

**REPORT ON PROCEEDINGS BEFORE**

**SELECT COMMITTEE ON HUMAN TRAFFICKING**

**HUMAN TRAFFICKING IN NEW SOUTH WALES**

**CORRECTED PROOF**

**At Macquarie Room, Parliament House, Sydney on Tuesday, 28 March 2017**

**The Committee met at 12:00 pm**

**PRESENT**

The Hon. Paul Green (Chair)  
The Hon. Greg Donnelly  
Dr Mehreen Faruqi  
The Hon. Trevor Khan  
The Hon. Natasha Maclaren-Jones (Deputy Chair)  
The Hon. Matthew Mason-Cox  
The Hon. Ernest Wong



**The CHAIR:** Welcome to the second hearing of the Select Committee on Human Trafficking in New South Wales. The purpose of this inquiry is to examine the role and effectiveness of New South Wales law enforcement agencies, legislation and policies in responding to human trafficking. Before I commence I acknowledge the Gadigal people who are the traditional custodians of this land. I also pay respect to elders past and present of the Eora nation and extend that respect to other Aboriginals who may be present today or are listening online. Today we will hear from Mr Andrew Scipione, Commissioner of Police, NSW Police Force, and the Most Reverend Anthony Fisher, Archbishop of Sydney.

I will now make some brief comments about the procedures for today's hearing. Today's hearing is open to the public and is being broadcast live via the parliamentary website. A transcript of today's hearing will be placed on the Committee's website when it becomes available. In accordance with the *Legislative Council's Guidelines for the Broadcast of Proceedings*, while members of the media may film or record Committee members and witnesses, people in the public gallery should not be the primary focus of any filming or photography. I also remind media representatives that they must take responsibility for what they publish about the Committee's proceedings. It is important to remember that parliamentary privilege does not apply to what witnesses may say outside of their evidence at this hearing. I urge witnesses to be carefully about comments they may make to the media or to others after they have completed giving their evidence. Such comments would not be protected by parliamentary privilege if another person decided to take defamation action. The guidelines are available from the secretariat.

Questions may be asked that a witness could only answer if they had more time or with certain documents to hand, in those circumstances witnesses are advised that they can take such questions on notice and provide answers within 21 days—Commissioner Scipione, I presume the next Commissioner will answer any questions taken on notice today on your behalf. I remind everyone that Committee hearings are not intended to provide a forum for people to make adverse reflections about others under the protection of parliamentary privilege. I therefore request that witnesses focus on the issues raised by the inquiry's terms of reference and avoid, where possible, naming individuals unnecessarily. To aid the audibility of this hearing, I remind all witnesses to speak clearly into the microphones. Several seats have also been reserved near the loud speakers for persons in the public gallery who have hearing difficulties. I now welcome Commissioner Andrew Scipione and Detective Superintendent Linda Howlett.

**ANDREW PHILLIP SCIPIONE**, Commissioner of Police, NSW Police Force, sworn and examined

**LINDA JANE HOWLETT**, Detective Superintendent, State Crime Command, Sex Crimes Squad, NSW Police Force, on former oath

**The CHAIR:** Commissioner, would you like to make an opening statement?

**Mr SCIPIONE:** I am mindful that Superintendent Howlett has already given evidence before this Committee. That evidence was comprehensive and reflected the position of the NSW Police Force. This is a really important subject for us and it is certainly work that Superintendent Howlett and her team are fully committed to. Rather than chew up the time, I am more than happy to take questions but I am mindful that we probably have a bit of ground to cover. So unless the Committee feels there is a need for an opening comment it might be more appropriate to go straight to questions.

**The CHAIR:** I am more than happy with that. Commissioner, I again thank you for making yourself available given your heavy schedule and impending retirement. The Committee is appreciative of the time you are giving, particularly on a sitting day. What has been your experience with regard to the prevalence of human trafficking across New South Wales?

**Mr SCIPIONE:** The notion of human trafficking is something that is abhorrent to all of us. The reality is, it is an evil trade. We know that its boundaries extend well beyond Australia and what happens here in New South Wales. For us as a police agency it is an area where we certainly are mindful of those who are primarily responsible for enforcement of legislation around dealing with human trafficking in all its forms. From my perspective, I am well and truly aware that it is a global problem. I know my counterparts, senior commissioners from around the world, and agency leads in the area of Interpol, and Europol particularly, are dealing with this as a scourge on a daily basis.

It is something that is insidious to the point where it is growing significantly with some particular threats on the horizon that I think are going to be incredibly problematic for law enforcement to deal with as we go forward. In terms of the notion of responsibility in dealing with these problems, as the Committee would no doubt be aware, and as I am sure has been flagged probably by some of the other witnesses to this inquiry, and definitely by Superintendent Howlett, prevention has got to be far better than having to deal with the crime once it has been committed. The investment that we make globally into stopping these crimes before they happen, as opposed to investigating them once they have happened, has got to be a sensible way forward.

In Australia we acknowledge that the Commonwealth Government has primary responsibility in this space, particularly when we consider that the Australian Federal Police [AFP] as one agency holds primary investigative carriage of the investigations involving people trafficking or the border transnational-related offences. They hold primary investigative carriage for offences of trafficking for sexual domestic servitude and forced marriage, either transnationally or between Australian law enforcement jurisdictions. They also facilitate notifications or requests for assistance from the Department of Immigration and Border Protection for matters involving people trafficking or transnational border offences. Whilst they are the primary agency in terms of what I have just mentioned, we do this in partnership and collaboratively. Many of the matters that we are engaged in for our investigative capabilities in sex crimes, for instance, come at the request of a Commonwealth agency—be it the Australian Federal Police or the Department of Immigration and Border Protection.

We know that many of the offences that are committed are offences against the Commonwealth because of false passports or visa breaches, notwithstanding that the crimes have probably been facilitated offshore with organised crime involved from those countries. We have seen that particularly in recent times. I am sure the Committee would be aware that we had a matter before the courts only yesterday I understand relating to pay-for-view human trafficking. You do not necessarily need to have the victim in the jurisdiction to have the trafficking happening, as we saw with a poor child who was the victim of a paedophile who was active here and yet was facilitated obviously by organised criminals in the Philippines on a pay-for-view basis. That is particularly troublesome because that is probably the future of this crime type. You do not necessarily need to move people across borders if you can move the real images in real time. At the end of the day, that paints a very worrying scenario for the future.

**The CHAIR:** In your capacity as police commissioner in New South Wales, do you perceive that there are any roadblocks that we could make recommendations about, which could assist NSW Police in these areas?

**Mr SCIPIONE:** On the advice that I have taken from the superintendent there do not appear to be roadblocks, particularly around the work that we do. However, it has been highlighted to me that we have

reviewed and provided comment to the Australian Federal Police regarding what they are putting together now—it is not yet finalised but the sooner it happens the better, I think—and that is the national policing protocol to combat human trafficking, slavery and slavery-like practices. We were involved in that in June 2015. We have not yet seen the final document but it will be really useful.

We know from intelligence—and based on what we have seen as an organisation—that when people are landed in-country, specifically to go into the sexual slavery practices, they are not sent exclusively to one State. They cross borders. They go from Brisbane to Adelaide, Sydney and Melbourne. So it would be good to have a national arrangement in place whereby we had some protocols and practices which would provide consistency. We do this with respect to other crime types—particularly some of the more serious crime types that we deal with. There is a State-Federal relationship, and we want to make sure we have consistency.

**The CHAIR:** Would you be of the view that having a human trafficking commissioner would be helpful?

**Mr SCIPIONE:** I guess I could not rule it out. What would need to be looked at is what that person would do, and what sort of level of connectedness that person would have into the global law enforcement effort. That is just dealing in law enforcement but there are so many more facets to this than just law enforcement. As I have said, it is a problem globally. We know of the experience in central Europe, where Europol have been dealing very heavily in this business. The work that is happening in Europe around Europol has shown that there have been some really sensible outcomes when there was total coordination. They have been doing a wonderful job right across that part of the world. So if that was part of the responsibility there could be some real value.

**The Hon. ERNEST WONG:** Thank you very much for taking time out of your very busy schedule to take part in this hearing. I discovered from the police submissions that a lot of the cases were involved with the sex industry. 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?

**Mr SCIPIONE:** I might hand you over to Chief Superintendent Howlett. I would say that she would represent the most contemporary knowledge within the organisation—whether it be evidence or intelligence that we are dealing with. I have no knowledge of that but Ms Howlett might.

**Ms HOWLETT:** We have very limited information about that. Last time I gave evidence you asked about restaurants bringing over waiters et cetera. I have had experience of that in the past but nothing recently. I would highlight that my squad basically focuses on sex crimes. So I am not in a position to talk about other industries.

**The CHAIR:** Could you obtain further intelligence from the appropriate body that can give us that information?

**Mr SCIPIONE:** We can take that on notice and provide that advice.

**The CHAIR:** We hear that it is happening but we do not have much evidence that it is.

**The Hon. ERNEST WONG:** I have come across a few situations where some workers are probably on visiting visas or 457 visas. They have come to Australia when they have been recruited by an agent and the agent has taken their passports and forced them to work overtime and that type of stuff. I have not seen a lot of that being reported or being charged.

I would also like to know about forced marriage. I have heard stories where women come here willingly from Thailand or the Philippines. They marry a strange man but after the marriage they are subject to domestic violence. They want to get out of the marriage but they cannot do it because their passports are held by the husband or he places a lot of restrictions on them. Have you come across cases like that? Do you find difficulties in investigating those sorts of cases or in charging the perpetrators?

**Ms HOWLETT:** I do not have a great deal of experience in that area. I can make some inquiries on the Computerised Operational Policing System [COPS], but I do not know whether the COPS system will allow us. It really depends upon the information that the victim has provided. They might have reported an incident of domestic violence but they might not have disclosed the fact that they were brought into the country under a false marriage. I can check on COPS but I cannot tell you how reliable that would be in regard to your question. It really is dependent upon what the victim has told the police if they have reported it.

**The Hon. ERNEST WONG:** 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?

**Mr SCIPIONE:** That would be the case. As is the case with domestic violence, no matter what the status of the victim, often it is very difficult to get them to come forward and make a full disclosure, for a whole host of reasons. Although I have no evidence, I would not think that this would be any different. As has been indicated by the Commander, we are happy to take that on notice and make some searches against our holdings.

**The Hon. ERNEST WONG:** Thank you.

**Mr SCIPIONE:** I can assure you, it is not something that I see. It is not prevalent. It is not something that is reported. Consistent with what you are saying it is the sort of thing that many people simply do not disclose.

**The Hon. ERNEST WONG:** Thank you for taking that on notice. What do you think would be the rate of those cases being successfully charged—it is a question I have asked before—and convicted? I am talking about human trafficking cases in the sex industry or other industries, which you have investigated. What is the rate at which the perpetrators in those cases are successfully charged and convicted in the courts?

**Ms HOWLETT:** I gave evidence previously that the Australian Federal Police had some examples of charging and putting people before the courts, but the numbers on our COPS is very limited. There are not very many at all.

**Dr MEHREEN FARUQI:** Thank you for coming in to provide evidence. Commissioner, you earlier highlighted the case of cybersex trafficking that was in the media just today. I am more interested to find out more about how the NSW Police Force deals with cyber trafficking.

**Mr SCIPIONE:** I will refer the question to the Superintendent again, but I can tell you that in the area of cybercrime—whether it is human trafficking, organised crime or terrorism—it is a brave new world. It is an area that is very difficult to nail, simply because the reality is that many of these crimes are committed off shore. The lead-up, the preparation, the planning, the conspiring and the payment for services often happen outside the jurisdiction of New South Wales. These cybercrimes really know no boundaries. They do not respect boundaries.

The difficulty we have in any cybercrime is getting access to where the crime is actually being committed. Often many of these servers are offshore and elsewhere. It complicates it when we have to get other law enforcement agencies involved, if we need to go searching for documents, if we need to obtain search warrants and access to materials. It is often difficult to get that. That is a complex area. The specifics that you are talking about in terms of the use of technology, or technology-enabled human trafficking, are something that this case specifically brought to our attention, and it was finalised only yesterday in court. I will hand over to the superintendent, who can take the Committee through the specifics.

However, I assure this committee that this is certainly a crime we will see more. Again, for all of the reasons, whether it is a national protocol, global interaction with other law enforcement agencies, better access to records offshore, this then becomes a difficult issue when we start moving into what is one of the things that will flow from it—retention of data. This is a really difficult area. When we would seek to have data retained, that has to be balanced with civil liberties, and the community would rightly say they want protection of their information. Therefore, should it be retained for extended periods? If we do not retain it, we will not have evidence that can be used in any future prosecution. It becomes a very difficult area to work through.

**Ms HOWLETT:** I agree with the commissioner on most of his comments. Technology is going to be a challenging area for us. A lot of the devices we are coming across are encrypted. As the commissioner pointed out, we have a number of sites posted overseas over which we have no control. A lot of the sites are also posted where they are able to post without identifying themselves. We have the issue of the dark net.

**The Hon. TREVOR KHAN:** What is the dark net? I am not being trite; I do not know what it is.

**Mr SCIPIONE:** This is an issue for us all. This is an area where people are in person-to-person contact. They are not operating through a controlled environment where there would be someone who would be moderating a site. These are people who would be working in the layer underneath what you would see when you go onto the worldwide web, where you might see a Facebook chat group. These are people who would make contact and then say, "We are welcoming you down into our closed group." As a result of encryption and the controls they can put around it, they are almost free to operate with immunity only because it is difficult to get there. This presents enormous challenges for law enforcement, because often these sites are encrypted and we do not know that they are actually operating.

It is called the "dark net" because a lot of darkness happens there. It is where individuals can procure drugs, facilitate access to illegal firearms, or make payments for illegal activity. As we know through the process, they can procure images of child abuse right through to arranging for pay-for-view activities that we saw a man prosecuted and convicted for only yesterday. It is an area of the worldwide web where there are almost no controls. We often say that if we were having this discussion 15 years ago, or even a little more than 10 years ago, we would not be mentioning Facebook because it did not exist. However, today, if Facebook were a nation, it would be the third biggest nation in the world. Any nation has boundaries, it has highways, there are police who patrol highways, and police who patrol precincts. They are there if there is trouble; they intervene and they keep people safe. It would be the third biggest nation on the planet and it does not have any police force. If you then take that down to the dark net level, you realise that this is going to be a significant problem, and a growing one for us all.

**Dr MEHREEN FARUQI:** I refer to the Federal Court, which is currently hearing the case of 22 men who came to Australia from Vanuatu under a Federal Government seasonal worker program. I understand that one man was paid just \$150 for six months of work. When they complained to the employer, the employer threatened to have them taken to the police and deported. This case occurred in Queensland, and I understand that this is a federal issue. However, I am presuming that if a similar case happened here in New South Wales the first port of call would be the police. Do you have any concerns about programs such as the seasonal work program in New South Wales, particularly as it relates to worker exploitation and human trafficking?

**Mr SCIPIONE:** I have not even looked at that; I have not even considered it. It is not something that we would necessarily deal with; we do not have jurisdictional responsibility for that. Between all of the other challenges is the fact that we as a modern law enforcement agency have a lot to deal with; particularly if we were to stay exclusively in this sex crimes area, we have more than enough to deal with. I have not given that any thought. You are right, it is predominantly a federal issue, and it is probably one we would be better off not commenting on, only because it would be from a position of ignorance, and that is never good.

**Dr MEHREEN FARUQI:** The NSW Police Force submission is heavily focused on sex trafficking. That is an area in which you have various responsibilities divided between the police, the crime command and the Australian Federal Police. I am interested in understanding whether a similar sort of coordination and division of responsibilities exists for other forms of trafficking, for example, organ harvesting?

**Mr SCIPIONE:** Whenever there is a crossover of jurisdiction between State and Federal, Territory and Federal, local, national, and international, there is certainly a need for us to ensure we have good coordination, for no other reason than that we do not want to waste resources. We do not have enough resources in this area, so we cannot afford to be double committing to a problem that needs only one initial response. Yes, there is coordination, but this brings me back to my point. I look forward to seeing the document that I alluded to that we have had some involvement in. A really good starting point would be to sit down and scope out the size of the problem and the way we might best do this in terms of responding. This national policing protocol, which is still on foot—we are waiting for it—is specifically dealing with the human trafficking, slavery and slavery-like practices. That will deal with everything. I would assume that it will cover all the areas that you have alluded to outside of the sex crimes area. But coordination is the key to this.

**Dr MEHREEN FARUQI:** Do you think the NSW Police Force should have a greater role, as it does in sex trafficking and other forms of domestic servitude or human trafficking, and that more resources should be provided for the police to be able to do that?

**Mr SCIPIONE:** Again, currently the legislation that we are talking about with regard to the trafficking of people across borders—that is, from outside Australia into Australia—is well covered by Commonwealth legislation. The advice I get is that there are no deficiencies from a police perspective in that regard. However, if there were to be a greater responsibility given to State and Territory police, that would come at a price. That price would be that we would need extra resourcing, but we would need more than that. We would need to make sure we had the systems behind it. To give a police force responsibility it needs things like IT support so that it can make sure that it is using technology to assist in determining who is committing crimes.

It would also mean that we would need some legislative change. We would need support. It would be very easy to say yes, and we need more. But, at the end of the day, you would need to have a look at what we are trying to achieve. I think that is best done once we have a better understanding of what we would be suggesting would be a good idea before we committed to it. Having said that, in this area, particularly when it comes to protecting our children, I do not think you can ever over-commit. This is a global tragedy and we have seen that. We have seen in other parts of the world the devastation that is created when people are forced into this type of a life. Human trafficking has got to be one of the things that tears us apart as humans because at the

end of the day there is probably nothing worse that we can do to a person than to put them into a situation where they are sold as slaves. It does not get much worse than that.

**Dr MEHREEN FARUQI:** Thank you.

**The Hon. GREG DONNELLY:** Thank you, Commissioner and Detective Superintendent, for coming along. My first question is about the entry of persons into Australia who are ultimately put into these different roles, willingly or otherwise, under the umbrella of human trafficking. Given Australia's geography of being an island continent, our borders are not particularly porous. Is it fair to say Australia would not generally have large numbers of people entering undocumented? Or does that happen? If it does, I would appreciate some general comments about that.

**Mr SCIPIONE:** Again I would be commenting from a position that is not well informed, only because it is not my area of expertise. If I were to reflect on what I have seen, I would probably come to the same conclusion as you. What I do know is we do have good border protection. We are an island continent. We have a tremendous advantage. People will need to enter not by land corridor, so it is air or sea. In that regard we are at a pretty significant advantage over many other nations.

**The Hon. GREG DONNELLY:** I only raise that to set the context. If it is taken as a generally agreed position—I am not saying that you are accepting that but I am putting it forward as a proposition—that Australia is an island nation with borders that are not porous and are in fact quite well patrolled and controlled, then persons entering Australia through ports, whether sea port or airports, are entering legally in one form or another, are they not? Their entry into Australia is not per se an illegal entry, is it?

**Mr SCIPIONE:** Well, no. The unfortunate reality is that we do have illegal entries simply by virtue of the fact that they are travelling on a false passport. Not all of them would be, but a passport that has been illegally manufactured or an identity that has been stolen elsewhere and a passport has been obtained I would still class as, in my mind, an illegal entry. It may well be a different interpretation than what you might talk about as an illegal entry.

**The Hon. GREG DONNELLY:** No, I understand what you have said—

**The Hon. TREVOR KHAN:** At the very least it is unlawful.

**Mr SCIPIONE:** It is unlawful, which therefore makes it illegal.

**The Hon. GREG DONNELLY:** Indeed. So there is that possibility—

**Mr SCIPIONE:** And then of course there are those that would enter for a stated purpose where their entry is authorised but they would seek to move away from that stated purpose when they have a work visa in place that allows them to do certain things and they step away from that or if they have a student visa under which they are meant to be here studying when in fact they are never going to study—they are simply here to be trafficked.

**The Hon. GREG DONNELLY:** That brings me to my next question. For obvious reasons you may not want to comment specifically, and I appreciate that. At the top of page 1 of the submission of the NSW Police Force to this Committee it says:

**Proposed Response**

Human trafficking offences include trafficking person/s not only for the purpose of sexual servitude/sexual exploitation but also slavery, forced labour, deceptive recruiting, debt bondage, forced marriage and organ harvesting.

As outsiders looking into this and trying to understand, are there major players in these activities or is it quite atomised with various individuals and/or informal organisations or networks involved in this malfeasance? Are we looking at large, macro entities doing these things—albeit in the shadows—in these areas or is it quite an extensive field on which we have to focus?

**Mr SCIPIONE:** Breaking down your questions, if we were to specifically talk through the area in which we would primarily have contact, and that is in the sexual slavery area, I might be best to let the Detective Superintendent Howlett talk to it on the basis that I think she has already indicated we have not seen a lot of documented evidence in that regard.

**Ms HOWLETT:** I concur with Commissioner Scipione in that regard. As I have said previously, I have personally had experience where the girls have actually come into the country knowing that they will be working in particular brothels and there was an issue in regard to their payment and them paying off a debt. The issue of the organising and the people behind that might really be a question for the Australian Federal Police [AFP]. They might have more information about that than I would.

**The Hon. GREG DONNELLY:** I was not specifically focusing on that aspect of it. It was a broader question including forced labour and those other related matters. If it is by its very nature a sensitive question, perhaps I ought to step back from it. I am just trying to get a sense of the magnitude of the operators who are directly involved in the day-to-day running of this activity.

**Mr SCIPIONE:** If you are looking for the notion of is there a Mr Big in this—

**The Hon. GREG DONNELLY:** Or many Mr Bigs or Miss Bigs—yes.

**Mr SCIPIONE:** —again I think as Detective Superintendent Howlett has indicated this is the sort of intelligence holding that would most likely be held within the Commonwealth. For a whole host of reasons we would not be well placed to have that discussion. Can I say the number of matters that have been brought to my attention has been very, very low. That does not mean it is not happening and, in fact, if there was one person that was affected through this, it is certainly something that is of interest to us as a police agency. We might be the first point of contact. We would then go through a process and if it was determined that we needed to involve other agencies or if in fact we needed to hand it over so that they could enforce the laws then we would do that. But certainly it is something the Commonwealth may well have.

**The Hon. GREG DONNELLY:** I have one final question. The final paragraph on the third page of the NSW Police Force submission under the heading "b. The prevalence of human trafficking in NSW" states:

Intelligence suggests that overseas adult females in Australia on Student Visas are being employed in lawfully operated brothels. Student visas afford such persons to 'work' up to 19 hours per week.

Forgive me for not knowing this, but is the word "work" in quote marks because that is in the legislation?

**Ms HOWLETT:** Yes, that is my understanding. They can do any form of work up to 19 hours of paid work. It really depends upon your definition of working. They might be working at McDonald's or in another area.

**The Hon. GREG DONNELLY:** Is it the case that there is no definition of "work" in the legislation? Perhaps you do not know that.

**Ms HOWLETT:** Sorry—can I take that question on notice?

**The Hon. GREG DONNELLY:** Yes.

**Ms HOWLETT:** I have to check with Border Force and the AFP.

**The Hon. GREG DONNELLY:** I presume it would not involve illegal or illicit activity being defined as work.

**Mr SCIPIONE:** No. You cannot get permission to work 19 hours a week as a drug dealer.

**Ms HOWLETT:** No.

**The Hon. GREG DONNELLY:** The NSW Police Force submission goes on to say:

Prohibiting these females from working as prostitutes may be problematic as prostitution is not an illegal act in NSW. Consideration should be given to regulating the industry, so only those employees who are licensed can work in a brothel.

Commissioner, would you like to elucidate on that? Is that statement brought about from seeing where we are at the moment and finding out whether this option may assist in tackling this problem we have in front of us?

**Mr SCIPIONE:** Do you mean regulation of the industry?

**The Hon. GREG DONNELLY:** Specifically that last sentence, "Consideration should be given to regulating the industry, so only those employees who are licensed can work in a brothel." I presume that is a licence arrangement of some description so if a person did not have a current licence they would not be able to work in a brothel.

**Mr SCIPIONE:** It is a little bit of a conundrum. Better regulation is always welcome but I understand, and Superintendent Howlett has made it very clear to me on a number of occasions, that the downside to better regulation, if that is what you mean by registering and ensuring that there is a regime—and I am not suggesting police because at the end of the day, as I have already said, we have more than enough on our plate—but if some consideration were to be given to that I think the argument has been proffered that the risk is that you will get people who will work totally black market. Then there will be problems associated with people not prepared to register in order to maintain health checks and it becomes even more problematic. Superintendent Howlett has forgotten more than I have ever learnt about this so she is probably best placed to talk about it, but if that is a

concern that I am hearing from operational frontline commanders and troops then it is certainly something we cannot dismiss.

**Ms HOWLETT:** I agree. That is what I mentioned previously in my last submission.

**The Hon. GREG DONNELLY:** I accept that.

**Ms HOWLETT:** I know that it received a lot of publicity. There are certain members of the community who certainly do not agree with my position but I only put it forward as a proposal if you want to try and stop human trafficking. If people come into the country and they are at least licenced in some way then you know they have access to their passports, you know what visa they are working on, you know perhaps that they are getting paid, you know that they are receiving their appropriate health checks, they are paying tax, et cetera. I know that it is not a position that a lot of people agree with me on.

**The CHAIR:** Is there another way to do it? We appreciate that there is a sex worker industry and many of them are working legally—

**The Hon. TREVOR KHAN:** They are all working legally.

**The CHAIR:** Not those who are being trafficked.

**The Hon. TREVOR KHAN:** It is not illegal to work as a sex worker in New South Wales.

**The CHAIR:** I am talking specifically about people doing it against their will because they have been trafficked. If it is regulated, then everyone would be given a permit, you could work out who they are, they would be able to keep their passports and they would be able to do the other things that you have mentioned. But is there another way to do it?

**Ms HOWLETT:** I cannot think of any.

**Mr SCIPIONE:** Is this a high-risk industry? If it was deemed to be high risk in terms of being exploited, being infiltrated and being subject to and potentially abused by organised crime, then do we deal with it like we do other at-risk or high-risk industries. Again, I am not sure. When you think about some of the other industries that we have seen and had problems with from a law enforcement perspective—the building industry is one, where we have seen the Commonwealth Government step in and we have had royal commissions looking at the level of potential infiltration by organised crime and a whole range of other areas—it does not mean that police need to regulate it but clearly there needs to be some consideration given to it and probably to get people around a table to look at other options.

Whilst we might not have a stated position in terms of how it could be regulated, that does not mean that there is not some merit in thinking through what other options there are. It is a bit like real estate—you cannot rule it out until you rule it in. There may well be a need for some greater consideration. I think what we have heard today is that at this stage no-one has made the submission that we have made to the Committee, but that does not mean that people with a different view might not have a solution. Often we find that whilst we may have a certain position it does not necessarily represent all of the informed thinking that is out there.

**The Hon. NATASHA MACLAREN-JONES:** We have heard reports that the number of child brides in Australia is increasing. I am interested to know whether there has been an increase in the number of child brides in New South Wales over the past decade?

**Ms HOWLETT:** I actually contacted the Child Abuse Squad yesterday and spoke to them about it. Very few reports have been made to New South Wales Police. I have heard the media reports that Family and Community Services [FACS] have received reports but I am not aware of those reports being forwarded to us. We have had one conviction recently of a father and a gentleman who married a child. I know that a committee has just recently been set-up, it is called the New South Wales and Commonwealth Government Agencies Working Group to Prevent Forced Marriages. I have the terms of reference here should the Committee need them.

**The CHAIR:** Thank you. Please use them as a resource now and table them later.

**Ms HOWLETT:** Obviously many of the major players are involved such as the Commonwealth Attorney General's office, Family and Community Services, Australian Federal Police, Family Law, Legal Aid, Department of Education, Family Court of Australia, Federal Court of Australia, the police and Health NSW in that working party.

**The Hon. TREVOR KHAN:** If a school principal telephoned the local desk sergeant at Surry Hills police station and said, "I have got a young girl in my office who is telling me that her family is going to send

her out of the country to be married", is there a protocol in place as to what that police sergeant would do with that information?

**Ms HOWLETT:** Yes. They would contact the Child Abuse Squad and they would also make a report to the helpline of Family and Community Services.

**Mr SCIPIONE:** And they would record it so there would be a record in the COPS system.

**Ms HOWLETT:** They certainly would not let the child go. They would keep the child and make those relevant inquiries and then speak to the appropriate agencies that would deal with that.

**The Hon. TREVOR KHAN:** What would be the legislative grounding for holding the young girl?

**Ms HOWLETT:** Depending upon the circumstances and the information that we have been provided, we could actually apply to the Family Law Court or the courts to get an order so that the child is not removed from the country. It really depends upon the circumstances and the evidence that we have at the time.

**The Hon. TREVOR KHAN:** The NSW Police Force would not need to involve the Australian Federal Police at that stage in the exercise?

**Ms HOWLETT:** It would depend upon the circumstances. We probably would involve the AFP. We would also involve Family and Community Services under the Child Abuse Squad, which would include Health NSW, Family and Community Services and New South Wales Police because we all perform different roles in that environment. Health NSW would obviously do the health checks, FACS would do the protective behaviours in regard to the family, et cetera. It really depends upon the circumstances.

**The Hon. NATASHA MACLAREN-JONES:** I have a question about child adoptions overseas, not surrogacies. There have been cases where a person or family adopts a child from an orphanage overseas legally but that child had been sold to the orphanage in the other country. Are you aware of cases in New South Wales where that has happened? Is there a prevalence of that within Australia of which you are aware?

**Mr SCIPIONE:** I have certainly not heard of that in New South Wales.

**Ms HOWLETT:** Neither have I. I would suggest the AFP might have some information about that but I certainly do not.

**Mr SCIPIONE:** We are not trying to be evasive, it is just not something to our knowledge.

**The Hon. MATTHEW MASON-COX:** My question relates to the issue of sexual servitude, particularly underage forced marriage. I note that if there is no transnational border related potential offence then the investigation is done by the local area command.

**Ms HOWLETT:** No, with respect. Depending upon the age of the child—if the child was under the age of 16 it would be investigated by our Child Abuse Squad because, as I have previously stated, it is a combination of New South Wales Police, Health NSW and FACS. We need those three agencies together to deal with that issue.

**The Hon. TREVOR KHAN:** Is that what used to be called the Joint Investigation Response Team [JIRT]?

**Ms HOWLETT:** Yes.

**Mr SCIPIONE:** We see it as important enough that any allegations or investigations about someone who is under the age of 16 goes to the specialists and the experts because we are now talking about a critical investigation.

**The Hon. MATTHEW MASON-COX:** That is what I wanted to understand—that there is a consistent approach to this, because the submission we have from the New South Wales Government suggests that it is the local area command—

**Mr SCIPIONE:** They may take the initial report, but this is a compulsory escalation process.

**The Hon. MATTHEW MASON-COX:** Excellent. That is what I wanted to question, but the need for consistency is obviously very important in this area.

**Ms HOWLETT:** It would certainly go to our Child Abuse Squad.

**The Hon. MATTHEW MASON-COX:** In doing the investigation do you have any issues with the practical investigation with respect to illicit information from people involved in this sort of crime? For example, in the case of a forced marriage, do you have any issues interviewing people in the community who

attended a forced marriage in a backyard somewhere, or to gain information from the person who officiated at the ceremony or other participants?

**Ms HOWLETT:** Not that I am aware of. I know for a fact that the Child Abuse Squad has charged a particular father for the arranged marriage of his daughter, and charged the "husband". They had the cooperation of the community. People came forward. There were witnesses who attended the wedding. Certain admissions were made by both parties. They obviously had NSW Health on board, which was able to provide medical evidence that the girl had a miscarriage. They were also able to interview the school to ascertain her age and things like that. So there was no issue in that investigation.

**The Hon. MATTHEW MASON-COX:** Is that your usual experience in this area?

**Ms HOWLETT:** That would be the case, yes.

**The Hon. MATTHEW MASON-COX:** There are very few cases in this area. Have you run into evidential problems in terms of investigations in other cases?

**Ms HOWLETT:** As I said, I spoke to the Child Abuse Squad yesterday and they have had very few cases. The one that they had a conviction on, they had no issues with.

**The Hon. NATASHA MACLAREN-JONES:** Is that because there are very few cases or is there a resistance within communities, or is it that the children themselves are not necessarily coming forward?

**Ms HOWLETT:** Are you asking about the non-reporting?

**Mr SCIPIONE:** As I have said, in this whole area and in so many other areas around sexual assault, one of the biggest problems we face is under-reporting. That is a reality of life. I do not think it would be any different here.

**The Hon. NATASHA MACLAREN-JONES:** What more could be done?

**Mr SCIPIONE:** Encourage communities to step forward—to have confidence in their police to make a report, knowing that we will act with integrity and will deal with the matter sensitively while looking to bring some resolution to this to make sure that we reduce the impact on communities by allowing this sort of crime to happen. And it is a crime.

**The Hon. TREVOR KHAN:** I found a paper—this is the problem with having the World Wide Web and Google—entitled "Safer Suffolk Communities". This is not limited to Suffolk. It identified that the Forced Marriage Unit in Britain gave advice or support relating to a possible forced marriage in 1,220 cases. Admittedly, Britain has a larger population than we have, but assuming there is a degree of under-reporting in the British environment, if there are 1,220 possible forced marriage cases in Britain then we are not looking at an infrequent event. We are looking at potentially hundreds occurring in Australia, it seems, in a year.

**Mr SCIPIONE:** I think that would be a reasonable comment. The number of 1,200 is probably still a considerable under-reporting. That would be on a national basis, I assume.

**The Hon. TREVOR KHAN:** Yes, I take that to be the case.

**The CHAIR:** In your experience are there any other areas that we would need to examine in order to better help us address the prevalence of human trafficking in all of its forms in New South Wales?

**Mr SCIPIONE:** In terms of some of the issues that have been raised, I think our submission addresses the effectiveness of relevant legislation. The Sex Crime Squad has advised that it has not encountered any operational difficulties in relation to the effectiveness of the relevant current legislation. It has sufficient resources in terms of powers with regard to getting access to premises and the like. There is nothing that has been brought to my attention. There may well be unique operational issues. If so, there is no better thing than to have the superintendent talk to it.

**Ms HOWLETT:** There is nothing other than what I have previously said that would jump out at me.

**Mr SCIPIONE:** The most important thing from my perspective—you have already touched on it—is that we need to encourage people to talk to us. They need to have the confidence to come forward and tell us what is happening so that we can then act. It may well be that the NSW Police Force is not the primary agency that would deal with it. In that case we would pass it on to our partners—but act we must. We can only do that once we are informed. We do not know what we do not know.

**The CHAIR:** I am aware that in America and other places they are running prevention awareness programs. Would you suggest that we try to encourage that reporting through a public awareness campaign?

**Mr SCIPIONE:** That would not hurt. As I said, we would be far better placed, as a nation, if we were able to stop it before it became an issue rather than having to investigate it post the issue. That is about educating communities. I would not suggest that that should be the exclusive focus. It would need to be hand in hand with law enforcement, ensuring that we have border protection and strong, robust investigative capabilities to catch offenders when they are committing those crimes, be it on line or in the real world. That could be done hand in hand with education, better communication and better understanding by communities of this threat, and encouragement for people who are caught up in this terrible bind to come forward and talk to us. It is a really risky thing for somebody who has nothing other than perhaps a hope that they may be able to stay in the best country on earth. We would still always encourage people to come forward and talk to us.

**The CHAIR:** Detective, you have a sheet of paper there: Were you going to say something about that?

**Ms HOWLETT:** No, this is the terms of reference of the working group with regard to preventing forced marriages.

**Mr SCIPIONE:** We will table that.

**The CHAIR:** That will be tabled. In terms of regional and rural areas—a bit of a passion of mine—are you getting much feedback with respect to human trafficking? We have talked about recruitment of labour and debt bondage and stuff like that. Are you happy that the regional police stations are being resourced appropriately to deal with some of these issues?

**Mr SCIPIONE:** If we are talking about sex crimes and child abuse then it does not matter whether you are in Bankstown or Broken Hill; the arrangements are in place and they are consistent right across the State. If you are talking about debt repayments in terms of forced labour, that is not something that we hear of all that often. We know that Border Force, Immigration and the Australian Federal Police have, over the years, been involved in seeking out and working with the NSW Police Force to run operations in country New South Wales with success. Having said that, it is not standing out as an issue that is brought to my attention as a regular issue. Again, I am sure that it does happen; it is just a matter of people being prepared to talk to us.

**The CHAIR:** I am sure you would appreciate that there are probably a few hundred officers at Bankstown whereas there are probably only tens in Broken Hill.

**Mr SCIPIONE:** That is always an issue.

**The CHAIR:** There are the actual numbers and the authorised numbers. They do a great job with respect to the ice epidemic and other wonderful work. It is quite a significant load so we just want to make sure that regional areas are manned well and resourced well in order to handle these extra things such as the cyber challenges that are coming forward.

**Mr SCIPIONE:** That is going to be a challenge for us no matter where we are.

**The CHAIR:** Thank you for presenting today. It is fantastic that you have been able to come and give evidence today. I note that you have taken questions on notice. You have been given 21 days to get back to us and the secretariat will help you there.

**Mr SCIPIONE:** We will make sure that we meet that 21 days.

**The CHAIR:** I take this opportunity to acknowledge your great contribution to New South Wales. I know you are a very humble man, but as Chair I get the privilege on occasion to say some words of gratitude. I know that I have the Committee's support in saying congratulations on a distinguished career in the NSW Police Force. We know that you have done a very good job in pursuing your primary goal of keeping New South Wales safe in a very volatile global situation with terrorism and so on. Having watched a few footy coaches talk about their teams, I know that if there is a good news story they say it is the team's achievement, but if it is a bad news story, they take the hit. We are very mindful that that is the sort of man you are; you have always protected your team in blue. You should be very proud of your distinguished career and what you have done for New South Wales.

There is a wonderful saying in ministry: You can always do more. But, no, at the end of the day, you can only do what has been given to you to do and give it your very best. You have done that in spades. I also acknowledge your lovely wife, Joy, and your three children. We know that any effort at this level of public office includes the whole family. We wish you all the very best for the next chapter of your life, whether or not it is in a public role. We trust that you will have a great next chapter, and we pray that it will be the very best for you. Thank you for your service.

**Mr SCIPIONE:** Thank you, Mr Chair. I do not want to steal the last word, but if you will indulge me—

**The CHAIR:** By all means.

**Mr SCIPIONE:** Thank you for those very kind words. For some it might seem a little trite, but the reality is that I would not have been able to do what I have done if it were not for the men and women of the NSW Police Force. Let me assure you, no matter who you were, if you did not have a workforce like I have had, New South Wales would not be in the position it is in now in terms of crime, standing, confidence and success when it comes to preventing acts of terrorism, managing organised crime, dealing with outlaw motor cycle gangs, and dealing with all the things that we know make the community safer. I will not miss an opportunity to praise the men and women of the NSW Police Force. There is no other reason that we are in the position we are in now.

In terms of the future, I am very encouraged because I have worked with these people for so many years. I have had the good fortune of serving them as well as the 7.5 million people in the community. Let me assure you, we are in very safe hands. I will enter my civilian years safe in the knowledge that we are in a very good position thanks to people like Linda and her team and the entire NSW Police Force. Thank you to the Parliament. This will likely be my last opportunity to address you in the red room. I have done it on many occasions, not always in this room. It has been a pleasure. I respect the authority of this Parliament and I have always sought to ensure that I bring every assistance I can, because it is the right and proper process. Thank you for the privilege of engaging with you as representatives of the Parliament of New South Wales.

**The CHAIR:** I will have the last word: God bless you and God bless your family.

**(The witnesses withdrew)**

**ANTHONY FISHER**, AO, Archbishop of Sydney, Catholic Church, sworn and examined

**The CHAIR:** Do you wish to make an opening statement?

**Mr FISHER:** Good afternoon, Mr Chair and honourable members. Thank you for the invitation to address the Committee today. I begin by commending the Legislative Council for establishing this select committee. I take as my starting point that all decent Australians regard as abhorrent human trafficking, slavery and slavery-like practices such as forced labour or forced marriage, and domestic, sexual or other servitude. All of which I will refer to hereafter as "human trafficking". We would all want to know the extent to which such practices are occurring in our State and to see them eradicated, and we would all want to ensure that no activity within our State contributes to those practices elsewhere.

Most people continue to think that human trafficking is a thing of the past. Yet the very existence of this Committee is testament to an ongoing problem. The United Nations has recognised that this repugnant activity continues in our world, and its members have unanimously called for its eradication, immediately if possible and certainly no later than 2030. Pope Francis has called it an "open wound on modern society and a crime against humanity". In December 2014, leaders of many of the world's faith communities called upon their members to work together to eradicate these vile scourges by 2020, and for all time.

Religious and civic leaders concur, therefore, in their aspiration and determination that this will be the last generation to know the phenomenon of slavery. Of course this is not a new resolve. From the earliest times, many Christians campaigned to abolish the slave trade, to stamp out kidnapping, trafficking, ownership and exploitation of human beings as if they were chattels, and to liberate and assist those already caught in that terrible web. Regrettably, other Christians and believers profited from or at least acquiesced in this practice. The modern campaign against slavery in the Anglosphere was largely associated with evangelicals such as the English poet, John Newton, a convert from slave-trader to Anglican minister, who wrote the popular Christian hymn *Amazing Grace*. In 1788, as the First Fleet was arriving in Sydney, Newton was publishing his blazing tract "Thoughts Upon the Slave Trade", which described the horrific conditions on slave ships. He said:

It will always be a subject of humiliating reflection to me, that I was once an active instrument in a business at which my heart now shudders.

The pamphlet was distributed to all members of Parliament and helped the campaign of his spiritual protégé, William Wilberforce, to outlaw the slave trade in the British Empire. Newton lived just long enough to see Wilberforce's bill become law in 1807 only a few days before Newton died. Much has been achieved. But 50 years ago the Second Vatican Council recognised that it was not yet time for the anti-slavery movement to pack its bags. It declared certain sins especially "infamous" on three counts: "They poison human society, damage the perpetrators even more than the victims and supremely dishonour the Creator".

Amongst these infamies the council included direct attacks on human life such as genocide, murder, abortion and euthanasia; direct attacks upon human integrity such as mutilation, torture and coercion; and direct attacks upon human dignity such as arbitrary imprisonment or deportation, slavery and prostitution, trafficking in women and children, and otherwise treating human beings as mere tools for others' profit. The council rather presciently listed slavery amongst the worst evils yet to be effectively abolished from human society and the willingness to enslave others amongst the worst evils yet to be eradicated from the human heart. Half a century later, Pope Francis has been a tireless champion of this cause. The Catholic Church along with other churches and faiths is playing an ever-growing role in the international effort to stamp out human trafficking, even as we recognise the proper responsibility of international, national and State authorities in these matters.

It is my firm hope that this select committee will recommend and that the Parliament of New South Wales will enact further measures to identify and liberate anyone suffering from human trafficking in our State, to prevent this recurring, and to discourage this in other parts of the world. As the single largest procurer of goods and services in the state of New South Wales, to the tune of nearly \$14 billion per annum, the New South Wales Government has very considerable financial muscle in this area. It also has the authority to appoint an anti-slavery commissioner mandated to identify any continuing human trafficking, domestic, sexual or other servitude or other instances of modern slavery in our State; to oversee the Government's slavery-proofing of its supply lines; to report on activities by non-government agencies in New South Wales; and to promote public awareness and good practice in these matters. New South Wales might also urge the Federal Government to legislate along the lines of the recent British anti-slavery Act.

But it is not enough for groups such as churches to lecture or exhort the rest of the community in such matters. We must demonstrate our own willingness to act where we can. The Vatican has already committed itself to slavery-proofing all its procurement practices and supply lines. It is no small task to ensure that

everything we use has been obtained ethically, that everything we obtain has itself been produced and supplied ethically and sustainably, and that those upon whom we rely or with whom we are affiliated are like-minded. It is no small task but we must try. As Pope Francis has pointed out, buying goods is not just a commercial matter; it has moral dimensions.

What might the church here in Sydney do? I take this opportunity to inform this parliamentary select committee today of the commitment of the Archdiocese of Sydney to a program directed to the eradication of human trafficking, including the following practical measures on our part. We will review and revise all relevant contractual and business practice documentation, including the Archdiocese's Guide for Business Practice, to highlight the church's commitment to eradicating human trafficking. We will as far as possible only purchase slavery-proofed products and services, and as far as possible only contract with firms who certify that their goods and services are not tainted by human trafficking.

We will maintain a register of suppliers who have given the requested certification about their goods and services and ensure that all Archdiocesan chancery, parishes, schools, agencies and affiliates, as well as our major suppliers, are fully aware of this procurement policy and understand the principles and practices set out in the revised Archdiocesan Guide. We will establish an Archdiocesan Anti-Slavery Taskforce with a specific mandate to promote this new ethical procurement policy throughout the Archdiocese; to prepare resources and conduct programmes for the Catholic faithful and other people of good will about eradicating human trafficking; to devote the energies of the Archdiocesan Office of Justice and Peace, parishes, schools and other agencies to educating about and campaigning to end human trafficking; and to partner with and support the work of Australian Catholic Religious Against Trafficking in Humans [ACRATH] and other organisations, particularly in their mission to assist victims of human trafficking.

As Metropolitan Archbishop I will seek to work with the other bishops of my own province of New South Wales, as a member of the Permanent Committee of the Australian Catholic Bishops' Conference I will seek to work with other bishops in Australia, and as a religious leader I will seek to work with major superiors and leaders of Catholic education, health and aged care and welfare services to establish regional policies and other efforts to eradicate human trafficking. I will also seek through contacts with the Holy Father and the Vatican departments to strengthen and expand international initiatives by the church to campaign to eradicate human trafficking.

As Archbishop of Sydney I will also work with the leaders of other churches and faith communities, members of the Catholic Business Network, as well as other organisations, about ways they too might contribute to the eradication of human trafficking. I will also ask my priests to preach and faithful to pray, do penance, educate themselves and their peers, and lobby and vote for justice in this domain. I also undertake to cooperate with our civic leaders to assist in every way we can to address this major social justice issue. Regarding contemporary slavery, Pope Francis has asked if our generation is simply going to look away. There he echoed William Wilberforce, who said to civic and church leaders, "You may do nothing about it, but at least now you cannot say you do not know." I have great confidence we will do far more than nothing about this great evil. I thank honourable members for your time today and I look forward to working with you in the future.

**The CHAIR:** Thank you. The Committee applauds that initiative; it is fantastic. I refer you to point 7 of your opening statement. How do you think you could integrate with other faith groups to implement the type of statement that you have just made? How will you progress that?

**Mr FISHER:** In one sense I think this would be relatively easy because we all now work very cooperatively—certainly the Christian churches but also some of the other faith groups too—and where one of us is giving a lead in one area very often we all say, "That is a good idea. Let's do the same and see if we can actually do it together." My plan is to speak to the other heads of churches in Sydney—many of them represent our whole State and some of them our whole country, not just Sydney—and see what we might do together or at least share with them what I am planning to do and see if they might like to take similar initiatives.

**The CHAIR:** Are you able to share any initiatives that the Catholic Church has already undertaken in light of the scourge of human trafficking?

**Mr FISHER:** Yes. The Committee has received a number of submissions from Catholic groups and one group, the Australian Catholic Religious Against Trafficking in Humans, has listed a number of activities that they are doing, particularly in the area of helping to identify modern slaves or people who have been trafficked here in our own city and our own country, as well as efforts in educating them and lobbying. If I could give a very personal example, when I was parish priest of Watson Bay here in Sydney I had a woman come to me. She was South American. She had been brought here as a nanny by a family and thought to be making a whole new life for herself here. She got here and her passport was taken away by her employers. She was not allowed any recreational activity outside the house. She was not paid any pocket money or wages. But they

finally agreed to let her go to church because she was religious and that gave her a chance to come and speak to me.

She said she had tried at one stage to escape to a neighbour and told the neighbour what was happening to her. The neighbour had effectively manhandled her back to the house of her employers, as if she was an escapee from prison or old-style slavery. That experience, which is nearly 10 years ago now, brought home to me that this is very real here in our own city. I did my best to intervene at that time and I got her out of that situation with help from law and from CatholicCare, our social welfare agency of the church. I think there are probably many other such stories that pastors or groups like the Australian Catholic Religious Against Trafficking in Humans working on the ground with women caught in the web of sexual slavery and prostitution or people in other kinds of domestic slavery here in our own city have encountered. This is not just a theory or something that is seen overseas.

**The Hon. NATASHA MACLAREN-JONES:** . The Committee has heard that there is a level of underreporting—whether it is child brides, domestic violence or various other crimes. What can religious and community leaders do? We have been told that we need more awareness or engagement. What recommendations do you think the Committee could make to assist leaders in the community to get those victims to come forward and report it?

**Mr FISHER:** This could be an area of mandatory reporting parallel to others that we have. In my own case I would say the people who come to us are not coming to us for some kind of spiritual secrecy that they are seeking in a confessional; they are just looking for help to get out of this. In the case of the woman who I had that close experience with, she was very afraid of going to the police. She had a view of the police that came from her South American experience that was not as positive as our experience of police would be here in New South Wales. Part of my role pastorally with her was to assure her of her safety and that she need not fear that she was going to be in some way further maltreated by talking to the police. She did ultimately have I think a very positive experience in dealing with the police. It could be some kind of mandatory reporting regime. If that were not to be the case, certainly charitable organisations could be asked to report figures each year—for instance, if we had an anti-slavery commissioner or somebody who had a responsibility to collect such figures annually. I have no doubt cases like that would not be reported in any figures collected by bureaucracies.

**The Hon. MATTHEW MASON-COX:** Archbishop, I congratulate you on your statement. It is wonderful to see the Catholic Church taking a leadership role in what we believe is a very important area. Certainly to hear your evidence on that front is very welcome.

**Mr FISHER:** Thank you.

**The Hon. MATTHEW MASON-COX:** I want to ask you a couple of specific questions about some of the points you have made. Can you explain what the Catholic Business Network is, who is involved and what sort of influence might you have in that area?

**Mr FISHER:** We have a group that meets roughly every two months. We have a lunch—it is usually conducted in one of the big hotels where we can have a big function like that—and we have a speaker and we discuss some issue of ethical or spiritual relevance to people in business. We get some quite senior business executives as well as people lower down in the different corporations who come, as well as some of the church's own organisations that would then interact with them as purchasers of their products or partners in other ways. Often we get a few hundred business leaders and others come to those meetings and I think it is a very good opportunity to raise with those people in a friendly environment something that might be a bit challenging to them because you might be asking for some change in their own practice, not just for pointing the finger at some society or the government.

**The Hon. MATTHEW MASON-COX:** Very few organisations have really looked to slavery-proof their supply chain. Whilst it is starting to build some momentum, I want to understand the sort of response you had from your suppliers when you contacted them and they understood what you wanted to do?

**Mr FISHER:** The announcement I have made today is my announcement of this. I have only started working on this since becoming the Archbishop, and the Committee might know that I was detained in hospital for many months after that happened. This is very new as an announcement from the Sydney Catholic Archdiocese. I did say though in my statement that I do not underestimate the difficulty of the task of getting to the bottom of exactly where everything you use has come from and then getting to the bottom of where those who have supplied it have sourced it. But minimally we can ask them for certifications, as we already ask in some other areas. We ask of our suppliers that they not be connected with things like drugs and arms dealing and so on. This is not completely strange territory for our suppliers of goods and services.

**The Hon. MATTHEW MASON-COX:** By the sound of things you are really throwing down the gauntlet, so to speak, for the New South Wales Government to take a leadership role, given the financial expenditure it has in the marketplace?

**Mr FISHER:** I am. I look to our government to govern and that includes to give us all a good lead, a good example. I also recognise that there are many intermediate organisations in our community between government and the ordinary citizen, such as churches, that should also play their part and should not just wag fingers at others or complain when others are not doing things. We have got to get in there too. I suppose I am proposing a partnership with you as it were on this matter of procurement policy and other issues around human trafficking.

**The CHAIR:** That is good, because we have taken evidence from Walk Free Foundation that Andrew Forrest, who is an Australian business leader, has also undertaken some corporate slave-proofing of supply lines. That is great because we have got the church on board. If we can get the Government we will be on song.

**The Hon. TREVOR KHAN:** I would like to read you a small paragraph from a paper, which I think I have distributed to all members. It is from the Tahirih Justice Center—a group in the United States that deals with forced marriage. It wrote:

Forced marriage is being seen in immigrant communities from 56 different countries, and affects people of many different faiths. While many respondents reported encountering victims of Muslim family backgrounds, victims of Christian, Hindu, Buddhist and other backgrounds were also reported.

If we take it that the issue of force marriage potentially affects children—generally young women or girls—of the Christian faith, have you considered putting in place protocols for teachers in your schools that may assist in protecting young women and young men in the school environment?

**Mr FISHER:** I think that is a very good question. Catholic schools today have people of all faiths at them because many parents of non-Catholic families want to entrust their kids to our education, which is wonderful. Whatever the children's religious background, teachers need to be aware of the signs and of the ways that they can intervene. I think it is a very good matter for me to be raising with Catholic Education—not just in Sydney, but across the country.

**The CHAIR:** I am aware that in California they have some programs in the curriculum for kids in schools.

**The Hon. ERNEST WONG:** Thank you for sharing with us one of the cases that you have come across, because it is related to the question that I want to ask. Would you be able to elaborate on that by telling us whether you or any of the priests in your church have been approached by church members with regard to being a victim of human trafficking? Would there be many cases? Would the church have a protocol in how to help them—either encouraging them to report to the police or reporting it yourselves to the police to help them along?

**Mr FISHER:** I would not say that there have been a great many cases that I am aware of. I told you of one that I knew about personally as a parish priest. My guess is that many priests would have had occasional cases like that. Our religious orders, such as the ones I referred to earlier, which are involved with ACRATH listed in their submission examples of the sorts of cases that they had come across. Certainly there are very real cases in our city and in our State, but I am not pretending that it is anything like to scale that we hear of in some other countries. Do we have protocols in place for this? I think our awareness that this is still a problem is probably too new.

Like many people, I thought until recently that slavery was abolished in the days of William Wilberforce, or that it was something that occurred far away from here, and not in my own backyard. I could not pretend that we have developed clear protocols for priests or for others in pastoral situations who learn of such cases, but I think there is good reason to think that we should. This Committee and its report—and the work that some others are doing—could help to inform us about what would be helpful in those situations. A priest just saying to somebody, "You should get out of that situation," might be sound advice but it might not be enough to help someone out.

**The Hon. ERNEST WONG:** I am asking all these questions because when I look at a lot of those submissions or get evidence at hearings I find that issues in respect of human trafficking and issues which occur in a domestic environment get a lack of attention by the police force—they do not get as much attention as those in the street. It does not matter if it is a forced marriage, a girl bride or a maid, such as in the case that you have mentioned. I suppose members of those communities would probably like to approach their faith groups or religious groups to seek help or advice. What is your response with regard to that? When I look at the whole

system we have in place to tackle the human trafficking issue I find that we lack a lot of measures to help victims.

**Mr FISHER:** I agree. Groups like churches and faiths will be crucial here, because often the victims are from very traditional societies. They may or may not trust or understand police and bureaucracies such as social services. But they might trust the religious group that they belong to or which they have belonged to in the country they come from. I think we have to be part of the solution and not just identify the problem. We have to look at how we can work with civil authorities to deal with this problem.

**Dr MEHREEN FARUQI:** Going back to the area of slave-proofing supply chains, I know that you said that the Catholic Church is committed to ethical procurement. Do you have a time frame to your plan for ethical procurement, and what is it?

**Mr FISHER:** The amendments to our present guide for business practice—the present guide for our procurement policy of goods and services—have already been prepared for me. Short of my hearing, for instance from this Committee, that it should be done differently in some way—or getting some other very sound advice—my plan would be quite soon to promulgate those changes. That will mean that in any new contracts we make with suppliers going forward that will be part of the terms. If you want to have the church as your client these are the terms that we expect you to observe.

In general, I have not had much push-back on that from business. They understand that groups like churches and charities are often very particular about what they want to buy and from whom. I do not underestimate the challenge either. I may find, for instance—as I have found in the past in some other areas—that all of the suppliers that I know of are problematical from my point of view. I would need to think about how to choose in that situation. I hope I am not going to find that with respect to this issue but sometimes that can be the case. I think that we should be well advanced in this before the end of the year, once I roll out the new principles and the guide, and we start some of our work in educating our own people about the issue of human trafficking and then what we might do to respond.

**Dr MEHREEN FARUQI:** The Committee has received some interesting submissions to this inquiry from Australian Catholic Religious Against Trafficking in Humans, as well as the Josephite Counter-Trafficking Project. I am just interested to know whether you work with these groups at all.

**Mr FISHER:** Yes, I have had an association, especially with the Australian Catholic Religious Against Trafficking in Humans, and referred to them in my own statement to you today. I have also had one of their people come and speak to my business network previously. They have also come to address the entire Conference of Bishops in Australia to make us aware of this issue. So I am very comfortable working with groups like that in this area. I think you also received a submission from one of the archdiocesan agencies—the Life, Marriage and Family Centre. They were particularly concerned about sexual slavery and prostitution in the city. There are a whole range of issues there. So there are a number of agencies and groups of the Catholic Church or other churches and faiths already active in this space. I would hope to work with them and to gain from their wisdom and experience.

**Dr MEHREEN FARUQI:** The submission lodged by the Josephite Counter-Trafficking Project notes that they visit Villawood Detention Centre to see victims of both labour and sex trafficking. I am interested in your view about whether putting victims in detention centres is the best response. Is there a better way of responding to victims?

**Mr FISHER:** Prima facie, and without opening up a whole can of worms about refugees in detention, these people have already been through the awful trauma of being refugees, or being kidnapped and stolen away, and now they have gone through some experience of modern slavery. So they have been double-whammied with the psychological, emotional and human trauma of that. The last place I would want to be putting them is in a detention centre. I want to take them to my home and heart, to look after them and love them, not put them through more.

**Dr MEHREEN FARUQI:** So they could be put into communities and looked after?

**Mr FISHER:** They could certainly be released into the community on some terms.

**Dr MEHREEN FARUQI:** In your opening statement you said something along the lines that it was your hope that the New South Wales Parliament would enact further measures to eliminate human trafficking. What would be your top three priorities for the New South Wales Parliament to do?

**Mr FISHER:** The ones I listed were just suggestions. Members know much more than I do about how law and policy work. But I would think something like a anti-slavery commissioner, or an office to focus attention on this rather than it being just added on to someone else's long list of social justice concerns or

concerns about abuse of and dangers to women and children would be better. I listed in my statement some thoughts about what such a commissioner might do by way of identifying, reporting, educating and pushing the whole community along, including the churches, to be more active in this area. That is one immediate thing that occurs to me.

I think the State of New South Wales has at least some influence at a Commonwealth level. I think this is the kind of thing that should be the subject of a national law that is backed by our Attorney General, the Premier and our Parliament. Doing that nationally would be another very good initiative. I mentioned a few other things. Perhaps one that naturally appeals to me as a church leader is the whole area of education. I confess to not having known much about this until a few years ago. My guess is that that is true of many in our community. The State obviously has a role through its formal education institutions such as schools and colleges, but also in other ways. It should educate the community that this is a real issue. It is one we should all care passionately about. How might we as ordinary people identify that there is something troublesome going on in our own neighbourhood or perhaps in our own street, and what can we do to help? Something by way of community education would be very much appreciated.

**The Hon. GREG DONNELLY:** Thank you, Archbishop, for appearing before the Committee. Yours is a welcome announcement and the commitments given by the Sydney Archdiocese are very pleasing. It was an announcement from the Sydney Archdiocese, but what is the capacity over time, and I do not define that specifically, of extending such a holistic and broad approach to other dioceses in New South Wales and other States and Territories? Do you think that is something that can be done, or do you think it is something that can be effectively done only by a large diocese that has resources, infrastructure, staffing and so on—that is, other than the Catholic Church, because other churches are broken up into diocese arrangements?

**Mr FISHER:** I believe that I can help to bring my brother bishops and other major superiors along on this issue, and that many of them would already be genuinely and passionately concerned about it. For instance, I have spoken with the Archbishop of Brisbane, and he is similarly enthusiastic that the church act in this area. I listed among some of the things I was committing to do today to try to bring the other dioceses in this State over which I have a certain responsibility, and also nationally, along with me in this matter. I am quietly confident that that will happen. I will not make any promises until I have had a chance to talk to them. However, I think it is the kind of issue that people of all kinds of political, temperamental and ideological backgrounds would agree on.

It is awful that this could still be happening in our day and age. This generation should commit to stamping it out to the extent that we can. I would hope to see that. The Catholic Church is the biggest non-government employer in this country; it is much bigger than any corporation. We have a particular responsibility if we have such a role in the economy and the society to be taking leadership in this area. If we can via example and a bit of encouragement bring others along, that would be great.

**The Hon. MATTHEW MASON-COX:** You referred to the register of suppliers. I see that as a really practical and effective way of putting it out to the large organisations who are willing to provide goods and services that are certified. It could serve in itself as a model to the wider community. Other organisations could piggyback on that if it were a public register. Will it be public? What are your feelings in that regard; that is, providing a model to the wider community?

**Mr FISHER:** I fully agree. If we are going to do the work to bring corporations along with us and to get certification, it would be very good if that information were then available to other churches, charities, corporations and others who want to know which companies are promising that this is the case about their supply lines. Short of my being told there is some insuperable legal or privacy issue which I cannot foresee immediately, I think it is a very good idea. As you have suggested, it should be a public register that others could piggyback on and benefit from.

Of course, the other advantage of it being a public register is that it might, in a sense, name and shame those who are not on it and encourage them to change their practices so that they too can certify and be on the register. I can see some very positive reasons for going public with such a register. I am not precious about wanting to be the controller of it either. If there were such a register established by the Government or by a group of churches and charities, I would be very happy with that, too. I am quite open-minded about how that might evolve. One way or another, I think there should be one. It would be helpful to me and to others.

**The CHAIR:** I would be happy to host you and the other heads of churches if you are able to implement into policy documentation how to slave-proof your supply chains so that you can impart that knowledge of your experience. It would be very helpful for them. This has been a significant session. We could ask many more questions, but this is a sitting day and our colleagues have allowed us to fit this hearing into a very busy day.

Thank you for your contribution today; it has been extremely helpful. It will be part of the solution, and that is very important. I acknowledge John McCarthy, who is also very passionate about this issue and who has assisted you in this matter. He has also assisted me with some contacts in the United States. There might be a parliamentary tour to ensure that this inquiry learns about best practice in the human trafficking so that the Committee can play its part in this State. That is also very important. You have 21 days in which to answer any questions on notice. Members might want to ask further questions having heard your evidence. The committee secretariat will be glad to help you with those questions. Thank you for making yourself available to contribute to this extremely important inquiry. It will be a gift that keeps giving. Thank you very much.

**Mr FISHER:** Thank you, Chair and honourable members. I am excited about this. This is something that should unite our community. Our generation could see the end of this practice. Without diminishing in any sense the way that human beings can do terrible things, and could do for all eternity, I think we could make serious progress if we committed to this at this time in history. God bless you all in your efforts.

**The CHAIR:** Thank you very much.

**(The witness withdrew)**

**(Committee adjourned at 13:50)**