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The Future of Slavery in Australia

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Modern-day slavery is embedded in our global economy, fortified by the dominant tenants of progress and profit. People interact with products tainted by forced labour every day of their lives, with little or no idea of the circumstances under which they were produced.

As the world advances at unparalleled rates, modern-day slavery works to "un-advance" it – creeping into new markets to reap and sow new forms of human degradation. The global narrative of modern-day slavery tells us that if the trafficking of people continues to invade the world at its current rate, Australia is most certainly poised to see a future where slavery and profit-driven exploitation is widespread. The Australian space, therefore, has a unique opportunity to learn from this global experience, and perhaps even to get 'in front of' this phenomenon.

If we do not listen to this global narrative, we will only ever formulate "responses" to the presence of slavery, and thus will do little to prevent the possibility (or inevitability) of this crime becoming further embedded in our economy and communities. Slavery will not decrease unless it is challenged at least with the same ferocity, efficiency, and intelligence with which it is proliferated. [1]

Modern-day slavery is the second largest criminal industry in the world, with an estimated 30 million victims. A recent report by the International Labour Organization (ILO), argues that forced labour in the private economy generates US$ 150 billion in illegal profits per year – up to three times more than previously estimated. [2] It has permeated myriad industries and thrives on every continent. [3] The use of forced and child labour has become so widespread that "it is impossible to get dressed, drive to work, talk on the phone, or eat a meal without touching products tainted by forced labour." [4]

The importance of accurate data

Inconsistent and unreliable data are a hindrance to the fight against modern slavery. The U.N. Special Rapporteur on Trafficking in Persons, Joy Ngozi Ezeilo, argued in a recent address that human trafficking is rapidly increasing in the world. [5] For this criminal industry to be defeated, enormous political will is required. The creation of reliable and consistent data, measured and verified through a common set of metrics, drawn from multiple sources, will empower government and non-government actors to formulate more effective plans to combat human trafficking. The broad estimations that groups like the ILO put forth speak to the overarching patterns of exploitation and can be used to break down misconceptions and help analysts make informed predictions. [6] However, on a smaller, more specific scale, as in the case of Australia, the available data really only represents "reported" cases, which often speaks more to the visibility (or lack thereof), rather than the pervasiveness of certain types of exploitation.

According to the "Trafficking in Persons Report" published annually by the U.S. Department of State, Australia is primarily a destination hub for women forced to work in the sex industry, which suggests that other forms of forced labour are an increasing but less prevalent problem. [7] The Global Slavery Index rightly notes that it is unclear if this assertion is representative of actual trends in exploitation, or merely reflects the area of law enforcement focus to date. [8] The collective understanding of this issue is thus marred by inconsistency.

The difference between officially reported or prosecuted cases in Australia and the experiences detailed by victim

service providers illustrates the incongruity in the data. In a submission to a parliamentary inquiry into slavery and human trafficking in 2012 , the Salvation Army stated that, in its experience, “the majority of people who experience trafficking and exploitation do so outside the sex industry.” [9] The Salvation Army runs the only safe house in Australia for survivors of trafficking and exploitation. The Salvation Army, like other organisations who work directly with survivors, has unique access to the current experiences of forced labour, sexual exploitation and other forms of exploitation in Australia.

The Salvation Army further stated:

The majority of clients supported have been men, women and young people trafficked for the provision of labour in industries such as hospitality, construction, cleaning, beauty therapy, domestic work, organ removal and through marriage. [10]

The experience of the Salvation Army, and other victim service providers, is, however, in stark contrast to the Australian Federal Police’s annual report for 2010-2011, which specified that almost 70% of investigations into trafficking were related to sexual exploitation. [11] That law enforcement is bound by the confines of the existing legal framework to conduct investigations may account for the high proportion of investigations into sexual exploitation; since 2012, laws dealing with forced labour offences have been passed in the Australian parliament, giving law enforcement an increased ability to respond to a wider spectrum of cases. The Australian space is most certainly advancing against the expansion and evolving landscape of this criminal activity; however, to defeat this phenomenon, the movement must, at some point, overtake the crime’s progression.

On the abolitionist movement in Australia

The abolitionist space within Australia has come a long way since the Criminal Code (Slavery and Sexual Servitude) Amendment Act was introduced in 1999. [12] Over the past 15 years, there has been a significant rise in public awareness of this issue, likely enabled by the increased media attention it has received. Despite this, and the expansion of the legal framework, the true and full extent of the trade in human property in Australia remains dangerously unclear. As Schloenhardt writes, “this is primarily due to the clandestine nature of trafficking and it is likely that many cases — especially the very sophisticated ones and those taking place in remote or secret locations — remain undetected.” [13] If, indeed, numerous cases remain undetected, it is most certainly possible that the situation of trafficking in Australia is worse than current estimations suggest.

Inconsistent and unreliable data is an enemy to this movement. Australia is desperately behind in its collective understanding of the problem and this must change before significant impact can be made. New legal amendments passed by the Australian Parliament in 2013 to deal with stand-alone offences of forced labour and forced marriage will begin to shed light on the less visible cases. Deeper interaction and knowledge sharing between government agencies and non-government organizations working with survivors and those at risk of trafficking will create more comprehensive and more realistic data sets. It should be noted that this has begun to change with the introduction of resources like the Global Slavery Index (creating more accurate data) and Anti-Slavery Australia’s online training platform (raising public awareness and knowledge). [14] In the global context, as articulated above, data exist that speaks of such emerging patterns, and countries like the United States have seen a considerable research push from government, non-government, and academic groups in recent years.

The movement poised against slavery in Australia is still relatively young; however, it has accomplished a significant amount in recent years. With that said, Ezeilo has argued that not a single country or entity has yet been able to stop this practice; the magnitude of which is classifiable as ‘enormous.’ [15] Australia thus cannot afford to become complacent.

This essay will work to suggest that the Australian space has an opportunity to learn from the global narrative of modern slavery. Several key features of human trafficking in Australia will be examined, including: the role of the nation’s geospatial location, the exploitation of people holding working visas and student visas, forced marriages, co-ethnic exploitation, the nation’s strict migration policies, and domestic people trafficking. These issues have been

selected because the progression of slavery, slavery-like practices, forced labour, and people trafficking in Australia is likely to follow certain global trends, which have seen growth in certain forms of people smuggling. With a better understanding of how slavery and exploitation evolves and is manifesting in the Australian environment, a more comprehensive response, and more targeted prevention program, may be achievable.

The economic evolution of people trafficking

Looking at the reemergence and rise of modern-day slavery around the world, evidence suggests that the way in which slavery has moved and expanded from locale to locale, has an internal logic; it has a set of common behavioral patterns. These patterns of behavior are very similar in appearance to the exploitative way in which capital flows under the neo-liberal economic system. Looking at the process by which slavery has colonized the world, through a neo-liberal lens, could provide important insight into how this has taken place and how this issue might further evolve and manifest.

Critics of globalization and neo-liberal economics highlight the exploitative way in which capital flows under this global system. Essentially, capital flows wherever it can most easily utilize low-cost labour. The owners of capital, "the capitalist," will abandon a specific commodity location when it is rendered unprofitable, due either to the assets that are being exploited becoming depleted or those assets being able to be obtained at lower cost elsewhere. Modern-day slavery, whether it is for the purpose of sexual exploitation or forced labour, has manifested itself in this way. Over the past 30 years, traffickers have moved opportunistically to prey on vulnerable populations; consequently, they have shifted their focus from one area of economic depression to another.

There exists clear evidence of traffickers being adept and astute "market-movers," strengthening their grasp on the oppressed – preying on vulnerable populations from not only South and Latin American countries, but also moving into Eastern Europe. [16] Within the Eastern European context, the experience of trafficking has seen the prime recruitment zones shift rapidly to exploit opportunities created by socio-political unrest – internal conflict creates the ideal environment for exploitation. [17]

Anti-human trafficking campaigner Professor David Batstone wrote in his book, *Not For Sale*, that "wherever the greatest profit can be extracted, there the traffickers move." [18] Similarly, EU Commissioner for Employment and Social Affairs, Anna Diamantopoulou, aptly characterized the modern traders in human property as acting with "ruthless efficiency." [19] Radhika Coomaraswamy, former UN Special Rapporteur on Violence Against Women, has pointed out that traffickers fish in the stream of migration; they prey on the most vulnerable — people who are already victims, to supply the most exploitative, hazardous, and inhumane forms of labour. [20]

In the Australia setting, the data that does exist shows that identified victims of trafficking are typically women from South East Asian countries, namely Thailand, the Philippines, Malaysia, and the Republic of Korea. [21] Ezeilo has of late argued that "recent data indicates a growing number of victims from other parts of Asia, including India and China." [22] This supports the claim that the movement of human trafficking around the world works in a similar way to that of other commodity locations – when the market becomes depleted, the traffickers will shift their focus. The same report also expresses that the number of cases involving other forms of trafficking, such as forced labour, are increasing. [23]

Supply, demand, and vulnerability

It can be argued that, if the trafficking supply market in the Asia Pacific is indeed expanding its reaches to other Asian countries, including China and India, the extreme population numbers of these countries will inevitably increase the pool of potential victims. With this said, the existence of vulnerable people does not drive trafficking – it is the demand that creates a need for the supply. Modern slavery is driven by demand for the human commodity, and market incentives of high-profit and low-risk only work to encourage the practice. Supply, therefore, is a result of this demand: when demand goes up, supply grows to meet the demand. [24]

Australia, like many other developed countries, relies strongly on migrant labour. In fact, numerous lucrative

industries in Australia, such as agriculture, construction, hospitality, and manufacturing, rely heavily "on foreign workers as they often involve types of labour that Australians are unwilling to perform and positions that cannot be filled by the local labour market." [25] Australia will likely not only see an increase in trafficking numbers, but that the victims will be increasingly deployed in sectors outside of the sex industry. This is because there is an increasing supply of vulnerable people, an increasing demand for low cost and foreign labour, and a low risk of prosecution coupled with potential high profits. While the data does not yet exist to solidify this argument, the overarching patterns seen in the global context, especially those evident in destination countries, have begun to emerge in Australia. Perhaps the most dominant pattern, in the global experience, is the rise in instances of exploitation in the private sector for the purposes of forced labour. The logical leap is that people trafficking and slavery will increase as the demand for low cost and expendable labour encourages unfair competition.

Vulnerable populations in the Australia setting

Traditionally, human trafficking involves the leveraging of an individual's vulnerability, which can be brought on by migration, and is often encouraged by the social and economic context of their home environment. Broadly speaking, this is the assumed dominant experience of modern slavery in Australia, as a destination country. In an inquiry into the existence and prevalence of people trafficking and exploitation in New South Wales, conducted by the Community Relations Commission, it is explained:

Exploitation can occur before a trafficked person leaves their home country, in transit, at the point of arrival in Australia (or any other country), in the early days of migration settlement or at any time post-arrival, especially when individuals experience financial, social or psychological difficulties. [26]

This highlights that an individual's vulnerability is not isolated to their movement, and that mistreatment, exploitation, and conditions of slavery can occur at multiple junctures. The Inquiry goes onto say that emerging types of slavery, such as forced labour and forced marriage, "are conditions of exploitation where immigration or citizenship status may be irrelevant." [27] Interestingly, according to official statistics and all prosecuted cases of forced labour and sexual exploitation in Australia, each victim was trafficked into the country and was of foreign birth.

Australia's economic and social stability and position within the Asia Pacific Region makes it reasonable to suggest that the country will increasingly act as a destination hub for trafficking victims. Trafficking in persons "does not have to be transnational in nature as it can occur within a country; however, global trends show that it most often occurs within the context of high levels of migration, driven primarily by the desire for greater economic opportunity and a better quality of life." [28] The social and economic pulls that encourage migration (resulting in groups of vulnerable people) also attracts traffickers, or those willing to exploit an individuals labour for personal or economic gain.

This is by no means an argument for a more robust Australian border protection policy. If anything the current discourse in Australia about irregular migration and its instituted policies towards people smuggling and asylum seekers have created widespread confusion and misconception relating to people trafficking, thus setting back the abolitionist movement. The New South Wales Community Relations Commission stated that:

A survey conducted by the Australian Institute of Criminology in 2009 confirmed that the general public frequently confuses people trafficking with people smuggling, by placing undue emphasis on the journey rather than the exploitative elements of human trafficking and slavery. [29]

Additionally, in discussing the criminalization of irregular migration and the impact on trafficked persons, the U.N. Special Rapporteur observed:

That the focused political and public attention directed towards all issues pertaining to migration has led to an all-encompassing discourse of criminalization that, when not carefully articulated, has failed to distinguish trafficking from other forms of migration. This contributes to confusion in public understanding between the broader class of irregular migrants and those who have been trafficked. [30]

The reality is, the perpetrators of modern slavery are extremely good at their trade and will continue to adapt their methods – exploiting visa programs, border protection measures, and, in some cases, the laws created to protect victims. A key piece of understanding that is seemingly missing from the social consciousness of the Australia community is the connection in vulnerability (not criminality) of asylum seekers and those who become trafficked. People are pushed out of their home environments because of socio-economic injustice, gender inequality, and violence. These people, more often than not are victims… not criminals. This topic would be better dealt with in an additional study and, as an important caveat, should be further investigated.

The role of foreign labour

Australia relies quite heavily on foreign labour. The *457 visa* is the most commonly used program for Australian or overseas employers to sponsor skilled foreign workers for temporary employment in Australia. In a report by the Special Rapporteur on Trafficking in Persons, it is stated that around 600,000 migrant workers are situated in Australia at any one time. [31] This report works to bring attention to those within this population segment that are vulnerable to exploitation, highlighting:

Considerable concern has been raised about labour exploitation in relation to subclass 457 visas, designed for employers wishing to employ overseas workers to fill nominated positions in Australia. Migrants on such visas (particularly low or semi-skilled migrants) are reportedly especially vulnerable to exploitation due to their dependence on their sponsor for continued migration status, their typically low English language skills, lack of knowledge about their rights, and fear of losing the employment on which they rely to service debts or financial obligations. [32]

Moreover, Selvaraj Velayutham, in a piece titled, 'Precarious experiences of Indians in Australia on 457 temporary work visas,' discusses this "rapidly emerging source of labour [as having] a major and potentially long-lasting impact on Australia." [33] Velayutham argues that this community will continually find itself in "situations of vulnerability engendered by the recruitment process, visa conditions, unlawful employment practices and living arrangements." [34] Protections and reforms have recently been instituted, however, the nature of the 457 visa will continue to place people in situations of vulnerability. [35] Because the 457 visa is a means to permanent residency, there is an inherent dependency on employers – which can be easily leveraged against vulnerable people. [36]

Co-ethnic exploitation

Intra-ethnic recruitment and co-ethnic exploitation is another example of global trends in exploitation playing out in the Australian setting. In his concluding section, Velayutham draws out a pattern in the experience of Indian nationals working in Australia on 457 visas. Velayutham describes a situation of vulnerability arising out of 'intra-ethnic recruitment'— a scenario in which an Indian agent would recruit an Indian worker for employment in Australia. [37] The worst instances of vulnerability, in this context, involve non-unionized, sub-contracting, or small businesses and oftentimes occur in situations that involve employment in an Indian (or co-ethnic) owned enterprise, such as a restaurant. [38] Velayutham writes:

A pattern of what can be termed 'co-ethnic exploitation' surrounding issues of agents, debt-bondage and workplace exploitation emerged very strongly. This typically involved an employer, manager and/or agent of co-ethnic background leading the exploitative practices. [39]

In a report published by the Australian Institute of Criminology in 2013, further evidence of 'co-ethnic exploitation' is highlighted. A *Sydney Morning Herald* article summarizing the report noted that of the prosecuted cases in Australia, most have involved female perpetrators who were all "migrants, born in the same foreign country as their victims and typically from similar poor socio-economic backgrounds." [40]

Velayutham's study and discussion around co-ethnic exploitation, supported by the findings of the above mentioned 2013 AIC report, gives some valuable insight into how instances of slavery and slavery-like conditions are occurring in Australia, while remaining unreported. These scenarios involve individuals entering Australia via legitimate means, recruited by people from their country, exploited within a tightknit community, held captive by the conditions of their

visa, language barriers, and lack of rights awareness. Traffickers and those involved in illegitimate recruitment and exploitative employment are well aware what makes an individual vulnerable. The point here is, Australia has a significant pool of people who can be classified as vulnerable to human trafficking, and there is no notable reason why this group of people will decrease.

Emerging manifestations of modern-day slavery in Australia

That the global experience and evolution of modern-day slavery has begun to trickle down to the Australian milieu is evidenced by the cases that have emerged involving forced marriage, trafficking for organ removal, domestic servitude, child trafficking, exploitation of international students, and domestic (or internal) trafficking for the purposes of sexual exploitation and forced labour. However, it is important to recognize that the ways in which these newer expressions of modern slavery and trafficking are manifesting in Australia remain largely undocumented and therefore largely misunderstood. Schloenhardt points out that focusing on seemingly isolated incidents can foster myths and spread stereotypes. [41] It is therefore with caution that any anecdotal predictions or assumptions be made surrounding emerging manifestation of slavery and trafficking in Australia. Nevertheless, it is logical that once these criminal practices have reached Australia, there is no reason why they will not manifest further.

Forced marriage, a new mechanism for trafficking

The term forced marriage is broadly used to describe a marriage that does not involve full and free consent of both parties, and often involves forms of physical or emotional abuse as well as deception. [42] Links have been made between forced marriage and domestic servitude, suggesting “victims are often trafficked through marriage for the purposes of domestic servitude.” [43] At this point, the lines between forced and servile marriage become clouded. [44]

In the global context, forced marriage is not a particularly new phenomenon. In recent years, forced marriage, as a mechanism to traffic young women into and out of Australia, has received considerable media attention and has been described as a growing concern, [45] highlighting another example of the global experience of modern slavery trickling down to the Australian setting. Like other forms of slavery and trafficking in Australia, forced marriage is likely more prevalent than the small number of reported cases suggests. [46] This may be “attributed to the familial nature of forced or servile marriages, or because victims may not actually identify their marriage to have been forced.” [47]

The Australian Institute of Criminology states that women are being trafficked to Australia and forced into a life of slavery under the partner migration program. The AIC report details the cases of eight women in Canberra and Sydney who came to Australia with the promise of a happy marriage; however, upon arrival, the women found themselves being exploited by their partners. [48] Like the 457 visa, the use of the partner migration program is another example of traffickers using a legitimate means of entry to contravene Australia’s tight border protection policies.

Exploitation of international students in Australia

Human traffickers are becoming increasingly skillful at identifying the characteristic vulnerabilities of groups of people. As Coomaraswamy has pointed out, traffickers fish in the stream of migration; they prey on people’s vulnerability. [49] An individual can be vulnerable due to their home c0ntext, or vulnerability can be brought on by other factors. It has been argued that Australia’s student visas can increase vulnerability to trafficking and related exploitation. [50] Fiona David writes,

While traditionally, international students have come to Australia from other developed countries such as the United Kingdom or the United States, international students are increasingly coming to Australia from developing countries, primarily China and India. This group of students may be under more financial pressure once in Australia if they have limited non-wage support. [51]

David indicates that international students from developing countries, such as China and India, are increasingly coming to Australia. Given the innate vulnerability of student visa holders, especially those from developing contexts, this seems to be further evidence of the "supply market" in the Asia Pacific shifting. With this said, supply does not create demand.

Some evidence and longstanding allegations suggest that "student visas have been used in a number of cases to enable victims of trafficking to enter Australia and disguise the true purpose of their immigration." [52] An ABC *Four Corners* special on "Sex Slavery" in 2011 claimed that there have been instances involving Asian women and girls tricked into coming into Australia as students and then held captive in brothels. [53] Anecdotal evidence put forward by a 2010 Victorian Parliament inquiry, as well as reports submitted by Anti-Slavery Australia, also suggests that the problem of student visa exploitation (particularly affecting females) is growing. [54] Financial pressure and limited non-wage support, combined with 20-hour work limitations and the "aspiration of many visa holders to seek permanent residence via study and work experience references can create conditions prone to exploitation." [55]

Domestic people trafficking, an internal issue?

An aspect of the global experience of modern slavery that has not yet been discussed in this article, which is especially evident in the experience of destination countries, is the internal shift in supply for trafficking victims. In the United States, for example, there has been a significant move towards the internal trafficking of American citizens for the purposes of sexual exploitation and forced labour. [56]

In the Australian context, there is only minimal evidence that citizens are becoming victims of trafficking and slavery related exploitation. In one such case, a Jamaican man allegedly trafficked multiple women through the United States, Australia, and Dubai. [57] This case is unique because it involved the trafficking and sexual exploitation of at least one Australian citizen in Australia. [58] The question thus arises, will Australia's experience of people trafficking and slavery evolve to involve, on a larger scale, domestic victims? Numerous scholars and academics have commented that, according to available data, it is reasonable to conclude that trafficking in persons does not occur on a large scale in Australia, and that it is not as significant a problem as in other countries. [59] The problem with this argument is that it is also commonly agreed that the existing data does not truly reflect the extent of the problem. It is interesting, in light of the above-mentioned case of domestic sex trafficking, that the vast majority of discussion around modern-day slavery in Australia discounts the possibility (and, according to the global narrative, the inevitability) that a segment of the supply market for slavery will shift internally.

Until the Australian space has a common set of metrics and a commonly adhered-to set of definitions, and invests in a mass body of research, the full picture of modern-day slavery in Australia will remain undeveloped. This article has tried to walk the line between strictly relying on empirical evidence to build an argument, and using non-official and anecdotal sources to make measured assertions. With that said, whether we know the exact numbers or not, modern-day slavery is taking place in Australia. As Andreas Schloenhardt rightly points out, it is not the quantity, but rather the quality of the exploitation that "characterizes trafficking in persons and that raises concerns about the violation of basic human rights and fundamental freedoms of victims of trafficking in persons." [60]

Australia's future experiences of modern-day slavery

The global narrative of modern-day slavery has an internal logic; a common set of behavioral patterns. The global experience of this pervasive human rights abuse provides insight into Australia's current and future encounters of this crime. This paper has worked to highlight the aspects of this overarching narrative that have begun to emerge or have a high likelihood of manifesting in the Australian environment. Alongside of this, regional and domestic forces that are affecting the expansion and evolution of this phenomenon have been drawn out, as has the fact that modern slavery and people trafficking functions within the framework of supply and demand.

This essay has examined several features of the Australian landscape that will support the growth of human trafficking moving forward. These features are primarily based on the existence of groups of people that are vulnerable to exploitation. Australia relies heavily on foreign labour to fill positions that Australians are generally

unwilling to perform. In this context, the need for foreign labour is the demand that encourages exploitation and conditions of slavery. There are similarly significant numbers of international students travelling to Australia to study. The phenomenon of co-ethnic exploitation has also been addressed, highlighting the practice as an example of how trafficking and slavery-like conditions can remain unreported, while often operating in plain sight. Australia's robust set of migration policies make illegal or irregular entry into the country difficult. This explains, at least in part, why the vast majority of trafficking victims enter Australia via legitimate means, under the lawful guise of foreign work visas, students visas, and partner migration programs. Australia's geospatial characteristics also make illegitimate entry abnormally difficult.

This essay has also argued that the perpetrators of this crime are becoming more adept at contravening measures designed to stem the flow of trafficking, which is evident in the manipulation of different visa programs. In response to this, the Australian government will place more restrictions on conditions of entry and place more emphasis on the monitoring of susceptible visa programs. The increase in vulnerable people, regionally and domestically, and the demand for foreign and low cost labour, is enough to suggest that trafficking numbers will rise in Australia. If one combines these factors with the traffickers' ability to maneuver border protections and leverage legitimate means of entry as well as the phenomena of co-ethnic exploitation, the argument becomes even more plausible.

Three key features of the Australian setting may in fact promote a new manifestation of modern slavery. The first factor, which is ironically part of Australia's response to trafficking, is the supplementation of more effective protections and mechanisms to hinder the manipulation of legitimate means of entry. The second factor is the geospatial placement of the nation—Australia's proximity to South and South East Asia (which is made up of numerous source countries), and its lack of land borders. And thirdly, Australia's aggressive and uncompromising migration policies are in fact creating new groups of vulnerable people. It thus appears probable that Australia will see a noteworthy increase in instances of domestic human trafficking. Furthermore, while the new legal framework instituted in 2013 to deal with standalone offences of forced labour and marriage will certainly bring more of these instances to light, these new laws remain relatively untested and must work in tandem with widespread awareness of the problem.

Conclusion

The available research on global trafficking trends suggests that the crime is increasing in scope and magnitude. If Australia is following these trends, it is vital that more emphasis be placed on the less visible forms of trafficking by law enforcement, who must increasingly extend beyond its focus on sex trafficking. Given the enormity and invasiveness of the problem of human trafficking, the opportunity to bring together insight on how slavery may expand, evolve, and manifest in Australia – or any context, for that matter – represents an opportunity to go beyond or over take this crime's rapid expansionism. Australia has a closing window of opportunity to build a set of proactive and strong service based and legal responses to modern slavery and, in particular, forced labour. Slavery and trafficking will not be defeated unless those fighting it can simultaneously prevent its growth, whilst strategically responding to its current expressions.

Notes

[1] It is important to note that this is not a criticism of the Australian abolitionist space. This article is merely trying to suggest that we need to look ahead of where we are, to prepare for aspects of this phenomenon that will likely manifest in Australia. The Australian space is in a unique position, and thus has a unique opportunity and responsibility.

[2] International Labour Organization, "Economics of Slavery", News, 20 May 2014, (http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_243201/lang–en/index.htm)

[3] The Global Slavery Index, Walk Free Foundation, (www.globalslaveryindex.org)

[4] US State Department, Trafficking in Persons Report, 2010, P. 30.

[5] An address by Joy Ngozi Ezeilo, UN Special Rapporteur, May 13, 2014, (http://umc-gbcs.org/faith-in-action/human-trafficking-brings-shame-to-humanity)

[6] In 2012, the ILO released a body of research on the global estimates of forced labour. In this report, fundamentally important information was drawn out or reiterated, suggesting that "90% [of people in situations of slavery] are exploited in the private economy, by individuals or enterprises. [Of these], 22% are victims of forced sexual exploitation, [and] 68% are victims of forced labour exploitation."

[7] US Department of State, Trafficking in Persons Report 2013 (2013), p 78

[8] The Global Slavery Index, *Australian Country Narrative*, (http://www.globalslaveryindex.org/country/australia/#note-992-1)

[9] The Salvation Army, *Inquiry into Slavery, Slavery like conditions and People Trafficking* , (Submission to the Joint Standing Committee on Foreign Affairs, Defense and Trade Human Rights Sub-Committee Parliament of Australia), 2012 p 4

[10] Ibid.

[11] http://www.biblesociety.org.au/news/theres-more-to-slavery-than-sex-salvation-army

[12] Kaley Payne, "There's more to slavery than sex: Salvation Army", (Eternity Newspaper, 26 October, 2012).

[13] Andreas Schloenhardt and Jarrod M Jolly, "Trafficking in Persons in Australia: Myths and Realities", (Chatswood, N.S.W. LexisNexis Butterworths, 2013), p 32

[14] See the Global Slavery Index (www.globalslaveryindex.org) and Anti-Slavery Australia (www.antislavery.org.au)

[15] An address by Joy Ngozi Ezeilo, UN Special Rapporteur, May 13, 2014, (http://umc-gbcs.org/faith-in-action/human-trafficking-brings-shame-to-humanity)

[16] David Batstone, "Not For Sale: The Return of the Global Slave Trade – and How We Can Fight It", (New York: Harper and Collins, 2007).

[17] Ibid.

[18] Ibid.

[19] Anna Diamantopoulos, (EU Commissioner for Employment and Social Affairs), http://www.europaworld.org/week97/speechanna20902.htm

[20] Radhika Coomaraswamy, "Fishing in the Stream of Migration: Modern Forms of Trafficking and Women's Freedom of Movement", (IARLJ Conference, 2002).

[21] US Department of State, Trafficking in Persons Report 2013 (2013), p 78

[22] U.N. General Assembly, Human Rights Council, *Report of the Special Rapporteur on Trafficking in Persons, especially Women and Children, on her Mission to Australia, (17-30 November 2011),* U.N. Doc A/HRC/20/18/Add.1 (18 May 2012), p 3

[23] Ibid.

[24] Ian Taylor and Ruth Jamieson, "Sex Trafficking and the Mainstream of Market Culture: Challenges to Organized

Crime Analysis", in *Crime, Law and Social Change*, (Netherlands: Kluwer Academic Publishers, Chapter 32, 1999), p 261

[25] University of Queensland, TC Beirne School, "Human Trafficking Working Group", (http://www.law.uq.edu.au/labour-trafficking-in-australia)

[26] The New South Wales Community Relations Commission, "Inquiry into the exploitation of people through trafficking, in all its forms in NSW", 2013, (http://www.crc.nsw.gov.au/__data/assets/pdf_file/0015/22434/Inquiry_into_the_exploitation_of_people_through_trafficking,_in_all_its_forms_in_NSW.pdf) p 5

[27] Ibid.

[28] Jacqueline Joudo Larsen and Lauren Renshaw, "People trafficking in Australia", (Trends & issues in crime and criminal justice no. 441), ISSN 1836-2206, Canberra: Australian Institute of Criminology, June 2012

[29] The New South Wales Community Relations Commission, "Inquiry into the exploitation of people through trafficking, in all its forms in NSW", 2013, (http://www.crc.nsw.gov.au/__data/assets/pdf_file/0015/22434/Inquiry_into_the_exploitation_of_people_through_trafficking,_in_all_its_forms_in_NSW.pdf) p 4

[30] U.N. General Assembly, Human Rights Council, *Report of the Special Rapporteur on Trafficking in Persons, especially Women and Children, on her Mission to Australia, (17-30 November 2011),* U.N. Doc A/HRC/20/18/Add.1 (18 May 2012), p 6

[31] U.N. General Assembly, Human Rights Council, *Report of the Special Rapporteur on Trafficking in Persons, especially Women and Children, on her Mission to Australia (17-30 November 2011),* U.N. Doc A/HRC/20/18/Add.1 (18 May 2012), p 4

[32] Ibid.

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[37] Selvaraj Velayutham, "Precarious experiences of Indians in Australia on 457 temporary work visas", (The Economic and Labour Relations Review: Sage Publishing on behalf of the Australian School of Business, UNSW), Aug 28, 2013, p 350

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[41] Andreas Schloenhardt and Jarrod M Jolly, "Trafficking in Persons in Australia: Myths and Realities", (Chatswood, N.S.W. LexisNexis Butterworths, 2013), p. 22

[42] Attorney-General's Department, Discussion Paper: Forced and Servile Marriage (2010), p 3

[43] U.N. General Assembly, Human Rights Council, *Report of the Special Rapporteur on Trafficking in Persons, especially Women and Children, on her Mission to Australia (17-30 November 2011),* U.N. Doc A/HRC/20/18/Add.1 (18 May 2012), p 5

[44] The terms servile marriage and forced marriage are used interchangeably. Although there is no settled definition at international law, forced marriage is generally used to describe a marriage entered into without the full and free consent of both parties. Whereas, servile marriage generally refers to situations in which a person is considered a 'chattel' that can be sold, transferred or inherited into marriage.

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