



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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STANDING COMMITTEE ON PUBLIC ACCOUNTS

Elizabeth Kikkert MLA (Chair), Michael Pettersson MLA (Deputy Chair),  
Andrew Braddock MLA

## Submission Cover Sheet

### Inquiry into the Modern Slavery Legislation Amendment Bill 2023

**Submission Number: 05**

**Date Authorised for Publication: 24 May 2023**



Standing Committee on Public Accounts  
ACT Legislative Assembly, GPO Box 1020  
CANBERRA ACT 2601

Via email: LAcommitteePA@parliament.act.gov.au

## Inquiry into the Modern Slavery Legislation Amendment Bill 2023

Dear Mrs Kikkert MLA,

The Salvation Army thanks the Standing Committee on Public Accounts for the opportunity to provide feedback on the Modern Slavery Legislation Amendment Bill 2023 (the Bill).

The Salvation Army has a long history of campaigning and advocating for measures to address modern slavery and we welcome the establishment of the Bill from the Greens. We also commend the leadership shown by Labor on the issue on modern slavery, in particular their commitment to 'identify and respond to modern day slavery'.<sup>1</sup>

Overall, The Salvation Army is supportive of the approach in the Bill. The adoption of an educative and iterative approach as opposed to enforcement will ensure that businesses and entities have the time and support to learn about modern slavery in supply chains and commence action to reduce risks. Harmonising with the Commonwealth Act creates consistency for business which is necessary to ensure good reporting which in turn helps the government make informed decisions about who they supply from or suppliers they do business with.

The Bill could be strengthened through the addition of a debarment mechanism. For example, the Western Australian (WA) Government has established a debarment and suspension regime in *the Procurement Act 2020 (WA)* and the *Procurement (Debarment of Suppliers) Regulations 2021 (WA)*. Under the WA regime companies may be prevented from tendering for government work for up to two years if they have failed to comply with modern slavery reporting requirements within the preceding three years.

Another area of the Bill that requires further consideration is section 18I which stipulates that the Commissioner must share information regarding potential slavery referrals with other statutory bodies, such as ACT Police. Whilst we appreciate the need to uphold community safety, this requirement may have unintended negative consequences undermining victim-survivors' right to privacy, confidentiality. In our experience as a service provider to survivors of modern slavery for 15 years, we know victim-survivors are often fearful of authorities and are not always

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<sup>1</sup> ACT Labor. 2020. *ACT Labor Policy Position Statement*. <https://www.actlabor.org.au/media/5j4kl3z/act-labor-policy-position-document-updated-141020.pdf>.

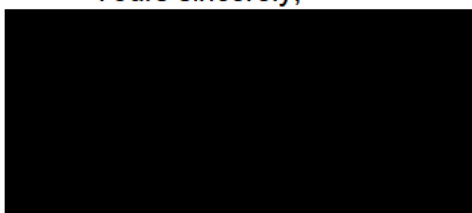
appropriately identified as victims. As such, in situations where there is no immediate threat to a person's safety, it is vital that victim-survivors are able to seek out information and assistance without being compelled to report to police. Therefore, we urge to government to consider whether this provision may undermine victim-survivors' personal agency and make amendments as necessary.

Some entities may argue that the Government should take the further step of regulating all businesses, not just public procurement. The Salvation Army endorses the approach outlined in the Bill of focusing on public procurement. Under this approach the government is taking the lead and ensuring that public money is being managed responsibly and ethically.

The Salvation Army notes that the Parliamentary and Governing Agreement item five, commits the government to ensuring that the 'ACT Legislation can identify and effectively respond to modern day slavery'. We further note this item is 'delayed' and as such we encourage the government to proceed the Bill with a matter of urgency, given so many other items in the Agreement are either 'delivered' or 'on track'.<sup>2</sup>

The ACT Government has an opportunity and a responsibility to lead and take action to slavery-proof Canberra. This Bill is a welcomed starting point, and we again thank the Standing Committee on Public Accounts for the opportunity to provide comment.

Yours sincerely,



**Peter McGuigan, Major**  
Head of Government Relations  
The Salvation Army Australia

18 May 2023

*The Salvation Army acknowledges the Traditional Owners of the lands and waters throughout Australia.*

*We pay our respect to Elders and acknowledge their continuing relationship to this land and the ongoing living cultures of Aboriginal and Torres Strait Islander peoples across Australia.*

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<sup>2</sup> ACT Government. 2022. *Parliamentary and Governing Agreement*  
[https://www.cmtedd.act.gov.au/\\_\\_data/assets/pdf\\_file/0020/2114813/2022-ACT-Government-Progress-Update.pdf](https://www.cmtedd.act.gov.au/__data/assets/pdf_file/0020/2114813/2022-ACT-Government-Progress-Update.pdf)



*We also acknowledge future aspirations of all First Nations peoples. Through respectful relationships we will work for the mutual flourishing of Aboriginal and Torres Strait Islander Australians and non-Indigenous Australians.*

*We commit ourselves in prayer and practice to this land of Australia and its people, seeking reconciliation, unity and equity.*

