

**Submission  
No 15**

## **INQUIRY INTO MODERN SLAVERY ACT 2018 AND ASSOCIATED MATTERS**

**Organisation:** Australian Centre for Christianity and Culture

**Date Received:** 25 September 2019

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## **Submission by the Australian Centre for Christianity and Culture to the Inquiry into the *Modern Slavery Act 2018***

### *Introduction*

The Australian Centre for Christianity and Culture is a partnership between Charles Sturt University and the Anglican Diocese of Canberra and Goulburn. The ACC&C is an ecumenical body which exists for the well-being of the spiritual life of the nation and to foster a wisdom for the common good in civil society.

### *General comments*

The ACC&C strongly supports the *Modern Slavery Act 2018*.

However, the NSW Government's failure so far to enact the legislation, and its decision instead to send the Act to the Legislative Council Standing Committee on Social Issues for review, raises concerns about the Government's commitment to the Act's implementation.

The fact, furthermore, that the Inquiry's Terms of Reference mention neither the victims of human slavery nor the Act's role in preventing the enslavement of people is disturbing. It suggests that the Committee's focus is not fundamentally on the intent of the Act, which is "to combat modern slavery" and "to provide assistance and support for victims of modern slavery."

### *Terms of Reference*

(b)

Commercial organisations will naturally be concerned about the initial costs of complying with the Act's provisions, but compliance costs may reasonably be expected to drop as soon as robust and credible reporting systems are in place.

The reputational risk to business of non-compliance is much higher than any cost of compliance, and deservedly so. The link between ethical behaviour and positive brand recognition is now generally understood. No Australian government or parliament should

have sympathy for those who argue that they simply can't afford to keep an eye on the welfare of human beings on whose labour their business model relies.

Provision should be made for voluntary reporting below the reporting threshold.

(g)

There are no persuasive grounds for arguing that the Modern Slavery Act 2018 (Cth) renders the NSW Act unnecessary. The NSW Act takes a more comprehensive approach to modern slavery than does the Commonwealth Act, which focuses essentially on supply chain transparency. The NSW Act also has a lower reporting threshold (\$50m) than the Commonwealth Act (\$100m)—and exempts, from the need to provide Modern Slavery Statements under the Act, any commercial organisation which is subject to a like obligation under other (Commonwealth or State) legislation.

### *Conclusion*

The ACC&C supports the changes to the Act proposed in the Modern Slavery Amendment Bill 2019 but sees no good reason to extend unnecessarily the amendment and implementation process. It urges the Committee to consider bringing forward its reporting date and the Government to establish a clear and public timeline for the Act's implementation (including development and approval of the necessary regulations) early in the new year. It would be a shame if this delay, and the concerns it raises with regard to the NSW Government's readiness seriously to address the modern slavery challenge, were to detract from the fine example set by the *Modern Slavery Act 2018*.