



Inquiry into the Ethical Clothing Extended Responsibilities Scheme 2005 (NSW)

TERMS OF REFERENCE

1. That the Modern Slavery Committee inquire into and report on the Ethical Clothing Extended Responsibilities Scheme 2005 (NSW) (the Scheme) and its potential to mitigate the risks of modern slavery in the clothing manufacturing industry in New South Wales, and in particular:
 - (a) the characteristics of the textiles, clothing and footwear (TCF) manufacturing industry in New South Wales, in particular:
 - (i) the size of the TCF industry including numbers of outworkers
 - (ii) the number of workers in the TCF industry and their employment status
 - (iii) the demographic profile of workers in the TCF industry, including their gender, migration status, and the language spoken at home and in their workplace
 - (iv) the lived experience of workers in the TCF industry
 - (v) the nature and complexity of supply chains in the TCF industry
 - (vi) the risks of modern slavery present in the TCF industry
 - (vii) the extent of participation by different parts of the TCF industry in alternative voluntary codes
 - (viii) the nature and pattern of reporting of exploitation, abuse or modern slavery in the TCF industry
 - (b) the current application of the Scheme in New South Wales
 - (c) the conformance of the Scheme with Australia's commitment to relevant international standards and frameworks such as the United Nations Guiding Principles on Business and Human Rights and the Organisation for Economic Co-operation and Development Due Diligence Guidance for Responsible Business Conduct
 - (d) if changes are required to the current scheme to better mitigate the risks of modern slavery in the TCF industry in New South Wales
 - (e) the enforceability of the Scheme in New South Wales, including methods for promoting compliance, such as incorporation by reference through exercise of the Anti-slavery Commissioner's power under section 27 of the *Modern Slavery Act 2018* (NSW)
 - (f) other industries that are vulnerable to the risks of modern slavery due to their supply chain characteristics, such as primary industries and construction, and the characteristics of those industries in New South Wales
 - (g) the merits of extending the Scheme to other industries that are vulnerable due to their supply chain characteristics to mitigate the risks of modern slavery
 - (h) any other related matters.

The terms of reference for the inquiry were self-referred by the committee on 24 August 2023.¹

Committee membership

Dr Joe McGirr MP	Independent	<i>Chair</i>
Ms Jenny Leong MP	The Greens	<i>Deputy Chair</i>
Mrs Tina Ayyad MP	Liberal Party	
Hon Robert Borsak MLC	Shooters, Fishers and Farmers Party	
Hon Greg Donnelly MLC	Australian Labor Party	
Hon Dr Sarah Kaine MLC	Australian Labor Party	
Hon Aileen MacDonald MLC	Liberal Party	
Ms Lynda Voltz MP*	Australian Labor Party	

* Ms Lynda Voltz MP replaced Ms Kylie Wilkinson MP as a substantive member of the committee from 6 June 2024.

¹ *Minutes*, NSW Legislative Council, 12 September 2023, pp 443-444.