

Submission to the Anti Slavery Commissioner's Invitation for Input: Strategic Plan Collective Shout - April 2025

Consultation questions:

1. Considering the functions defined in Section 20C of the Modern Slavery Act, what are the key priorities for the Commissioner in 2025-2028? This relates to the most important areas of work for the Commissioner to address.

Introduction

This submission is informed by our research and experience as a women-centered grassroots campaigning movement with 15 years of advocacy for a world free of exploitation (Collective Shout, 2025).

Collective Shout is a grassroots movement which campaigns against the objectification and sexualisation of women and girls in media, advertising and popular culture. We target corporations, advertisers, marketers and media which exploit the bodies of women and girls to sell products and services and campaign to change their behaviour. More broadly, we engage in issues relating to other forms of sexploitation, including the interconnected industries of pornography, prostitution and trafficking as well as the growing market in the sale of children for Live Distant Child Abuse [LDCA] (Tankard Reist, 2017; Collective Shout, 2021), child sex abuse dolls and replica child body parts (Roper, 2022a, 2022b, 2020) and AI-enabled Image Based Sexual Abuse [IBSA] and Deepfake image based sexual abuse [DIBSA] (Collective Shout, 2024; Roper, 2024).

Summary

We welcome the appointment of the new Anti-Slavery Commissioner. This appointment provides a fresh and overdue opportunity to renew focus on the trafficking of women and girls for sexual exploitation.

Human trafficking and the commercial sex industry are inextricably linked. The commercial sex industry is the primary destination for women and girls trafficked to Australia (CATWA, 2023). At-risk women and girls who are trafficked into Australia's sex industry are differentially harmed and require a unique and focussed approach.

Recommendations for ameliorating what we believe has been long-term neglect and for addressing this serious and pressing human rights violation within the modern slavery framework approach are included below.

Recommendation: The Commissioner should prioritise strategies which address the trafficking of women and girls for sexual exploitation.

We recognise that the Modern Slavery Act 2018 (Cth) was not designed to target trafficking for sexual exploitation, nor framed in a way that provides assistance or support for survivors. However, we urge you as the new Commissioner to respond to this pressing form of modern slavery which exploits at-risk women and girls globally and for which Australia is a destination country (US Department of State, 2024).

Failing to address sex trafficking is a violation of Australia's commitments to CEDAW and the Palermo Protocol, and the Convention for the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others, which prohibit the "exploitation of prostitution" in all forms, including procuring and exploiting the prostitution of another person, and knowingly managing or financing places for this purpose, to which no person may consent, as stated by UN Special Rapporteur on Violence Against Women Reem Alsalem (2024) in her Report of the Special Rapporteur on violence against women and girls, its causes and consequences, for the United Nations Human Rights Council.

This Convention, to which Australia became a signatory in 1951, was far-sighted in specifying "all forms" of exploitation. Seventy five years later, women are exploited in new ways such as for the production of pornography on commercial digital platforms, webcamming, sugar dating, escort services, massage parlors, lap dancing, stripping, internet chat rooms, mail order brides and sex tourism.

Trafficking for sexual exploitation remains the most common trafficking type in Australia. AUSTRAC reports that forced sexual servitude accounts for nearly a third of known slavery cases in Australia - making it one of the most prevalent and yet most neglected forms of modern slavery (AUSTRAC, 2022). This violent and heinous crime is highly gendered, overwhelmingly exploiting marginalised and impoverished women and girls.

The Human Trafficking Team in the Australian Federal Police deals with cases of sexual servitude, labour violations, and slavery. Sex trafficking is by far the worst. Young women recruited from other countries and brought to Australia, become trapped in an existence that consists of little more than long hours of work in brothels, transport back to their apartment, then transport back to the brothel the next day. Day after day after day. They sustain injuries from the sheer number of clients – up to twenty a day. Their world narrows to work, sleep, work. They don't connect with anyone outside their sphere. They often don't speak the language. They are told the police in Australia are corrupt and on the payroll, so if any woman seeks help, the brothel owners will know, and they will punish her. For many, there is the threat that the punishment will continue beyond them, to their families back home. (Australian Federal Police, 2022)

The sex trade in Australia is also highly racialised, impacting particularly on Culturally and Linguistically Diverse (CALD) women and girls primarily from Southeast Asia and Korea, as described by CATWA in its 2024 submission to OHCHR (CATWA, 2024) and Project Respect in its 2022 State of Knowledge paper (Hirsch, 2022).

Of women victim-survivors of sexual exploitation in Australia, 86% were exploited in a commercial setting, 87% had been trafficked to Australia, 70% were born in South-East or East Asia, 77% were on a temporary visa, and 54% required an interpreter (Boxall et al., 2023; Hirsch, 2022).

In 2016, more than 40% of Melbourne-based prostitution businesses advertised primarily Asian women (Street & Norma, 2016).

Victoria's sex industry is allowed by law to advertise reference to race, colour, or ethnic origin of prostituted women (State Government of Victoria, 2016).

Sex trafficking of migrant women accounts for the majority of prosecutions in Australia (Australian Institute of Health and Welfare, 2024).

Australia's approach of incorporating sex trafficking into broader categories of modern slavery and treating 'sex work' as just another form of labour fails to tackle trafficking for sexual exploitation. Funding for law enforcement, detection, prosecution and support for victims has been diminished as a result. The sole funded support program is the Support for Trafficked People Program, restricted to access only through the Australian Federal Police, and provided for only 45 days (Hirsch, 2022).

The sex industry lobby has successfully argued that any particular focus by the Government on the sex industry discriminates against that industry. It is our position that the sex industry discriminates against women, particularly at-risk young women from Southeast Asia. These women are the fodder of an immensely profitable business. Treating prostitution as 'work' results in widespread abuses of human rights in the sex industry, allows the trade in women and girls to flourish, and prevents women and girls from leaving the trade.

Decriminalisation was presumed to reduce 'stigma' and therefore reduce violence and sexual assault. However, as Project Respect points out, this fails to directly address violence prevalence or the drivers of violence (Hirsch, 2022).

CATWA and Project Respect have described the serious limitations on a focus on 'consent' in policing and court processes relating to commercial sexual exploitation (CATWA, 2024; Hirsch, 2022). Consent is compromised when at-risk women, often with little to no English, made vulnerable by financial and other pressures, are preyed on by the industry and are then represented as 'consenting' to unwanted sexual activity. We believe this is a misuse of the term 'consent'.

In our 'Input to the Special Rapporteur on Violence Against Women and Girls on the concept of consent in relation to violence against women and girls' (Collective Shout, 2025), we explained that authentic sexual consent is seriously undermined by pornography, the sex industry, women's financial insecurity, power differentials, violence, and related factors. Sex buyers pay for sexual access to the body of a woman who does not desire sex with them, with payment serving to circumvent consent (Roper, 2016). Many women enter the sex industry out of financial need and desperation rather than any meaningful choice, out of economic coercion. Survivors describe their experiences not as work, but as abuse – "compensated sexual abuse" (Moran, 2014) or "paid rape" (Hunter, 2024).

The UN Special Rapporteur on Violence Against Women states: "The extreme levels of violence inflicted on women in prostitution – which would never be accepted in other contexts – are blanketed by a financial transaction, designed to materialize so-called 'consent' that cannot be expressed freely in the prostitution system. In this context, the very

concept of 'consent' is weaponized against women in prostitution, as it is extorted through physical or economic coercion, manipulation and violence. Coercion is built into the prostitution system, facilitating entry factors as well as control and exploitation by pimps, traffickers and States." (Alsalem, 2024)

Alsalem (2024) further explains that under the Trafficking in Persons Protocol, trafficking is defined as "an act (e.g. recruitment); the means (e.g. abuse of power or of a position of vulnerability); and the purpose (e.g. exploitation)...when these three elements are met, the consent of the trafficked person becomes irrelevant."

The US Department of State (2024) explains: "Human trafficking can take place even if the victim initially consented to providing labor, services, or commercial sex acts. The analysis is primarily focused on the trafficker's conduct and not that of the victim. A trafficker can target a victim after a victim applies for a job or migrates to earn a living. The trafficker's exploitative scheme is what matters, not a victim's prior consent or ability to meaningfully consent thereafter. Likewise, in a sex trafficking case, an adult victim's initial willingness to engage in commercial sex acts is not relevant where a perpetrator subsequently uses force, fraud, or coercion to exploit the victim and cause them to continue engaging in the same acts. In the case of child sex trafficking, the consent of the victim is never relevant as a child cannot legally consent to commercial sex."

Low number of prosecutions for trafficking in persons for sexual exploitation are used as evidence that trafficking is not a significant problem in Australia (Scarlet Alliance, 2023). Sex industry stakeholders have even argued trafficking "doesn't happen at all" (Duff, 2015). However, the US Department of State writes in its 2024 Trafficking in Persons Report that in Australia, "the number of cases law enforcement pursued remained disproportionately low compared to the scale of the crime" (US Department of State, 2024).

Decriminalisation has failed to protect women in the sex industry from violence. Project Respect has observed that "when it comes to the sex industry, in states such as New South Wales, Victoria, and Queensland, the legitimising of the industry as work so far fails to operationalise protections under international labour standards". Project Respect also pointed out that "there is a profound discrepancy between the framing of violence against women in Australia as an issue of gender inequality and the way that violence against women in the sex industry is absent in the same field of inquiry" (Hirsch, 2022). Victoria Police closed its specialised Sex Industry Coordination Unit at the end of 2023, due to "responsibility ceasing as an industry regulator." Funding for advocacy and legal support for prostituted women was also reduced or ended (Kolovos, 2024).

Incorporating sex trafficking into broader categories of modern slavery and treating 'sex work' as just another form of labour should be abandoned because of clear failings in identifying victims and prosecuting perpetrators. Many known perpetrators are continuing to operate with impunity in Australia. Sex industry decriminalisation has not reduced violence and organised crime, contrary to claims by the sex industry's lobby group Scarlet Alliance (2023) and other sex industry supporters. The opposite has occurred.

UN Special Rapporteur Reem Alsalem reports (Alsalem 2024):

Countries that have legalized or decriminalized prostitution have recorded higher rates of sex trafficking, violence, abuse and rape and increased prospects for money laundering and drug trafficking...

By removing the illegality of third parties, decriminalization has aided traffickers, boosted sex tourism and expanded the overall size of the prostitution market. The continued high demand creates a massive incentive for exploiters to traffic and exploit vulnerable women, and has failed to discourage unsafe sexual practices and widened the spectrum of “offers” to include even pregnant women, and attracted vulnerable young women into the sex trade.

Decriminalizing the sex trade has kept the identification and prosecution of traffickers low, as is the case in Switzerland and Germany. It has also placed the burden on prostituted women, especially those subjected to unsafe or slavery-like conditions, to pursue costly and protracted legal action against their employers through labour courts. It has increased the demand with new mega brothels, and emboldened entitlement among buyers, leading to increase in violence. The approach also lacks State mechanisms for exiting prostitution or obtaining social and professional integration.

In the Australian context, these are just a few examples:

In 2022, (then) Home Affairs Minister Clare O’Neil “declared Australia’s migration system is broken and is being exploited by overseas criminals, and has flagged an independent inquiry to examine revelations of widespread visa rorting linked to sex trafficking, foreign worker exploitation and drug crime... and revealed she had received expert advice that “tens of thousands of people” might be unlawfully in Australia, including many who are exploited foreign workers” (McKenzie & Ballinger, 2022a).

A decade ago, senior public figures were raising the alarm on the effects of decriminalisation. Criminal activity, sexual servitude and forced drug taking were facilitated in NSW by the existence of “next to no regulation”, along with ties to outlaw motorcycle gangs, according to NSW Deputy Police Commissioner Nick Kaldas (Raper, 2015). Trafficking especially of Asian women was ongoing and underreported, with the human trafficking problem being “wide and vast,” according to Australian Federal Police Commander Glen McEwan (Duff, 2015).

Decriminalisation in New Zealand has resulted in increased street prostitution, and mostly ineffective or detrimental outcomes according to the New Zealand Government itself. Very few of the incidents of violence in the sex industry are reported to authorities (New Zealand Ministry of Justice, 2008).

Crime boss Binjun Xie entered Australia despite being previously imprisoned for serious criminal activity in the UK, setting up a nationwide underground sex operation involving exploitation of women, money laundering, and visa fraud (McKenzie, Ballinger & Tozer, 2022). The Age and Sydney Morning Herald series Trafficked (2022) revealed Binun Xie’s criminal past and only then did O’Neil cancel his visa and order his deportation. However, Border Force was unable to find Xie (McKenzie, 2023a).

AUSTRAC registered a firm owned by businessman Jintao Li despite being aware of red flags that his company had been used by alleged money laundering and linked to Chinese organised crime and criminal sex rings (McKenzie & Ballinger, 2022b). According to AUSTRAC, “Two official sources aware of the situation said no law enforcement agency had acted on AUSTRAC’s confidential warnings about Li’s businesses.” AUSTRAC stated it had “provided extensive intelligence to support law enforcement investigations in these matters.” Soon after, AUSTRAC published a briefing paper to help financial institutions be aware of financial indicators of sex trafficking (AUSTRAC, 2022).

‘Crime matriarch’ Mae Ja Kim continues to operate with impunity as part of organised crime after being imprisoned for 2.5 years for living on the proceeds of crime. She was managing at least 100 women who were imported from Asia and exploited and intimidated in Australia. Mae Ja Kim continues to advertise “good-looking young girls” at a suspected sex selling business in Hawthorn, Victoria (McKenzie, 2023b). Her methods have been described in detail by AFP Acting Commander Danielle Woodward (Australian Federal Police, 2022).

A Sydney-based woman was at the centre of the “largest civil-assets freezing order in the Australian Capital Territory... federal police identified and seized houses and apartments worth more than \$10 million which they allege were controlled by the businesswoman to run a network of up to 500 Asian sex workers across Australia... In addition to money laundering, detectives accused the businesswoman of exposing workers to ‘death or injury.’

Despite the seriousness of the allegations that justified the freezing order, no criminal charges were laid against the woman or her syndicate.” And “within a short time of the police asset-seizure action in the ACT Supreme Court, online posts revealed the businesswoman had relaunched her sex business, which is still running” (McKenzie, 2023b).

McKenzie (2023b) further observed: “The activities of the underground sex industry bosses, along with frank admissions from senior federal police officials about the scale of foreign-worker exploitation in Australia, shine a fresh light on the nation’s booming exploited migrant labour market and the struggle to fight those running it. Federal police Commander Danielle Woodward said human trafficking in Australia was rife, and warned of the nation’s “huge appetite for foreign nationals in the sex industry [and] labour industry”.”

Under the Modern Slavery Act 2018, brothels, massage parlours, escort agencies, sugar dating sites and other businesses that prostitute women are exempt from reporting unless their consolidated revenue meets the threshold of \$100 million. However, these are high risk businesses for trafficking and slavery: “It has been demonstrated internationally that the sex industry is a particularly high-risk industry for human trafficking,” states Project Respect (Hirsch, 2022). And the US Department of State, in its 2024 recommendations on eliminating trafficking, advises that the Australian Government should “proactively identify trafficking victims by screening for trafficking indicators among vulnerable populations, including individuals in commercial sex.”

The sex industry has succeeded in avoiding scrutiny by lobbying for ‘sex work’ to be considered just another form of labour. As observed earlier, this allows the lucrative industry to flourish, creating unrestrained demand for sexual access to (mostly) women and girls. As there are not enough Australian women available to meet the demand, sex businesses

recruit at-risk women and girls from poorer regions. Australia therefore becomes an increasingly popular destination country for trafficked women and girls.

The Australian Federal Government has taken the approach of including sexual exploitation data within wider human trafficking data, in the categories of human trafficking, slavery and slavery-related offences and forced marriage.

This approach appears to have its genesis in the Crimes Legislation Amendment (Slavery, Slavery-like Conditions and People Trafficking) Act 2013, which repealed existing offences of sexual servitude and deceptive recruiting for sexual services and replaced them with broader offences of servitude and deceptive recruiting for labour or services (Australian Government 2016). As a result, trafficking for sexual exploitation – a practice impacting at-risk women and girls and causing severe physical and psychological outcomes for victims – has not received the focused attention needed for prevention and for trauma-informed care of victims.

Sex industry stakeholder organisation Scarlet Alliance has been lobbying for over a decade to reject the concept of trafficking for sexual exploitation, preferring the term “migrant sex worker.” It claims that sex trafficking is not a significant problem and has consistently low numbers in Australia, and that government anti-trafficking policy is the greatest threat to “migrant sex workers” (Scarlet Alliance 2013).

These developments represent a serious impediment to identifying and assisting victims and prosecuting perpetrators. We agree with CATWA’s observation in its 2023 submission to the Targeted Review of Divisions 270 and 271 of the Criminal Code Act 1995 (Cth):

This means that because ‘sex work’ is seen as just another type of wage labour, awareness and definitions of sex trafficking as a distinct form of trafficking and exploitation have become less pronounced - there has been a move towards “modern slavery” and human trafficking in general, that means although it is recognised that human trafficking occurs in Australia’s sex industry, the sex industry is seen as just one industry where trafficking happens, instead of a distinctly gendered and particularly sexually violent phenomenon that is inseparable from the sex industry. Human trafficking and the commercial sex industry are inextricably linked, the commercial sex industry is the primary destination for women and girls trafficked to Australia.

As evidence of this impediment, the US Department of State reported in 2024 that the Australian Federal authorities “pursued labor, immigration, or employment violations in lieu of trafficking charges, which may have resulted in suspected traffickers receiving only fines and other civil penalties that were inadequate to deter trafficking crimes.”

We share the concerns of CATWA and the Committee of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) that the Australian Government may have detained or deported victims of trafficking for sexual exploitation, by failing to adequately screen at-risk groups such as domestic workers, international students, and migrant workers. This is one of the criticisms levelled against Australia in 2024 by the US Department of State in its Trafficking in Persons report (US Department of State, 2024).

With regard to Section 20C of the Modern Slavery Act, key priorities to address trafficking in women and girls for sexual exploitation must be:

To support Australian entities and entities carrying on business in Australia to address risks of modern slavery practices in their operations and supply chains, and in the operations and supply chains of entities they own or control;

To support victims of modern slavery by providing information in relation to government and non-government resources, programs and services, including by developing and maintaining guidance material and making such material publicly available;

To advocate to the Commonwealth Government on matters relating to modern slavery, including for continuous improvement in policy and practice.

2. Considering the functions defined in Section 20C of the Modern Slavery Act, what principal objectives should the Commissioner work to achieve in 2025-2028? This relates to the goal(s) the Commissioner will work towards within a priority area. Principal objectives for the Commissioner's focus must be:

To support Australian entities and entities carrying on business in Australia to address risks of modern slavery practices in their operations and supply chains, and in the operations and supply chains of entities they own or control:

All areas of the commercial sex industry should be more closely monitored for sexual exploitation. Many of these businesses may be exempt from reporting under the Modern Slavery Act 2018 (Cth) due to not meeting the revenue threshold, but they are nonetheless high-risk businesses for trafficking and slavery, linked with organised crime, violence, and money laundering. As an example, “despite persistent reports of sexual exploitation, forced labor, and multiple trafficking indicators among foreign workers in Australia under the auspices of the Working Holiday Visa scheme and the Pacific Australia Labour Mobility (PALM) scheme, authorities did not report proactively screening PALM workers for trafficking indicators” (US Department of State, 2024).

Advocate for the effective detection and prosecution of those profiting from sexual access to women and girls. Alsalem (2024) recommends that UN Member States should “refrain from adding conditions to the criminalization of pimping, such as the burden of proof required to validate the situation of trafficking or subordination by the exploiter of the prostituted person; the criminalization of the purchase of sexual acts must not be related to the need to prove a potential situation of trafficking.”

To support victims of modern slavery by providing information in relation to government and non-government resources, programs and services, including by developing and maintaining guidance material and making such material publicly available:

The Commissioner should ensure that women trafficked for sexual exploitation be viewed as victims rather than offenders or migrants with irregular migration status, which has been

another effect of current ideological and favourable approaches to prostitution. We share the CEDAW Committee's criticism of Australia's failure to meet obligations under Article 6 of the Convention on the Elimination of All Forms of Discrimination Against Women (cited in CATWA, 2023).

The US Department of State reported in 2024: "Government officials and civil society representatives reported concern that law enforcement officials were not recognizing cases of human trafficking. In addition, observers reported a lack of understanding of psychological coercion among law enforcement officials. For example, survivors reported being denied support when they sought assistance because authorities believed because the victims were adults and not physically restrained, they could have just walked out of the trafficking situation. A survivor reported having to remain in the trafficking situation for another two years after seeking help because the AFP dismissed the case. Survivors reported being treated as criminals rather than victims when they sought assistance from law enforcement."

"Civil society reported concern that some law enforcement officials asserted women who chose to migrate to Australia to participate in commercial sex establishments cannot be exploited in trafficking because they made the initial choice to migrate to Australia, despite international law making clear that initial consent is irrelevant in trafficking crimes" (US Department of State, 2024).

Women should be offered protection, exit programs, and all necessary social and economic support to find alternative employment, recovery and healing. The Commissioner should promote organisations independent from the sex industry to support women and girls who have been trafficked or are at risk of trafficking.

As an example of the current lack of support for victims: "the government did not operate a dedicated trafficking shelter and survivors needed ongoing income and a valid visa for long-term accommodations, which an NGO reported was very difficult for survivors to receive" (US Department of State, 2024).

Promote the non-punishment principle: trafficked individuals must not be prosecuted for crimes that directly result from their exploitation (McAdam, 2022). Support by law enforcement must be delinked from the legal status of victims and their readiness to cooperate, particularly their willingness to give evidence. This is one of the pillars of the Nordic Model or the Equality Model of prostitution policy and is recommended by the US Department of State (2024) and the UN Special Rapporteur Reem Alsalem (2024). Ensure that trauma-informed approaches are used in working with survivors of human trafficking.

Work with media to inform the public on prostitution in a victim-centred and trauma-informed manner, "shifting the burden of responsibility to perpetrators, tackling stigma and fostering respect for dignity and humanity of prostituted women and girls" (Alsalem, 2024).

To advocate to the Commonwealth Government on matters relating to modern slavery, including for continuous improvement in policy and practice:

The commercial sex trade should be understood as the context in which sexual slavery and trafficking of women and girls occurs in Australia. We support UNSR Reem Alsalem's recommendation (2024) that UN Member States should "use human rights-based terminology and language to describe prostitution, and refrain from using terminology that would mischaracterize it and minimize its serious human rights violations."

To reduce sex trafficking, the principal objective should be to reduce demand for commercial sexual services.

The Commissioner should advocate to the Commonwealth Government for demand reduction measures. Alsalem (2024) recommended that UN Member States reduce demand for buying sexual acts by:

- Increasing obstacles to the purchase of sexual acts;
- Creating greater inconvenience for buyers through legislation, such as including their names in a registry of sex offenders;
- Normalizing the illegality of purchasing sexual acts;
- Raising awareness in society at large about the negative consequences of participating in the prostitution system.

Tolerance of sexual exploitation framed as "sex work," and its full decriminalisation, is a major factor in failing to identify and assist victims of trafficking for sexual exploitation and in allowing organised crime and trafficking to flourish in the commercial sex industry. We recommend that the Commissioner recognise the Equality Model/Nordic Model, as best practice policy approach for preventing trafficking for sexual exploitation. UNSR Alsalem (2024) recommends to "prevent the weaponization of anti-trafficking policies to avoid addressing the issue of prostitution as a form of violence against women by creating a harmful and artificial dissociation between so-called 'forced' prostitution assimilated to trafficking from a so-called 'free' prostitution assimilated to 'sex work'."

The Commissioner should advocate to the Commonwealth Government on strategies to effectively detect and prosecute those exploiting women and girls at every level: coordinators, trusted allies, and customers. Women and girls themselves should not be prosecuted but instead assisted with all they need to exit and heal from their exploitation in the sex industry.

See also all Recommendations made by UNSR Reem Alsalem on approaches to prostitution by UN Member States (2024).

3. Considering the functions defined in Section 20C of the Modern Slavery Act, what key actions should the Commissioner take to achieve these objectives? This relates to the activities that will help realise the goals.

Key actions to address trafficking in women and girls for sexual exploitation are:

(b) To support Australian entities and entities carrying on business in Australia to address risks of modern slavery practices in their operations and supply chains, and in the operations and supply chains of entities they own or control:

- Advocate for requirements for all businesses in the sex industry to report on risks of modern slavery in their operations and supply chains, regardless of revenue threshold.
- Advocate for appropriate screening of vulnerable groups for indicators of trafficking.
- Encourage educational institutions to identify and prevent visa fraud connected with human trafficking. For example, “none of the 14 Australian colleges identified as corrupt [by Trafficked] have faced criminal sanctions, and most remain open.” These colleges helped facilitate the trafficking into Australia of almost 200 South Korean young women for sexual exploitation (McKenzie, 2022).

(d) To support victims of modern slavery by providing information in relation to government and non-government resources, programs and services, including by developing and maintaining guidance material and making such material publicly available:

Develop resources to create public awareness of the non-punishment principle for women in the sex industry, as per the Nordic Model. This should be communicated to women in the sex industry by non-government organisations that work against trafficking for sexual exploitation and that have no stake in the sex industry.

Women should be offered protection, exit programs, and all necessary social and economic support to find alternative employment, recovery and healing. The Commissioner should advocate for this purpose organisations independent of the sex industry to support women and girls who have been trafficked or are at risk of trafficking. There should be no requirement for interaction with the criminal justice system to obtain assistance. Rather, women need immediate safety and long-term recovery.

Boxall and colleagues, in a report for the Australian Institute of Criminology in 2023, describe the primary support needs of victim-survivors of sexual exploitation in Australia, the majority of whom were born in South-East Asia (70%), had been trafficked to Australia (87%), and required an interpreter (54%) (Boxall et al., 2023):

- Financial assistance
- Housing and accommodation
- Employment and education
- Health and wellbeing
- Social and community engagement
- Safety, legal and visa issues
- Domestic and family violence

The Commissioner should advocate for victims of trafficking and sexual exploitation to be able to access Centrelink and Medicare while their residency status and visa is being processed.

The Commissioner should create a compensation scheme for survivors of trafficking for sexual exploitation. Those who have suffered from Australia's failure to uphold obligations under international human rights instruments should be entitled to restitution. This proposal is supported by Project Respect, Anti-Slavery Australia, and the Law Council of Australia; proposed models were set out by these organisations in 2016. UN Special Rapporteur Reem Alsalem (2024) and the US Department of State have also made this recommendation (2024).

(k) to advocate to the Commonwealth Government on matters relating to modern slavery, including for continuous improvement in policy and practice:

To reduce demand for women and girls for sexual exploitation, the Commissioner should recognise the Equality Model, or the Nordic Model, as best practice in prostitution policy for preventing trafficking and sexual slavery. The Nordic Model involves four essential elements:

- Decriminalisation of selling sex acts. Women should not be criminalised for the exploitation and abuse they endure.
- Criminalising of buyers, third parties, and other operators in the sex trade.
- Support and exit services offered to women, including access to safe affordable housing, training and further education, childcare, legal advice, financial advice, and emotional and psychological support.
- A holistic approach, including training for police and CPS, tackling inequality and poverty that drive women into prostitution, effective laws against pimping and sex trafficking, and penalties that reflect the damage they cause.

4. How should the Commissioner's progress towards achieving the principal objectives be measured?

Based on our recommendations, if actioned, we recommend the following ways to measure progress:

- Measurements relating to a decline in the numbers of women trafficked into Australia's sex industry
- More identification of and support for victims in the industry
- More funding of victim-support organisations in Australia
- Higher rates of prosecutions of those involved in trafficking networks internationally and those individuals or institutions facilitating trafficking locally
- Moved away from decriminalisation/legalisation of the industry which fuels demand for at-risk women in the region and toward adoption of the Nordic Model.
- As per UNSR Alsalem (2024), gather disaggregated data on victims of prostitution and pornography (as filmed prostitution), and the impact of prostitution on their well-being.

5. Is there any other information you wish for the Commissioner to consider in the development of the Strategic Plan?

We especially commend the Recommendations of the Coalition Against Trafficking in Women Australia and of the UNSR Reem Alsalem in the development of the Commissioner's Strategic Plan.

6. Do you wish to be contacted for consultation on the initial draft of the Strategic Plan as set out in phase II?

Yes.

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