

Australian Government Anti-People Trafficking Strategy Whole-of-Government Performance Management Reporting

Trafficking in persons is a complex form of transnational crime.

While there is little reliable data about the nature and extent of people trafficking, there is general consensus that trafficking in persons affects almost every country in the world. Globally, men, women and children are trafficked for a wide range of purposes, including: sexual servitude, forced labour, illicit adoption, forced recruitment into militia or the armed forces, and the harvesting of body organs.

Opportunities to traffic people into Australia are limited because of our strong migration controls and geographic isolation. However, Australia is a destination country for victims of trafficking, mainly from Asia (particularly Thailand, South Korea and Malaysia). The majority of victims identified by Australian authorities have been women working in the sex industry. However, Australian authorities are increasingly identifying victims who have been trafficked for exploitation in other industries.

Australia's National Action Plan to Eradicate Trafficking in Persons was implemented in 2003. It focuses on prevention, detection and investigation, criminal prosecution, and victim support and rehabilitation. Australia's whole-of-government response to trafficking in persons has provided support to victims of trafficking for sexual exploitation and other forms of exploitative labour, and has seen the successful prosecution and conviction of a number of people traffickers.

Australia ratified the *United Nations Convention against Transnational Organized Crime* in 2004 and its supplementary *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* in 2005.

In 2008-09, the Australian National Audit Office (ANAO) conducted an audit of the Management of the Australian Government's Action Plan to Eradicate Trafficking in Persons. Recommendations in the ANAO report, tabled in Parliament on 29 April 2009, included that the Anti-People Trafficking Interdepartmental Committee (IDC), led by the Attorney-General's Department (AGD), strengthen arrangements for reviewing progress and measuring results of the anti-trafficking strategy by developing an appropriate whole-of-government performance framework, including a method to establish reasonable estimates of the number of victims of trafficking, to support the broad outcomes articulated by the Australian Government in 2004.

This is the second data report on the Australian Government's Anti-People Trafficking Strategy, and covers the period from 1 July 2010 to 31 December 2010.

The next report will be issued in September 2011.

Investigations and Prosecutions

During the reporting period, the Australian Federal Police undertook 13 investigations. These investigations led to five apprehensions. Charges were laid against one individual.

During the reporting period, there were three convictions:

- Namthip Netthip was convicted of one count of knowingly conducting a business involving sexual servitude contrary to section 270.6(2) of the *Criminal Code* (Cth), and
- Trevor McIvor and Kanokporn Tanuchit were each convicted of convicted of five counts of intentionally possessing a slave contrary to section 270.3(1)(a) of the *Criminal Code* (Cth) and five counts of intentionally exercising a power attaching to the right of ownership over a slave contrary to section 270.3(1)(a) of the *Criminal Code* (Cth).

At 31 December 2010:

- 13 people had been convicted of people trafficking related offences. Four of the convictions are being appealed against, and
- there were six trafficking-related matters before the Australian courts, involving seven defendants. Three of the six matters are in the appeal phase.

Support for Victims of People Trafficking Program

Australia provides a comprehensive range of support service for suspected trafficking victims through its Support for Victims of People Trafficking Program. The Support Program is demand driven and available to all victims of trafficking who meet the eligibility criteria, regardless of gender or the purpose for which they were trafficked. The Support Program helps clients to meet their basic needs for safety, food, accommodation, mental and physical health and well-being. It also provides opportunities for clients to learn new skills, and to support themselves while they develop options which will assist in their reintegration when returning home, or if staying in Australia, after they leave the Support Program.

During the reporting period:

- 74 clients received assistance through the Support Program
- 13 clients transitioned from the Assessment Stream to Justice Support during the reporting period
- six people exited the program from the Assessment Stream during the period, and
- one client exited the Support Program from the Extended Intensive Support Stream.

Stream	As at 1 July 2010	As at 31 December 2010
Assessment	2	2
Extended intensive support	0	1
Justice Support	50	62
Temporary Trial	0	0
Total	52	65

People Trafficking Visa Framework

Australia has implemented a visa framework which supports those in genuine need of protection while targeting the traffickers. On 17 June 2009, the Australian Government announced changes to Australia's anti-people trafficking strategy to provide better support for victims. The changes simplify and add flexibility to the visa framework and give victims and their immediate family members' greater certainty about their immigration status. They also enable a wider range of victims to access support and provide improved services to victims and their families.

The new arrangements came into effect on 1 July 2009 and the People Trafficking Visa Framework now comprises three visas:

- Bridging F visa (BVF)
- Criminal Justice Stay visa (CJSV), and
- Witness Protection (Trafficking) (Permanent) visa (WPTV).

During the reporting period:

- 16 BVFs were granted
- 18 CJSVs were granted under the People Trafficking Visa Framework, and
- 11 victims and three (3) of their dependants were granted a WPTV.

No Witness Protection (Trafficking) (Temporary) visas were granted during the reporting period as that visa class ceased on 30 June 2009.