

The role of the Federal Government in stopping sex trafficking: What more can be done?

Introduction

Thank you for the invitation to speak today at this conference. “Stopping the Traffic” in women and girls at a global and national level is certainly an issue of great concern for the Federal Australian Labor Party, as it is for our colleagues in State and Territory Governments across the country. Today I will outline for you in further detail what Labor believes should be happening at a Federal level to help stop the traffic, both now and in the future. I can assure you that none of it involves green lights to the traffickers.

Firstly, I would like to convey the sincere apologies of Nicola Roxon, Labor’s Federal Shadow Minister for Population and Immigration, and also Shadow Minister assisting the Leader on the Status of Women, who couldn’t be here as Parliament has been recalled for an address by the President of China today.

Nicola was very keen to attend and congratulate those involved in organising this conference, both for putting together such an excellent program and for the strong advocacy to all levels of Government over the past 12 months. It certainly has been a successful lobbying effort. Nicola’s dual roles as Labor’s immigration spokesperson and the shadow minister for the status of women gives her a unique double and pressing reason to be actively involved in this issue.

By attending today and delivering Nicola’s speech I will ensure that all issues raised and suggestions for the future will be passed on to Nicola. I am also happy to take questions and pass them on, but I’m sure you can understand that I may not be in a position to answer them all today.

What is the Federal Government role?

As signatory to the UN convention and protocol relating to trafficking in people, there are strong international obligations on the Australian Government. However, there should also be a strong moral and domestic responsibility to act in the face of such blatantly abusive, exploitative and criminal activities.

Labor also believes there is a clear role for the Federal Government because it has a great deal of power in the arena of international relations – the recent Free Trade Agreement with Thailand being a pertinent example. Hopefully this closer economic relationship will provide the opportunity to look at other issues affecting both countries, such as ways we can help Thai women out of poverty and become less reliant on selling their bodies in order to feed their families.

With the Federal Government having clear responsibility for implementing our international obligations, overseeing the national criminal code (crime is mostly state but there are national crimes in certain areas like this), the immigration system, the operation of the Australian Federal Police, and last but not least the Office of the Status of Women, there is a very strong reason for any federal government to take the lead role in stopping the trafficking of people into this country.

It is clear that people trafficking, particularly in women and girls for the purposes of sexual services, has been a growing problem over the past decade and possibly for longer. Latest reports show that Interpol consider trafficking one of the major international criminal activities. The Howard Government now seems to understand this, while previously it has only focussed on the issue of people smuggling across our borders.

Sadly people caught up in the sex trafficking trade have been left off the agenda – up until now.

Labor would like to congratulate Minister Ellison and others involved in the release last week of the new package of measures to combat people trafficking, and welcome the real change of heart that is being signalled. It is certainly a great “leap” forward from the denials we were hearing from Minister Ruddock barely 6 months ago, who didn’t really want to acknowledge that the problem even existed.

Labor publicly welcomed this package of measures on the day that they were announced and think that each step is important. Labor believes, however, that there is still much work needed to see the package turn into action and ensure the substance backs up this new commitment. Labor will take its job seriously in monitoring the implementation of this new initiative and the Government will have our support on action taken to make the policy a reality. The Minister (Ellison) outlined last night some of the ways in which this would occur, but there are still many questions to be answered and details to be provided about how these measures will work.

Importantly, Labor believes that in order to be effective there MUST be a joint effort, with State Governments, a range of Commonwealth and State agencies, as

well as NGOs in order to make this package of measures successful in preventing the future trafficking of women into this country.

Further, the resources allocated do need to be put in perspective - \$20m over four years is the same amount of money the Howard Government has just put into a TV campaign trying to convince Australians that their new measures to destroy Medicare should be seen as a “Fairer Medicare” package.

Despite welcoming the overall strategy, Labor would like to identify some areas of concern about what the package does and doesn't include:

- “Women” appear to be the invisible players in all of this, as they are not mentioned at all in the Government statement (the use of the term “trafficking in persons” may provide some gender neutrality, but it also dehumanises the issue – we are talking primarily about women and young girls here, not objects)
- the package is very light on detail – there are many questions to be answered about what exactly is being proposed, and Labor will play a key role in teasing out further detail
- there is no information currently about HOW the money will be spent – we certainly hope that the community awareness campaign doesn't chew up most of the money, like certain other publicity and advertising campaigns under this Government have. After all, the “community awareness campaign” run by The Australian and Project Respect have not cost anything to date and have been very effective!
- The Government also needs to step up efforts on current prosecutions and AFP activities, as the new measures alone will not work to decrease the apparent demand for trafficked women. Without addressing the issue of demand, measures that only kick in once the damage has been done seem like Band-aid measures. In particular, Labor would like to see employer sanctions introduced that would enable prosecutions against brothel owners who knowingly and consistently break the law by employing illegal workers. Despite some talk by the Government, they have never attempted to introduce such legislation.

Why has it taken so long for something to happen?

At the same time that we are pleased to see some action, Labor is also concerned at why it has taken so long for any real attention to be placed on this issue. After all, it is now four years since sexual servitude laws were put in place and we are yet to see any real outcomes.

It seems to be no small coincidence that the package was announced a week after Minister Ruddock left the Immigration portfolio. Multi-agency tasks such as addressing people trafficking require POLITICAL WILL, and it appears that this has been the missing vital ingredient up until now. Hopefully those Ministers who are

now taking an active role in this area will be able to keep up the momentum and ensure that this political will is not now left to languish.

Political will is important, because it can help deliver results, and the women affected are desperately in need of immediate results.

Two months ago, Nicola and I visited some young women in Maribyrnong detention centre – they had been detained by DIMIA officials in the course of a raid on some Melbourne brothels and were in the process of being deported.

For these young women and many hundreds like them, these measures and this acknowledgement of the need to provide a coordinated response has come too late. They were picked up in a raid on a brothel at the end of their miserable experience of having been trafficked. Through interpreters we were able to ascertain from two of these women that they felt completely exploited and powerless in the situation they were in – not surprisingly, they didn't feel that giving evidence against those who trafficked them would be in their interests once they returned to Thailand. It was also obvious that they had very little understanding of the way the Australian justice and police system worked – as such they were unsure who they were being asked to give evidence by, and how this information would be used. They knew that they had been caught, and accepting their fate, just wanted to get home as quickly as possible. The brothel owner and trafficker apparently walked free and continue their activities.

The other young woman had been working here for many months and had been picked up by DIMIA just after she had cleared a large “debt” to the owner of her brothel – the injustice and indignity of being returned to Thailand with no money after a significant period of working in Australia was obscene to her, as was the brothel owner's refusal to pay her the small amount of money owed to her for her last few weeks of actual paid work.

The “detain and deport” process did nothing to recognise that she had been a victim of a much bigger scam – a scam that even at that stage the Federal Government refused to acknowledge. She had in fact offered to provide some evidence about what had happened to her, but only so that it could help prevent a similar situation for another young girl living in poverty in Thailand and promised all sorts of opportunities by the people traffickers.

It shows there has to be a framework – that we in Australia have a responsibility for saying this is wrong and taking action to stop it. Relying on women in these circumstances to speak out and lead the charge is both unfair and unrealistic when they often do not speak English, have no money, have been threatened and fear returning to a life of ongoing poverty. These women cannot be expected to solve this issue without our help.

Exacerbating the problem to date, we believe, has been an inbuilt disinterest from the Howard Government in issues that affect women. There are plenty of examples of this. In Australia since 1996:

- violence against women has increased (*47,000 reported assaults in 1997 compared to nearly 64,000 last year*)
- sexual assaults against women have increased (*estimated that there were around 77,00 sexual assaults against women last year with less than 15,000 of these reported to the police*)
- pay equity has gone backwards (the gap in average full time earnings has increased from \$163 to \$197 per week)
- we still have no work and family policy from this Government,
- no Paid Maternity Leave (“over my dead body” according to the previous Minister responsible for industrial relations – and now responsible for health, including women’s health!)
- the Status of Women agency has been buried within the Prime Minister’s own department and appears to have lost any status or power of its own under Howard’s reign – in fact after the next financial year it will be stripped of any power to finance women’s programs and will be purely an administrative/policy agency
- the Government has tried to introduce legislation that would abolish the position of the Federal Sex Discrimination Commissioner, a position that under Labor put Australia forward as a world leader in combatting discrimination against women
- and even more outrageous, Labor uncovered earlier this year that the Government had taken \$10.1m tagged for domestic violence prevention campaigns and redirected it to pay for the anti-terrorism fridge-magnet campaign! It would be no surprise to anyone here that more women in Australia have been harmed in incidences of domestic violence since September 11 than have ever in our nation’s history been the victims of terrorists.

Why has the Federal Government now acted?

Clearly, the latest announcements and action is largely due to the public pressure placed on the Government. Ironically, one of the first measures announced in this new package is for a community awareness campaign to be run to raise the issue with the general public. Labor would say that many of the people in this room have already successfully done this (and without Federal government funding!)

I’m sure they have been mentioned numerous times at this conference already, but Nicola would like to make a special mention of the efforts of two journalists from The Australian newspaper, Natalie O’Brien and Elizabeth Wynnhausen – whose persistence in raising the issue of sex trafficking in the national press has been staggering, and obviously hugely successful – this truly is an example of the power of the press being used to its greatest advantage.

And the other person who almost needs no mention, but of course must receive it, is Kathleen Maltzahn and her team at Project Respect, along with the broader range of community organisations who have been raising the issue for many years now, and most importantly refusing to go away when their lobbying became too much for some members of Government in Canberra.

Kathleen first approached the ALP last year wanting us to take up the issue in Parliament as no progress seemed to be occurring - the previous Shadow Minister for Immigration, and the Leader of the Opposition, called for an independent judicial inquiry into the trafficking of women and girls into Australia more than 6 months ago.

Of course they refused, but a more limited parliamentary Committee of Inquiry was established. More than 34 submissions have now been received, and the committee will be looking at these and hearing evidence directly from groups who made submissions. Their terms of reference are limited to looking at the powers and activities of the Australian Crime Commission in pursuing the trafficking of women but Labor will push for the outcomes of this inquiry to be publicised and implemented.

What will Labor do at a Federal level?

Finally, it is important to outline what Federal Labor wants to do to ensure that sex trafficking is adequately addressed and stopped. Clearly we hope at the next election to be in Government and so will be able to work with many of you in developing further initiatives, and this has already started.

However from Opposition, we also have a very important role in keeping a watching brief on the Government's implementation of its new plan. We want to see action, and we want to see it quickly, for the sake of those women and young girls who are either here already or about to be trafficked to Australia – no excuse for delays are acceptable when you are talking about vulnerable people in vulnerable situations about to be horrifically exploited.

Labor will continue to ask questions in Parliament, through the Senate Estimates process, and through other formal channels, including the Joint Committee I spoke of earlier. Immediate questions that we can and will ask, and particularly about this new package, are:

- What are the details of the proposed new visa – what real protections and support does it provide, and in particular will it provide the women with any real certainty about their future if they do assist the authorities?
- How adequate are the existing resources and legislation that this new package is “complementing”?
- What does the Government mean when it says it will “contract manage” the delivery of support services to women who are victims of the sex traffickers – just how transparent will these “contracts” be?
- What is the nature and scope of powers of the new 23-person taskforce at the AFP – and will the AFP be getting extra resources to undertake this role, or will they be expected to do so from existing resources?

- In short, how serious is the Howard Government about ensuring that the interest of the women is protected, and that the real criminals are prosecuted and punished?

We will encourage State and Territory Ministers who have already been very active to maintain their strong interest and involvement. Nicola has two clear Shadow Ministerial roles in pursuing the trafficking of women – particularly in putting pressure on the new Minister for Immigration to ensure that the rules and regulations of the immigration system do not thwart the successful prosecution of the traffickers involved.

However just as importantly, Nicola has the role of putting pressure on the Howard Government, and the new Minister responsible for women's issues, Senator Kaye Patterson, to start taking women and women's issues seriously. Violence against women in the community in general must be addressed, and not just by public awareness campaigns, but by real commitment within Federal Parliament to stop this violence.

And finally, we will make a commitment to the women and young girls being exploited and trafficked into Australia that we will put their interests ahead of all those who exploit and benefit from their vulnerability. As Project Respect has been saying for a long time, "one woman trafficked is one woman too many", and this will be the mantra for Labor as we continue to pursue this issue at the Federal level.

Thank you again for inviting Nicola here today to speak from the Federal perspective about what more needs to be done – clearly there is a long way to go, and Labor commits to working with the people here at this conference in ensuring that our efforts go all the way to eliminating sex trafficking both here and in our neighbouring countries.

Sex trafficking is an abhorrent crime, and one that has been allowed to flourish for too long. Now is the time for the traffic to be stopped for good.
Thank you.

Presented on behalf of Nicola Roxon MP by Christine Black, Policy Adviser