

Wednesday, 26 October 2016

## New report calls for national compensation scheme for survivors of slavery and human trafficking

A [new report](#) by the Law Council of Australia and Anti-Slavery Australia at UTS has outlined the case for a national compensation scheme for survivors of human trafficking, slavery, and slavery-like practices.

Relevant offences include servitude, forced labour, deceptive recruiting for labour services, forced marriage, and debt bondage.

The report, released today, argues that the statutory victims' compensation schemes provided by the States and Territories allow victims to fall through the cracks.

Law Council of Australia President-elect Fiona McLeod SC said it was imperative for Australia to recognise the need to respond to the issue.

"We tend to think of slavery as a relic of the past, when it is very much alive in 21st century Australia," Ms McLeod said.

"Every day in Australia there are people being exploited and abused, controlled through intimidation with no ability to seek help or access vital support services. We are consistently seeing examples of human trafficking, slavery, and slavery-like practices.

"The legal framework in Australia is robust and our contribution to regional initiatives is important, but our enforcement mechanisms are not working effectively. There were 169 new referrals to the Australian Federal Police in 2015-16 for human trafficking, slavery, and slavery-like offences, but only one conviction finalised during this reporting period."

The report argues the current system can lead to unjust results. In one recent example, the magistrate decided to invite the offender to attend the hearing of the application. The victim was faced with a decision to withdraw her claim or face the probability of having to confront her abuser in court, despite that her claim of trafficking had been accepted as well-founded by police.

The UN Human Rights Special Rapporteur, Joy Ngozi Ezeilo, noted in a recent mission to Australia, the lack of a comprehensive national framework for victims' compensation. She recommended the government establish a Commonwealth compensation scheme for victims of people trafficking.

"Ms Ezeilo is absolutely right, existing State and Territory schemes are not designed to accommodate victims of Federal offences against the person, are technically complicated and vary considerably in their application," Ms McLeod said.

"Currently, trafficked people who have been moved between jurisdictions can only apply for compensation relating to the harm they suffered whilst in a specific state or territory, meaning victims of crime are required to make multiple applications for statutory compensation. This situation should not continue. A harmonised national scheme would send the clear message about Australia's priorities."

*The report can be accessed at [lawcouncil.asn.au](http://lawcouncil.asn.au)*

**Patrick Pantano: Public Affairs**  
P 02 6246 3715  
E [Patrick.Pantano@lawcouncil.asn.au](mailto:Patrick.Pantano@lawcouncil.asn.au)

**Anil Lambert: Media**  
P 0416 426 722  
E [Anil@hortonadvisory.com.au](mailto:Anil@hortonadvisory.com.au)