

Crimes Legislation Amendment (Slavery, Slavery-like Conditions and People Trafficking) Bill 2012

Senate Legal and Constitutional Affairs Committee
PO Box 6100
Parliament House
Canberra ACT 2600
Australia

Supplementary Submission

Project Respect welcomes the opportunity to comment on the *Crimes Legislation Amendment (Slavery, Slavery-like Conditions and People Trafficking) Bill 2012*, and commends the Australian Government on the review and updating of this legislation to ensure it encompasses all aspects of the complex nature of human trafficking, and addresses the serious and heinous nature of this crime.

Project Respect offers the following supplementary submission in regards to the section on deceptive recruiting from our initial submission. We acknowledge that the sub section on which this recommendation was based was incorrectly labelled with sub sections as per the draft exposure bill, not the updated bill currently being considered.

Legislative Reform and Further Recommendations

270.7 – Deceptive Recruiting

Project Respect welcomes this amendment and clarification of the serious nature that deception plays in trafficking.

Recommendation: Further expansion of subsection (c) (vi) to include inability to refuse customers. It should read:

A person (the recruiter) commits an offence if:

- (a) the recruiter engages in conduct; and
- (b) the recruiter engages in the conduct with the intention of inducing another person (the victim) to enter into an engagement to provide labour or services; and
- (c) the conduct causes the victim to be deceived about:
 - (i) the extent to which the victim will be free to leave the place or area where the victim provides the labour or services;

Or

- (ii) the extent to which the victim will be free to cease providing the labour or services;

Or

- (iii) the extent to which the victim will be free to leave his or her place of residence;

Or

(iv) if there is or will be a debt owed or claimed to be owed by the victim in connection with the engagement—the quantum, or the existence, of the debt owed or claimed to be owed;

Or

(v) the fact that the engagement will involve exploitation, or the confiscation of the victim's travel or identity documents;

Or

(vi) if the engagement is to involve the provision of sexual services—that fact, or the nature of sexual services to be provided (for example, whether those services will require the victim to have unprotected sex), or

the circumstances of the sexual services to be provided (for example, inability to refuse customers).