

The Office of the Australian Anti-Slavery Commissioner

Comment on Initial Position Paper: Recommendations to strengthen Australia’s modern slavery laws

Thank you for the opportunity to provide input on the initial position paper on the proposed reforms to the Modern Slavery Act. We support this effort to strengthen Australia’s modern slavery laws.

Collective Shout Background

Founded in 2010, Collective Shout is a grassroots movement campaigning against the objectification and sexualisation of women at every level of society. We target corporations, advertisers, marketers and media which exploit the bodies of women and girls to sell products and services, and work to change their behaviour. We contribute submissions and briefings to public inquiries and reviews in Australia at federal and state levels, to international governments and to bodies including the United Nations and the European Union.¹

Our focus is on all forms of sexual exploitation, including the interconnected industries of sex trafficking, the sex trade (pornography, prostitution) and their role as drivers of violence against women and girls. We work to end the growing trade in women and child sex abuse dolls and replica child body parts,² the sale of children for Live Distant Child Abuse [LDCA],³ and AI-enabled Image Based Sexual Abuse (IBSA) including sexually explicit deepfakes made using nudifying and undressing apps and web programs, including most recently xAI’s Grok.⁴ Last year we achieved a record number of campaign successes in Australia and globally.⁵

¹ <https://www.collectiveshout.org/submissions>

² Roper, C. (2022). *Sex Dolls, Robots, and Woman Hating: The Case for Resistance*. Spinifex Press; see also Roper, C. (09 Jan 2020). “Better a doll than a real child:” The spurious logic used to justify child sex dolls. *ABC Religion and Ethics*. <https://www.abc.net.au/religion/spurious-logic-used-to-justify-child-sex-dolls/11856284>; Roper, C. (2022). Paedophilia, Child Sex Abuse Dolls and the Male Sex Right: Challenging Justifications for Men’s Sexual Access to Children and Child Sexual Abuse Material’ in K Richardson & C. Odland, (eds) (2022). *Man-Made Women: The Sexual Politics of Sex Dolls and Sex Robots*. Palgrave MacMillan.

³ Tankard Reist, M. (2017). Why are Australian Telcos and ISPs enabling a child abuse pandemic? *ABC Religion and Ethics*. <https://www.abc.net.au/religion/why-are-australian-telcos-and-isps-enabling-a-child-sexual-abuse/10095644>

⁴ Collective Shout (9 Dec 2025). Turning Women & Girls into Porn: An analysis of 20 nudifying, deepfake and virtual girlfriend apps. *Collective Shout*. <https://www.collectiveshout.org/special-investigation-nudifying-apps>; Tankard Reist, M. (23 Jan 2026). I spoke out against Grok. Then Grok undressed me. *Collective Shout*. <https://www.collectiveshout.org/grok-undressed-me>; Collective Shout (25 July 2024). *Submission to Criminal Code Amendment (Deepfake Sexual Material) Bill 2024 Inquiry*. https://www.collectiveshout.org/inquiry_in_the_criminal_code_amendment_deepfake_sexual_material_bill_2024;

Roper, Caitlin (13 June 2024). “A tool to sexually exploit women and children”: Why AI will not prevent abuse. *Collective Shout*. https://www.collectiveshout.org/why_ai_will_not_prevent_abuse

⁵ <https://www.collectiveshout.org/2025-wins-highlights>

Comment and Summary of Recommendations

Below is a summary of our recommendations and supporting comments to improve the Modern Slavery Act.

Introduce a due diligence obligation to address modern slavery

- Transparency reporting alone has proven insufficient to protect individuals at risk of becoming victims of modern slavery and trafficking. Companies must be required to identify and address risks in their operations and then take steps to address and mitigate these risks. We note that while certain Australian telcos claim to have no modern slaves in their supply chain systems, their platforms facilitate and enable Live Distant Child Abuse primarily from the Philippines.⁶ This risk does not appear to be identified in any of the Modern Slavery Statements of the major telecommunication companies. By way of contrast, major Australian banks have explicitly identified risks of digital services and internet access being used to target children for sexual exploitation.⁷ Several Australian banks, as well as Amazon,⁸ integrate indicators of child sexual exploitation into their modern slavery risk frameworks.
- Collective Shout has identified Australian superannuation funds at potential risk of profiting from sex slavery and trafficking. For example, major funds including AustralianSuper, Aware Super, UniSuper, QSuper (now Australian Retirement Trust), Hostplus, HESTA, and REST may have been indirectly exposed to RCI Hospitality Holdings through US equity index funds or externally managed mandates administered by BlackRock, Vanguard, State Street, or JPMorgan, where RCI was included in the underlying index. RCI Hospitality Holdings is a publicly listed US-based strip club company whose operations have been linked, through reporting and legal records, to sexual exploitation, sex trafficking and other criminal activity.⁹

⁶ Tankard Reist, M. (2017). Why are Australian Telcos and ISPs enabling a child abuse pandemic? *ABC Religion and Ethics*. <https://www.abc.net.au/religion/why-are-australian-telcos-and-isps-enabling-a-child-sexual-abuse/10095644>; International Justice Mission Australia (5 Feb 2026). Live online child abuse still accessible on popular video calling platforms. <https://ijm.org.au/news/liveonlinechildabuse>

⁷ National Australia Bank (2025). *Modern Slavery and Human Trafficking Statement*. <https://www.nab.com.au/content/dam/nab/documents/pds/social-impact/nab-modern-slavery-statement-2025.pdf>; Westpac partners with International Justice Mission and The Australian Childhood Foundation on several child protection projects. Westpac (April 2024). *Safer Children, Safer Communities: 2023 Impact Report*. <https://www.westpac.com.au/content/dam/public/wbc/documents/pdf/aw/sustainability/2023-safer-children-safer-communities-report.pdf>; Bendigo & Adelaide Bank Limited (2024). *Modern Slavery 2024*. <https://www.bendigoadelaide.com.au/siteassets/modern-slavery-statement/modern-slavery-statement-2024.pdf>; Macquarie Group Limited (Sep 2025). *2025 Modern Slavery Statement*. <https://www.macquarie.com/assets/macq/about/esg/policies/modern-slavery-statement-2025.pdf>.

⁸ Amazon partners with Thorn's AI to identify, review and report CSAM. Amazon (2024). *Modern Slavery Statement 2024*. <https://sustainability.aboutamazon.com/modern-slavery-statement.pdf>

⁹ Collective Shout (15 May 2024). Mega pimp RCI Hospitality Holdings faces venue shutdowns for prostitution crimes. https://www.collectiveshout.org/rci_hospitality_holdings_criminal_history; Collective Shout (8 Aug 2025). New Jersey Police invested in strip clubs: tell them to divest now! <https://www.collectiveshout.org/police-firemens-retirement-system-new-jersey-strip-club-shares>; Alison, C. (6

Even where funds are not invested in the asset managers themselves, passive index replication and pooled mandates can link members' retirement savings to companies operating in sectors associated with commercial sexual exploitation.

Further, we have seen how industry-led and sponsored "ethics" and ESG programs such as the Responsible Investment Association Australasia and Ethisphere have endorsed investment firms that prop up and profit from sex trafficking, labeling them as "responsible investment leaders", and "world's most ethical companies", for example. We believe such programs serve to hamper efforts to identify and eliminate sex trafficking from corporate business operations, activities and supply chains.

Sector guidance emphasises that financial services firms face elevated modern slavery risks due to their global relationships, and enhancing rights-based due diligence within financial portfolios is consistent with leading practice.¹⁰

We therefore recommend that the Australian Government provide clarification of due diligence expectations in investment contexts:

- Clarify, through legislative amendment or regulatory guidance, that "operations and supply chains" under the Modern Slavery Act 2018 (Cth) encompass financial investments, including passive index-based exposures;
 - Request APRA and ASIC to provide guidance to superannuation trustees on assessing modern slavery risk within pooled investment vehicles and externally managed mandates;
 - Mandate enhanced disclosure of sector-specific human rights risks as part of the required modern slavery due diligence for all investments, including passive and externally managed portfolios;
 - Require that any industry ESG, "responsible investment," or ethical investment programs used to evaluate or endorse investment firms or funds explicitly incorporate the identification, assessment, and mitigation of risks related to sex trafficking, sexual exploitation, and other forms of modern slavery in corporate operations, activities, and supply chains;
 - Mandate independent review and oversight of such programs to ensure that endorsements, rankings, or "ethical investment" labels do not obscure, downplay, or inadvertently sanction investments in companies with exposure to sexual exploitation or trafficking.
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- We strongly support the introduction of obligations beyond transparency reporting. Businesses must identify risks, take action to prevent and minimise trafficking/slavery, and

Jun 2023). WIN! Thrivent divests from strip club shares, Collective Shout.

<https://www.collectiveshout.org/win-thrivent-divests-from-strip-club-shares>

¹⁰ KPMG and Australian Human Rights Commission (24 Feb 2021). Financial services modern slavery guide, KPMG. <https://kpmg.com/au/en/insights/esg-and-sustainability/financial-services-modern-slavery-practical-guide.html>

provide remediation and grievance pathways for impacted individuals. Businesses must be required to identify where trafficking/slavery is taking place in reality, not just risks.¹¹

- Sexual exploitation, sex trafficking, and all forms of slavery exist as systemic problems in modern economies and as such they are preventable. Legislators must require core governance obligation to build in mandatory risk-based due diligence. High risk industries, including all sex industry businesses, should be included in this requirement.
- The Freedom Hub identified the need for human rights due diligence, arguing that if a business relies on migrant labour, human rights due diligence is more than mere optional transparency reporting.¹² This same approach needs to be applied to the sex industry.
- Businesses with risks of modern slavery and trafficking must be subject to a duty to take concrete action to address human rights abuses and the drivers of trafficking and slavery.

Introduce a high risk declaration mechanism with all businesses connected to the sex industry included in the high risk category

- The Australian Government should provide details on which regions and sectors carry high risks of sex trade related modern slavery. It should specify how reporting entities should mitigate and address those risks. The McMillan Report, tabled May 2023, recommended that the Minister or the Anti-Slavery Commissioner should have the capacity to declare that certain regions, locations, industries, products, suppliers, or supply chains carry high risks of modern slavery.¹³
- The Report also recommended the Minister or Commissioner should then define the extent to which reporting entities should consider these risks in preparing their modern slavery statements according to their obligations under the MSA.
- In our submissions over the course of Australia's development of modern slavery legislation, we have consistently pointed out the high risks of trafficking and slavery within Australia's commercial sex industry.¹⁴ Sexual exploitation is a crime taking place within and beyond identified corporate supply chains and mostly in the informal sector. McMillan recommended expanding reporting obligations beyond the big corporate supply chains

¹¹ <https://ijm.org.au/stories/free-from-slavery>

¹² <https://thefreedomhub.org/article/forced-labour-risks-are-you-keeping-up/>

¹³ McMillan (2023), *op. cit.*

¹⁴ Collective Shout (30 June 2024). Input for UN Human Rights Council SR VAWG's report on violence against women and prostitution. https://www.collectiveshout.org/input_for_un_human_rights_council_sr_vawg_s_report; Collective Shout (10 May 2023). Submission to Inquiry into the Rights of Women and Children. Joint Standing Committee on Foreign Affairs, Defence and Trade. https://www.collectiveshout.org/submission_women_childrens_rights; Collective Shout (21 Apr 2023). *Call for input on the use of technology in facilitating and preventing contemporary forms of slavery*. https://www.collectiveshout.org/un_submission_tech_contemporary_slavery; Collective Shout (1 Dec 2021). *Submission to Select Committee on Statutes Amendment (Repeal of Sex Work Offences) Bill 2020*. https://www.collectiveshout.org/submission_sa_prostitution; Collective Shout (19 Oct 2021). *Submission to the Department of Justice and Community and Safety: Decriminalising sex work in Victoria*. (https://www.collectiveshout.org/submission_decriminalising_sex_work_vic_august_2021;

(captured by the \$100m revenue threshold) to incorporate the smaller companies and industries that are high risk for slavery.

- Recent estimates by the ILO¹⁵ (2024) reveal commercial sexual exploitation accounts for 73% of total illegal profits from human trafficking, accounting for 27% of total number of victims in labour trafficking overall - most of them women and girls.
- The difference in impact here is explained by the more lucrative nature of sex trafficking: US\$27,252 profits per victim for sex trafficking, compared with US\$3,687 profit per victim for other types of forced labour exploitation.¹⁶ This should compel Australian State and Territory governments to understand that sex traffickers are likely to be highly motivated to infiltrate Australia's commercial sex industry and to ensure sex trafficking isn't absorbed into broader labour and domestic categories (see below for elaboration).
- We acknowledge that several large entities, in their MSA reporting, have already successfully identified commercial sexual exploitation as a modern slavery risk, and built in strategies to address it. Their strategies could be models for additional guidance on addressing sexual exploitation:
 - Accor Pacific reported in its 2020 Modern Slavery Statement that the entity ensures no businesses or premises are used for organised prostitution.¹⁷ Accor also funds training of homeless youth in hospitality trades to reduce vulnerability to sexual exploitation.
 - Rio Tinto in its 2021 report stated: "We could be at risk of contributing to modern slavery if, for example, our people enabled or facilitated the engagement of exploited people in a local community (such as for domestic work or sex work)" and "We also undertake site-specific security risk assessments, which include consideration of relevant modern slavery risks such as human trafficking and sex work in local communities."¹⁸ Rio Tinto's approach is justified by Australia's history of mining linked with criminal sexual exploitation businesses.¹⁹
 - Marriott, Hyatt and Hilton hotels, in partnership with Polaris, train staff to identify modern slavery including being aware of individuals who can't speak freely or seem disoriented, who don't seem to know their whereabouts, guests with minimal luggage and clothing, who are dressed in a way that doesn't fit with the weather,

¹⁵ International Labour Organization (19 Mar 2024). *Annual profits from forced labour amount to US\$236 billion, ILO report finds*. <https://www.ilo.org/resource/news/annual-profits-forced-labour-amount-us-236-billion-ilo-report-finds>

¹⁶ International Labour Organization (19 Mar 2024), *ibid*.

¹⁷ Accor Pacific (2021). *Modern Slavery Statement 2021*. <https://modernslaveryregister.gov.au/statements/file/c11493b0-f699-40b4-ac2f-780d9c2164ea/>

¹⁸ Rio Tinto (2021). *Our Statement on Modern Slavery 2021*. <https://www.riotinto.com/-/media/Content/Documents/Sustainability/Corporate-policies/RT-Slavery-human-trafficking-statement-2021.pdf>

¹⁹ Pineda, E. (7th Oct 2012). Mining boom spurs flourishing sex trafficking in Queensland. *International Business Times*. <https://www.ibtimes.com.au/mining-boom-spurs-flourishing-sex-trafficking-queensland-1298468>

everything being paid in cash, guests who seem to be monitoring or controlling someone or denying them access to phones, guests who insist on little or no housekeeping, and multiple men seen being escorted one at a time to a guest room.²⁰

- ANZ in its 2021 Modern Slavery Statement reported: “Our Financial Crime team identified personal accounts linked to multiple ‘massage parlours’, with funds received from multiple third parties. Further investigations identified several indicators of possible sexual servitude, including third-party cash payments, common signatories across different business accounts, and unusual operating hours. Importantly, investigations identified that the accounts were likely to be controlled by a third party. The activity was reported to the relevant law enforcement agency...”²¹
- As part of ANZ’s due diligence process, a customer displaying unusual patterns of third-party cash deposits was requested to provide further information, resulting in staff noticing modern slavery red flag indicators. These included having their passport held by a third party, and payments to websites that advertise escort services. The result was identification of a potential sexual servitude victim, and contribution of intelligence linking a migration agent with clear indicators of sexual servitude.²² (These examples are condemned by the sex industry association as “discriminatory and counter-productive approaches to sex work.”)²³
- In our submission to the National Action Plan to Combat Modern Slavery 2020-24, we detailed:²⁴
 - many cases where legal prostitution businesses in Australia engaged in criminal activity including human trafficking;
 - international experience showing that legalisation of prostitution typically gives rise to human trafficking activity;
 - the Asianisation of Australia’s sex trade as a red flag for trafficking as described by international sex trafficking experts.
- In our submission to the request for comment on the Provisions of the Modern Slavery Bill 2018, we highlighted the lack of provision in the Bill to address demand for the sexual

²⁰ Tso, T. D.. (2019). Can Marriott Employees Combat Sex Trafficking? Why Sex Workers Don't Think So. *Refinery 29*. <https://www.bbc.com/news/business-47201210>

²¹ ANZ (2021). *2021 Modern Slavery Statement*. <https://www.anz.com/content/dam/anzcomau/documents/pdf/aboutus/esg/human-rights/modern-slavery-statement-2021.pdf>

²² ANZ (2021), *ibid*.

²³ Scarlet Alliance (13 Dec 2022), *op. cit*.

²⁴ Collective Shout (31 Jan 2020). *Submission to the National Action Plan to Combat Modern Slavery 2020-24*. <https://www.collectiveshout.org/submission-to-the-national-action-plan-to-combat-modern-slavery-2020-24>

trafficking of Asian women. We urged greater recognition of the sex industry as a driver of modern slavery.²⁵

- Unfortunately our recommendations, and those of other advocates for women and children, were ignored and sex trafficking was absorbed into general labour trafficking categories in the National Action Plan as well as the MSA. There are now few or possibly no targeted interventions and strategies for addressing sex trafficking. This might reflect the powerful influence that the sex industry lobby enjoys in Australia. We note the sex industry has also lobbied against a criminal justice approach to sex trafficking and modern slavery, and against any targeting of the sex industry, and against the establishment of an office of the Anti-Slavery Commissioner.²⁶
- We are concerned by the undue influence of sex industry associations even in critical processes of addressing human rights violations such as trafficking and slavery. After the Nixon Review made recommendations to protect temporary visa holders from sexual exploitation, the sex industry resisted them and the Government rejected those recommendations.²⁷

Additional evidence that the sex industry is high risk for human trafficking and modern slavery:

- Australian Governments have adopted the sex industry rationale that ‘sex work is work’ and thus missed many opportunities to directly confront sex trafficking and reduce demand in the commercial sex industry, which is the market for sex trafficking.
- Sex trafficking as a unique crime has been absorbed into the generic concept of labour trafficking in Australian policy and strategy. Consequently there is little effort to target sex trafficking with the unique approaches that such a crime requires.
- For example, there is a conflation of sexual exploitation with other forms of forced labour in the report of the Targeted Review of Divisions 270 and 271 of the Criminal Code Act 1995:²⁸
 - “27.6 million of these modern slavery victims and survivors are in situations of forced labour, with approximately 12% of these being children. More than half of forced labour cases are in sectors other than commercial sexual exploitation.”
- This conflation diminishes the importance of sexual exploitation as a standalone crime.
- The National Action Plan to Combat Modern Slavery 2020-2025 does not explicitly mention sexual exploitation in its definition of modern slavery: “trafficking in persons, slavery,

²⁵ Collective Shout (3 Aug 2018). *Modern Slavery Bill 2018: Comment on Provisions*.

<https://www.collectiveshout.org/collective-shouts-submission-to-the-modern-slavery-bill-2018-provisions>

²⁶ Scarlet Alliance (13 Dec 2022), *op. cit.*

²⁷ O’Neil, C. (4 Oct 2023). *Government Response to the Nixon Report Recommendations*.

<https://minister.homeaffairs.gov.au/Documents/government-response-nixon-report-recommendations.pdf>

²⁸ Attorney General’s Department (2022). *Targeted Review of Divisions 270 and 271 of the Criminal Code Act 1995 (Cth)*. Australian Government. <https://consultations.ag.gov.au/crime/modern-slavery-offences/user-uploads/targeted-review-of-divisions-270-and-271-of-the-criminal-code.pdf>

servitude, forced labour, deceptive recruiting for labour or services, debt bondage, and forced marriage.”²⁹

- However the Targeted Review of Divisions 270 and 271 of the Criminal Code Act 1995 by the Attorney General’s Department in 2022³⁰ identified sexual exploitation as one of four important categories of analysis, along with trafficking, forced labour, and forced marriage. In the Criminal Code, “servitude” previously was limited to sexual servitude but now may include other forms of servitude, likely concealing additional cases of sexual slavery.
- The majority of victims of sex trafficking are women and girls.³¹ The UN Special Rapporteur on Violence Against Women, Reem Alsalem, writes in her report on prostitution and violence against women and girls.³²

“Prostitution results in egregious violations of human rights and multiple forms of violence against women and girls, who are often dehumanized and perceived as persons without human rights. Prostitution violates the right of women and girls to dignity, and often constitutes torture, inhuman and degrading treatment. Physical forms of violence - mainly by sex act buyers - include sexual abuse, rape and gang rape, severe beatings, including for the victim’s refusal, lack of enthusiasm or dissociation...”

“Prostitution is a system of exploitation and an aggregated form of male violence against women and girls that intersects with other forms of structural discrimination... 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... Coercion is built into the prostitution system, facilitating entry factors as well as control and exploitation by pimps, traffickers and States.”

- With a continuing rise in victims and survivors of forced labour and forced marriage, victims and survivors of sexual exploitation are declining as a proportion of total victims of trafficking and slavery.³³ This gives a false impression when numbers of sex trafficking

²⁹ Australian Government (2020). *National Action Plan to Combat Modern Slavery 2020-2025*. Commonwealth of Australia. <https://www.homeaffairs.gov.au/criminal-justice/files/nap-combat-modern-slavery-2020-25.pdf>

³⁰ Attorney General’s Department (2022), *op. cit.*

³¹ Polaris (29 Mar 2017). *The Typology of Modern Slavery: Defining sex and labor trafficking in the United States*. Polaris. https://ag.nv.gov/uploadedFiles/agnv.gov/Content/Human_Trafficking/2017-03-29_Polaris_Report.pdf

³² Alsalem, R. (7 May 2024). Prostitution and violence against women and girls. Human Rights Council, Fifty-sixth session. Report of the Special Rapporteur on violence against women and girls, its causes and consequences, Reem Alsalem. <https://docs.un.org/en/A/HRC/56/48>

³³ Australian Federal Police (12 Oct 2025). Reports of human trafficking nearly double over past five years. AFP New Centre. <https://www.afp.gov.au/news-centre/media-release/reports-human-trafficking-nearly-double-over-past-five-years>

reports continue to rise with 84 reports of sexual servitude (up from 59 reports the previous year).³⁴

- Through Australia’s Support for Trafficked People Program, the Australian Red Cross reports that of the 426 people supported from 2009 to 2019, 355 were female and of these, 38% were referred for sexual exploitation. Sexual exploitation in a commercial setting was the most common reason for referral as of November 2019, comprising 30% of total referrals.³⁵
- However, sex trafficking is not mentioned in the Anti-Slavery Commissioner’s Strategic Plan 2025-2028),³⁶ nor in the Australian Federal Police Human Trafficking and Slavery Strategic Plan 2023-2026.³⁷ This is a serious and unacceptable omission.
- The McMillan Report notes that trafficking for sexual exploitation requires a “differently-balanced response than a transparency reporting mechanism,” in an implicit acknowledgment that the Modern Slavery Act was not intended to address sex trafficking.³⁸
- The current process of reform of the Modern Slavery Act 2018 is an opportunity to shift the focus of the Act toward the realities of the worst of human trafficking, by including the sex industry as high risk and requiring all sex industry related businesses to comply with reporting requirements.

Guidance for high risk declarations should identify sex trafficking as a unique mode of human trafficking and modern slavery, allowing for tailored approaches in identification, prosecution, protection, and prevention

- Sex trafficking should not be conflated with all other labour trafficking. Sex trafficking cases feature distinct dynamics:
 - Sex trafficking generates more than seven times the profits per person than labour trafficking in other industries: US\$27,252 compared to US\$3,687 per victim.³⁹
 - Sex trafficking overwhelmingly impacts women and girls.
 - Recruitment/control methods and vulnerabilities are unique to sex trafficking, particularly love bombing, the ‘loverboy’ method, psychological coercion, isolation, trauma bonding, addiction, or violence, and other tools employed by family and

³⁴ Australian Federal Police (12 Oct 2025), *ibid*.

³⁵ Australian Red Cross (Nov 2019). Support for Trafficked People Program Data Snapshot: 2009 to 2019. <https://www.redcross.org.au/globalassets/cms/migration-support/support-for-trafficked-people/support-for-trafficked-people-data-snapshot-2009-2019.pdf>

³⁶ Office of the Australian Anti-Slavery Commissioner (2025). *Strategic Plan 2025-2028. Building Australia’s Ambition and Impact. Strengthening the response to modern slavery*. Australian Government. <https://www.antislaverycommissioner.gov.au/system/files/2025-10/strategic-plan-2025-2028.pdf>

³⁷ Australian Federal Police (2023). *Human Trafficking and Slavery Strategic Plan 2023-2026*. <https://www.afp.gov.au/sites/default/files/2023-07/HumanTraffickingandSlaveryStrategicPlan2023-2026.pdf>

³⁸ McMillan, J. (2023). *Report of the Statutory Review of the Modern Slavery Act 2018 (Cth): The First Three Years*. Commonwealth of Australia. <https://www.ag.gov.au/sites/default/files/2023-05/Report%20-%20Statutory%20Review%20of%20the%20Modern%20Slavery%20Act%202018.PDF>

³⁹ International Labour Organization (19 Mar 2024), *op. cit*.

friends to exploit women and girls. Minors in foster care and out-of-home care (OOHC) are at high risk for sex trafficking and sexual exploitation.⁴⁰

- Known unique venues for sex trafficking include brothels, strip clubs, escort services, massage parlours, private homes, and increasingly, online platforms including Pornhub and OnlyFans, which have hosted and profited from sexual exploitation including trafficking of minors.⁴¹
- Unique drivers of demand for sex trafficking are the commercial sex industry and its marketing tool, pornography.
- Unique victim experiences after surviving sex trafficking include specific severe mental health harms (including PTSD)⁴² and specific impacts on the families of trafficked women.⁴³
- Unique approaches to identification and investigation of sex trafficking are demonstrated in intelligence-driven screening such as AUSTRAC's guidance for the financial sector,⁴⁴ along with unique types of training for those working in healthcare, hotels, law enforcement, social services, to be aware of grooming and red flags. National Australia Bank noted in its 2021 Modern Slavery Statement: "The ways in which humans can be exploited differs greatly, for example sex trafficking within escort services has different characteristics to labour trafficking of farmworkers. Each crime typology has unique strategies for recruiting and controlling victims and concealing the crime."⁴⁵
- Trafficking for sexual exploitation is especially prone to criminal justice attrition, as established by international and Australian trafficking literature, because of victim identification and the need for cooperation. For vulnerable and fearful survivors,

⁴⁰ Mama Fatima Singateh (2 Jan 2025). *Visit to Australia - Report of the Special Rapporteur on the sale, sexual exploitation and sexual abuse of children*. United Nations Human Rights Office of the High Commissioner. <https://docs.un.org/en/A/HRC/58/52/Add.1>

⁴¹ Reuters (2024). *OnlyFans Exposed: Profit, peril and abuse on a revolutionary porn site*. <https://www.reuters.com/investigates/section/onlyfans-exposed/>; Kolhatkar, S. (13 Jun 2022). The Fight to Hold Pornhub Accountable. *The New Yorker*. <https://www.newyorker.com/magazine/2022/06/20/the-fight-to-hold-pornhub-accountable>;

⁴² Conley, A. H., Carlyle, K. E., Cuddeback, G., & Kornstein, S. G. (2023). Working with Survivors of Sex Trafficking: Mental Health Implications. *The Psychiatric Clinics of North America*, 46(3), 597–606. <https://doi.org/10.1016/j.psc.2023.04.013>

⁴³ Borrelli, S., Ramasamy, R., Wong, R., & Spiby, H. (2023). Care and support during maternity for mothers affected by modern slavery: A scoping review. *International Journal of Nursing Studies Advances*, 5, 100139. <https://doi.org/10.1016/j.ijnsa.2023.100139>

⁴⁴ AUSTRAC and Fintel Alliance (Feb 2022). *Detecting and stopping forced sexual servitude in Australia: Financial Crime Guide*. https://www.austrac.gov.au/sites/default/files/2022-02/AUSTRAC_FCG_DetectingAndStoppingForcedSexualServitude_web.pdf

⁴⁵ National Australia Bank (2021). *2021 Modern Slavery and Human Trafficking Statement*. <https://www.nab.com.au/content/dam/nabrdw/documents/pds/social-impact/nab-modern-slavery-statement-2021.pdf>

failure to identify themselves as victims of sex trafficking “not only precludes justice but prevents referral and access to support.”⁴⁶

- Prevention of sex trafficking and sexual exploitation is unique. It requires age verification on digital platforms, CSEC screening at critical contact points, data repositories, education for students on grooming and red flags, regulation/licensing of professionals, criminalisation of sex buying, and other strategies.
- Conflating sex trafficking with other forms of labour trafficking risks missing cases, failing victims, and failing to disrupt the markets that profit from them.
- Regarding Australia’s geopolitical context of Southeast Asia, treating sex trafficking as a unique crime is supported by the Bali Process, which declares that different types of trafficking need different approaches:

“There is particularly limited data available on the flow of funds from trafficked persons. This information could be highly valuable to inform a victim-centred approach, and when considering particular types of trafficking (for example, sexual exploitation). Current studies and government publications also focus more on money laundering methods and consider trafficking in persons and migrant smuggling under the one umbrella. This results in very broad descriptions of methods and indicators of these crimes. Better data and analysis is vital in supporting risk assessments that can guide criminal justice responses and private sector contributions to those responses.”⁴⁷

- Following the example of Sweden, Australian State and Territory governments should also create an offense of buying sexual acts online to urgently address the rise of sexual exploitation and trafficking through adult services websites. See the UK’s Independent Anti-Slavery Commissioner’s 2026 report on this matter.⁴⁸
- We also recommend an amendment to Divisions 270 and 271 of the Criminal Code to explicitly criminalise the purchase of sexual acts from a trafficked person as an element of trafficking offenses, as another angle for tackling sex trafficking.

We hope our comments and recommendations are of help to the Office of the Australian Anti-Slavery Commissioner in this process to strengthen Australia’s laws to address modern slavery.

March 2, 2026

⁴⁶ Lyneham, S. (2021). Attrition of human trafficking and slavery cases through the Australian criminal justice system. *Trends and Issues in Crime and Criminal Justice* no. 640. Canberra: Australian Institute of Criminology. <https://doi.org/10.52922/ti78443>; Nguyen, O., Le, T. Q., & Luong, H. T. (2020). Police failure in identifying victims of human trafficking for sexual exploitation: an empirical study in Vietnam. *Journal of Crime and Justice*, 43(4), 502–517. <https://doi.org/10.1080/0735648X.2020.1724816>

⁴⁷ The Bali Process (Jul 2018). *Policy Guide on Following the Money in Trafficking in Persons Cases. An introductory guide for practitioners on using financial investigation tools in trafficking in persons cases.*

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