

Australian Government Anti-People Trafficking Strategy Whole-of-Government Performance Management Reporting

Trafficking in persons is a complex form of transnational crime.

While there is little reliable data about the nature and extent of people trafficking, there is general consensus that trafficking in persons affects almost every country in the world. Globally, men, women and children are trafficked for a wide range of purposes, including: sexual servitude; forced labour; illicit adoption; forced recruitment into militia or the armed forces, and the harvesting of body organs.

Opportunities to traffic people into Australia are limited because of our strong migration controls and geographic isolation. However, Australia is a destination country for victims of trafficking, mainly from Asia (particularly Thailand, South Korea and Malaysia). The majority of victims identified by Australian authorities have been women working in the sex industry.

Australia's National Action Plan to Eradicate Trafficking in Persons was implemented in 2003. It focuses on prevention, detection and investigation, criminal prosecution, and victim support and rehabilitation. Australia's whole-of-government response to trafficking in persons has provided support to victims of trafficking for sexual exploitation and other forms of exploitative labour, and has seen the successful prosecution and conviction of a number of people traffickers.

Australia ratified the *United Nations Convention against Transnational Organized Crime* in 2004 and its supplementary *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* in 2005.

This first data report on the Australian Government's Anti-People Trafficking Strategy covers the period from the implementation of the Government's anti-people trafficking strategy in January 2004 until 30 June 2010. Subsequent reports will be issued on a six-monthly basis.

Investigations and Prosecutions

Between January 2004 and June 2010, the Australian Federal Police (AFP) undertook over 270 investigations and assessments of allegations of trafficking-related offences, leading to 39 people being charged. Most were for matters related to sexual servitude; a smaller number of investigations involved labour exploitation as the primary criminal conduct.

At 30 June 2010, there were six trafficking-related matters before the Australian courts, involving eight defendants. Three of the six matters were in the appeal phase. As trafficking offences only entered into force in August 2005, the majority of matters prosecuted have involved slavery offences under Division 270 of the *Criminal Code Act 1995* (Cth).

As at 30 June 2010, six people had been convicted of people trafficking related offences; a further four defendants have been convicted but are currently appealing their decisions; and a further four defendants are currently facing charges before the courts.

Of the six finalised convictions, three of the defendants were convicted of slavery offences, two were convicted of sexual servitude offences and one was convicted of people trafficking for sexual servitude with deceptive recruitment.

Support for Victims of People Trafficking Program

Australia provides a comprehensive range of support service for suspected trafficking victims through its Support for Victims of People Trafficking Program. The Support Program is demand driven and available to all victims of trafficking who meet the eligibility criteria, regardless of gender or the purpose for which they were trafficked. The Support Program helps clients to meet their basic needs for safety, food, accommodation, mental and physical health and well-being. It also provides opportunities for clients to learn new skills, and to support themselves while they develop options which will assist in their reintegration when returning home, or if staying in Australia, after they leave the Support Program.

The Support Program is available to people who have been identified as a victim of trafficking irrespective of the visa they hold or whether or not they are willing and able to participate in the criminal justice process. Eligibility is determined by the AFP and victims are usually detected by Department of Immigration and Citizenship (DIAC), the AFP or through self presentation to a police station.

At 30 June 2010, a total of 155 clients had been referred to the Support Program since its inception in January 2004. Most victims of trafficking identified in Australia were women working in the commercial sex industry. Twenty-three clients were victims of labour trafficking outside the sex industry.

Stream	As at 1 May 2009	As at 30 June 2010	Total number of clients between 1 January 2004 and 30 June 2010
Assessment	2	1	52
Extended intensive support	0	0	5
Justice Support	40	50	97
Temporary Trial	0	0	1
Total	42	51	155

People Trafficking Visa Framework

Australia has implemented a visa framework which supports those in genuine need of protection while targeting the traffickers. On 17 June 2009, the Australian Government announced changes to Australia's anti-people trafficking strategy to provide better support for victims. The changes simplify and add flexibility to the visa framework, and gave victims and their immediate family members greater certainty about their immigration status. They also enable a wider range of victims to access support and improve services to victims and their families.

The new arrangements came into effect on 1 July 2009 and the People Trafficking Visa Framework now comprises three visas:

- Bridging F visa (BVF)
- Criminal Justice Stay visa (CJSV), and
- Witness Protection (Trafficking) (Permanent) visa (WPTV).

Between 1 January 2004 and 30 June 2010:

- 134 suspected victims of people trafficking were granted a BVF
- 87 suspected victims of were granted a CJSV (under the People Trafficking Visa Framework), and
- 17 suspected victims were granted Witness Protection (Trafficking) (Temporary) visas, and
- 17 victims and nine of their dependants were granted a WPTV.

No Witness Protection (Trafficking) (Temporary) visas were granted between 1 July 2009 and 30 June 2010, as that visa class ceased on 30 June 2009.