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Leigh Day submits evidence to Australian inquiry into Modern Slavery

Shanta Martin, partner in law firm Leigh Day’s Modern Slavery team, has submitted written evidence to a parliamentary inquiry into modern slavery currently being conducted in Australia.



12 June 2017

The submission on behalf of Leigh Day recommends that the [Australian Parliament](#) takes note of the UK Modern Slavery Act, but fills gaps present in the UK Act to better enhance the prevention of modern slavery and to ensure greater access to remedy for victims.

The recommendations include that Australian legislation should be introduced that:

1. establishes specific civil wrongs related to modern slavery, including for victims in the supply chain;
2. requires companies to conduct human rights due diligence including into the existence of modern slavery in their supply chains;
3. requires companies to transparently report but which, unlike the UK Modern Slavery Act, should not permit a company to simply state it has taken no steps to prevent or eradicate slavery and human trafficking from their business or supply chain; and
4. contains provisions akin to the US Trafficked Victims Protection Act to enable victims of modern slavery in the supply chains of Australian businesses to access remedy in Australia.

Further recommendations proposed by [Ms Martin](#) include the provision of funding assistance to victims of [modern slavery](#) to pursue judicial remedies; an awareness raising programme targeting possible victims of modern slavery to ensure they are aware of their rights and legal remedies; and a legal education programme to ensure that those who may advise victims of slavery are aware of all civil remedies available.

In the submission Ms Martin states:

“One of the persistent demands of supporters of victims of modern slavery is that more needs to be done to help survivors to access remedies that would help them re-build their lives. From our own experience, we have seen the difference that adequate compensation can make not only on the practical level, but also less tangibly. Leigh Day’s clients who have received compensation have been able to proudly return home for the first time in years, feel secure in their accommodation, and make plans for the future.”

For over two decades, Leigh Day has pursued numerous cases for people around the world who have allegedly been harmed by the activities of British companies. In 2016, Leigh Day [secured substantial compensation](#) for the first claimants to ever bring a High Court case against a British company in relation to modern slavery. The legal action alleged that DJ Houghton Catching Services Limited and the director and company secretary had subjected victims of human trafficking to severe labour exploitation.

The [Australian Parliament’s Joint Committee on Foreign Affairs, Defence and Trade](#) announced the inquiry in February 2017 into whether the country should adopt national legislation to combat modern slavery, looking specifically at the UK’s Modern Slavery Act 2015.

Information was correct at time of publishing. See [terms and conditions](#) for further details.

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More information

[Leigh Day submission to the Parliament of Australia Joint Standing Committee on Foreign Affairs, Defence And Trade inquiry into establishing a Modern Slavery Act \(PDF\)](#)

[Inquiry into establishing a Modern Slavery Act in Australia](#)

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