organisation, 2017, Walk Free, Global Estimates of Modern Slavery: Forced Labour and Forced Marriage.

<sup>&</sup>lt;sup>4</sup> In this area, terminology can be contentious. 'Slavery' often evokes images of historical slavery. This association can make it difficult to recognise some modern forms of slavery, where chains are absent or when victims seem to be cooperative. A further note about the term 'slavery'—some survivors prefer the term 'human trafficking', because this does not reduce their identity to that of 'slave'.

<sup>&</sup>lt;sup>5</sup> Australian Government, Department of Home Affairs, 'National Action Plan to Combat Modern Slavery 2020-25', Commonwealth of Australia, Canberra, p.9.

personal freedom.<sup>6</sup> Appendix C provides details of the various international legal frameworks concerned with modern slavery.

### Types of modern slavery

### **Trafficking in Persons**

Trafficking in persons refers to the process by which individuals are transported across or within borders through coercion, threat or deceit for the purpose of exploitation. This exploitation can include slavery, servitude, forced labour, forced marriage, debt bondage, organ trafficking or sexual exploitation. The UN definition of trafficking in persons identifies three main aspects—act, means and purpose— that must be present to be classified as a case of trafficking.<sup>7</sup>

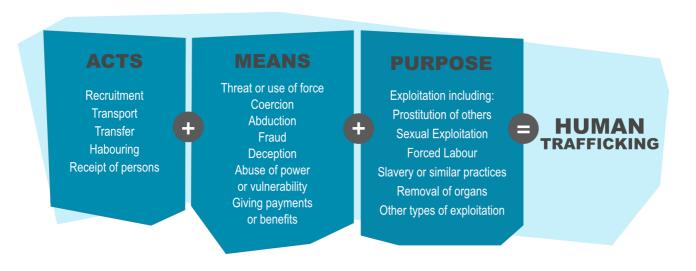


Image Source: https://traffickacts.org/the-need-to-know/background/, accessed 7 October 2021.

<sup>&</sup>lt;sup>6</sup> Australian Government, Department of Home Affairs, 'National Action Plan to Combat Modern Slavery 2020-25', Commonwealth of Australia, Canberra, p.9.

<sup>&</sup>lt;sup>7</sup> For more information on this definition, see Article 3(a) of The Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. <a href="https://www.ohchr.org/EN/ProfessionalInterest/Pages/ProtocolTraffickingInPersons.aspx">https://www.ohchr.org/EN/ProfessionalInterest/Pages/ProtocolTraffickingInPersons.aspx</a>, accessed 12 May 2021.

### Slavery

Slavery is where a person is owned by another.<sup>8</sup> This ownership may come about because a victim owes a debt or makes a contract with their controller. The victim is bought and sold by another person, and is forced to work with little or no pay—often under the threat of violence. They cannot walk away.

### Slavery-like practices

This category covers situations of exploitation so serious that they are like slavery. Slavery-like practices are criminalised under Australian law.<sup>9</sup> These practices include –

- Forced labour a person is not free to stop working or to leave their place of work.
- Forced marriage a person is married without free and full consent.
- Servitude a person is not free to stop working or leave their place of work, their personal freedom is severely restricted.
- Debt bondage a person works to repay real or perceived debts with excessive interest. They may never be able to repay, and there is little control over how long they need to work or the type of work they must do.
- Deceptive recruiting for labour or services a person is deceived about the type of work they are agreeing to, the length of time, the living and working conditions or the amount of pay.

#### Worst forms of child labour

Situations of slavery or slavery-like practices which are likely to harm the health, safety or morals of children.<sup>10</sup> These include the trafficking of children, debt bondage, serfdom, and engagement in armed conflict.<sup>11</sup>

<sup>&</sup>lt;sup>8</sup> Article 1(1) of the 1926 Slavery Convention, states that 'Slavery is the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised'.

<sup>&</sup>lt;sup>9</sup> Australian Government, 'National Action Plan to Combat Modern Slavery 2020, p.25', p.10.

<sup>&</sup>lt;sup>10</sup> Full details can be found in the UN Worst Forms of Child Labour Convention, 1999 (No. 182), https://www.ohchr.org/en/professionalinterest/pages/childlabour.aspx, accessed 24 August 2021.

<sup>&</sup>lt;sup>11</sup> Full details can be found in the UN Worst Forms of Child Labour Convention, 1999 (No. 182), https://www.ohchr.org/en/professionalinterest/pages/childlabour.aspx, accessed 24 August 2021.

### Related practices

A number of practices have strong links with modern slavery and are often present where modern slavery exists. These practices include child sexual abuse, family violence, female genital mutilation/cutting, dowry abuse, money laundering, people smuggling and exploitative working conditions.<sup>12</sup>

## Scope of Modern Slavery

It is estimated that there are 40.3 million victims of modern slavery globally.<sup>13</sup> This is a conservative figure, as accurate data is difficult to come by given the illegal and hidden nature of modern slavery.<sup>14</sup> Females are disproportionately represented—71% of all victims are women and girls. One in four victims are children.<sup>15</sup> Slavery is a global problem, but 62% of all modern slavery victims are found in our own region, the Asia Pacific.<sup>16</sup> Many of these victims are involved in the production of goods and services entering Australia. The clothing we wear and the food we eat are often products of modern slavery.

Slavery today is most often found in industries that are labour intensive, low skilled and under regulated. These industries include construction, fishing, agriculture, domestic work and manufacturing. There are disturbing connections between slavery, environmental destruction, and carbon emissions. Research by Kevin Bales indicates that if modern slavery were a country, they would be the third largest emitter of carbon dioxide in the world, after

<sup>&</sup>lt;sup>12</sup> Australian Government, 'National Action Plan to Combat Modern Slavery 2020-25', p.11.

<sup>&</sup>lt;sup>13</sup> 38% in forced marriage, 50% in forced labour (state imposed and private sector) and 12% in sexual exploitation (ILO, 2017).

<sup>&</sup>lt;sup>14</sup> Data to build these estimates was taken from 54 surveys carried out in 48 countries, from over 71,000 respondents. These results were then extrapolated for other countries with similar risk profiles. More information about the study's methodology can be found at <a href="https://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/documents/publication/wcms\_575479.pdf">https://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/documents/publication/wcms\_575479.pdf</a> and <a href="https://www.globalslaveryindex.org/2018/methodology/overview/">https://www.globalslaveryindex.org/2018/methodology/overview/</a>

<sup>&</sup>lt;sup>15</sup> International Labour Office (ILO), Walk Free Foundation and International Organization for Migration (IOM), 2017, Global estimates of modern slavery: Forced labour and forced marriage, Geneva, 2017, viewed 21 August 2021, <a href="https://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/documents/publication/wcms\_575479.pdf">https://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/documents/publication/wcms\_575479.pdf</a>, p.5.

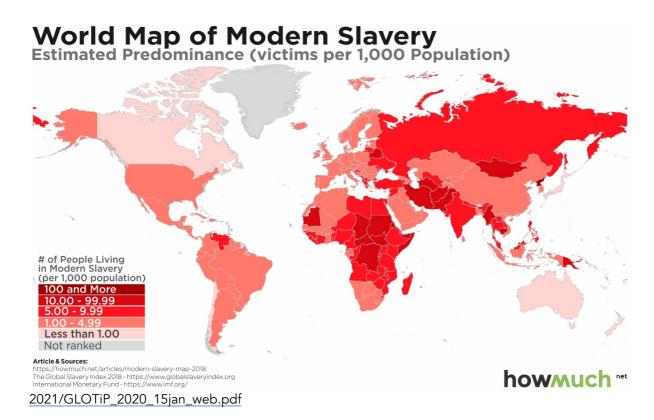
<sup>&</sup>lt;sup>16</sup> Global Slavery Index 2018, Asia and the Pacific Regional Analysis, <a href="https://www.globalslaveryindex.org/2018/findings/regional-analysis/asia-and-the-pacific/">https://www.globalslaveryindex.org/2018/findings/regional-analysis/asia-and-the-pacific/</a>, accessed 15 September 2021.

#### China and the United States. 17

The most common way of recruiting victims of modern slavery is through deceit. The perpetrator makes fraudulent claims of a job, a relationship or educational opportunities. Just like all people, victims of modern slavery have hopes and dreams for a better future. Traffickers exploit these hopes for their own gain. Force and abduction are sometimes used as a means of recruiting victims, but often the perpetrator is known to the victim, whether it is a family member or someone in their community.<sup>18</sup>

Modern slavery is a hugely profitable crime, with illegal profits estimated to be more than A\$200 billion annually.<sup>19</sup> Perpetrators range from being casual opportunists to highly organised criminal networks with sophisticated transportation and money laundering systems.<sup>20</sup> Globally, rates of prosecution are incredibly low. Perpetrators are almost guaranteed impunity. In 2019 there were only 9,548 convictions of trafficking globally, equating to 0.02%, meaning 99.98% of the time there is impunity for this crime.<sup>21</sup> The economic benefit far outweighs the negligible risk of getting caught, so modern slavery continues to be an attractive 'business opportunity'.

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<sup>&</sup>lt;sup>21</sup> Hyland, K., 2020, Modern Slavery, Human Trafficking and emerging theologies webinar, Centre for Baptist studies.

<sup>&</sup>lt;sup>22</sup> https://howmuch.net/articles/modern-slavery-map-2018, accessed 10 September 2021.

## What does modern slavery look like?

### Martha, West Africa<sup>23</sup>

Martha was in her final year at university. She was in the process of writing her thesis. Martha's supervisor began to manipulate and threaten her—the thesis would not progress unless she performed sexual favours for him. Martha had enough and despite being so close to finishing her degree, she walked away from her hopes of graduating in order to escape sexual exploitation. Without many options, Martha started looking for a job. She was ecstatic when offered domestic work in the Middle East. Her flight would be paid for, and she was guaranteed two years of work. Then, she could return home with her savings, and make a new start. Instead, Martha's dreams were crushed when she found herself in a nearby West African country, forced into prostitution. Her identity papers were taken away. Martha was told she had a debt to pay to her trafficker, with interest and deductions for room and board. Martha was stuck in modern slavery.

### Felicity, Sydney<sup>24</sup>

Felicity was 21 when she moved from regional NSW to Sydney in 2012. She was studying to become a police officer when she met Davis, 10 years her senior. After months of psychological manipulation, coercive control and repeated physical and sexual violence perpetrated by Davis, Felicity felt like there was no way to escape. She was tattooed with a slave number and forced into prostitution, with the proceeds going to Davis. Felicity was able to leave in 2015. In March 2021, she appeared on the ABC's Four Corners detailing her experience: "I think having the opportunity to be able to talk about my experiences could potentially help other girls in that situation to be able to escape." Superintendent Hudson, of the Australian Federal Police, issued a plea to the broader public: "Look a little deeper; look in your communities, your neighbourhoods, your backyards, for the signs of human trafficking, and slavery. It is very much an unseen crime or hidden in plain sight."

<sup>&</sup>lt;sup>23</sup> Name changed for privacy.

<sup>&</sup>lt;sup>24</sup> Worthington and Taylor, 'Former 'slave' speaks out about abusive sex cult being run from a rural property',

https://www.abc.net.au/news/2021-03-15/four-corners-felicity-bourke-speaks-out-about-cult-master/13230546, 15 March 2021, accessed 6 April 2021.



### Nguyen, Vietnam<sup>25</sup>

"I was only 16 years old when I was forced on to that fishing boat. I was told that the job was very easy and that I'd be paid a good wage. But instead I ended up working 19 hours a day, every day. For food we ate nothing but fish and rice twice a day. If I got sick or injured, I worked. I had seen others who become ill and the captain simply threw them over the side. I still remember their pleas for help as the ocean carried them away to their eventual death. I was beaten if I did not work hard enough, or even if I did. Days often went by with only a few hours of sleep. I was so tired. Sometimes I felt I would go crazy. To keep me working they would force me to take powerful drugs that destroyed my body. When I finally returned to port after 4 years at sea, I was not given any pay. The Captain told me I was an illegal migrant so he did not have to give me anything. Having no way to communicate with my family while I was away, my mother and my father assumed I was dead. Since they moved away, I don't know where to find them. When I was a slave on that boat, why did no one come to help me? Where was everyone?".

<sup>&</sup>lt;sup>25</sup> Used with permission, The Mekong Club, https://themekongclub.org

### **Coffs Harbour Blueberry Harvest**

"My best day was 24.1kg and earned about \$70." - 28 year old male, from Germany.

"Some contractors they scale right kilo, some they adjusted the scale so they can steal 100-200g each sending fruit. Someday good fruit, someday really bad fruit but they pay the same piece rate, someday [I earn] \$30-40 [and] spend 8 hours at work." - 26 year old female, from Vietnam.

The McKell Institute has reported widespread labour exploitation in the 2019/2020 Coffs Harbour region blueberry harvest.<sup>26</sup> Issues include exploitation, wage theft and poor working conditions .<sup>27</sup> Some workers were paid as little as \$3 an hour, significantly below the minimum casual rate of \$24.80.28 Not all farmers are implicated—many uphold fair working standards. However, exploitative practices continue to be well documented in agricultural industries across Australia.<sup>29</sup> Australia has an unhealthy relationship with our temporary imported workforce. Agricultural industries do not have enough domestic labour supply, and temporary visa holders often fill that gap. Communication barriers and financial or visa related pressures may lead overseas workers to accept exploitative situations. Visa rules which require workers to find employment in rural areas exacerbate these issues. Some of these requirements have recently been changed, however it is unclear whether the new 'Agricultural Visa' scheme will provide sufficient protection for migrant workers.<sup>30</sup> Whatever the visa scheme is, the responsibility ultimately falls on the agricultural sector. As Jock Collins, UTS Social Economics professor, says, 'the agricultural sector... are the ones who have to pay proper wages and enforce proper conditions and they haven't been doing it'.

<sup>&</sup>lt;sup>26</sup> Cavanough E., and Wherrett, C, 2020, 'Blue Harvest: Wage theft & other labour infringements in the NSW Mid-North Coast's 2019/20 Berry Harvest', The McKell Institute, <a href="https://www.awu.net.au/wp-content/uploads/2020/12/McKell-Institute-Blue-Harvest-Final.pdf26.pdf">https://www.awu.net.au/wp-content/uploads/2020/12/McKell-Institute-Blue-Harvest-Final.pdf26.pdf</a>, accessed 20 September 2021.

<sup>&</sup>lt;sup>27</sup> Mirage, 16 December 2020, 'AWU moves to close loophole allowing farms to get away with paying \$3 an hour', <a href="https://www.miragenews.com/awu-moves-to-close-loophole-allowing-farms-to-get-away-with-paying-3-hour/">https://www.miragenews.com/awu-moves-to-close-loophole-allowing-farms-to-get-away-with-paying-3-hour/</a>, accessed 20 September 2021.

<sup>&</sup>lt;sup>28</sup> Cavanough and Wherrett, p.52.

<sup>&</sup>lt;sup>29</sup> Australian Government, 2020, Fair Work Ombudsman, 'Harvest Trail Inquiry', <a href="https://www.fairwork.gov.au/about-us/compliance-and-enforcement/inquiries/harvest-trail-inquiry">https://www.fairwork.gov.au/about-us/compliance-and-enforcement/inquiries/harvest-trail-inquiry</a>, accessed 20 September 2021.

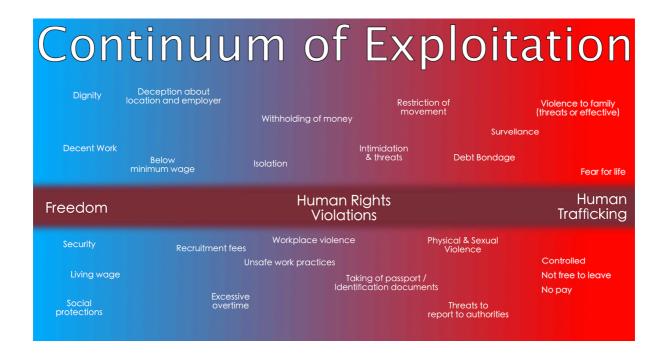
<sup>&</sup>lt;sup>30</sup> Trinca, H., The Australian. 20 September, 2021. 'The Pick of the Crop'.

### **Continuum of Exploitation**

Exploitation is at the centre of modern slavery. There is a continuum of exploitation. Situations often develop along this continuum. At one end, we have a situation of decent work.<sup>31</sup> Moving along the continuum, working conditions gradually worsen, eventually resulting in forced labour from which there is little prospect of exiting.<sup>32</sup>

Signs of increasingly adverse conditions include labour law violations, health and safety violations, human rights violations, violations of criminal codes. These can lead to the extreme forms of exploitation seen in modern slavery.

Exploited workers may not have access to information about their rights in a new country or workplace. They may be reluctant to confront the situation, out of fear for their safety or the safety of their family. This dynamic was felt by the workers involved in 7-Eleven wage theft case in 2015, where complaints about underpayments were met with threats of deportation.<sup>33</sup>



A similar continuum of exploitation can be identified in situations of sexual exploitation, where healthy and dignified relationships can deteriorate into manipulative and controlling

<sup>&</sup>lt;sup>31</sup> Work that is productive and secure, providing a living wage with social protections, respect for labour rights and safe working conditions.

<sup>&</sup>lt;sup>32</sup> Woldhuis, K. 2020. 'For Freedom'. SIM.

<sup>&</sup>lt;sup>33</sup> Nolan and Boersma, 2019, p.11.

dynamics. These can spiral into Domestic Violence (DV), Gender Based Violence (GBV), commercial sexual exploitation and prostitution. Felicity's story is a good example of this phenomenon.

It is important to recognise that there can be movement both ways along spectrum. Prevention of slavery can include the provision of support and assistance to people at varying points on this continuum, with the aim of moving workers towards a more decent and dignified work situation.

The continuum of exploitation provides a useful tool for approaching potential situations of exploitation. It promotes us to ask where on the continuum someone may be situated and what may be the appropriate response.

## What are the causes of modern slavery?

Social, economic, cultural and spiritual factors and their complex interplay contribute to the prevalence of modern slavery across the world.<sup>34</sup> Key drivers include poverty, discrimination and marginalisation, a lack of access to basic needs, weak rule of law, armed conflict and natural disasters.<sup>35</sup>

Times of uncertainty and unrest increase the risk of modern slavery, such as the COVID pandemic, the rise of ISIS and the impact of climate change.<sup>36</sup>

## Modern Slavery in Australia

Modern slavery exists in Australia. The main ways Australia contributes to modern slavery is through the importation of offshore products, domestic business operations, and the Online Sexual Exploitation of Children (OSEC). There are also many victims of modern slavery living in our communities.

<sup>&</sup>lt;sup>34</sup> For a deeper exploration, see: <a href="https://www.cfr.org/modern-slavery#!/section1/item-1">https://www.cfr.org/modern-slavery#!/section1/item-1</a>. Council on Foreign Relations, 2021, Modern Slavery, accessed 16 September 2021.

<sup>&</sup>lt;sup>35</sup> Anti-slavery Australia, 'Why does Modern Slavery occur?', <a href="https://antislavery.org.au/modern-slavery/">https://antislavery.org.au/modern-slavery/</a>, accessed 15 September 2021.

<sup>&</sup>lt;sup>36</sup> Avis, W., August 2020, 'Key Drivers of Modern Slavery', <a href="https://gsdrc.org/publications/key-drivers-of-modern-slavery/">https://gsdrc.org/publications/key-drivers-of-modern-slavery/</a>, accessed 15 September 2021.

### Imported products

The Global Slavery Index estimates that in 2016, Australia imported \$US12 billion of products which may have been produced by means of modern slavery. Electronics, garments, fish, rice, and cocoa, imported from certain countries, are at particular risk of being tainted by slavery.<sup>37</sup>

### Australian business operations

Exploitation and forced labour are commonly found in operations with complex and long supply chains, which are hard to monitor. For large businesses with thousands of suppliers across multiple tiers and locations, it is an immense task to ensure goods and services are produced free from forced labour and exploitative work conditions. Until recently, the issue has been approached with the implicit attitude of 'what happens in the supply chain stays in the supply chain'.<sup>38</sup> The profitability of these businesses feeds Australian investments and grows superannuation funds—meaning we can directly, yet unknowingly, benefit from modern slavery.<sup>39</sup> The demand for clean supply chains has mounted in recent years as an issues of corporate social responsibility.

## In our own backyard

Within our own borders, there are approximately 15,000 people living in modern slavery.<sup>40</sup> Domestic and foreign victims are exploited in every state and territory in Australia. Only 1 in every 5 victims are identified—80% of victims remain in slavery without support or an exit pathway. Most identified victims are Australian, with non-Australian victims largely from South Asia, the Middle East and more recently, the Pacific Region.<sup>41</sup>

<sup>&</sup>lt;sup>37</sup> Ibid., <a href="https://www.globalslaveryindex.org/2018/findings/country-studies/australia/">https://www.globalslaveryindex.org/2018/findings/country-studies/australia/</a> accessed 4 March 2021.

<sup>&</sup>lt;sup>38</sup> It is very difficult to comprehensively map a business' supply chain. For example, Rio Tinto has more than 37,000 suppliers globally, in multiple tiers. The Woolworths group has over 20,000 suppliers.

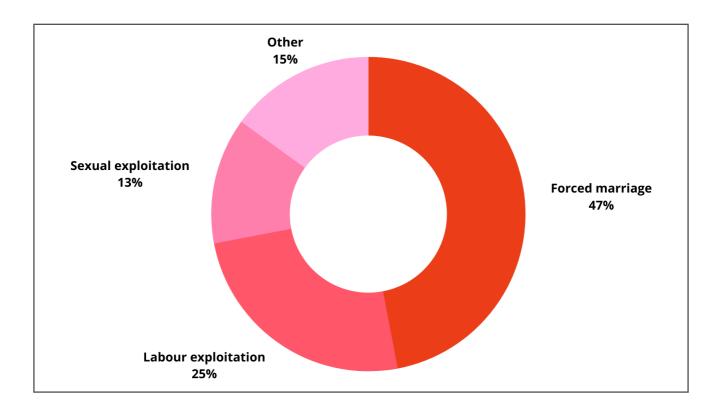
<sup>&</sup>lt;sup>39</sup> Christian Super has an excellent policies regarding to this issue. See, Christian Super, 2021, Modern Slavery Act Statement, <a href="https://www.christiansuper.com.au/files/Christian-Super-Modern-Slavery-Act-Statement\_2021.pdf">https://www.christiansuper.com.au/files/Christian-Super-Modern-Slavery-Act-Statement\_2021.pdf</a>, accessed 16 September 2021.

<sup>&</sup>lt;sup>40</sup> Global Slavery Index 2018 'Country Studies: Australia', <a href="https://www.globalslaveryindex.org/2018/">https://www.globalslaveryindex.org/2018/</a>/ <a href="mailto:findings/country-studies/australia/">findings/country-studies/australia/</a>, accessed 3 March 2021.

<sup>&</sup>lt;sup>41</sup> Australian Government, 'National Action Plan to Combat Modern Slavery 2020-25', p.15.

## Modern Slavery cases referred to police in 2016-17:42

- 47% forced marriage.
- 25% labour exploitation (including agriculture, construction, domestic work, cleaning, hospitality, food services).
- 13% sexual exploitation.
- 15% other.



 $<sup>^{42}</sup>$  Anti-Slavery Australia, 'Modern Slavery' <a href="https://antislavery.org.au/modern-slavery/">https://antislavery.org.au/modern-slavery/</a>, accessed 20 August 2021.

### Abdul, '457' visa 43

Abdul decided it was worth leaving his family in Indonesia for the opportunity to provide an education for his children. He signed up with an Australian construction contractor who sponsored him under the 457-visa scheme. He was promised a job working on construction sites in Canberra with a fair wage, accommodation, and time off on the weekends. Instead, he found himself on a rural property, living in cramped accommodation with others. Abul was working six days a week for a wage of \$250 per week. His boss deducted \$100 per week for food, accommodation, and a phone call home to family. He was not able to leave. On his one day off, Abdul was often expected to do unpaid, odd jobs around the property. Abdul had been tricked and exploited.

The people most vulnerable to exploitation in Australia include women and children, refugees and asylum seekers, international students, and migrants on limited working visas (eg. working holiday visas, Seasonal Worker program visas and skilled temporary "457" visas). Industries most at risk of forced labour in Australia include agriculture, construction, domestic work, meat processing, cleaning, hospitality, and food services.<sup>44</sup>

### Kandal & Khyatt & Ors, Forced Marriage 45

Ms Kandal, a 17-year-old girl, contacted police on the 4th of May, 2010, telling them she was going to be taken to Lebanon on the 19th of May and married against her will. Her mother, stepfather and father were responsible for this plan. Ms Kandal did not want authorities directly involved, but asked to be put on the Airport Watch List. Family Court orders were made to prevent Ms Kandal's removal from Australia. Her passport was surrendered to the court. She was placed on the Airport Watch List and an order was put in place to restrain her mother, father and stepfather from assaulting, threatening, harassing or intimidating her.

<sup>&</sup>lt;sup>43</sup> Anti-Slavery Australia, 'Abul's Story', <a href="https://antislavery.org.au/abduls-story/">https://antislavery.org.au/abduls-story/</a>, accessed 20 August 2021.

<sup>&</sup>lt;sup>44</sup> Global Slavery Index 2018 'Country Studies: Australia', <a href="https://www.globalslaveryindex.org/2018/">https://www.globalslaveryindex.org/2018/</a>/ findings/country-studies/australia/, accessed 3 March 2021.

<sup>&</sup>lt;sup>45</sup> My Blue Sky, 'Kandal & Khyatt & Ors', <u>https://mybluesky.org.au/stories-of-forced-marriage/kandal-khyatt-ors/</u>, accessed 4 March 2021.

Reports of forced marriage have increased since its inclusion in the Criminal Code in 2013. The majority of suspected cases are of Australian citizens under 18 years of age, whose families organise a marriage overseas for their child without their free and full consent.<sup>46</sup>

### Australian consumption of Online Sexual Exploitation of Children (OSEC) material.

OSEC is defined as: "The production, for the purpose of online publication or transmission, of visual depictions (e.g. photos, videos, live streaming) of the sexual abuse or exploitation of a minor for a third party who is not in the physical presence of the victim, in exchange for compensation." <sup>47</sup>

Many Australians are an online threat to children through their consumption of OSEC. The Philippines is the global epicentre of OSEC<sup>48</sup> where children are often trafficked to produce live-streamed sexual abuse at the direction of a remote sex offender. Research by International Justice Mission found that Australians accounted for nearly 1 in 5 offenders who directed and paid for live-streamed exploitation of children in the Philippines.<sup>49</sup> Lesa Gale argues that Australia is the third largest consumer of this kind of material, globally.<sup>50</sup> COVID-19 lockdowns have worsened the situation. In 2020, the number of new child abuse

<sup>&</sup>lt;sup>46</sup> Schliebs, M., 2018, 'Forced marriage law rarely used', The Australian, 4 June. Available from: <a href="https://www.theaustralian.com.au/news/nation/forced-marriage-law-rarely-used/news-story/83ff660d12c43a8b4b4d9e6bc00841d">https://www.theaustralian.com.au/news/nation/forced-marriage-law-rarely-used/news-story/83ff660d12c43a8b4b4d9e6bc00841d</a>.

<sup>&</sup>lt;sup>47</sup> International Justice Mission, 2020, U.S. Department of State Office to Monitor and Combat Trafficking in Persons, and the Philippine Inter-Agency Council Against Trafficking, 'Online Sexual Exploitation of Children in the Philippines: Analysis and Recommendations for Governments, Industry, and Civil Society Summary Report' <a href="https://ijmstoragelive.blob.core.windows.net/ijmna/documents/studies/Final\_OSEC-Public-Summary\_05\_20\_2020\_2021-02-05-055202.pdf?">https://ijmstoragelive.blob.core.windows.net/ijmna/documents/studies/Final\_OSEC-Public-Summary\_05\_20\_2020\_2021-02-05-055202.pdf?</a> <a href="mailto:mtme=20210204215202&focal=none">mtme=20210204215202&focal=none</a>, accessed 13 May 2021.

<sup>&</sup>lt;sup>48</sup> Brown., A, 2016, 'Safe from harm: Tackling webcam child sexual abuse in the Philippines', UNICEF, <a href="https://www.unicef.org/stories/safe-from-harm-tackling-webcam-child-sexual-abuse-philippines">https://www.unicef.org/stories/safe-from-harm-tackling-webcam-child-sexual-abuse-philippines</a>, accessed 15 September 2021.

<sup>&</sup>lt;sup>49</sup> International Justice Mission, 2020, 'Submission: Consultation on an Exposure Draft Online Safety Bill 2020' <a href="https://www.communications.gov.au/sites/default/files/submissions/osb-international-justice-mission.pdf">https://www.communications.gov.au/sites/default/files/submissions/osb-international-justice-mission.pdf</a>, accessed 13 May 2021.

<sup>&</sup>lt;sup>50</sup> Gale L., 2020, 'Explosion of online child abuse shames Australia, but we must talk about it', The Australian.

forums grew.<sup>51</sup> Further, many child sexual abuse sites crashed in Australia, due to an exponential increase in traffic.<sup>52</sup> During the pandemic, predators have learned new ways to groom victims.

### Australian's consumption of pornography.

There are significant connections between pornography, prostitution and trafficking for the purpose of sexual exploitation. Users of porn have no way of knowing if what they are watching was consensual or if an individual on the screen was forced, tricked or coerced. If we are to combat sex-trafficking effectively, we must include upstream strategies which address pornography use. We should make people aware that by viewing pornography, they may be participating in commercial sexual exploitation.

Australians are significant consumers of online pornography. In 2018, Australia ranked ninth for visitors to PornHub (one of the largest online pornography sites globally). We came in close behind larger countries like the US, UK and India. About 70% of Pornhub viewers are male and 30% female.<sup>53</sup> Between 2014 to 2017, the volume of traffic to Pornhub from Sydney viewers increased by 205%—at a rate of 5% increase per month. Mobile phones accounted for a large degree of this increase. Australians also had one of the longer average viewing times.<sup>54</sup> The organisation, Reality and Risk, found that about 88% of the most popular pornography includes physical aggression.<sup>55</sup>

<sup>&</sup>lt;sup>51</sup> Dillon, M., 2020, 'Child exploitation websites 'crashing' during coronavirus amid sharp rise in reported abuse', Australian Broadcasting Corporation, <a href="https://www.abc.net.au/news/2020-05-20/afp-concerned-by-child-exploitation-spike-amid-coronavirus/12265544">https://www.abc.net.au/news/2020-05-20/afp-concerned-by-child-exploitation-spike-amid-coronavirus/12265544</a>, accessed 3 June 2020.

<sup>52</sup> Ibid.

<sup>&</sup>lt;sup>53</sup> Taylor, A., 'Intricate part of our culture': Online porn viewing trebles in three years', Sydney Morning Herald, 2019, <a href="https://www.smh.com.au/national/intricate-part-of-our-culture-online-porn-viewing-trebles-in-three-years-20191213-p53jrd.html">https://www.smh.com.au/national/intricate-part-of-our-culture-online-porn-viewing-trebles-in-three-years-20191213-p53jrd.html</a>, accessed 4 March 2021.

<sup>&</sup>lt;sup>54</sup> Wood, P., 'Australia's porn problem', 2019, Australian Broadcasting Corporation, < <a href="https://www.abc.net.au/news/2019-01-16/australias-porn-problem/10668940?nw=0">https://www.abc.net.au/news/2019-01-16/australias-porn-problem/10668940?nw=0</a>>, accessed 4 March 2021.

<sup>55</sup> Ibid.

### Is Australia doing anything?

### Government response

Modern slavery criminal offences are included in the Criminal Code with penalties of up to 25 years imprisonment.<sup>56</sup> A broad range of offences are covered, including trafficking in persons, slavery and slavery-like practices.<sup>57</sup> More recently, forced marriage, harbouring a victim, forced labour and organ trafficking have been included.<sup>58</sup>

Of the estimated 24.9 million people trapped in forced labour globally, 16 million are exploited in the private sector.<sup>59</sup>. Because of this, Australia introduced the Modern Slavery Act in 2018. The Act focuses on modern slavery practices in global supply chains and requires businesses to know and mitigate the risk of modern slavery in their operations.<sup>60</sup>

Australian entities and foreign entities engaged in business in Australia are required to prepare annual modern slavery statements which are made available to the public through an online register: <a href="https://modernslaveryregister.gov.au">https://modernslaveryregister.gov.au</a>. While no punitive measures are included in the Act, a planned revision in 2022 may see some amendments to enforce compliance.

The Fair Work Act applies to all employees in the national workplace system, including migrant workers and international students. The employer is bound by the Act even in the case where a worker is not be working according to their visa requirements. In other words, workplace exploitation is never acceptable in Australia.

<sup>&</sup>lt;sup>56</sup> Australian Government, Department of Home Affairs, Criminal Justice – Human Trafficking, <a href="https://www.homeaffairs.gov.au/about-us/our-portfolios/criminal-justice/people-smuggling-human-trafficking/human-trafficking, accessed 15 September 2021.">https://www.homeaffairs.gov.au/about-us/our-portfolios/criminal-justice/people-smuggling-human-trafficking, accessed 15 September 2021.</a>

<sup>&</sup>lt;sup>57</sup> Australian Government, Department of Home Affairs, Criminal Justice – Human Trafficking, <a href="https://www.homeaffairs.gov.au/about-us/our-portfolios/criminal-justice/people-smuggling-human-trafficking/human-trafficking">https://www.homeaffairs.gov.au/about-us/our-portfolios/criminal-justice/people-smuggling-human-trafficking</a>, accessed 15 September 2021.

<sup>&</sup>lt;sup>58</sup> Australian Government, Department of Home Affairs, Criminal Justice – Human Trafficking, <a href="https://www.homeaffairs.gov.au/about-us/our-portfolios/criminal-justice/people-smuggling-human-trafficking/human-trafficking">https://www.homeaffairs.gov.au/about-us/our-portfolios/criminal-justice/people-smuggling-human-trafficking</a>, accessed 15 September 2021.

<sup>&</sup>lt;sup>59</sup> International Labour Office (ILO), Walk Free Foundation and International Organization for Migration (IOM), 2017, Global estimates of modern slavery: Forced labour and forced marriage, Geneva, 2017, viewed 21 August 2021, <a href="https://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/documents/publication/wcms\_575479.pdf">https://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/documents/publication/wcms\_575479.pdf</a>, p10.

<sup>&</sup>lt;sup>60</sup> Commercial and NFP entities in the Australian market with \$100 million or more of annual consolidated revenue are required to submit annual modern slavery statements.

### New National Action Plan to Combat Modern Slavery 2020-2025

This Action Plan was launched by the Australian Government in December 2020. The stated mission is 'to actively prevent and combat all forms of modern slavery, wherever it occurs, including by supporting, protecting and empowering victims and survivors.'61 This is a multi-faceted response that addresses modern slavery occurring within Australia and the risk of modern slavery in Australian business supply chains.

The plan outlines major initiatives to prevent, disrupt, investigate and prosecute modern slavery crimes. There is a commitment to support and protect victims and survivors, and further the government's understanding of modern slavery through enhanced research and data collection. Partnership is encouraged between international partners, civil society, business, unions, academia and governments. The Action Plan highlights the role of the local community in identifying cases of modern slavery and assisting victims to seek help.

While the plan prioritises supporting identified victims, the reality is many victims are unable or reluctant to self-identify. The reasons for this are complex. Perhaps the survivor does not have access to a phone or internet connection. They may not understand the Australian legal system. Perhaps they fear vengeance from their perpetrator or are worried about their visa being revoked. There could be pressure from family, and shame often plays a role. Sometimes, the individual simply may not recognise themselves as a victim. In Australia, there is a national Support for Trafficked People Program.<sup>62</sup> However, the program relies on co-operation with government authorities, and for the above reasons, this excludes many potential victims.

<sup>&</sup>lt;sup>61</sup> Australian Government, 2020, Department of Home Affairs, 'National Action Plan to Combat Modern Slavery 2020-25', Commonwealth of Australia, Canberra.

<sup>&</sup>lt;sup>62</sup> Australian Government, 2020, Department of Home Affairs, 'National Action Plan to Combat Modern Slavery 2020-25', Commonwealth of Australia, Canberra, p.13.



### 2030 Sustainable Development Goals

In 2015, all UN member states adopted these Development Goals. This includes Australia. Target 8.7 states, 'Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including the recruitment and use of child soldiers, and by 2025 end child labour in all its forms'. The Development Goals are not legally binding, but member states are expected to cooperate. In 2018, Australia completed a voluntary review of our national progress towards these goals. You can read that here: <a href="https://www.dfat.gov.au/sites/default/files/sdg-voluntary-national-review.pdf">https://www.dfat.gov.au/sites/default/files/sdg-voluntary-national-review.pdf</a>.<sup>64</sup>

We can be thankful that Australia has included modern slavery in the criminal code, and implemented initiatives such as The New National Action Plan to Combat Modern Slavery and the 2030 Sustainable Development Goals. These are ratifications of our responsibilities under international treaties, like the UNHDR. However, as we have seen, modern slavery remains a huge problem. The responsibility to fight against modern slavery in Australia is

<sup>63</sup> Image source: Ibid, p.34.

<sup>&</sup>lt;sup>64</sup> Department of Foreign Affairs and Trade, 2018, Report on the Implementation of the Sustainable Development Goals, Australian Government.

one which we all share. In the 'Act' section of this paper, we will consider what this responsibility might look like. Before this, we must 'think' about what we have seen—and consider what God's Word says.

### **Good News Story**

The University of Melbourne's 'Fair Day's Work' initiative is developing a set of data-driven tools to help detect wage theft.<sup>65</sup> These include an online portal which helps employees know their workplace rights, a public dashboard, a wage theft database and a wage theft prediction tool. Overwhelmingly, 15-24 year olds are most at risk of underpayment and poor working conditions. This initiative aims to put tools into their hands, so they can stand against exploitative working conditions.

## Thinking about What We've Seen

What does God say about modern slavery?

At its core, modern slavery is the result of our broken relationship with God, ourselves and other people. Slavery is a picture of greed, corruption, abusive power, violence, shame, and terror. These practices have existed across all civilisations in one form or another—from Ancient Greece to colonised Australia and the infamous trans-Atlantic slave trade.

The Bible documents this kind of oppression. Jospeh was a victim of trafficking (Genesis 37:12-36), and the Israelites were enslaved in Egypt (Exodus 1). Many of Israel's prophets were particularly concerned about injustice—both the injustice done to Israel and the injustice perpetrated by Israel. Isaiah is horrified by the way God's people exploited and abused the poor and vulnerable, 'there is no justice in their paths ... justice is far from us, and righteousness does not reach us. We look for light, but all is darkness, for brightness, but we walk in deep shadows' (Isaiah 59:8-9). In Romans, Paul reminds us that all people are sinful, and as a result—we don't treat each other rightly. Humanity is 'swift to shed blood' and does not know 'the way of peace' (Romans 3:15-18). The destructive hand of sin and Satan are evident, when we consider modern slavery.

<sup>&</sup>lt;sup>65</sup> University of Melbourne, February 2021, 'New Research will Enable Australians to Better Predict Wage Theft', <a href="https://about.unimelb.edu.au/newsroom/news/2021/february/new-research-will-enable-australians-to-better-predict-wage-">https://about.unimelb.edu.au/newsroom/news/2021/february/new-research-will-enable-australians-to-better-predict-wage-</a>

theft#:~:text=Designed%20in%202020%20amid%20the,workers%20to%20predict%20and%20identify, accessed 29 September, 2021.

The Bible does not explicitly outlaw slavery. There are stories about God's people owning slaves (Genesis 16) and Paul talks about the proper relationship between slaves and masters (Ephesians 6:5-9). Why doesn't the bible explicitly condemn slavery? This is an important question, but there are good answers. For instance, issues of historical context and progressive revelation are relevant. For the purposes of this paper, it is sufficient to note that while the bible does not explicitly outlaw slavery, the cumulative biblical narrative leaves no room for misinterpretation—modern slavery is unacceptable. For further reading see Appendix E. Let us now examine a few ways in which modern slavery distorts God's design.

### **Being Human**



Slavery is more than the physical subjugation of an individual. It is spiritual oppression. The abuser disregards their victim's identity as someone who bears the image of God. Genesis 1 teaches us that humans are created in the image of God (v26-27). This means all people have inherent dignity, value and worth. Further, God's mercy in Christ is necessary for all and free to all, 'there is neither Jew nor Gentile, neither slave nor free, nor is there male and female, for you are all one in Christ' (Galatians 3:28). This belief in the equality of all people was explosive in New Testament times.<sup>66</sup> It is just as revolutionary today across many cultures where women, children, or particular cultural groups are subjugated. If we take the Bible seriously, we must see that this situation is wrong. No one should be dehumanised, exploited or marginalised. As Christians, we are to recognise the likeness of God in others.

<sup>&</sup>lt;sup>66</sup> Holland, T., 2020, Dominion: The Making of the Western Mind, Abacus, p.81-82.

We refuse to treat people as property to be owned or commodities to be used.<sup>67</sup> This basic dignity is to be extended to all people— including victims of modern slavery, but also perpetrators of this crime and the people who benefit from such exploitation. We should examine how we might be contributing to a culture of ongoing exploitation in our society. How can we honour the image of God in others?

### **Vulnerability and Power**

God's good design for community is one of mutual love and interdependence. In this framework, vulnerability is a good thing. We are all completely dependent on God—he is our source of life (Acts 17:25). This design reflects the relationship in the Trinity itself. In modern slavery, vulnerability is abused.

Power exists in every human relationship and system. In God's design, power is always expressed in a context of love and concern for the good of others.<sup>68</sup> In slavery, there is no love in power. Rather, power is misused to dominate, oppress, and destroy.

#### Work

Work can be understood as the expression of our creative energy in service of society.<sup>69</sup> God made work for our good, and the good of society. Often, this is not how we experience work. It too is impacted by the fall (Genesis 3). Work is often experienced as hard labour and painful toil. This is most true in situations of slavery. The victim is denied their rightful enjoyment of labour and blessing of its rewards.<sup>70</sup> Rest is part of the rhythm God has ordained for humanity—instituted at creation and confirmed in Israel's law (Exodus 20:9-11, Deuteronomy 5:15). Victims of slavery are denied rest, often forced to work 15-20 hours a day, 7 days a week, year round. The victim's identity, wellbeing and health are devastatingly impacted.

<sup>&</sup>lt;sup>67</sup> The Clewer Initiative, 'We see you. A theology of modern slavery', https://static1.squarespace.com/static/58f723af1b631bc0c1e17415/t/ 5926cca115cf7d9f3d558d17/1495714984847/A+Theology+of+Modern+Slavery.pdf, accessed 15 April 2021.

<sup>&</sup>lt;sup>68</sup> Watkins, C,. 2017, Thinking through creation: Genesis 1 and 2 as Tools of Cultural Critique, P&R Publishing Company, Phillipsburg, p.35.

<sup>&</sup>lt;sup>69</sup> Ibid, pp.112-113.

<sup>&</sup>lt;sup>70</sup> The Clewer Initiative, 'We see you. A theology of modern slavery', https://static1.squarespace.com/static/58f723af1b631bc0c1e17415/t/ 5926cca115cf7d9f3d558d17/1495714984847/A+Theology+of+Modern+Slavery.pdf, accessed 15 April 2021.

### Generosity to the poor

God is generous and His people are to reflect that generosity. A lack of generosity is a failure to live justly. This call to generosity was embedded into the very fabric of Israel's society (Deuteronomy 10:18-19, Isaiah 58:6-7). This theme continues in the New Testament. Generous care for the needy was at the heart of Jesus' ministry. In Matthew 25:40, Jesus reminds us that whatever we do for 'the least of these', we do for him. He served and loved the poor. In contrast, slavery views the poor as objects to exploit, and makes no generous provision for their needs.

#### Debt

For Israel, God put limits around debt. Every seven years, debts were released (Deuteronomy 15:1-2). Every 50 years, on the year of Jubilee, more freedoms were declared. All debts were cleared, all slaves were freed and all property was returned to its original owner. These cycles were designed to equalise society and ensure debts did not become crushing. In Luke 4, Jesus claims that he has fulfilled the year of Jubilee. He ushered in real freedom from debt, and restored relationship between God and humanity. In modern slavery, debt bondage is commonplace. Actual or fabricated debt accumulates interest which the worker is unable to repay. Debt is passed down through generations, with children born into situations of slavery.

#### Sex and marriage

God ordains the marriage covenant as the proper place for sexual expression of self-giving love between a man and a woman. Women are to be honoured in the same way that Christ honours and loves the church (Ephesians 5:25). Intimate sexual relationships are not to be of transactional, nor a place of violence and fear. God condemns sexual exploitation (1 Thessalonians 4:3-8). Forced marriage, commercial sexual exploitation and pornography production all represent a distortion of God's good design for sex and marriage.

### Children

Children are a heritage from the Lord (Psalm 127:3). Jesus' ministry valued children (Matthew 19:14). We too must value children and protect them. They are never to be

<sup>&</sup>lt;sup>71</sup> Wright C.J.H., 2001 in Keller, T., Generous Justice: How God's Grace Makes Us Just, Penguin Books, New York, 2010 Kindle Version, p.13.

treated as less than human or robbed of their innocence. Modern slavery does exactly this, by forcing children into harsh labour, armed conflict and sexual exploitation.

#### Our bodies

We have been created as embodied creatures, and God exhorts us to honour our physical bodies (1 Corinthians 6:20). Jesus' bodily resurrection points to the eternal significance of our physical bodies (1 Corinthians 15:20-22). The commodification of bodies and body parts that occurs in modern slavery dishonours the human body. Consider the practices of organ harvesting, breast milk harvesting, ova trafficking, skin trafficking and forced surrogacy. Similarly, barcoding, tattooing and microchipping victims degrades their body and identity.

#### Freedom

The Exodus was the focal point of Israel's history. God heard the groaning of his people in slavery and rescued them, for the praise of his glory (Exodus 3:7-10, 14:4). This redemption was a shadow of the perfect redemption found in Christ through his death on the cross (Romans 3:21-26). There is always a movement from captivity to freedom in God's economy. The 'good news' that Jesus brought was, 'to proclaim freedom for the prisoners and recovery of sight for the blind, to set the oppressed free, to proclaim the year of the Lord's favour' (Luke 4:18-19). This is a spiritual reality, as we are set free from sin. It should also flow into a physical reality, as we work to free those who are held captive today. As we do this, we look forward to the day when Christ returns and brings a final end to exploitation of all kinds (Revelation 21:4).

#### **Justice**

God is just and God's people must love justice. We are to be do-ers of justice (Micah 6:8). Isaiah 1:17 says, 'Learn to do right; seek justice. Defend the oppressed. Take up the cause of the fatherless; plead the case of the widow'. Throughout the Bible, God is especially concerned that widows, orphans and foreigners receive justice. Today, these same groups of people continue to be most at risk of oppression and exploitation.

Even from this brief theological reflection, it is clear God abhors and condemns the abuse present in slavery. Modern slavery is harmful to individuals and society. Jesus sums up the law and the prophets with the two commands to love God wholeheartedly and love your neighbour as yourself (Matthew 22:337-40). We are called to work out our wholehearted love of God through a deep love of others. Our understanding of God's character, our

redemption in Christ and experience of restored relationships compels us to engage prayerfully and confidently under his leading, for as James reminds us—faith without action is dead (James 2:18).

### **Towards Action**

### Responding to modern slavery

God, in his sovereign wisdom, has placed his people in communities all around the world. In each of these communities, there are vulnerable people—those on the margins. God's people should be experts in identifying these people, and meeting their needs. This goes hand in hand with our proclamation of Jesus as Lord, the source of eternal hope. The Church must learn to see what is hidden in plain sight. We must be shrewder, smarter and faster than the trafficker, motivated not by greed but by love. We are empowered by the good news of Jesus who died, rose, ascended and is now reigning over all things.

In his book, Generous Justice, Tim Keller explains the Church's responsibility:

"In prayerfulness, we proclaim the coming king as we pour our lives out in compassionate service of others, demonstrating the beauty of flourishing restored relationships, or shalom, in all areas of life. This must include an intentional engagement with the vulnerable of our world." <sup>72</sup>

The destruction wrought on individuals and society by modern slavery cannot be fixed solely through policy, legislation, advocacy or ethical consumption. These are important, but spiritual transformation and renewal is required such that hearts are changed, healed and restored. The global Church is uniquely placed to usher in this true shalom (rest) to a desperate world.<sup>73</sup> As one French pastor wisely noted, 'in order to fight the evil of this (trafficking) network, we need God's network (the church).<sup>74</sup> Having said this, how should the local Church respond to modern slavery?

It is helpful to identify appropriate points of intervention. Given the criminal nature of modern slavery, law enforcement must play a role. These institutions are properly equipped

<sup>&</sup>lt;sup>72</sup> Ibid., p.4.

<sup>&</sup>lt;sup>73</sup> Project Rescue International/FAAST, 2007, Hands that Heal: International Curriculum to Train Caregivers of Trafficking Survivors (Community-Based Edition), p.73.

<sup>&</sup>lt;sup>74</sup> European Freedom Network, 2020, The Bridge Conference, Marcel Georgel in Working with the Wider Church.

to disrupt criminal activity and bring perpetrators to justice. Recovery and reintegration for victims of modern slavery requires skilled professionals who can provide the necessary psychosocial support for survivors. The church, however, plays a crucial role in the prevention of modern slavery and the support for survivors.

#### **Awareness**

Awareness is the first step in responding to modern slavery. International Justice Mission's founder, Gary Haugen says, 'Nothing happens just because we are aware of modern-day slavery, but nothing will ever happen until we are'. <sup>75</sup> Understanding what modern slavery is, who is at risk and how we contribute to the problem is the start of caring for our neighbours who suffer from this extreme form of exploitation.

- Does your church community know the signs of modern slavery? See Appendix A.
- Does your church community know how to report a suspected situation of exploitation? See Appendix B.
- Does your church pray for those caught up in modern slavery?

#### Prevention

To prevent modern slavery requires that we address the root causes of exploitation and reduce their impact on individuals and whole communities. Prevention covers a wide range of activities that can reduce the vulnerability of those at risk.

- Safeguarding people and communities vulnerable to exploitation.
- Supporting survivors to reduce risk of further exploitation.
- Partnering with support services and linking vulnerable people to these services.
- Assessing our lifestyle and making adjustments which support ethical production of goods and services.

Awareness and prevention are broad concepts. There are many ways we can apply these principles. We'll turn to two examples now, which may help you to consider how your church will respond.

<sup>&</sup>lt;sup>75</sup> Haugen quoted in <a href="http://www.endslaverynow.org/learn/abolition-today/awareness">http://www.endslaverynow.org/learn/abolition-today/awareness</a>, accessed 9 September 2021.

### Being a Good Neighbour

Victims of modern slavery are vulnerable because they often lack a protective social network. Isolated, disconnected people are at great risk of exploitation. They do not have people looking out for their wellbeing who can provide support in crisis and help spot risky job offers or working conditions. The Church can provide a safe community, which can help form safety nets for vulnerable people. For example, imagine your church forms a trusting relationship with an international student or other temporary visa holder. As this relationship develops, you may have the opportunity to show interest in their work conditions. Perhaps this information reveals slavery-like practices. Because of your relationship, you are in a unique position to respond—and provide appropriate support.

- Do you know what groups are isolated or disconnected in your community?
- How might you connect to those struggling to be connected in your area?
- How can our practice of hospitality extend to people vulnerable to exploitation?
- How can your church provide a place of connection for people struggling to meet basic needs of housing, food, employment?

### **Education about Sexual Exploitation**

Pornography and prostitution are two of the biggest drivers for the sex trafficking of women and children. If we want to prevent the abuse and exploitation of children and women, we must be willing to talk frankly about the harms of pornography and prostitution. These conversations must be happening in our homes and churches.

• Is the issue of pornography addressed openly in your church? Are people aware that using pornography supports a major source of modern slavery?

### **Advocating for Conscious Consumption**

One of the key factors for modern slavery is the demand for cheap products, often driven by excessive consumption in the West. We should work hard to be ethical consumers. Think before buying. Consider what we really need and where the goods are coming from. Aim to support companies which are committed to treating their workers fairly. There are many good resources which provide guidance about ethical consumption—see Appendix D.

Does your church purchase goods or services from non-ethical suppliers?

• Do your church members have the resources they need to make good purchasing decisions?

### Conclusion

Modern Slavery is often described as a 'wicked problem'—a highly complex issue, with no straight forward solution. It thrives in our broken world. The contributing causes are innumerable; global economic systems, corruption, poverty, conflict, religious and social issues, health crises. However, even the combination of these issues does not fully explain modern slavey. The core of the issue is deeper and more personal. It is a matter of the heart. Wicked and desperate hearts that don't know their maker, can justify the commoditisation of a human being. The world can offer nothing to fix a broken heart. Hearts of stone must be replaced with hearts of flesh (Ezekiel 36:26). What's truly needed is the good news of Jesus who came to set the captive truly, completely free. That includes those enslaved to another and those enslaved by their own evil desires and greed. The vital role of the Church is to proclaim and live our this good news, with courage and limitless love. How can the Church be at the forefront of the efforts to stop modern slavery? We must learn to see the problem, think theologically about it and then act. Let us not grow weary of doing good (Galatians 6:9).

## Appendix A

### What are the signs of modern slavery?

- Controlled or restricted freedom of movement monitored, guarded or confined
- Intimidation and threats including threats of deportation
- Threatened or actual physical and/or sexual violence
- Travel or other important documents have been taken by employer or a third party
- Abusive living and/or working conditions
- Living at the workplace or another place owned/controlled by employer
- Isolation geographic, social and/or linguistic
- Withholding, underpayment or no payment of wages
- Excessive hours of work
- Debt bondage (i.e. labour or services are provided as security or repayment of an inflated debt)
- Deceived or lack of information about nature and conditions of work
- No discretion over life decisions
- Unable to end employment at any time

Source: https://antislavery.org.au/modern-slavery/

### Appendix B

### What to do if you suspect modern slavery

- 1. Keep yourself safe and be careful that any actions you take do not harm a victim or survivor of modern slavery. Do not disclose personal information without informed consent.
- 2. Observe and record what you notice
- 3. If someone is in immediate danger, or where the situation involves a child, call Triple 0 (000)
- 4. Anti-Slavery Australia can provide access to free and confidential legal and migration advice to anyone in modern slavery. Call <u>02 9514 8115</u>or visit www.antislavery.org.au
- 5. To report modern slavery in Australia, call the Australian Federal Police on 131 237 or report through their website <a href="https://www.afp.gov.au">www.afp.gov.au</a>
- Concerns about exploitative work conditions can be raised with the Fair Work Ombudsman - 13 13 94 (exploitative work conditions)
- Further information about forced marriage can be found at mybluesky.org.au

### Appendix C

### International Legal Frameworks relating to Modern Slavery<sup>76</sup>

- United Nations Convention against Transnational Organized Crime (2000) (UNTOC)
- Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2000) (the Trafficking Protocol)
- Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (the Supplementary Slavery Convention) – for example Articles 1, 3, 5, 6 and 7
- International Covenant on Civil and Political Rights for example Articles 2, 3, 7, 8, 9, 12, 14, 23 and 26
- International Covenant on Economic, Social and Cultural Rights (1956) for example Articles 2, 3, 6, 7, 10, 11 and 12
- Convention on the Elimination of All Forms of Discrimination against Women (1979) for example Articles 2, 6, 9, 11, 12, 14, 15 and 16
- Convention on the Rights of the Child (1989) for example Articles 7, 16, 19, 28, 31, 32, 34, 35, 36, 37 and 39
- Optional Protocol to the Convention on the Rights of the Child on the Sale of Children,
  Child Prostitution and Child Pornography (2000) for example Articles 1, 2, 3 and 8
- Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (2000) – for example Articles 1 and 4
- Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (1984) for example Articles 1, 3, 13 and 14
- International Convention on the Elimination of All Forms of Racial Discrimination (1965) for example Articles 2, 5 and 6

<sup>&</sup>lt;sup>76</sup> Australian Government 'National Action Plan to Combat Modern Slavery 2020-25' p44.

- ILO Convention No. 29 on Forced or Compulsory Labour (1930) for example Articles 1 and 2
- ILO Convention No. 105 on Abolition of Forced Labour (1957)
- ullet ILO Convention No. 182 on Worst Forms of Child Labour (1999) for example Article 3
- Universal Declaration of Human Rights for example Articles 4, 16 and 23

### Appendix D

#### General information

- Your Slavery Footprint how many slaves work for me? https://slaveryfootprint.org
- Global Slavery Index (GSI) 2018 https://www.globalslaveryindex.org
- GSI Country Study Australia <a href="https://www.globalslaveryindex.org/2018/findings/country-studies/australia/">https://www.globalslaveryindex.org/2018/findings/country-studies/australia/</a>
- ILO Forced Labour, Modern Slavery and Human Trafficking <a href="https://www.ilo.org/global/topics/forced-labour/lang--en/index.htm">https://www.ilo.org/global/topics/forced-labour/lang--en/index.htm</a>
- Slavery Prevalence, How Much <a href="https://howmuch.net/articles/modern-slavery-map-2018">https://howmuch.net/articles/modern-slavery-map-2018</a>
- Australian National Action Plan to Combat Modern Slavery 2020 25 <a href="https://www.homeaffairs.gov.au/criminal-justice/files/nap-combat-modern-slavery-2020-25.pdf">https://www.homeaffairs.gov.au/criminal-justice/files/nap-combat-modern-slavery-2020-25.pdf</a>
- Modern Slavery Statements, Australia public register <a href="https://modernslaveryregister.gov.au">https://modernslaveryregister.gov.au</a>

### Tools for ethical purchasing and advocacy

- Sweat and Toil app (US Department of Labor) https://www.dol.gov/general/apps/ilab
- Baptist world aid End Poverty app with Ethical Fashion guide <a href="https://baptistworldaid.org.au/resources/ethical-fashion-guide/">https://baptistworldaid.org.au/resources/ethical-fashion-guide/</a>
- Good on You app <a href="https://goodonyou.eco">https://goodonyou.eco</a>
- Shop Ethical https://www.ethical.org.au/3.4.2/
- Be Slavery Free <a href="https://beslaveryfree.com">https://beslaveryfree.com</a>
- Collective Shout, standing against sexploitation https://www.collectiveshout.org

### **Bible Study resources**

- Faith Alliance Against Slavery and Trafficking <a href="https://faastinternational.org/">https://faastinternational.org/</a> resourcestoolkits/for-the-church
- Tearfund Learn https://learn.tearfund.org/en/
- Human Trafficking and the Response of the Global Church <a href="https://lausanne.org/content/lga/2014-01/human-trafficking-and-the-response-of-the-global-church">https://lausanne.org/content/lga/2014-01/human-trafficking-and-the-response-of-the-global-church</a>

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