

ANNUAL

NEWSLETTER

THE MODERN SLAVERY AND LABOUR EXPLOITATION ADVISORY GROUP



DO NO HARM

SEPTEMBER 2022

WE WANT TO KNOW THAT OUR ACTIONS ARE CONTRIBUTING TO A FAIR WORLD WHERE
PEOPLE ARE TREATED WITH RESPECT AND DIGNITY



EDITORIAL

DO NO HARM – TOGETHER

FUZZ AND CAROLYN KITTO

NATIONAL CO DIRECTORS OF BE SLAVERY FREE

A COALITION BASED IN AUSTRALIA AND WORKING WITH REGIONS AROUND THE WORLD



On a trip to a spin, weave and dye factory in Tamil Nadu (India), we met with survivors of modern slavery. [Suzanne Kim](#) (director/film producer), was handed a poem written by one of the survivors. She had been trafficked from the north of India and had been tricked into working in a factory making the cotton-knit fabric that could end up in our t-shirts or trackpants.

It was a powerful message of survival, hope, overcoming extreme adversities through identity discovery, courage, and resilience. A [visual presentation](#) of the poem was then produced by Suzanne and used in campaigning the Australian government to adopt a Modern Slavery Act. In 2018 it was passed in the Parliament Australia and is now coming to its first 3-year review. New Zealand is on the cusp of introducing its own Modern Slavery Act. It is about to lead the 5th generation of legislation with an improved values-based approach on the notion of *Do No Harm*. It is a proactive approach which focuses on the value of freedom – which is taken away by slavery and abuse.

Legislation and regulations have been proven to be effective. However, it is just one prong of a multi-prong approach needed to do no harm when it comes to disrupting, preventing and abolishing modern slavery. Modern slavery has become the fastest growing illegal crime in the world. There is an urgent need to tackle its growth. As [Matt Friedman](#) from the Mekong Club estimates, everyday around 28,200 people are being caught in slavery. However, the number of people helped out of slavery each day is only around 150!

Modern slavery is what is referred to as a wicked problem. A wicked problem is a problem that is difficult or impossible to solve because of incomplete, contradictory, and changing requirements; often difficult to recognise. Many times we have heard addressing modern slavery is '*more complex than we thought*'. It cannot be solved by looking at strands. A wicked problem is not made up of strands but is a tangle of one complete thread. The perpetrators of modern slavery want to keep the thread as tangled as possible to keep it invisible. The Australian Parliamentary Report into the need for a Modern

Slavery Act was well named *Hidden in Plain Sight*.¹ The politicians on the Inquiry said to us '*we thought we were well informed people, but we had no idea what was going on!*'

Modern slavery happens in the context of a society. A society has three main prongs: government, business, and civil society. Each of these need to work together and each have roles that need to be harmoniously fulfilled. None can do it by themselves - it is a shared responsibility.

A Government's key responsibility is to provide legislation and regulations and *Rule of Law* in regard to supply chains. This ensures companies producing cheaper goods through modern slavery do not have a competitive price advantage over those entities undertaking robust due diligence – creating a level playing field.

Businesses and entities (educational, organisations, health, charities, government etc) have key responsibilities in the areas of risk management through supply chain checking, transparency, social audits, worker engagement and remediation of people found to have

been abused through modern slavery. Good businesses are based on good values. Their business models and practices value and respect people, release people from modern slavery as well as preventing it happening in the first place.

Civil society has a responsibility in purchasing goods from companies that are trying to live out their good values and do the due diligence to check, find and remediate people from modern slavery. They also have a responsibility in families, communities, faith-based groups, cultural groups and schools to educate young people in the values of the culture of the society and ethical buying habits.

Poverty is the biggest cause of people falling into slavery. As Nelson Mandela said:

Like slavery and apartheid, poverty is not natural. They are [human-made] and it can be overcome and eradicated by the actions of human beings.²

¹ Hidden In Plain Sight report https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Foreign_Affairs_Defence_and_Trade/ModernSlavery/Final_report

² Nelson Mandela issued a rallying cry to make poverty history in front of over 22,000 people in Trafalgar Square, 2005



LONGING TO BELONG

REV. CHRIS FRAZER

CHAIR OF THE MODERN SLAVERY AND LABOUR EXPLOITATION ADVISORY GROUP

The need to belong, to be valued and respected, is fundamental to the quality of being fully human. Indeed it is the very foundation for human existence and the formation of human identity. Humankind is birthed within community and each one of us has a desperate need to know we are accepted for the unique person we are, to be valued, loved and treasured for our very presence within our global home.

We all want a place where we can stand tall, rooted in a sense of belonging and security where our basic material needs are met and we have sufficient emotional resources to replenish our soul. Yet the reality for many in today's communities is that attaining those emotional and material top-ups on a comfortably regular basis remains distressingly out of reach. In particular, people who society perceives as strangers among us are the most vulnerable as they struggle to find work and a place to call home.

Choices concerning language use, and our collective labelling of individuals, influences and shapes how people think, feel, and behave toward others, both positively and negatively. Language has the capability to change how we think and how we view the world.

Grouping people with similar geographical and cultural backgrounds under a collective descriptive heading, such as – 'migrant workers', - can serve to mask the fact that these are women and men, young and not so young, who, driven by many differing factors, have left their homeland to seek paid employment and life opportunities which are not available in their native country.

It would be fair to say that while significant progress is being made in addressing modern slavery and labour exploitation within Aotearoa, incidences of trafficking in persons are still mainly viewed from a 'problem based' perspective. Predominately the wording used will reflect and reinforce this 'problem'. For example people who have found themselves in situations of trafficking are often referred to as 'victims', as opposed to being first and foremost 'survivors', individual people, each with an individual story to tell. When examining dictionary definitions of victim which range from, casualty; wounded; prey; injured party; we can see how such wording serves to strengthen the problem-based approach to dealing with people who have found themselves in exploitative conditions.

Carrying their few possessions in a bag and holding in their hearts, hopes and dreams of building a future for themselves and their families, men and women regularly pass through our arrival gates and step out into the unknown. For some the journey may be fairly smooth with employment meeting expectations; however for others the harsh reality is vastly different as they face workplace discrimination, exploitation and harassment.

Often heavily indebted to immigration agents back in their homeland to cover the cost of their travel, and purported employment costs for securing paid work, and under threat of possible deportation if they do not comply with the

employer's demands, the newly arrived worker is in a position of extreme vulnerability, and reluctant to complain to authorities.

Workers traveling here from overseas in search of a new life and employment opportunities can and do add considerable value to local economies, often taking up jobs that local people don't wish to do. Yet they may be suffering quietly in our midst through appalling working conditions, insufficient pay and unacceptably long hours of work. Our newly arrived neighbours need and deserve our support. Come join with us in our call for zero tolerance of all forms of exploitative labour within Aotearoa New Zealand and beyond.



RAISING AWARENESS WITH ETHICAL STORYTELLING

CAPTAIN SAMMY MILLAR, TERRITORIAL MODERN SLAVERY AND HUMAN TRAFFICKING RESPONSE CONTACT PERSON, NEW ZEALAND, FIJI, TONGA AND SAMOA



Telling stories is one of our greatest tools when it comes to awareness-raising campaigns and education. Stories have the power to illicit emotion, educate, shift mindsets and activate response among listeners. But there is a significant risk that in our efforts to raise empathy by telling people's experiences we might further exploit them.

Several years ago, I ran a conference to raise awareness and call people to fight against the injustices faced by women and girls worldwide. A young woman shared her personal story of exploitation. A professional working in the anti-human trafficking field then spoke about human trafficking and modern slavery. What I hadn't anticipated was that the woman who shared her story would for the first time make the connection between what had happened to her and the crime of human trafficking. This process was re-traumatising.

What was well-intentioned – allowing someone to share her story – negatively impacted a survivor in a very public setting. Appropriate assistance to process her trauma followed, but this would not have been necessary if we had been more sensitive to the risks of storytelling.³

Stories and images of suffering have long been used by organisations to create a response to the work they do. While this may benefit the organisation telling the story, we must always consider whether it benefits the person whose story is told. Are the stories we are telling (visually or verbally) framed through an ethical lens?

With great power comes great responsibility – and so it is with an organisation's power to tell people's stories. We have the responsibility to steward a story well to preserve the dignity and safety of the person whose story it is.

So, how do we ensure we 'Do No Harm' when we share others' stories?

1. Seek informed consent. In seeking consent, we disclose to the survivor how their story will be used, what it will be used for, and how far its reach will be. The person whose story it is controls what and how it is shared. They may withdraw consent at any time.

³ This story is shared with permission



2. Relinquish power. In telling a story we exert power and influence. There is the potential to further exploit or re-traumatise others in the process. Consider the ethics around who we are telling the story about, who we are telling it to, and why we are telling it.

3. Amplify the voice of survivors. Offer people the tools to tell their own stories. This requires caution so someone is not re-traumatised every time they tell their story. If telling their story again would cause more harm, telling it for them – with their permission – is valid.

4. Use people-first language. Frame the conversation in a way that avoids defining people through labels. Talk about 'people who have been exploited' rather than labelling them 'exploited people', for instance. 'People who are vulnerable to trafficking/exploitation', rather than 'vulnerable people'.

5. Make the shift from pity-based storytelling to dignity-based storytelling. Acknowledge the work and effort of the person involved. Often an organisation may paint themselves as the 'hero'. The person who accessed the service was in a bad way, they became involved with the organisation, and now they are better. Better to credit the person for their transformation and afford them the dignity they deserve.

To 'Do No Harm' in our awareness-raising efforts requires us to fully commit to the practice of ethical storytelling. No matter how much we care about our cause, we must always care most about the impact of our work on survivors.



DO NO HARM – SUPPORTING THE RIGHTS, SAFETY, HEALTH AND WELLBEING OF SEX WORKERS

DAME CATHERINE HEALY
NATIONAL COORDINATOR

DR CALUM BENNACHIE
RESEARCH AND COMMUNITY LIAISON

NZPC: AOTEAROA NEW ZEALAND
SEX WORKERS COLLECTIVE

It's often thought these words were contained in the Hippocratic Oath, but the first time they actually appeared was in the mid 1600s, though still in relation to health. Yet what does "Do no harm" mean in terms of sex workers as work begins on developing legislation to address modern-day slavery?

Practically, it should mean supporting the rights, safety, health, and well-being of sex workers. Ensuring that they are included in society rather than excluded. Exclusion happens when sex workers become targets of laws that see them criminalised.

Laws that include sex workers in society are those allowing the application of laws affecting everyone else to affect sex workers in the same way. Clearly, sex workers need access to justice and health, employment law, and the ability to realise their rights. There are good and effective laws that allow sex workers to fight back against injustices, and to seek assistance from the police

when they are victims of modern-day slavery. Poignantly, for some sex workers there are some laws, like immigration law, which stand in the way of this.

In Aotearoa New Zealand, where sex work is decriminalised for citizens and residents, they are less likely to become victims of modern-day slavery. However, it is important to note that research shows migrant sex workers, who are excluded from being able to realise the rights and protections of the Prostitution Reform Act 2003, are less likely to report violence against them, such as modern-day slavery. Logically, in addressing modern-day slavery, it is important to include this population, and to ensure they can legally work in a variety of ways: in a brothel with their colleagues and a manager, independently, or in a way that suits them.

Research from Australia shows that the Australian Federal Police have noted a downturn in trafficking and modern-day slavery charges since visa changes in relation to work visas, students, and working holiday visas there. With sex workers able to easily obtain a visa that allows them to work legally, the AFP have said this is the main reason there have been fewer trafficking charges because sex workers no longer feel the laws suppress them, but rather support them. The AFP recommends changing visa requirements to allow sex workers to access visas that allow them to work legally so that trafficking is eliminated.



The current section 19 of the Prostitution Reform Act, which prohibits migrants from working as sex workers, or entering into Aotearoa New Zealand to work as a sex worker, was brought in specifically to "prevent trafficking", yet it provides the environment in which modern-day slavery may begin. In order to eliminate modern-day slavery and to "do no harm", Aotearoa

New Zealand needs to repeal section 19 and allow sex workers to access visas that allow them to work legally in this country. As we go forward into the development of legislation pertaining to modern-day slavery, we must ensure that we support those communities who are the worst affected through the unjust application of immigration law.



DOMESTIC SEX TRAFFICKING IN AOTEAROA

ELEANOR PARKES, DIRECTOR, ECPAT CHILD ALERT

There are deeply held assumptions in New Zealand about sex trafficking. Assumptions about how it looks, who is most at risk and that it doesn't happen here.

It can be incredibly difficult to get past these firmly cemented ideas, especially when our anti-trafficking legislation hasn't been applied in any of the cases of sex trafficking we've seen, and when our journalists continue to illustrate their trafficking news articles with photos of malnourished girls in handcuffs in the backs of trucks. It might be powerful imagery but, in the context of New Zealand, it is very misleading.

Domestic sex trafficking has only recently appeared on the policy, practice and research agenda for New Zealand, but we've seen enough to know that sex trafficking here bears little resemblance to trafficking in movies. People trafficking according to the New Zealand legal definition is the recruitment, transportation, transfer, harbouring or receipt of a person, achieved through coercion, deception, or both, for the purpose of the exploitation of the person. Since 2015 this definition hasn't required the crossing of international borders, an important legislative shift recognising that trafficking can impact not just migrants but also Kiwis born, raised and living right here.

In Aotearoa sex trafficking often looks like sexual abuse or intimate partner violence and needs to be understood through an aligned framework that considers issues such as trauma bonding. While each recorded sex trafficking case in New Zealand is different, there is a common theme of childhoods characterised by rejection, uncertainty, marginalisation, violence, abuse, or absenteeism. This may not reflect their own understanding of their situation, but while referring to their childhoods as "happy", "safe" and "normal" they also recounted experiences in their early years of rapes, ignored disclosures and a lack of active protection when it was desperately needed (Thorburn and Beddoe, 2020).

It is not difficult to understand how a child could go from these circumstances to a few years later living with an older boyfriend who 'protects her' but also makes money by lending her to his friends for sexual services without her consent.

Although everyday life for this person might be tarnished by physical and sexual violence, they often do not consider themselves to be victims and certainly not of trafficking, despite fitting the legal definition, and they may choose to stay with their trafficker, feeling comparatively safer with their traffickers than without them.

"He was safe, he kept me safe..."

Even though he made me do the work and earn the money. (Michelle [referring to her trafficker]) (Thorburn and Beddoe, 2020).

With this being the reality of how people experience domestic sex trafficking here in New Zealand, it is difficult to respond to questions around how many people we've 'saved'. There is no busting down of a door to free someone from literal shackles of slavery, because they are being controlled psychologically as well as physically, are economically desperate, socially marginalised and have often suffered years of manipulation and exploitation.

Historically in the international anti-trafficking sector (and occasionally still today) there has been too much focus on 'freeing' children without sufficient thought given to where these young

people will go and what they will do when 'free'. The support services needed by someone exiting such desperate circumstances are many and complex, and without adequate wrap-around services they are likely to end up back in the situation that initially put them at risk of exploitation. For this reason, work to end sex trafficking in New Zealand cannot be approached without also working to end wider issues of child sexual abuse and child poverty.

It is widely known that rates of child abuse and neglect in New Zealand are currently among the highest in the OECD, therefore, once people know what constitutes sex trafficking, it should not come as a surprise that it can, and does, exist here. To help end this most horrific abuse, we need to first reset our minds to be open to how people are really experiencing it and what it looks like here. Let's listen first to this group who have long been silenced and then we'll be best placed to help.



SEAFARER WELFARE

FATHER JEFF DRANE, NATIONAL DIRECTOR FOR THE APOSTLESHIP OF THE SEA/STELLA MARIS

Is it time to think of a New Approach to Seafarer Welfare in Aotearoa, with new efforts to eliminate slavery in this sector globally?

Greater realisation is coming to activists globally seeking fairer systems and outcomes. For those engaged in advocacy for seafarers who experience exploitation, new questions may need to be asked. Should we critique our own thinking and practice? Do those of us who pride ourselves in knowing the hardships and overwhelming experience of seafarers need to ask new questions?

Certain narratives like the Oxfam Report 2022 say another million people were pushed into extreme poverty last year because of systems and economies we currently have. Should this not push us into asking new questions about whether the money spent on raising awareness about poverty might better be spent directly on those experiencing poverty? The UN estimated some \$50 billion was spent on raising awareness of injustices and inequality, which might have been better spent on those actually undergoing injustice and deprivation.

As we draft legislation to eliminate slavery in New Zealand, might we be better to reallocate some of the money spent on raising the awareness of those in industry, agriculture, horticulture and consumers, on those who are actually underpaid or not paid at all? It is at least worth raising the questions?

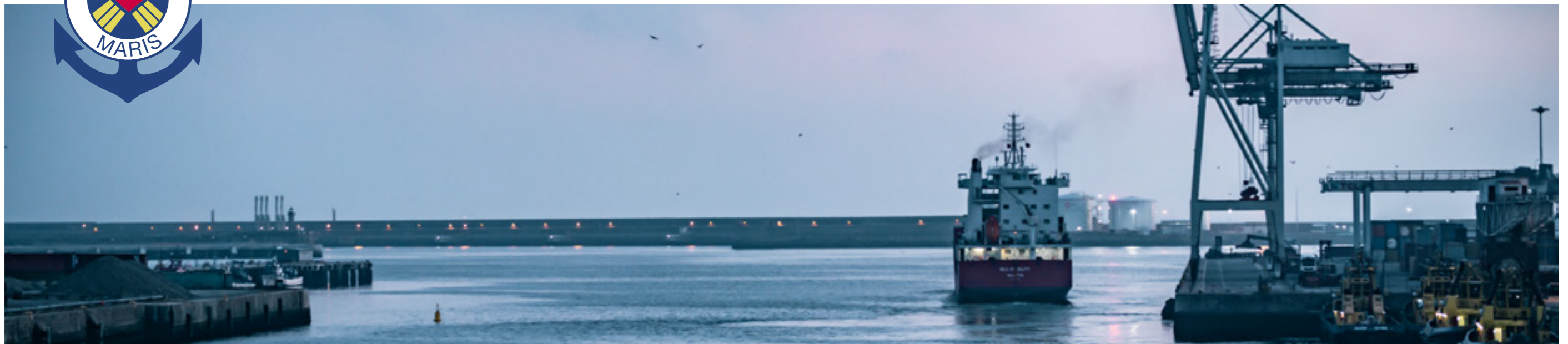
Could the same question be asked of the members of the Seafarers Welfare Board of New Zealand who provide welfare services to

seafarers, so our exports and imports continue to safely turn over. Currently receiving \$1.2 million per annum to do so through Maritime New Zealand it is a fair question to ask. If we do not have a built-in system of self-critique, the delivery of service may not be as effective. It may be seen by seafarers as self-interest and not in their best interests. Such questions are not easy to ask and take courage to ask. Envisaging how spending money directly on those who are exploited at sea is not easy either. It would be easier to foreclose these questions by saying they are not citizens and therefore we have no moral or legal need to them. But that would not help our import export trade either nor help our environment if stressed skippers or able-bodied seafarers ran aground as happened with the Rena or Mikhail Lermontov.

Trying to envisage new models is similarly not an easy task, so it can often be easier to not ask at all. But the considerable wage payment, the training in health and safety, the ongoing professional training needed for welfare

delivery, could feasibly be freed and available for seafarers to apply for directly to relieve their unique hardship from low wages. Citizens from developed societies have always rationalized underpayment of seafarers on the basis that they are at least receiving a wage, far better than what they would be getting in the developing societies from which they come. At least they have a job, they say.

Even if our current thinking struggles to shift it is still worth trying to imagine new and improved ways of addressing seafarer exploitation. For those of us engaged in this work it has long been considered that seafarers lost overboard have actually committed suicide or homicide from confined long enduring environments and cultures on ships. There has always been an accepted tolerance of this from not knowing what to do. But we could do something to break the impasses in this industry. We could begin by at least asking the questions.





THE UNITED STATES TRAFFICKING IN PERSONS REPORT

PHIL MCKENNA, POLITICAL AND ECONOMIC SPECIALIST, UNITED STATES CONSULATE GENERAL

The 2022 Trafficking in Persons (TIP) Report was released by U.S. Secretary of State Antony Blinken in mid July. The goal of the TIP report is to stimulate action and create partnerships around the world in the fight against trafficking in persons.

In the United States, human trafficking cases have been reported in all 50 states, the District of Columbia, and U.S. territories. In the spirit of transparency and with a goal of strengthening efforts at home and in partnership with other countries, the TIP Report contains a tier ranking and narrative of U.S. efforts to address human trafficking. This assessment evaluates the United States according to the same standards as other countries. The TIP Report has included the United States every year since the 2010 Report.

Trafficking in Persons Report - United States Department of State

- Human trafficking is a shared challenge.
- The goal of this year's TIP Report introduction is to highlight and emphasize the importance of meaningful survivor engagement – specifically with experts with lived experience of human trafficking for whom sufficient time has passed since their victimization – and to share context, lessons learned, and guidance to governments, international organizations, civil society, private sector entities, and other stakeholders who wish to further their survivor engagement efforts.
- This year's introduction seeks to establish a solid foundation on how to responsibly engage survivors through trauma-informed approaches that promote transparency, trust, equity, inclusivity, and commitment to collaboration.
- The background, learnings, and promising practices highlighted in the introduction are informed primarily by survivor leaders, as well as anti-trafficking practitioners and allies in the field, creating a collective basis of understanding upon which the anti-trafficking community can build.

Secretary Antony J. Blinken At the 2022 Trafficking in Persons (TIP) Report Launch Ceremony - United States Department of State





WORKING TOWARDS POSITIVE OUTCOMES

CAMERON BOWER, FOUNDER AND TRUSTEE,
MIGRANT EXPLOITATION AND RELIEF FUND

Slavery, exploitation and trafficking are confronting terms that we quickly attach to third world economies in distant lands. The reality in New Zealand is that exploitation has become entrenched into all levels of supply chains.

The competitive advantage achieved using exploited labour has resulted in some suppliers achieving influential positions in their respective industries. Those businesses that started out as simply labour supply businesses have been able to use their illicit profits to purchase larger commercial enterprises, making it much more difficult for these unscrupulous and criminal enterprises to be eliminated without significant legal intervention.

The ever-increasing frequency of exploitation has become impossible to ignore. The USA's annual Trafficking in Persons report released in July 2022 concludes New Zealand is contributing more to harm than not and has remained at tier 2. It is time that businesses and Government agencies in New Zealand stop pointing fingers at other industries. The process of reallocating blame is resulting in a failure to acknowledge a responsibility to act.

Solutions that will tangibly reduce the impacts and prevalence of modern slavery should be a collaborative approach that demands accountability. New Zealand, as an island nation with easily controlled borders, has an opportunity to make an impact to the cycle of exploitation.

Tangible solutions will take considerably more than an ethical expectation of self-diagnosis and reporting. This approach must be supported by the likelihood of being exposed and legal processes that will demand accountability and is punitive to a level that there is a clear deterrent. Accountability is only achieved through mandatory and legislated requirements especially when those responsible for this activity have been able to position themselves at a level that would make detection challenging. For a long time New Zealand's response to modern slavery has been driven from influences by international markets and predominantly brand protection.

This approach results in the response being a risk evaluation as to what issue the business will commit resource, as was the historical approach to responding to staff safety. It was only through legislation and executive level accountability that real change was achieved. For many businesses a lack of response has been justified on the basis that it is the responsibility of the regulator to intervene and prevent unlawful conduct.

It is no secret that our Immigration process and agency is faltering – through ineffective and disjointed legislation, the visa issuing agency investigating itself, lack of priority, resource and no border enforcement. We need to start over, compliance and investigations has no place within an agency that provides the visa to get into New Zealand.

The reality is that New Zealand has been confronted by slavery prosecutions occurring within our borders. It is a fact that there are people in our country, attracted by the image we promote, who are being treated as a tradeable commodity of little more value than a piece of equipment. Solutions will only come from a thorough understanding of what motivates business to condone exploitation and understanding the reality of victims who are exploited.

The fear of reprisal from the employer and their community for speaking out, mistrust of authority, and pressure to succeed for the benefit of their dependent families makes the victims increasingly vulnerable. Often victims incur significant debt in obtaining passage to New Zealand, and failure to repay that debt translates to even greater pressure and negative socio-economic outcomes for the victim and their family.

Understanding the plight of these victims is key to formulating effective legislation. The risk to, and vulnerability of, the victim needs to be reflected in the level of accountability required of those who are tasked with ensuring exploitation is not occurring in their supply chain. The assumption that all businesses seek to operate ethically is not sufficient to force change.

The profit and competitive advantage that is available through illegal and exploitative employment practices is too significant to rely on a "good conscience" response. The fact is that modern slavery has reached the threshold of organised criminal enterprise and requires a commensurate legal and enforcement response.

There is also a need to working collaboratively with public organisations who can build trust and rapport with victims, in order to provide

other avenues for them to speak out against exploitative employers and seek help. This is vital, as many victims come from countries where the authorities are not trusted. Victims may also know others who have been deported in circumstances where they have not been supported or believed.

"Speak-up" lines and complaint systems are only effective where there is appropriate response that is capable of differentiating between employee rights and criminal exploitation. Exploiters often are able to isolate, control and intimidate victims due to wealth and holding positions of prominence within their ethnic community. At the same time they often hold positions of influence within the supply chain they work in, making those reliant on the services supplied to take firm action. The contractual implications with the supplier and potential litigation also deters industry from taking firm action. This reinforces the need for legislative requirements rather than reliance on policy statements.

In summary, MERF believes New Zealand is only contributing to the harm of victims, through our lack of victim support, enforcement, resourcing and collaboration with private organisations. We need to accept that the only way to combat modern slavery and exploitation is to support, learn from and work with the victims. We need to provide accountability and support to businesses and provide assurance with independent expertise to a company's supply chain. Only then will we will start to change the current trend and work towards contributing to positive outcomes for victims, businesses and New Zealand.

DOING GOOD

DR CHRISTINA STRINGER, CENTRE FOR RESEARCH ON MODERN SLAVERY AT THE UNIVERSITY OF AUCKLAND BUSINESS SCHOOL

This year's theme, 'Do no harm', highlights the importance of people treating others with dignity and respect. As I reflect on this theme, I am reminded of the UN Sustainability Framework theme, which includes the words 'do good', to read: 'Do no harm and do good'.

I have been researching the exploitation of temporary migrant workers in New Zealand for over a decade. I have heard numerous accounts of employers deliberately and systemically exploiting their migrant workers during this time. Without question, some employers choose to 'do harm'.

While I have heard distressing accounts of abuse towards temporary migrant workers, there have also been accounts of kiwis who have sought to 'do good' by treating migrants with dignity and respect. Some have become advocates for the migrants; others have generously donated money and time to help support them. One individual lent a listening ear to a migrant worker at church, leading to New Zealand's first successful human trafficking conviction. Another went beyond his professional responsibilities to befriend an exploited migrant from India. Despite language barriers, he welcomed him into his home treating the migrant with dignity and respect. They remained in contact long after the migrant returned home.

I am also reminded of an Auckland couple who 'did good'. In 2011, the Indonesian crew from the walked off their vessel because of ongoing abuses by the South Korean officers towards them.

The Indonesian crew were required to work excessive hours for little or no pay. One of the crew reflected on their treatment on board the Shin Ji:

We are slaves because normal employees have a voice, but we do not...didn't expect this when we signed the contract, but once on the boat in New Zealand, we are trapped...we were trapped into modern slavery.⁴

The Shin Ji crew initially stayed in a motel before private accommodation was found. The couple who managed the accommodation gave of their time and energy to provide a supportive and safe environment for the crew. Some weeks later, with no options for recourse, the crew returned to Indonesia destitute. One of the crew—whom I will call Suriani—was unemployed for several weeks before he and his wife decided to try and earn a living by operating a food stall at a local market. While staying in the private accommodation in Auckland, Suriani learned how to make kiwi-style muffins and banana pancakes, and on his return home, experimented with the recipes using local ingredients before setting up the food stall. He and his wife earned around \$NZ40 daily from their food stall; Suriani reflected that this was more than what he had received working on the Shin Ji. (Sadly, Suriani died a few years later.)

Small actions do make a difference, and this is what I take away from the many instances of kiwis treating migrants with dignity and respect. We can always do more in the pursuit of doing no harm.

⁴ Simmons, G. and Stringer, C. (2014). New Zealand's fisheries management system: forced labour an ignored or overlooked dimension? *Marine Policy*, 50, 74-80.

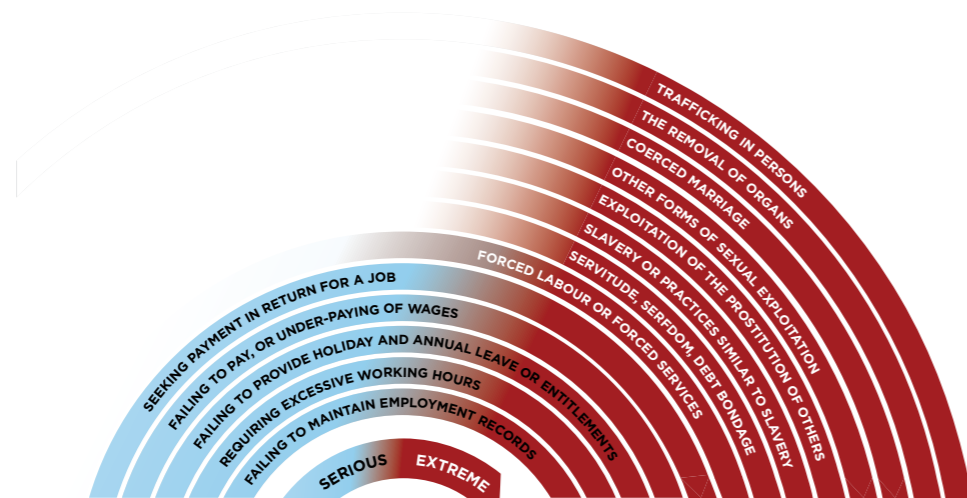


What is exploitation?

Exploitation takes many forms. It can generally be seen as behaviour that causes, or increases the risk of, material harm to the economic, social, physical or emotional wellbeing of a person.

The range of breaches and offences associated with exploitation can be seen as occurring on a continuum from serious to extreme. On the serious end, it can include requiring employees to pay for their job; under- or non-payment of wages; or excessive work hours. At the most extreme end, it can include sexual exploitation, forced labour and people trafficking.

Exploitation can take place both within and outside a workplace setting.



What does worker exploitation look like?

A person may be a victim of worker exploitation if:

- 
 - They don't have a written employment agreement (employment contract)
 - Their employer makes them work more hours than their visa allows
 - Their employer forces them to do work that is not part of their job, such as clean their home
- 
 - They are asked by their boss to say they have worked less hours than they have
 - They are made to work an excessive number of hours, with no breaks
 - They have no time off from work
- 
 - Their employer keeps their passport
 - Their employer threatens to call Immigration New Zealand to end their work visa
- 
 - They have to pay a fee to get their job
 - They have to give back part or all of their wages to their employer
 - They are paid too little or nothing at all for their work
 - They are not paid for all hours of work
 - They are not paid for public holidays or annual leave
 - Their employer provides them with accommodation as part of their wages/salary, but makes them pay more for it than they should be by law. Find out more about: [Working for accommodation \[PDF 476KB\]](#)
- 
 - Their employer threatens to harm them or their family if they don't cooperate
 - Their employer makes any unwelcome sexual gestures towards them
- 
 - They cannot leave their workplace because the doors and windows are locked
 - They must ask for permission to eat, sleep, or go to the toilet

What is people trafficking?

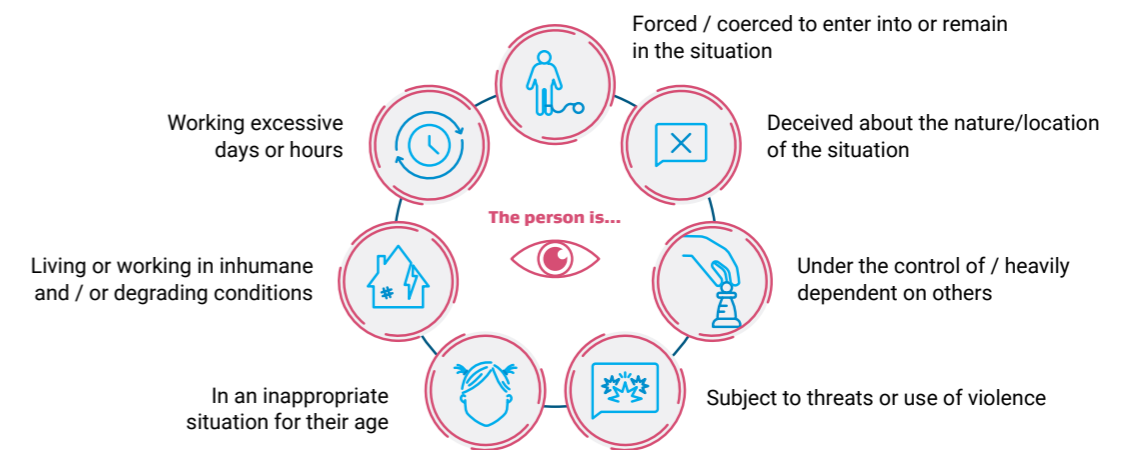
People trafficking is the recruitment, transportation, transfer, harbouring or receipt of a person, using coercion or deception, for the purpose of exploitation. People trafficking doesn't have to involve crossing a border and often happens entirely within a country. Both migrants and citizens/residents can be impacted.

There are three elements to people trafficking: Act, Means and Purpose.

Act (what is done)	Means (how it is done)	Purpose (why it is done)
<ul style="list-style-type: none"> • Recruitment; • Transportation; • Transfer; • Harbouring; or • Receipt of persons 	<ul style="list-style-type: none"> • Threat or use of force • Coercion • Deception • Abduction • Fraud • Abuse of power • Abuse of position of vulnerability 	<ul style="list-style-type: none"> • Forced labour or services • Slavery or similar practices • Prostitution • Servitude • Exploitation of others

What does people trafficking look like?

Some of the more extreme indicators of exploitation may indicate that someone has been trafficked, but it is unlikely that a person will know or allege that they have been trafficked. A person may need help if they are:



Who can I contact?

It is important that suspected cases of exploitation and people trafficking are reported, so that affected individuals can be helped and offenders can be held accountable.

If you suspect someone is a victim of people trafficking, contact the New Zealand Police:

- Call 105 or 111 (in an emergency)
- Go online to [105.police.govt.nz](https://www.police.govt.nz)

If you suspect someone has been exploited at work, contact MBIE:

- Call 0800 20 00 88 or fill out a form at www.employment.govt.nz/migrantexploitation

If you want to remain anonymous and suspect someone has been trafficked or exploited at work:

- Call CrimeStoppers 0800 555 111
- Go online to www.crimestoppers-nz.org

SILENCE
is

VIOLENCE

MODERN SLAVERY AND LABOUR EXPLOITATION ADVISORY GROUP

INZ 8537