

Sensitive: Law Enforcement



NSW Police Force

OFFICE OF THE COMMISSIONER

The Hon. Paul Green MLC
Chair, Select Committee on Human Trafficking in NSW
Legislative Council
Parliament House
Macquarie Street
SYDNEY NSW 2000

D/2017/331354

Dear Mr Green,

On 28 March 2017 former Police Commissioner Andrew Scipione and Detective Superintendent Linda Howlett made an appearance at the Select Committee on Human Trafficking in NSW.

On 5 April 2017 the Council Officer of the Upper House Committees requested any corrections to the transcript, as well as responses to the questions taken on notice at the hearing.

Please find attached responses to the questions taken on notice. The transcript has been reviewed and does not require correction.

I trust this information is of assistance.

Yours sincerely,

Mary-Louise Battilana
Director
Office of the Commissioner

26 APR 2017

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NSW Police Force response to questions on notice taken during the hearing of the Select Committee on Human Trafficking in NSW - 28 March 2017

Q 1. “... Have you come across other workforces or forced labour where people were recruited by an agent here and then breached the law of human trafficking? Do you come across a lot of those cases in the workforce?”

There is one Information Report (IR) recorded on the NSW Police Force Computerised Operational Policing System (COPS), dated July 2016, that alludes to the possible trafficking of persons, for the purpose of working in a restaurant. The report appears doubtful, there is no specific information and there was no evidence to support the allegation.

Q 2. “That is what I am trying to verify with you ... human trafficking cases and domestic violence. A lot of those women or girls come here willingly but they have no knowledge – they come here to marry a strange man. In relation to the domestic violence they find there is also an element of human trafficking when the passport has been seized by the husband, but sometimes I think it is very difficult to classify that as human trafficking. Is that the case?”

COPS does not currently have the capability to accurately capture IRs on human trafficking. There is no human trafficking Event or IR category that would allow an automated extraction to occur.

Through COPS enquiries, 1,169 – 2,400 reports of arranged marriages were identified in the period 1 January 2015 to 1 April 2017. As stated, COPS does not allow simple identification of human trafficking matters, so in attempting to identify whether human trafficking was a factor in any of these IRs, a dip sample was taken and each report was manually reviewed and assessed.

The dip sample identified that arranged marriages occurred through cultural links with the marriage taking place in either Australia or the country of birth, rather than through human trafficking. For those incidents where domestic violence had been reported, there was either insufficient evidence or the domestic violence did not actually occur. No records of any incidents involving human trafficking and domestic violence cases were found.

Q 3. “...Intelligence suggests that overseas adult females in Australia on Student Visa are being employed in lawfully operated brothels. Student visas afford such persons to ‘work’ up to 19 hours per week Is it the case that there is no definition of ‘work’ in the legislation?”

Information about student visa conditions is located at:
<https://www.border.gov.au/Trav/Stud/More/Visa-conditions/visa-conditions-students>

The *Migration Act 1958* and Migration Regulation 1994 provides information about conditions of working by student visa holders and definitions of work in that context.