

PRI RESPONSE

REVIEW OF AUSTRALIA'S MODERN SLAVERY ACT 2018

22 November 2022

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To inform this response, the following investor group has been consulted: PRI Regional Policy Reference Group for Australia. This consultation is not an endorsement or acknowledgement of the views expressed in this briefing.

INTRODUCTION

The Principles for Responsible Investment (PRI) works with its international network of signatories to put the six Principles for Responsible Investment into practice. Its goals are to understand the investment implications of environmental, social and governance (ESG) issues and to support signatories in integrating these issues into investment and ownership decisions. The PRI acts in the long-term interests of its signatories, of the financial markets and economies in which they operate and ultimately of the environment and society as a whole.

The six Principles for Responsible Investment are a voluntary and aspirational set of investment principles that offer a range of possible actions for incorporating ESG issues into investment practice. The Principles were developed by investors, for investors. In implementing them, signatories contribute to developing a more sustainable global financial system.

The PRI develops policy analysis and recommendations based on signatory views and evidence-based policy research. The PRI welcomes the opportunity to respond to the Australian Government call for feedback on the review of the Modern Slavery Act 2018 (the Act).

ABOUT THIS CONSULTATION

Under the Act, large businesses and other entities operating in Australia must report annually on how they are addressing modern slavery risks in their domestic and global operations and supply chains.

The Australian Government is undertaking a [statutory review](#) of the Act's operation and compliance over the first three years since commencement. The review commenced on 31 March 2022 and is to be completed within one year, followed by a report to be tabled in Parliament.

The present consultation is open to all members of the public and aims to identify whether additional measures are necessary to improve the Act's operation and compliance in the Australian context.

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KEY RECOMMENDATIONS

The PRI welcomes the review of the Modern Slavery Act 2018 and commends the Australian Government for its decision to move towards improving the Act, and its commitment to improving the quality of this instrument. The PRI recognises forced labour and child labour, as covered in the Act, to be human rights issues of the utmost importance. To this end, the PRI has previously participated in the Finance Against Slavery & Human Trafficking (FAST) Commission, which was formed as a public-private partnership between the Governments of Liechtenstein, Australia and the Netherlands, United Nations University Centre for Policy Research and the Liechtenstein private sector and charitable group, and chaired by the previous CEO of the UN-backed Principles for Responsible Investment.

While the introduction of the Act has been an important step forward in drawing attention to these issues, the effectiveness of the Act in addressing modern slavery has so far been limited. The scope of the Act's requirements is currently restricted to the disclosure of risks and does not incentivise entities to take additional measures to prevent and mitigate human rights impacts. Even with this relatively narrow focus, evidence shows that most entities are still not sufficiently disclosing modern slavery risks. Accordingly, changes should be made to the Act, both to increase its reach and effectiveness, and to align with international standards and emerging regulation in other leading jurisdictions.

The PRI's key recommendations are:

- The Minister and relevant departments should further review the quality of the modern slavery statements submitted up to this point and provide reporting guidance to ensure greater consistency, especially for companies operating in high-risk sectors or locations. To this end, relevant departments should indicate which organisations are issuing high quality statements and highlight elements that make those statements stand apart. This could be done in the form of case studies.
- The threshold to determine which entities are required to submit an annual statement under the Act should be reviewed, to bring it in line with the requirements in other jurisdictions such as the UK. This is especially true for companies operating in high-risk sectors.
- The Act should clearly express the requirement for entities to carry out a due diligence process. This process should initially focus on modern slavery, and possibly be extended to a wider range of human rights issues on the occasion of the next review of the Act, which should take place within the next three years. In line with developments in other jurisdictions, the due diligence provisions should include a requirement on entities to continuously identify, prevent, and mitigate negative human rights impacts, and to remedy any harms they have caused or contributed to, where there is a clear link between their actions and the harm. Robust due diligence requirements would:¹
 - further bring the Australian regulation in line with those in force or under development in leading jurisdictions, thus supporting coherency and comparability;

¹ PRI (2020), [Why and how investors should act on human rights](#).

- support investors to discharge their responsibility to respect human rights under the UN Guiding Principles on Business and Human Rights and OECD Guidelines for Multinational Enterprises; and
- protect investors from reputational risks and help them achieve higher risk-adjusted returns.

Detailed guidance on how to implement due diligence should be published, with a focus on the implications for different sectors, including case studies, both national and international.

DETAILED RESPONSE

IMPACT OF THE MODERN SLAVERY ACT

1. Has the Modern Slavery Act had a positive impact in the first three years?

The PRI recognises that the adoption of the Act has been an important first step in combatting modern slavery in the Australian market and commends the Australian Government for taking a bold action in this direction.

The prohibition of slavery is one of the strongest norms in international law. It has been translated into a wide range of international and domestic legal regimes. Yet slavery is all around us, in every region of the globe. Modern slavery represents a tragic market failure that leaves us all worse off. It involves treating people as disposable objects to be exploited rather than full agents participating in our shared economic and social life. As a result, we all miss out on their lost potential. It also creates significant costs for society at large: law enforcement costs, healthcare costs and foregone economic inputs.

Despite these imperatives, studies have shown that the effectiveness of the Act, especially with regards to higher-impact sectors, has been limited. An analysis of 102 company statements published in the first reporting cycle of the Act, focused on the highest-impact sectors (i.e., garment, healthcare, horticulture, and seafood) shows that just 59% of the mandatory criteria were addressed on average. According to the study “less than one in four companies (23%) fully address the mandated reporting requirements, with areas such as risk assessment, remediation, measuring effectiveness, and consultation particularly poorly handled”.²

Further research shows that more than a third of Australia’s largest listed companies (ASX300) have poor modern slavery disclosures, with only six ASX300 companies receiving the highest rating for their modern slavery disclosure statements.³

Consequently, the PRI suggests that the Minister and all relevant departments review the quality of the modern slavery statements submitted and provide reporting guidance to ensure greater consistency, especially for companies operating in high-risk sectors or locations. To this end, relevant departments should indicate which organisations are issuing high quality statements and highlight the elements that make those statements stand apart. This could be done in the form of case studies.

2. Is the ‘transparency framework’ approach of the Modern Slavery Act an effective strategy for confronting and addressing modern slavery risks, including the drivers of modern slavery?

Considering the evidence identified above, the PRI believes that the approach currently taken by the Act is insufficient to adequately address the risks of modern slavery in supply chains. For this reason, a more direct approach is warranted, including the introduction of a due diligence requirement (see

² Human Rights Law Centre et al. (2022), [Paper Promises? Evaluating the early impact of Australia’s Modern Slavery Act](#).

³ Monash University (2021), [Measuring disclosure quality of modern slavery statements: ASX300 companies](#).

answer to Question 4) and the appointment of a Commissioner with power to impose administrative sanctions in case of non-compliance (see answer to Question 23).

In general, stronger accountability mechanisms are required to address non-compliance with the Act's provisions.

3. Should the Modern Slavery Act be extended to require additional modern slavery reporting by entities on exposure to specified issues of concern? If so, what form should that reporting obligation take?

Please refer to the answer to question 4 below.

4. Should the Modern Slavery Act spell out more explicitly the due diligence steps required of entities to identify and address modern slavery risks?

Yes - research shows that, years after endorsement of the UNGPs, they have only been sporadically adopted by companies.⁴ This is a result of the inadequacy of voluntary measures and disclosure requirements which alone have been insufficient to incentivise companies to act responsibly and mitigate negative consequences for people and associated risks for both companies and investors.

In addition to disclosure, the Act should be enhanced by introducing a due diligence requirement in primary legislation, requiring entities to continuously identify, prevent, and mitigate negative human rights impacts.⁵ This would be in line with developments in leading jurisdictions around the world and enable investors to better manage financial risks in line with their beneficiaries' and clients' best interests. Indeed, leading investors recognise that meeting international standards – and preventing and mitigating actual and potential negative outcomes for people – leads to better financial risk management, while also helping them align their activities with the evolving demands of stakeholders.⁶

This requirement could initially focus on issues of modern slavery. At a later stage, consideration should be given to extending the requirement to a wider range of human rights impacts (such as those covered by the EU Corporate Due Diligence Directive - CSDD). This could coincide with a further review of the Act, which we suggest should take place within 3 years after the adoption of this reviewed Act. This would allow the Minister and relevant department to gather the necessary data and for a potential newly appointed Independent Commissioner to issue guidance on how to conduct Human Rights due diligence.

The requirements should apply to financial undertakings, but also take into consideration the different nature of their operations, compared to those of companies acting in the real economy. Examples of this differentiated approach can be found in the recent PRI [position paper on the EU CSDD](#) (see for example, pages 3 to 4).

Any obligation should be accompanied by clear and precise guidance on how to identify the salient issues to tackle, in line with the UNGPs and OECD Guidelines i.e., focus on scope, scale and

⁴ European Parliament (2017) [Implementation of the UN Guiding Principles on Business and Human Rights](#)

⁵ The PRI has [previously recommended](#) the Canadian Government strengthen its proposed modern slavery legislation to likewise include a requirement for entities to identify, prevent and mitigate negative human rights impacts.

⁶ PRI (2020), [Why and how investors should act on human rights](#).

irremediability, and the use of leverage and multi-stakeholder avenues to find solutions. This could be part of the mandate of an Independent Commissioner.

Developments on due diligence regulation in leading jurisdictions

In support of the suggestion above, we observe several examples of due diligence responsibilities being converted into domestic law in leading jurisdictions around the world.

- The French “Duty of Vigilance” law adopted in 2017 requires human rights and environmental due diligence of the largest French companies, and foreign firms with a significant business presence in France. Civil penalties are possible where harm occurs in connection with certain business relationships.
- The more recent Netherlands Child Labour Due Diligence Act applies to companies that sell or supply goods or services to Dutch end-users, regardless of where they are based or registered, and involves potential criminal penalties for directors.
- The Norwegian Transparency Act (effective from July 2022) requires companies to ensure that human rights and decent working conditions are respected in their operations and supply chains. Companies are required to take appropriate measures to identify, address, prevent and limit violations of human rights or decent working conditions – whether potential or actual impacts. Required activities include implementing the appropriate policies, processes such as risk assessments, and providing or cooperating with efforts to provide remedy for any violations. The due diligence assessment must be proportionate to the size and nature of the subject enterprise, the context within which its business takes place and the severity and probability of adverse impacts on fundamental human rights and decent working conditions. The Norwegian Consumer Authority, charged with ensuring compliance with the Act, has the power to impose fines for non-compliance.
- The widest and potentially most consequential of these initiatives is the EU’s proposal for a Corporate Sustainability Due Diligence Directive. The proposed regulation will require companies and financial institutions to identify, prevent, and mitigate the human rights and environmental impacts connected with their business activities, including in relation to their subsidiaries and value chains. Non-compliant companies could be subject to pecuniary sanctions and civil liability, imposed by designated supervisory authorities operating throughout the European Union.

Developments in the direction of enhanced due diligence requirements are not only taking place in Europe. In New Zealand, a 2022 consultation on proposed legislation to address modern slavery and workers exploitation found that 90% of respondents either agreed or strongly agreed with the suggestion that “‘large’-sized entities should be required to meet due diligence obligations to prevent and mitigate modern slavery in their international and domestic operations and supply chains”. Eighty-seven percent of respondents supported extending this requirement to small and medium-sized entities, albeit limited to domestic operations and supply chains for New Zealand entities they have significant control or influence over. Finally, 93% of respondents either agreed or strongly agreed with the suggestion that “all entities should have to take reasonable and proportionate action if they become aware of modern

slavery in their international operations and supply chains, and/or modern slavery or worker exploitation in their domestic operations and supply chains”.⁷

Moreover, recent analysis by the UK Financial Reporting Council of the implementation and effectiveness of the Modern Slavery Act 2015 (UK) shows that an approach limited to disclosure is not sufficient to push companies to take action.⁸ For example, only 39% of the companies analysed reported one or more KPIs to minimise modern slavery risks, while just 25% of companies disclosed results against their KPIs, and just 12% confirmed they have made informed decisions based on those KPIs.

Why and how investors are acting on due diligence

Beyond these relevant regulatory developments, investors are acting on the issue of due diligence. In 2020 over 100 investors from several different jurisdictions, representing over US\$4.2 trillion in assets, signed a letter calling on governments to develop, implement, and enforce mandatory human rights due diligence requirements.⁹ The letter argues that due diligence processes are:

- Materially good for business, investors, and the economy;
- Essential in creating uniformity and efficiency as an increasing number of governments are already taking this step; and
- A necessary component for investors to fulfil [their] own responsibility to respect human rights.

The PRI is in the process of launching Advance, a stewardship initiative where institutional investors, including in Australia, will work together to take action on human rights and social issues.¹⁰ In joining the initiative, over 100 investors are committing to fully implement the UNGPs, align their political engagement with their responsibility to respect human rights and deepen progress on the most severe human rights issues in their operations and across their value chains. Examples of investors undertaking due diligence can be found on the PRI’s website.¹¹

The PRI is also currently in the process of developing several guidance documents on human rights due diligence for different asset classes, which may support the future work of the Australian Government on these issues. Examples of these activities are a roundtable on human rights in private markets investing,¹² and a 2022 paper on “Human rights in sovereign debt: the role of investors”.¹³ All of these initiatives build on the paper “Why and how investors should act on human rights”, where the PRI highlighted the importance for investors to engage in human rights due diligence and to engage with policymakers on this issue.¹⁴

⁷ New Zealand Government (2022) [Consultation on legislation to address modern slavery and workers exploitation: summary of feedback](#).

⁸ Financial Reporting Council (2022) [FRC Modern Slavery Reporting Practices in the UK 2022](#)

⁹ Investor Alliance for Human Rights (2020) [The Investor Case for Mandatory Human Rights Due Diligence](#).

¹⁰ PRI (2021), [Advance](#).

¹¹ PRI (2021) [PAI Partners: Defending human rights in the supply chain](#), [Dai-ichi Life: Our approach to human rights as a responsible investor](#).

¹² PRI (2021), [Roundtable: Human rights in private markets investing](#).

¹³ PRI (2022), [Human rights in sovereign debt: the role of investors](#).

¹⁴ PRI (2020), [Why and how investors should act on human rights](#)

5. Has the Modern Slavery Act been adequately supported and promoted by government, business and civil society?

No response.

MODERN SLAVERY ACT REPORTING REQUIREMENTS

6. Is AU\$100M consolidated annual revenue an appropriate threshold to determine which entities are required to submit an annual statement under the Modern Slavery Act? Does the Act impose an appropriate revenue test for ascertaining the \$100m threshold?

The AU\$100M threshold should be lowered to be consistent with other markets.

Compared to other jurisdictions (\$36m in UK and the originally proposed \$50m in NSW), Australia's threshold is significantly higher. Similar thresholds were suggested in the recent proposal for legislation to address modern slavery in New Zealand, which identified "medium" (\$20 million) and "large" (\$50 million) entities, with different requirements for each. The current high threshold in the Australian legislation limits investors' access to modern slavery-related information on Australian entities that are excluded from the reporting regime.

In recognition of this, the Government should commit to lowering the reporting entity threshold to bring it more in line with other jurisdictions and provide a clear timeline on when it means to do so.

The PRI recognises that, as highlighted in the discussion paper, there may be diminishing returns to lowering the threshold in terms of companies caught by legislation, and their ability to influence their supply chain. One potential solution would be to adopt a risk-based approach, whereby the threshold is lowered for the most high-risk sectors. This would ensure that the more high-risk sectors are covered as widely as possible, while not burdening smaller enterprises in lower-risk sectors with additional requirements.

7. Should the Modern Slavery Act require annual submission of a modern slavery statement? Does the Act contain appropriate rules for ascertaining the annual reporting timeline for entities?

The PRI supports the requirement of annual submission of a modern slavery statement. This allows greater clarity around the issue and comparability between the statements.

We are aware that introducing a single reporting timeline for all entities could increase the reporting burden for companies, in exchange for potentially relatively limited advantages in terms of comparability. For this reason, PRI would not consider this a priority.

8. Does the Modern Slavery Act appropriately define 'modern slavery' for the purpose of the annual reporting obligation?

The definition adopted by the Act is sufficiently comprehensive.

9. Is further clarification required of the phrase 'operations and supply chains', either in the Modern Slavery Act or in administrative guidelines?

The PRI believes that the definition adopted in the Act is sufficiently clear.

10. Are the mandatory reporting criteria in the Modern Slavery Act appropriate – both substantively and in how they are framed?

With regards to reporting, the PRI believes that the criteria contained in the Act can be appropriate to provide a snapshot of companies' supply chains. However, as mentioned above, reporting alone will not be sufficient if no action is taken to address the actual and potential negative human rights impacts identified.

For this reason, the PRI suggests that, beyond reporting, the Act should move towards requiring companies to carry out due diligence in relation to modern slavery, rather than simply reporting on their existing approach. Companies should be required to investigate and address modern slavery in their supply chains. Over time, ideally concurrently with a further review of the Act, this requirement should be extended to other serious human rights abuses beyond modern slavery. This would be in line with developments in leading jurisdictions around the world.

For further information, please refer to the response to Question 4, above.

11. Should more be done to harmonise reporting requirements under the Australian Modern Slavery Act with reporting requirements in other jurisdictions, such as the United Kingdom? How should harmonisation be progressed?

Due to the interconnected nature of the global economy, the PRI believes that policies against modern slavery should be as harmonised as possible, with the goal to achieve better interoperability between jurisdictions. This would allow companies with operations in a number of countries to gather common data points to report across jurisdictions and provide better data for investors on issues of modern slavery.

A drive towards harmonisation is crucial for institutional investors, to avoid subjecting them and their portfolio companies to deviating national standards. Further, this should include moving beyond reporting on modern slavery towards mandatory human rights due diligence.

Institutional investors are increasingly expected to conduct their own due diligence to manage human rights impacts. The United Nation's Office of the High Commissioner for Human Rights has confirmed this responsibility, and this expectation is set out in OECD guidelines specifically for investors. Due diligence requirements on human rights have also been introduced for investors in financial regulation in the EU both in the Sustainable Finance Disclosure Regulation and the minimum social and governance safeguards provision of the Environmental Taxonomy. Moreover, the New Zealand government recently consulted on a proposal to address modern slavery and worker exploitation in supply chains. The intention is to introduce a disclosure and due diligence-based framework aligned with the UN Guiding Principles, requiring businesses to identify and take action to address risks of modern slavery and worker exploitation.

The PRI believes that harmonisation will benefit both leaders and laggards in the medium to long-term as it drives consistency in markets and reduces compliance and reporting cost, offsetting the potential initial cost to companies to comply with the new requirements.

12. Does the Modern Slavery Act contain appropriate requirements for approval of a statement by the principal governing body and responsible member of an entity?

No response.

13. Should other reporting features of the Modern Slavery Act be revised – such as the provisions relating to joint statements, or voluntary reporting?

The mandatory reporting criteria set out in Section 16 of the Act are clear and aligned with the UNGPs in requiring entities to identify, prevent and mitigate negative human rights impacts.

However, the Act currently lacks specificity in some of its disclosure requirements. Requiring more detailed disclosures in the following three areas would enable identification, prevention and mitigation of modern slavery risk profiles that is better aligned with international standards and emerging regulation in other jurisdictions, which recognise that negative human rights impacts can occur throughout the full supply chain including downstream in relation to customers and end-users. Following are examples of the disclosures that the revised Act should require.

■ Business structures and operations

- As many companies are currently mostly only ‘ticking the box’ in relation to operations¹⁵, there is a need to be clearer on the reporting requirements (workforce, business relationships, major operations sites, key products and services procured by the company, explanations of consultation processes with entities, etc).

■ Supply chain structures

- A snapshot of the situation beyond tier 1 of the company’s supply chains.
- The types of arrangements that companies have with their suppliers.

■ Remediation processes

- Companies should provide evidence of meaningful stakeholder engagement. These requirements should be adapted to the relative level of risk that a company is exposed to, depending on elements such as its size, the extent of its supply chain, and the sector it operates in.

■ Monitoring

- The Act should have an explicit disclosure requirement on how companies are monitoring suppliers and how they are seeking to engage with workers along their supply chains. These requirements should be adapted to the relative level of risk that a company is exposed to, depending on elements such as its size, the extent of its supply chain, and the sector it operates in.

ENFORCEMENT OF THE MODERN SLAVERY ACT REPORTING OBLIGATIONS

14. Has there been an adequate – or inadequate – business compliance ethic as regards the Modern Slavery Act reporting requirements?

Unfortunately, data from recent studies on the implementation of the requirements shows that adoption has not been as widespread as hoped. For further reference, please see response to question 1 above.

¹⁵ Ibid, note 1. Also Vanessa Zimmerman & Alice Cope (2020), [Learning from the first Australian Modern Slavery Statements: what are companies doing well and how could they improve?](#)

- 15. Has government administrative action been effective in fostering a positive reporting and compliance ethic during the first three years of the Act? What other administrative steps could be taken to improve compliance?**

No response.

- 16. Should the Modern Slavery Act contain additional enforcement measures – such as the publication of regulatory standards for modern slavery reporting?**

The Act should introduce an appropriate accountability and enforcement mechanism to ensure better compliance. Relying on transparency and voluntary compliance alone will be inadequate to achieve meaningful action, and we've seen poor implementation of modern slavery regulation in other jurisdictions in the absence of appropriate accountability.

Internationally, analysis has shown that the lack of enforcement of the Modern Slavery Act 2015 (UK) has meant that, on average, 3 out of 5 in scope companies are reporting with most merely publishing general statements.¹⁶ As such, additional enforcement measures to ensure adequate and comprehensive reporting are welcome including, for example, civil penalties as discussed further in response to question 17.

- 17. Should the Modern Slavery Act impose civil penalties or sanctions for failure to comply with the reporting requirements? If so, when should a penalty or sanction apply?**

No response.

PUBLIC SECTOR REPORTING REQUIREMENTS UNDER THE MODERN SLAVERY ACT

- 18. Should any alteration be made to the Modern Slavery Act as regards its application to Australian Government agencies?**

No response.

- 19. Does the annual Commonwealth Modern Slavery Statement set an appropriately high reporting standard in the Foundation and Discovery Phases of reporting?**

No response.

- 20. What action, if any, should be taken to ensure a common standard of modern slavery reporting among Commonwealth, state and territory government agencies in Australia?**

No response.

MODERN SLAVERY STATEMENTS REGISTER

- 21. Does the Register provide a valuable service?**

Please see response to question 22 below.

¹⁶ Business & Human Rights Resource Centre (2021), [Modern Slavery Act: Five years of reporting](#).

22. Could improvements be made to the Register to facilitate accessibility, searchability and transparency?

The PRI supports the existence of the register, as a useful tool to identify best practices. At the same time, it is important that the register allows stakeholders to access information in an easy and practical manner. As an example, it is currently not possible to easily screen between reports that have been deemed compliant with the requirements of the Act, and those that have not. Moreover, there is no way of sorting the data in order to identify which reports have been revised.

ADMINISTRATION AND COMPLIANCE MONITORING OF THE MODERN SLAVERY ACT

23. What role should an Anti-Slavery Commissioner play, if any, in administering and/or enforcing the reporting requirements in the Modern Slavery Act? What functions and powers should the Commissioner have for that role?

The PRI supports the development of robust enforcement mechanisms to ensure the effective implementation of the Act. While these can take different forms based on the existing institutional arrangements, other leading jurisdictions such as the UK and New South Wales have opted for the appointment of an Independent Anti-Slavery Commissioner. To ensure harmonisation between jurisdictions, the PRI would support the establishment of a similar office in Australia.

If established, any office of the Anti-Slavery Commissioner should be adequately resourced and should monitor compliance and report annually. In line with the suggestion above, to aim towards interoperability and consistency across jurisdictions, the Independent Modern Slavery Act Review run in the UK in 2021 can provide a useful blueprint for how this body can be instituted, and the powers it should be assigned. The review found that “there is a general agreement between businesses and civil society that a lack of enforcement and penalties, as well as confusion surrounding reporting obligations, are core reasons for poor-quality statements and the estimated lack of compliance from over a third of eligible firms.”¹⁷ As a partial solution to these issues, the review suggests that “Government should bring forward proposals to set up or assign an enforcement body to impose sanctions on non-compliant companies. Fines levied for non-compliance could be used to fund the enforcement body.”

In addition, along the lines of the similar office created in New South Wales, an Anti-Slavery Commissioner’s remit should include, among others, “advocacy, community awareness, guidance, maintaining the public register, publishing codes of practice, monitoring government agency reporting, advice to government, annual reporting and victim support [...]”¹⁸ Considering that most companies do not currently have a lot of visibility and information beyond tier 1 suppliers, further support should be provided, for example through additional guidance or establishment of a nation-wide database.

24. Responsibility within government for administering the Modern Slavery Act.

No response

¹⁷ The RT Hon Frank Field MP, the RT Hon Maria Miller MP, & the RT Hon Baroness Butler-Sloss GBE (2021), [Independent review of the Modern Slavery Act: Final Report](#).

¹⁸ Australian Government (2022), [Review of Australia’s Modern Slavery Act 2018](#), p. 17.

REVIEW OF THE MODERN SLAVERY ACT

- 25. Is a further statutory review (or reviews) of the Modern Slavery Act desirable? If so, when? And by whom?**

Please see the response below.

- 26. Should a periodic review process (other than a statutory review) be conducted of the Modern Slavery Act and its implementation? What form should that review process take?**

Yes, along the lines of this process. As we have seen, the uptake of the requirements has not been as high as expected, so it will be necessary to ensure this review is effective. A similar, three-year period for a further review would be a useful timeline to allow an assessment of the effectiveness of the current review.

The PRI has experience of contributing to public policy on sustainable finance and responsible investment across multiple markets and stands ready to support the work of the Australian Government further to tackle Modern Slavery in global supply chains.

Please send any questions or comments to policy@unpri.org.

More information on www.unpri.org