

Friday, 8 December 2017

## National Compensation Scheme for victims of modern slavery a watershed recommendation

The Law Council of Australia has unreservedly endorsed the Parliamentary Committee recommendation to establish a National Compensation Scheme for victims of modern slavery.

The recommendation is contained in the Joint Standing Committee on Foreign Affairs, Defence and Trade report on reforming Australia's response to modern slavery titled [Hidden in Plain Sight: An inquiry into establishing a Modern Slavery Act in Australia](#).

Law Council of Australia President, Fiona McLeod SC, said while the Law Council would take time to process the full content of the detailed report, the recommendation for the creation of a National Compensation Scheme was critical.

"The Law Council has long argued that, for trafficking and slavery laws to be effective, they must include a thorough national compensation scheme for survivors of human trafficking, slavery, and slavery-like practices," Ms McLeod said.

"The current statutory victims' compensation schemes provided by the States and Territories allow victims to fall through the cracks with potential to lead to unjust results.

"A National Compensation Scheme is necessary not only to provide justice, but to ensure victims are incentivised to come forward and tell their stories."

Ms McLeod, who has long played a prominent role in advocating for a more robust Australian approach to anti-slavery, said the compensation element was key.

"A National Compensation Scheme is something I have raised with successive Attorneys-General and at every National Roundtable for over a decade," she said.

"The precedent exists. We have recognised that victims of overseas terrorism, and those that have suffered historical abuse in the defence force, or abuse as children at the hands of institutions, require a national compensation framework.

"So too there should equally be a harmonised program for compensation for those that have experienced human trafficking, slavery or slavery-like practices."

Ms McLeod also endorsed other recommendations in the report, including:

- Delinking access to the support for the Trafficked People Program and the Human Trafficking Visa Framework from compliance with criminal investigations; and
- Proposing a revenue threshold for the mandatory supply chain reporting requirement at \$50 million to capture many large entities operating in Australia.

"We thank the Committee for engaging so constructively with the Law Council during the development of the report," Ms McLeod said.

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