



UWA MODERN SLAVERY RESEARCH CLUSTER ([MSRC](#))

January 2021 Newsletter

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IN THE NEWS

2020 was a tumultuous year but one in which the MSRC continued to grow. We welcomed **Professor Elise Bant** to the group. [Professor Bant](#) is an expert in private law and commercial regulation and an Australian Research Council Future Fellow, awarded a [grant](#) for research on corporate fraud.

In 2020, MSRC member **Adjunct Prof. John Southalan** continued in his role as [Independent Examiner](#) of the Australian National Contact Point (AusNCP) on the *OECD Guidelines for Multinational Enterprises*. This year, the AusNCP published [an initial assessment](#) on a climate change complaint against ANZ Bank, which alleges the company's lending and investment practices do not adhere to the OECD Guidelines. The AusNCP Independent Examiner considered the admissibility criteria, engaged with the parties and determined to accept the complaint and offer 'good offices' to the parties.

In 2020, the Australian Government published the [first batch](#) of **modern slavery statements** from Australian companies as required by the *Modern Slavery Act 2018 (Cth)*, which requires all businesses with an annual turnover of \$100 million or more to report on the risks of modern slavery in their supply chains as well as the actions they have taken to address these.

Dr. Fiona McGaughey, Adjunct Prof. Holly Cullen and Ms. Rebecca Faugno discussed the first batch of statements in [The Conversation](#). Also in 2020, the Australian Government published the [National Action Plan to Combat Modern Slavery 2020-25](#), which determines the direction of the country's strategic response.

Corporations are often implicated in numerous environmental, health, economic and social harms but are rarely held to account, and in this context, **Professor Elise Bant** writes on the [‘Slippery slope of corporate guilt’](#).

EVENTS

The MSRC hosts regular **international webinars** involving UWA members and other partners. Included among these, in April 2020 the cluster hosted a webinar on modern slavery and due diligence reporting. The webinar, presented by Dr Fiona McGaughey and MSRC interns Ms Elise Milroy and Ms Michelle Lam, presented preliminary findings from the group's research project comparing the UK Modern Slavery Act, French duty of vigilance law and Australian Modern Slavery Act.

MSRC co-convenor **Associate Prof. Dave Webb** spent the latter part of 2020 working on various projects in the UK. While in the UK, Dave participated in online events hosted by The European Institute for Crime Prevention and Control affiliated with the United Nations ([HEUNI](#)). These included an event in Finland on 26 November on the 'Prevention of Labour Exploitation and Human Trafficking in Local Subcontracting Chains'. The event proved an excellent networking opportunity with participants from many key European universities and agencies with an interest in modern slavery. With a commitment to maintain the connection, the prospect of collaboration opportunities is on the horizon.

If you would like to be notified of future MSRC-organised webinars and events, please join our mailing list (see below).

STRATEGIC PLANNING

In September the MSRC held its first strategic planning workshop in which members and other stakeholders came together both in person and online to solidify the group's future direction. The workshop proved very fruitful in developing a draft strategic plan which, when finalised, will be made available on our website.

RESEARCH AND ENGAGEMENT

During 2020, MSRC members made policy submissions on modern slavery-related topics, including:

- Fiona McGaughey, Donella Casperz, Holly Cullen and David Webb, [Submission on the National Action Plan to Combat Modern Slavery 2020-2024](#).

- Fiona McGaughey, Elise Bant, Rebecca Faugno and Holly Cullen, [Submission on the Proposed WA Procurement Debarment Regime](#).

The MSRC continues to have a broad range of research interests as evidenced by a selection of recent peer-reviewed publications:

UWA Business School's **Dr Caleb Goods** has authored a number of [publications](#) on the 'gig economy' and workers' rights, exploring in particular the technology-driven transformation of the labour market, while **Associate Professor Michael Gillan** has explored the dynamics associated with the regulation of employment relations in the global supply chains of multinational enterprises (MNEs). Specifically, [Michael's work](#) identifies current and future opportunities for firm-level labour grievances and justice claims to be addressed at the supranational level.

Dr Melanie O'Brien was recently cited by the International Criminal Court for [her work](#) on the crimes of sexual violence committed during armed conflicts, mass violence and genocide, including sexual slavery, enforced prostitution and forced marriage (forced marriage being a form of modern slavery).

Professor Jane Lydon, Wesfarmers Chair in Australian History, explores Australia's colonial past and its legacies in the present. In 2020, Professor Lydon [published](#) 'A Secret Longing for a Trade in Human Flesh: The Decline of British Slavery and the Making of the Settler Colonies' and her latest [book](#) forthcoming in 2021, is on the abolition of British slavery and Australian colonisation called 'Anti-Slavery in Australia: No Slavery in a Free Land?'

Dr Fiona McGaughey considered the implications of COVID-19 on modern slavery reporting in Australia in the *Journal of Modern Slavery*: [Australia's Modern Slavery Act and COVID19: a get out of jail free card?](#) and [reviewed](#) Justine Nolan and Martijn Boersma's book *Addressing Modern Slavery*.

MSRC members have [previously published in the journal Nature](#) on the illegal fishing–modern slavery nexus and the interest continued in 2020. **Professor Erika Techera** specifically explores [controlling IUU fishing](#) through problem-oriented policing and her colleague **Dr Jade Lindley's** [recent research](#) encompasses food and fish fraud. **Professor Dirk Zeller** published on '[Illicit Trade in Marine Fish Catch and its Effects on Ecosystems and People Worldwide](#)'.

Other publications include **Professor Loretta Baldassar's** '[Transnational family care in the context of immobility regimes](#)', **Associate Professor Farida Fozdar's** the '[Ethics of the study of social problems](#)' and **John Southalan's** '[Tortious liability of subsidiaries](#)'.

For a full list of MSRC publications, please visit our [website](#) and click on member profiles. Our 2020 Annual Report will also be available soon on our website.

INTERNSHIPS

The MSRC continues its tradition of offering internship opportunities for students interested in expanding their working knowledge in the area of modern slavery. In 2020, the MSRC was fortunate to have [Elise Milroy](#) and [Michelle Lam](#) as interns.

Michelle is a recent UWA graduate with a majors in International Relations, and Law and Society. She is also a project officer on ASEAN – Australia Strategic Youth Partnership for the Break the Chain project. Elise is a recent law graduate from UWA and will start her Juris Doctor at the Law School in 2021. Both Elise and Michelle joined the MSRC as research assistant interns under the supervision of MSRC co-convenor Dr Fiona McGaughey and continue to provide much added value to the group.

At the end of 2020, and under the supervision of MSRC co-convenor Associate Professor Dave Webb, [Josefina Álvarez](#) joined the Cluster as an intern to assist specifically with developing a communications strategy. Josefina is an international postgraduate student from Chile. She will be finishing her Master of Commerce at UWA this year, with a double specialisation in Management and Marketing.

If you would like to be added to our mailing list, please contact our convenors Dr Fiona McGaughey (fiona.mcgaughey@uwa.edu.au) or Associate Professor Dave Webb (dave.webb@uwa.edu.au).