

**Office of the  
NSW Anti-slavery  
Commissioner**

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**Dr Joe McGirr MP**  
**Chair**  
**Modern Slavery Committee**  
**NSW Parliament**  
**[modern.slavery@parliament.nsw.gov.au](mailto:modern.slavery@parliament.nsw.gov.au)**

23 September 2024

Dear Dr McGirr

**Report in response under section 22(3) of the *Modern Slavery Act 2018 (NSW)* to  
Report No. 2 of the Modern Slavery Committee, *Ethical Clothing Extended  
Responsibilities Scheme 2005 (NSW)***

I am writing under section 22(3) of the *Modern Slavery Act 2018 (NSW)* ('the Act') to provide my response to Report No. 2 of the Modern Slavery Committee, on the *Ethical Clothing Extended Responsibilities Scheme 2005 (NSW)*. This is also by way of response to your letter dated 8 August 2024 (Your ref: D24/038908)

I welcome the Report. I thank the Committee for conducting a thorough examination of these important issues, and for the close consideration it gave to my submissions and testimony.

I also welcome the Committee's recommendations. I particularly welcome the Committee's Recommendation that, in reviving the Scheme, the Government give consideration to incorporation of anti-slavery objectives and obligations (Recommendation 2).

For my own part, I and my Office are committed to working with the NSW Government as it develops those views and seeks to develop a smart regulatory mix that is effective in preventing and remediating modern slavery – and not only violations of relevant industrial awards. I have begun liaising with NSW Industrial Relations in this regard and intend to continue to provide input as requested as the Government prepares its response to your Committee's Report. This will include input as the Government considers relevant recommendations such as Recommendation 4 (supply-chain database).

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At the same time, I note the rather limited participation by business actors in the Inquiry process. Given the potential impact of the proposed reforms on business, I would encourage the Government to consult carefully with relevant business actors before settling its views on how to proceed. I note, in this regard, the Committee's recommendation (Recommendation 2) that the NSW Government, in reviving the Scheme, consider, inter alia, the "views of retailers within the textile, clothing and footwear industry".

Beyond the Committee's Recommendations, allow me to draw the attention of the Committee to section 19(3)(a) of the *Modern Slavery Act 2018* (NSW). This envisages the NSW Government "provid[ing] mandatory training to front-line government agencies". Your Committee's Report makes clear the need for front-line agencies, such as NSW Industrial Relations, Safe Work NSW and the NSW Police Force, to have mandated training for front-line personnel that might encounter people vulnerable to, or victimised by, modern slavery in the textile, clothing and footwear industry. To my knowledge no such training is yet mandated by those agencies. I would welcome the opportunity – and resources required – to support these agencies to develop and implement such training, perhaps in cooperation with relevant stakeholders such as unions.

Equally, I would also welcome the opportunity to cooperate with union representatives to strengthen collective capabilities for identifying and responding to cases of modern slavery in the textile, clothing and footwear sector in New South Wales. Unions play a critical role in frontline engagement with vulnerable workers. Unions have developed unique and in-depth competencies and capabilities for carrying out such engagement safely. My Office is also now developing related support and assistance capabilities, as required by sections 9(1)(b) and 12(d) of the *Modern Slavery Act 2018* (NSW). This includes 1800 FREEDOM, the confidential support and assistance helpline run by my Office which has helped over 100 people since its inception last year. There are also new supports available federally, such as the new Additional Referral Pathway onto the federal government's Support for Trafficked People Programme, which does not require cooperation with law enforcement agencies. It could be useful for my Office and relevant unions to cooperate to facilitate a mutually strengthening exchange of training resources and support and assistance opportunities.

Thank you again for your Committee's diligent work on this important Inquiry.

Yours sincerely,

**Dr James Cockayne**  
NSW Anti-slavery Commissioner