

MODERN SLAVERY

Motion

HON MATTHEW SWINBOURN (East Metropolitan) [11.30 am] — without notice: I move —

That this house notes the existence of modern slavery in Western Australia, the pernicious form that it takes in practices like domestic servitude and forced labour and the need for both the state and federal governments to stamp it out where it occurs and to remain vigilant to ensure it does not ever become prevalent.

Modern slavery can take many forms. The term refers to forms of human exploitation in which the victim cannot refuse to work or to not work. As modern slavery researcher Siddharth Kara puts it, slavery is a system of degrading people through the violent coercion of their labour in conditions that dehumanise them. Examples of slavery include bonded labour, in which people become bonded labourers after falling into debt and being forced to work for free to repay the lender; forced labour, in which a person is forced to work, usually with no payment or inadequate payment as a result of violence or intimidation towards them or their family; forced marriage, in which women and girls are married without their consent and forced into sexual servitude; and human trafficking, in which men, women or children are exploited through violence, deception or coercion, and forced to work against their will.

The idea of modern slavery may seem foreign to many of us in Western Australia. When we think of slavery, we may think of what happened in the south of America during the eighteenth and nineteenth centuries and the repugnant Atlantic slave trade that treated people as chattels. It seems like something that might be irrelevant to us, and in the long ago past. However, it is worth noting that Western Australia has a history of slavery, and that it continues in its modern-day forms, which may be different from what people contemplate now. Historically, I refer to the incident in 1886 when Reverend John Gribble was sent by the Anglican Church to the midwest, the Gascoyne River area in particular, to establish a mission for the local Aboriginal people. The Reverend witnessed how Indigenous people were virtually being enslaved by pastoralists. They were hunted down and coerced to sign employment contracts they could not understand, and were compelled by the pastoralists to work. When Gribble wrote to newspapers reporting the news, he caused an outrage and an uproar in the Gascoyne region and in Perth. He was publicly ridiculed and intimidated, and eventually run out of town. In 1904, the Roth royal commission confirmed Gribble's initial reports. Today, the Minderoo Foundation's Walk Free initiative estimates that 40 million people are living in the various forms of modern slavery across the world, including the traditional chattel slavery, forced labour, debt bondage and human trafficking. I acknowledge the work of the Minderoo Foundation and the Walk Free initiative, and the efforts that it is putting in to raise awareness and understanding of modern slavery. It is a very worthwhile cause.

What is the evidence of modern slavery in Australia, and more particularly, Western Australia? In 2017, the Joint Standing Committee on Foreign Affairs, Defence and Trade released a report titled, "Hidden in Plain Sight: An Inquiry into Establishing a Modern Slavery Act in Australia." In that report, the committee estimated that approximately 4 300 people across Australia were in some form of modern slavery. More alarmingly, the 2018 Global Slavery Index, which is prepared and released by the Minderoo Foundation's Walk Free initiative, estimated that in 2016, on any given day, 15 000 people in Australia were living in conditions of modern slavery. That is a prevalence of 0.6 victims of modern slavery for every thousand people in the country. No specific records for Western Australia are kept, which reflects a significant problem in this area. There are several good reasons for unreliable recording and collating of data in this area. The most obvious reason is that, as a practice, modern slavery is covert and difficult to report.

In recent years, Western Australia has hosted several reported cases of modern slavery. Victims of modern slavery are likely to be migrants or people on working holidays, who are reliant on their employers for their visas and working rights, and from a non-English speaking background. We also know that modern slavery practices are likely to occur in industries such as agriculture, construction, the sex industry, hospitality, cleaning and domestic work. It is abundantly clear that the victims are disenfranchised and vulnerable. It is naive to think that forced labour, in its various forms, no longer exists. It does exist, and it includes restricting workers' movements and threats of denunciation to immigration authorities.

We can have regard to some recent public cases that provide us with some evidence of the existence of modern slavery in Western Australia. In 2014, 130 foreign nationals were taken into custody after a raid on a market garden in Carabooda, north of Perth. It can be argued that these workers were victims of modern slavery practices. They had overstayed their visas, were living in squalid and subhuman conditions and being paid substandard wages that were significantly well below the statutory minimum wage. Three years later in 2017, the Australian Border Force found over 40 foreign nationals crammed into motel rooms that had been turned dormitories in Pemberton. These migrants were being hired out to work for local farmers by a labour-hire intermediary. Although the

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intermediary was paid the market rate, the workers themselves were paid well below the minimum wage, working six days a week and taking home as little as \$300 a week. In 2017, we also saw a case of how Taiwanese workers were systematically exploited by a Perth couple running a domestic cleaning business, resulting in an \$11 500 underpayment of wages. Why does exploitation occur? There can be cultural and social reasons for exploitation. However, the clearest reason, particularly in an employment setting, is because exploitation is cheap and profitable. In 2014, the International Labour Organization estimated that forced labour produces approximately \$51.8 billion in profit each year in the Asia-Pacific region. Quite simply, forced labour is cheap labour and cheap labour means more profit.

We need to send a message that modern slavery is unacceptable in our society. To do that, we must act. There has been action in this space by both the state and federal governments. However, several areas of both state and federal law remain that allow space for exploitation to occur, including industrial relations and immigration law, as well as recent modern slavery legislation. At present, the state Industrial Relations Act 1979 and the Minimum Conditions of Employment Act 1993 exclude employees engaged in domestic service. The effect of this is that a group of workers in Western Australia are excluded from the benefits and protections of minimum wages, leave entitlements and award coverage. The exclusion affects people who provide cleaning, housekeeping and childcare services in the home, as well as aged-care and disability support workers who are engaged by householders in a domestic setting. It is estimated that the number of workers who fall into this category will expand substantially with the rollout of the National Disability Insurance Scheme in Western Australia, whereby we will have more disability support workers engaged in a domestic setting. As the incidence of home-based work increases, there is no sound policy justification for excluding these employees from employment protections. The invisibility of the work performed in the home setting makes these workers particularly vulnerable. It is an anachronism that these exclusions persist in Western Australia. Such employees are covered by our Long Service Leave Act and other employment-related legislation, such as the Workers' Compensation and Injury Management Act, the Occupational Safety and Health Act and the State Superannuation Act. In every other state and territory they are covered by the federal Fair Work Act, but as Western Australia has not referred its remaining industrial relations powers in the private sector to the commonwealth, they are generally not protected under this act.

The WA Minimum Conditions of Employment Act also excludes several other categories of worker, including persons paid wholly by commission and persons paid wholly by piece rate. Some of these groups are known to be particularly vulnerable to exploitation. For example, pieceworkers in horticultural industries have been the subject of a number of recent reports highlighting poor treatment of workers, particularly those in Australia on temporary visas. It pleases me that the McGowan government has committed to progressing reforms to state employment legislation so that those workers can be afforded the protection every other worker is entitled to.

Australia can comply with and ratify an International Labour Organization protocol on forced labour. The exclusions in the state's industrial relations legislation distinguishes Western Australia on a national and international level, and prevents Australia from signing this important international treaty that deals with forced labour. The commonwealth has written to successive WA governments asking for our laws to be amended so that Australia can ratify the ILO Protocol of 2014 to the Forced Labour Convention, 1930. Disturbingly, Western Australia is the only noncompliant jurisdiction in Australia. The protocol is intended to give new impetus to the global fight against forced labour, including trafficking in persons and slavery-like practices. It requires that labour law applies to all workers and all sectors of the economy. The current exclusions under Western Australian legislation mean that a victim of forced labour who falls within one of the excluded categories would have no recourse for recovering unpaid minimum employment entitlements and, as such, the exclusions mean that Western Australia does not comply with the protocol.

In 2018, Mr Mark Ritter, SC, assisted by my highly capable local member, Stephen Price, the member for Forrestfield, completed a review of the state Industrial Relations Act. The review recommended removing exclusions from the definition of "employee" in industrial relations laws. I note, however, that there was opposition to such a change to the Industrial Relations Act. Disappointingly, the Chamber of Commerce and Industry of Western Australia in its submission to the review opposed such a change to the definition, justifying its position on the basis that such a change would make households employers and require them to complete all the necessary paperwork associated with employment legislation. Quite frankly, this is a poor excuse. Everyone has a right to basic employment protections and it should not matter where a person works, as all workers are entitled to the minimum employment protections. I am aware that legislative amendments to implement that recommendation are being drafted currently and it is intended that laws will be introduced to this Parliament within the next year. When the proposed legislation reaches this place, I will be more than happy to support it.

Wage theft is another issue that is sometimes related to modern slavery. Wage theft is the systematic and deliberate underpayment of wages and entitlements to employees. It is a form of exploitation of vulnerable workers. In January 2019, Hon Bill Johnston, MLA, Minister for Industrial Relations, announced an inquiry into wage theft

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to be conducted by Mr Tony Beech, the former Chief Commissioner of the Western Australian Industrial Relations Commission. I understand that report is now with the minister and I look forward to seeing its findings.

Pleasingly, the McGowan government is also supporting research in Western Australia on the critical issue of modern slavery. In August 2018, the government provided funding to the Employment Law Centre of WA to conduct research on ways to reduce the exploitation of vulnerable workers, including those experiencing modern slavery. Key outcomes of this project will be recommendations for policy and education strategies that could be adopted in Western Australia to combat modern slavery. Again, I look forward to the seeing the outcome of this important research.

It is worth noting that the commonwealth recently passed the Modern Slavery Act, which came into effect on 1 January this year. The act requires large businesses based or operating in Australia to report on the risk of modern slavery in their supply chains and operations, and how such risks are being mitigated. The act requires all businesses operating in Australia with revenue of \$100 million or more to report on modern slavery risks in their supply chains. Entities that operate below the revenue threshold could also potentially be impacted, as they may form part of the supply chains of reporting entities. The first modern slavery reports under the commonwealth legislation are due by 30 June 2020. I look forward to reviewing those reports when they are published. Although this act is a significant step forward, it is limited in scope and, quite frankly, a bit toothless. Unfortunately, businesses are obligated to report under the act only if they have consolidated revenue of at least \$100 million. This excludes many smaller industries that may be prone to exploitation. Further, noncompliance with the act is punishable only by naming and shaming by the minister, which then relies on consumer activism to ensure that businesses are not employing modern slavery practices. Large businesses in Western Australia and those within their supply chains may now also have requirements for reporting on modern slavery.

It is pleasing to see that Australia is taking steps to address modern slavery, but we must do more. New South Wales introduced its own Modern Slavery Act in June 2018. The act requires businesses with a turnover of at least \$50 million to prepare a modern slavery statement for each financial year. Further, and unlike the federal legislation, businesses can be fined up to \$1.1 million for not preparing a statement, not making it public and/or knowingly providing false information in the statement. I note that improvements to the commonwealth Modern Slavery Act formed part of the ALP's national platform, but, unfortunately, the election did not go our way. Nevertheless, I urge the federal government and opposition to widen the scope of the act and introduce penalties for noncompliance. I would be pleased if the state government considered a modern slavery act along the lines of the New South Wales act.

Slavery takes away a person's freedom, it exploits them and it takes away their dignity. Let us do all that we can to stamp it out and say that this is unacceptable in our great state. I commend the motion to the house.

HON SAMANTHA ROWE (East Metropolitan — Parliamentary Secretary) [11.45 am]: I begin by thanking my colleague Hon Matthew Swinbourn for moving this really important motion on modern slavery and reminding us that we need to remain vigilant so that it does not become prevalent.

Unfortunately, modern slavery continues in Australia and around the world. In 2012, the then United States President, Barack Obama, commented at the Clinton Global Initiative annual meeting that the fight against modern slavery is one of the great human rights causes of our time. I think he was right. Unfortunately, it is still the case today. According to the International Labour Organization website —

- At any given time in 2016, an estimated **40.3 million** people are **in modern slavery**, including 24.9 million in forced labour and **15.4 million in forced marriage**.
- It means there are **5.4 victims of modern slavery for every 1,000 people** in the world.
- ...
- Out of the **24.9 million** people trapped in forced labour, **16 million** people are exploited in the **private sector** such as domestic work, construction or agriculture; **4.8 million** persons in forced sexual exploitation, and **4 million** persons in forced labour imposed by state authorities.
- **Women and girls are disproportionately affected** by forced labour, accounting for 99% of victims in the commercial sex industry, and 58% in other sectors

Modern slavery occurs when a person exercises ownership rights over another person, essentially taking away their freedoms. Slavery and slavery-like conditions include forced labour, servitude, debt bondage and forced marriage. Of course, human trafficking is another form of modern slavery. It is an extreme form of labour exploitation whereby women, men and children are recruited or obtained and then forced into labour against their will through force, fraud or coercion. Trafficking victims are often lured by false promises of decent jobs and better lives. I would like to read out to the chamber an example from a series of articles on the Anti-Slavery Australia website

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under the heading “Face of slavery in Australia”. I will read in the article entitled “Woman enslaved in relationship”. The names have been changed, but the article is about Maria who is 24 and originally from the Philippines. It reads —

Why did Maria come to Australia?

In the Philippines, Maria worked in a factory earning \$10 a week. She had split up with her husband and had to support her young son and her mother. A family friend said she could help Maria get work in Australia. This friend had relatives in Australia and said that they would give her a job in their shop and enrol her in English classes in her spare time. In return, Maria was to marry an Australian man and she would have to give him some money for the visa and airfares.

What happened when Maria got to Australia?

When Maria arrived, her Australian fianc took her passport. Maria had to work in the family shop seven days a week and wasn’t enrolled in English classes as promised. Maria was only given \$20 every fortnight or so but was never paid a wage. Maria spent all her time at the shop or at her fiancé’s house cooking, cleaning and gardening.

Maria wasn’t allowed to leave the house and felt like she had to do whatever they told her to do. If she didn’t, Maria’s fiancé threatened to hit her or made threats about hurting her family in the Philippines. Maria had no money, and was told that if she contacted her family or tried to go back to the Philippines, they would find her and hurt her. She didn’t want her mother to worry. Maria didn’t speak much English and she didn’t know anyone else in Australia. She was trapped.

That is just one example. Another example is of sex workers who often find themselves in pretty extreme and awful working conditions. This is another article from the Anti-Slavery Australia website. Again, the names have been changed. This article is about Sun who is a 22-year-old from South Korea —

Why did Sun come to Australia?

Sun had started studying Chinese language at a University in Korea but dropped out because she wasn’t able to afford to continue. Sun started doing sex work—the pay was reasonable and the hours flexible. However, sex work is illegal in Korea, so there was the constant threat of being arrested, fined or imprisoned.

Another sex worker introduced Sun to an ‘agent’ who promised to help her in finding safe and legal sex work in Australia with a place to live, good working conditions and a fair rate of pay. Sun thought this would be a great opportunity. Sun calculated that if she worked in Australia for 1 year she would be able to save up enough to pay for her studies and still have some left over. Sun also wanted to experience a different culture and learn some English. The agent said he would organise everything.

What happened when Sun got to Australia?

When Sun got to Sydney, she was placed in a sex parlour where the owner told her she had to repay a \$25,000 debt for her flight and visa. Sun would not be paid any money until her debt was paid off. Sun worked 14 hours a day, 6 days a week. Sun was also pressured to work on her day off and to perform sexual services without a condom. Sun lived in an apartment adjoining the parlour and was not permitted to leave the premises unsupervised.

The boss threatened Sun with deportation if she complained too much, refused a customer or tried to go to the authorities for help.

They are just two examples of what can happen with human trafficking in Australia and around the world. As my colleague Hon Matthew Swinbourn alluded to in his contribution, nationally we have the Modern Slavery Act, which is a good start, but we still have quite some way to go. In a Western Australian context or at a local level, we have the Minderoo Foundation and its Walk Free initiative. Minderoo is an independent and privately funded international human rights organisation that is based in WA and working to end all forms of modern slavery in our generation. Hopefully, that can be achieved and we will see some real outcomes. These are all positive steps but slavery is something about which we must remain vigilant and be aware of because it is happening not only in Australia and other countries, but also right here in WA. I thank the member for bringing this really important motion to the house this morning.

HON ALISON XAMON (North Metropolitan) [11.54 am]: I rise on behalf of the Greens to also give my support to this important and welcome motion. I have noticed that the member who has moved this motion consistently brings quality issues to this chamber for discussion, and this motion is no exception. I thank the previous two speakers for their important contributions.

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It has already been said that modern slavery includes a range of exploitative practices. This is not normally well understood within an Australian context, but we are talking about human trafficking, slavery, servitude, forced labour, debt bondage and also forced marriage. These things are happening in this country. The International Labour Organization estimates that more than 40 million people are subjected to modern slavery conditions worldwide, which has already been mentioned. The Joint Standing Committee on Foreign Affairs, Defence and Trade's 2017 inquiry into this issue estimated that at the time, 4 300 people were victims of some form of modern slavery within Australia. This again included victims of human trafficking, slavery, debt bondage, forced labour and other slavery-like practices—not something that the average Australian would expect to happen in our country. Very few of these people are detected. Although more research in this area is needed, the Australian Institute of Criminology has estimated that for every detected victim of modern slavery, another four victims go undetected. There is every reason to suspect that this number might be rising with a 35 per cent annual rise last year in the number of suspected slavery victims in the United Kingdom—a country very similar to Australia. Addressing modern slavery in Australia involves not only the issue of people living in these conditions, but also the existence of modern slavery in supply chains. Australia is very much complicit in that regardless of whether that conduct occurs in a state, in the country or internationally.

It has already been said that the commonwealth Modern Slavery Act 2018 came into force on 1 January this year. That legislation requires certain large businesses and other entities operating in Australia to publicly report the steps they take to keep their supply chains free from the worst forms of modern-day slavery. It is particularly aimed at ending child and forced labour as well as human trafficking. The first annual statements required under the law will be due mid-next year and will be made publicly available. However, I want to express my concern and disappointment that, unfortunately, there will be no penalty if companies are noncompliant with these provisions. I note that the UK, in 2015, and France have implemented similar laws, and other jurisdictions are also contemplating this. We are part of an international trend to address this matter. Although these laws are an important step in the right direction, they unfortunately lack teeth. I acknowledge the criticism from human rights advocates who say that the laws do not go far enough because there are simply no consequences for the companies that do not comply. I compare that with the disturbing eagerness with which the federal government is currently trying to clamp down on the capacity of unions to perform their job, noting that unions are usually at the forefront of drawing attention to a lot of modern slavery provisions. I wish that just as much attention would be paid to the accountability of those corporations that engage in modern slavery.

In June 2018, the New South Wales government, following its own inquiry, also decided to do something about this and passed a modern slavery law—although I note that its commencement has been delayed because of a range of complexities. The legislation has now been referred to the New South Wales Standing Committee on Social Issues for review. That proposed law created an independent Anti-slavery Commissioner to monitor what is happening. A really important element is that it will also provide for an improvement in services to victims, including improved victim identification, which is really important. It will also establish a modern slavery hotline, as well as initiatives to improve offender prosecution. It promotes broader action against modern slavery and introduces penalties for those companies failing to comply with requirements. As has already been mentioned, it also has a lower threshold than the commonwealth law for businesses that are required to report, and lowers the turnover threshold from \$100 million to \$50 million.

In comparison, Western Australia has not done as much as it could have in this area. Of course, I welcome the Western Australian inquiry into wage theft, because that is an associated area. However, Western Australia could and, I think, should be doing much more to raise and address the issue of modern slavery. Frankly, modern slavery is heinous and affects incredibly vulnerable workers, as the personal stories in Hon Samantha Rowe's contribution highlighted. This is an important human and workers' rights issue and we should be doing everything we can to eradicate it. If the commonwealth scheme lacks teeth and is ineffective—there is a risk that that is the case—we need to consider introducing some sort of state scheme similar to the one that New South Wales has contemplated. It is important to not only hold large companies accountable, but also provide easily accessible avenues for victims. They need access to justice and broader support services. We also all have an individual responsibility. An article in *The Guardian* online published last year put it well, and I quote —

... we all need to recognise the signs. Where workers are putting in excessive hours, where they have no language to communicate with customers or where employers seem quick to speak for them, where they live in houses of multiple occupancy, we should be alert to the possibility of modern slavery.

It is a sad and very distressing sign of the times that this is very much an issue for us in Australia and Western Australia. It is important that we keep on top of it, and I thank the member for bringing this important issue to the chamber's attention.

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HON CHARLES SMITH (East Metropolitan) [12.01 pm]: I for one do not understand the Labor Party. Its members talk about wage theft and slavery in Australia, yet they support the fundamental driver of those issues—that is, the mass immigration economic model. That is the primary driver of wage theft and slavery. Let us examine the facts. For years, companies such as Domino's Pizza, Caltex, 7-Eleven, Woolworths and many fast-food franchises have been busted for roting migrant labour. This issue culminated in 2016 when the Senate Education and Employment References Committee released a scathing report titled "A National Disgrace: The Exploitation of Temporary Work Visa Holders", which documented systemic abuses of Australia's temporary visa system for foreign workers. In mid-2017, the ABC's *7.30 Report* ran a disturbing exposé on the modern day slavery occurring across Australia. Meanwhile, the Fair Work Ombudsman, Natalie James, told Fairfax that people on visas continue to be exploited at an alarming rate, particularly those with limited English language skills. It was also revealed that foreign workers are involved in more than three-quarters of legal cases initiated by the FWO against unscrupulous employers.

Later, the ABC reported that Australia's horticulture industry is at the centre of yet another migrant slave scandal, according to an Australian parliamentary inquiry into that issue. The same parliamentary inquiry was told by an undercover Malaysian journalist that foreign workers in Victoria were "brainwashed" and trapped in debt to keep them on farms. A University of New South Wales Sydney survey painted the most damaging and damning picture of all, reporting that wages theft is endemic among international students, backpackers and other temporary migrants, all of which this Labor Party and our federal government want to import en masse.

Dr Bob Birrell from the Australian Population Research Institute has released a report, based on 2016 census data, revealing that most recently arrived skilled migrants cannot find professional jobs, with only 24 per cent of skilled migrants from non-English speaking countries employed as professionals as of 2016, compared with 50 per cent of skilled migrants from the main English-speaking countries. These results accord with a survey from the Bankwest Curtin Economics Centre, which I have raised before. It found that 53 per cent of skilled migrants in Western Australia said that they are working in lower skilled jobs than before they arrived, with underemployment also rife.

The Australian Bureau of Statistics' latest "Characteristics of Recent Migrants" report revealed that migrants have generally worse labour market outcomes than the Australian-born population, with recent migrants and temporary residents having an unemployment rate of 7.4 per cent versus 5.4 per cent for the Australian-born population.

ABC radio recently highlighted the absurdity of Australia's skilled migration program in which skilled migrants have grown increasingly frustrated at not being able to gain work in Australia despite leaving their homelands to fill so-called skills shortages. As a result, skilled migrants are now demanding that taxpayers provide government-sponsored internships to help them gain local experience and a chance to work in their chosen field.

In early 2018, the Senate launched an inquiry into the operation and effectiveness of the Franchising Code of Conduct, owing in part to systematic abuse of migrant labour. There is further research from the University of Sydney documenting the complete corruption of the temporary visa system, and arguing that Australia is running a de facto low-skilled immigration policy. In late June 2018, the government released new laws to combat modern slavery which, bizarrely, imposed zero punishment for enslaving people. Over the following few months we witnessed widespread visa roting across cafes and restaurants, including among high-end establishments, such as the Rockpool Group and, most notably, companies associated with celebrity thief—sorry, celebrity chef—George Calombaris, who has had to back pay \$7.8 million in unpaid wages and superannuation to 515 workers and has been fined \$200 000 under a deal with the Fair Work Ombudsman.

That is the evidence. It is pretty damning, I would say. Let us call it what it is—this is Australian slavery! It is not isolated. It is rampant across the services sector, as warm bodies sell themselves in the hope of securing a visa, turning labour into a profit centre for capital. It is not a bug in the system; it is the system. This is the modern Australian economic model. It is why Australian youth cannot get a job, and why some choose not to work because the wages offered are too low. This is why youth underutilisation is around 30 per cent. It is a system the "Labor" Party supports, yet it proclaims to care about workers. What has happened to the Labor Party?

HON PIERRE YANG (South Metropolitan) [12.07 pm]: I would like to thank my learned friend Hon Matthew Swinbourn for yet another fantastic motion. It is a timely reminder of the serious issue of modern slavery. It draws the attention of the house to this issue. Like the previous contributors, I support this motion wholeheartedly. Slavery is a heinous practice. I think people are fortunate to live in the modern twenty-first century and in the current environment. Slavery as a practice has never been far from the human species. During the hunter-gatherer era, there was no practice of slavery; however, with the invention of agriculture some 11 000 years ago, evidence of slavery began to emerge. Slavery was an established institution in many ancient cultures, such as the Sumer, ancient Egypt, ancient China, ancient India, ancient Greece and, of course, the Roman Empire. Real progress was not made until the 1800s. In 1807, the British Parliament passed the Slave Trade Act, which prohibited the practice of slavery trade in the United Kingdom and across the British Empire. The practice of

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slavery in the United States was not abolished until the American Civil War in the 1860s. The north was able to win that war, and it was a great outcome for all humans that the United States emerged from that war triumphant and later banned slavery to become the great nation we know today.

As I said, I am glad that we are all fortunate to live in the twenty-first century when, overwhelmingly, there is equality, fairness and compassion, and the practice of slavery is no longer a rampant or accepted part of everyday life. However, there are dark corners around the world, in Australia and, as we have heard from Hon Matthew Swinbourn, in Western Australia, where there are forms of modern slavery. Slavery as a practice did not end with its abolition in the nineteenth century. It has morphed into something different and it continues to harm people around the world. Hon Samantha Rowe mentioned different forms of modern slavery, such as women being forced into prostitution, men being forced to work in agriculture or construction, children working in sweatshops or girls being forced to marry older men against their will. Their lives are controlled by their exploiters. They lost their freedom, liberty and agency. If we were to imagine ourselves in those people's shoes, we would find their situation very distressing. It is very heartbreaking that we can stand here and debate this issue, yet there are people who cannot even stand up for themselves because of their situation.

I note that in 2018, the federal Liberal–National government gained bipartisan support to pass the Modern Slavery Act 2018 in federal Parliament; that is a very good starting point. It will go a long way to send the message to the community and the wider world that Australia is serious about this issue. I also wish to note Mr Andrew Forrest and Ms Grace Forrest for their initiative as part of Minderoo Foundation's Walk Free program.

Around the world, people are suffering, and this issue should not be swept under the carpet. I am glad that the federal government, the state government and the community are looking at this issue and having this discussion. Members will agree with me that modern slavery is a heinous practice that we do not agree with and we condemn any act that will take a person's liberty or freedom away from them. This motion is really worthwhile and I give my full support to it and Hon Matthew Swinbourn.

HON ROBIN SCOTT (Mining and Pastoral) [12.14 pm]: I would like to congratulate Hon Matthew Swinbourn on this very important motion. I think it is very important that these things are brought out for everyone's attention. I must have led a fairly sheltered life over the last 49 years, because I have not been exposed to all these forms of slavery that have been mentioned today. I have no doubt that all the types are true, and I would like to introduce to the chamber a form of slavery that should be considered. It is growing at the moment and is legal, and that is the growing industry of battery apprenticeships. I say "battery" apprenticeships because we spend more time, effort and money improving the life of a battery hen than we do improving battery apprenticeships. Today, young men and women who sign up with organisations hoping for thorough training and that, at the end of it, they will come out of their chosen fields with a trade certificate are very disappointed. Many companies use these organisations and use apprentices as slave labour. First-year apprentices are going out and digging trenches, and they do that for the next two, three or even four years. If a person is unfortunate enough to choose an electrical or plumbing apprenticeship with one of these apprenticeship companies, they will spend many hours of the day digging trenches. Believe it or not, there is an art to digging a trench, and if any member wants to know how to do it, I will gladly give them a demonstration outside the chamber any time.

The ACTING PRESIDENT (Hon Robin Chapple): As long as you do not destroy any government property, I assume.

Hon ROBIN SCOTT: Thank you.

Being really serious, it is unfortunate that young people today are not getting the training that they need. In the old days of black-and-white television—in the regions, there was only one radio station, ABC—if a person became an apprentice, they entered into a contract with the company. The deal was that they would work hard for five years, as it was then, and they would be given full and solid training in whatever trade they chose, but today that is not happening. Many of these organisations are offering apprenticeships in every trade, from carpentry, plumbing and electrical to mechanical fitting, and young people who are desperate for a trade are taking these trades on and lasting 12 months, maybe two years, and then leave. The other ones who just manage to hang on and complete the four-year apprenticeship will spend the next few years as a tradesperson hanging doors, changing tap washers and digging trenches. They cannot perform the trade the way they should, because they have not been trained properly. After a couple of years as a tradesperson they just give it away and become truck drivers, bricklayers or whatever. It is really important that we understand that we are not training tradesmen the way we need to. This is why we have to bring trades from overseas—because we cannot fill the spots. There is one way of solving this. In the 1970s, we had trades inspectors. They would go around and make sure that the apprentices were being trained properly. We do not have that anymore and, unfortunately, unless we reintroduce that, things will continue along the same lines.

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As a crossbencher, there is not a lot I can do except speak my piece in the chamber, but the people on my left can do something about this today. They can do it this afternoon. They can start talking to these organisations, find out where they are going wrong and do something about it. I hope that they listen to what I have said in the debate in the house on Hon Matthew Swinbourn's motion, because I have dealt with apprenticeships and apprentices for the last 35 years, having completed my apprenticeship 45 years ago. Please try to understand that the young people are our future. They are the tradesmen of the future, and unless we do something now to continue to provide the quality tradesmen that we used to have, we will be falling into a pit and will always rely on overseas labour.

HON DARREN WEST (Agricultural — Parliamentary Secretary) [12.20 pm]: I, too, commend Hon Matthew Swinbourn for bringing this motion to the house today, and I do so for a reason different from the one that I often provide. I had very little knowledge of this topic until it was raised and debated, and I have certainly taken quite a bit of time over the last couple of days to research it. I agree with Hon Robin Scott—that was one of Hon Robin Scott's better contributions in the house—in that we are sometimes shielded from this issue because we live fortunate lives. A lot of these sorts of things go on and we are totally oblivious to them. I thank Hon Matthew Swinbourn for moving the motion and giving us all the time to reflect on and think about this very real thing that is happening among our people.

When I think about slavery, my mind automatically goes to the Atlantic slave trade, which eventually ended. Of course, we have modern slavery—a new kind of slavery that has been articulated by previous speakers. Hon Robin Scott is right; as a government there are things that we can do. I do not accept Hon Charles Smith's notion that there is a direct link between immigration and modern slavery. No doubt there are people experiencing this phenomenon who are not migrants and there are no doubt migrants, such as Hon Charles Smith and Hon Robin Scott, who have not been afflicted by the heinous practice of modern slavery. I do not think Hon Charles Smith can draw that parallel at all. I concede that migrants may be more prone to being preyed on by the perpetrators of these actions, but I have found no direct link between migration and this issue.

I will touch on what our government can do. We have committed to progressing reforms to state employment legislation so that Australia can comply with and ratify the International Labour Organization protocol on forced labour. At present, the state's Industrial Relations Act 1979 and the Minimum Conditions of Employment Act 1993 exclude employees engaged in domestic service, which means that such workers are excluded from minimum wages, leave entitlements and award coverage, which are the very things for which the Labor Party has fought for over 100 years. We will have a look at those acts. The exclusion affects people who provide cleaning, housekeeping and childcare services in the home, as well as aged-care and disability support workers who are engaged by householders in a domestic setting. The number of workers in this category is set to expand substantially with the rollout of the National Disability Insurance Scheme in Western Australia.

I am very proud to say that I belong to a union that represents a lot of people who fall into these categories.

Hon Martin Aldridge: Which union?

Hon DARREN WEST: I am a member of United Voice. If the member had looked up my annual return, he would know that. I am proudly a member of United Voice, and one of the things that attracted me to that union was that it regularly represents people who are on low incomes and work part-time jobs—predominantly women—who are often vulnerable to exploitation by dodgy employers and practices such as modern slavery. Hon Martin Aldridge, I am very proud to be a member of that union.

As the incidence of home-based work increases, there is no sound policy justification for excluding these employees from employment protections. The invisibility of work performed in the home makes domestic workers an especially vulnerable group. It is an anachronism that these exclusions persist in Western Australia. Such employees are covered by the WA Long Service Leave Act 1958 and other employment-related legislation on workers' compensation, occupational health and safety and superannuation. In every other state and territory, they are covered by the federal Fair Work Act 2009. Western Australia is the anomaly and it is incumbent on us as a government, Hon Robin Scott—now that this issue has been brought to light so well by Hon Matthew Swinbourn—that we do something about it. I am confident that we can and we will.

There is a lot of information on this issue and I encourage members to read it, whether or not they speak on this motion. I know other members want to make a contribution. It is one of those practices that occurs in the dark corners of society. I acknowledge Hon Matthew Swinbourn for shining a light in those dark corners so that people like me become a little bit more familiar with some of the sinister practices that are happening amongst us to all kinds of people. I thank the member for the motion. I support it wholeheartedly and I encourage others to do the same.

HON NICK GOIRAN (South Metropolitan) [12.25 pm]: I rise on behalf of the opposition to speak to the motion moved by Hon Matthew Swinbourn. I thank the member for bringing the motion to the attention of the house. In the few minutes that I have, I will speak briefly about the contributions made by Hon Matthew Swinbourn and Hon Samantha Rowe.

Hon Matthew Swinbourn; Hon Samantha Rowe; Hon Alison Xamon; Hon Charles Smith; Hon Pierre Yang; Hon Robin Scott; Hon Darren West; Hon Nick Goiran

I was interested to hear Hon Matthew Swinbourn ask the state government to consider a law along the lines of the one in New South Wales. I was also interested to hear from Hon Alison Xamon about the status of the New South Wales legislation. What both members said has a lot of merit. I indicate to Hon Matthew Swinbourn, the mover of the motion, that if he would like to explore that on a bipartisan basis, I would be quite happy to do so. It strikes me as the type of issue—particularly given what Hon Alison Xamon said about there being some issues with the New South Wales legislation and that it might be on hold—that warrants an inquiry. I know there are probably more than enough house select committees at the moment and that members have enough inquiries, but if there is a window of opportunity in this fortieth Parliament to look at this issue, I would be quite happy to work with the honourable member to look at the New South Wales model to see whether it is applicable in the Western Australian context. I thank him for bringing this important issue to our attention.

I was moved by the contribution of Hon Samantha Rowe, and particularly her references to sexual exploitation and trafficking. I agree with her that those elements are sadly found in the overall umbrella of modern slavery. It is deeply troubling when any person is subjected to sexual exploitation. I remembered hosting a movie presentation here at Parliament but I could not remember how long ago it was. It was almost exactly eight years ago on 16 August 2011, which just goes to show how quickly time flies. The movie was titled *Nefarious* and it is worth a look. I think members will appreciate it. I caveat my remarks by saying that it is hard to watch. It is certainly not an uplifting movie, but it is an important documentary on exactly the issues raised by Hon Samantha Rowe of sexual exploitation and human trafficking. We really do kid ourselves if we think that those things happen in other jurisdictions and not in Western Australia. It is too easy for us to fall into the trap of thinking that these things happen only in Third World and Eastern Bloc countries and places far removed from Western Australia. We kid ourselves if we think that they are not happening now. There may be a difference in prevalence. That might be the case; I simply do not know the answer to that. I suspect that there is less prevalence, but less prevalence is irrelevant to the person who is being subjected to sexual exploitation. For that one person who has been trafficked into Western Australia and is subjected to sexual exploitation, it is horrendous. I hate that that happens in Western Australia.

I think that the motion moved by Hon Matthew Swinbourn requires further consideration. It is a worthy matter that has been brought to our attention. I consider what he has had to say, and particularly the remarks by Hon Alison Xamon about the status of the New South Wales legislation, in the context of what Hon Samantha Rowe said to us about sexual exploitation and human trafficking. I would like to think that as a chamber we could all work together to investigate whether this could be implemented in Western Australia.

HON MATTHEW SWINBOURN (East Metropolitan) [12.30 pm] — in reply: I would like to thank all the contributors to the debate. Many of them gave considered and thoughtful responses on the motion I moved. I appreciate the invitation that Hon Nick Goiran has made to work towards something in this area; that is quite encouraging. There should be consensus on this matter. There should not be any political pointscoring on an issue such as modern slavery, because I do not think any reasonable person—there are many on the other side—could possibly support or condone an act or practice of modern slavery at any level. With those short comments, I reinforce that there are no excuses or defences to modern slavery practices anywhere in the world, including in this state.

Motion lapsed, pursuant to standing orders.