

# Due Diligence and Reporting News & Resources

Office of the  
NSW Anti-slavery  
Commissioner



December 2024

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## **Reminder: annual modern slavery reporting requirements for NSW public entities**

Many NSW public entities have statutory obligations to report annually on steps to address modern slavery risks in their business activities. NSW public entities with modern slavery reporting obligations should report in two places:

- by including relevant information in their formal Annual Report, and
- by submitting a copy of their annual reporting information through the Anti-slavery

Commissioner's [GRS Annual Reporting Form](#).

Your reporting helps ensure that government agencies have controls in place to identify, address, and remedy risks of exploitation in their supply chains and operations and helps to strengthen the effectiveness of anti-slavery efforts across public buying.

Failure to report as required risks your agency's inclusion on the Anti-slavery Commissioner's Public Register.

For information about how to report, please see:

- The NSW Anti-slavery Commissioner's [Guidance on Reasonable Steps](#)
- [GRS Resource: Instructions for Annual Reporting](#)

For any questions, please reach out to the Guidance on Reasonable Steps ('GRS') Team at [GRS@dcj.nsw.gov.au](mailto:GRS@dcj.nsw.gov.au).



## **New Education and Training Resources**

### **NEW: eLearning Module 2 – Reasonable Step 1 (Commit)**

The Office of the NSW Anti-slavery Commissioner is working with Capability Development at NSW Procurement to produce eLearning Modules to assist covered entities in understanding and applying the 7 Reasonable Steps of the Commissioner's GRS.

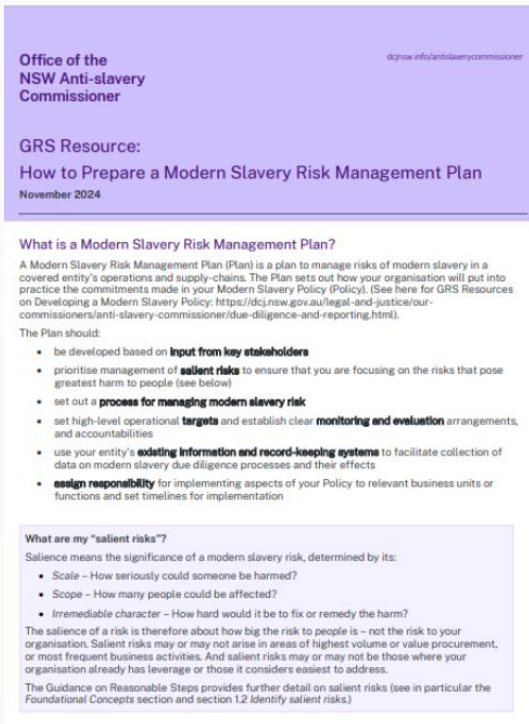
[Reasonable Step 1 \(Commit\)](#) is the second module now available via the Comperio Platform. It provides training information for covered entities on how to effectively commit to address modern slavery risks. The Module walks covered entities through the actions required under GRS Reasonable Step 1: Commit, including:

- conducting a Salient Modern Slavery Risk Assessment of your organisation's business activities,
- engaging effectively with stakeholders, and
- developing a Modern Slavery Policy and a Risk Management Plan.

These eLearning Modules are designed to be completed by covered entities that have due diligence and reporting obligations. They are designed not only for personnel involved in procurement, but also management, legal, human resources, risk, and policy staff.

If you have any questions and/or cannot access the module, please contact NSW Capability at [NSWP\\_Capability@treasury.nsw.gov.au](mailto:NSWP_Capability@treasury.nsw.gov.au).

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## NEW: GRS Resource – Developing a Modern Slavery Risk Management Plan

In line with the GRS Reasonable Step 1 (Commit), covered entities should adopt a Modern Slavery Risk Management Plan to operationalise their commitments in their Modern Slavery Policy. The Commissioner has published a new resource to supplement the GRS and assist covered entities in drafting their Risk Management Plan:

- [GRS Resource: Developing a Modern Slavery Risk Management Plan](#) (PDF, 251.1 KB)

Additional GRS Resources will continue to be developed in 2025; you can find all the published GRS Resources on the Office's [Due Diligence and Reporting](#) Webpage.



## NSW Department of Customer Service ICT Agreement (ICTA) and Core& Contract Templates have been updated to include the Commissioner's Model Contract Clauses

The NSW Department of Customer Service has announced that it has updated its ICTA and Core& Contract Templates under the ICT Purchasing Framework to meet the Commissioner's GRS requirements.

The Templates now include:

- streamlined clauses for low, minor, and moderate (as per the [Inherent Risk Identification Tool](#)) modern slavery risk procurements.
- heightened clauses for high-risk procurements. These clauses provide for extensive and regular engagement between agencies, suppliers, and other stakeholders to actively monitor modern slavery risks during contract performance and strengthen the governance of risks.

The IRIT identifies ICT hardware procurement as a category with high inherent risk of modern. In line with the GRS, the hardware modules for both ICTA and Core& contract templates have been amended with heightened modern slavery due diligence contract clauses. The Core contract template has been

amended with streamlined clauses.

Read the ICTA Templates [here](#).

Read the Core& Templates [here](#).

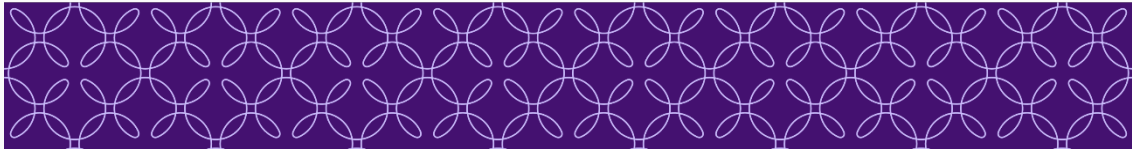
If you have any questions, please contact ICT Services at [ICTServices@customerservice.nsw.gov.au](mailto:ICTServices@customerservice.nsw.gov.au).



### **Australian Government response to the McMillan Review of the *Modern Slavery Act 2018* (Cth)**

On 2 December 2024, the Australian Government released [its response](#) to an independent review by Professor John McMillan AO into the *Modern Slavery Act 2018* (Cth), agreeing (in full, in part, or in principle) to 25 of 30 recommendations and noting five recommendations. Professor McMillan was tasked with considering the Act's effectiveness over its three years of operation. You can read Professor McMillan's review [here](#).

On 6 December, the Commissioner, Dr James Cockayne, discussed the government's response on ABC's AM program. He was featured together with Moe Turaga, a leading survivor advocate, Lauren Zanetti, Senior Lawyer, Human Rights Law Centre, and Professor Justine Nolan, Director of the Australian Human Rights Institute. You can listen to the segment [here](#).



### **OASC's November's Online Anti-slavery Forum**

On 26 and 27 November 2024, the OASC held its Online Anti-slavery Forum bringing together anti-slavery leaders domestically and internationally, from government, business, academia, civil society, and lived experience, for two half-day sessions of thought-provoking discussions. The Forum showcased international thought leadership and fostered collaboration among diverse stakeholders to address modern slavery risks and harms in NSW. You can view the program [here](#).

On Day One, the [first panel](#), titled: *Bridging the Gap between C-Suite and Worksite: Modern Slavery in the Construction Industry*, explored modern slavery risks in the construction industry's complex supply-chain. The Panel unpacked the four main gaps between c-suite and the worksite:

- the gap between specifications and substitutions,
- the gap between theory and practice,
- the gap between assumptions and knowledge, and

- the gap between organisational commitments and resources.

Speakers included:

- Robin Mellon, CEO, Better Sydney; Director, UN Global Compact Network Australia; and Project Manager, Property Council Modern Slavery Working Group
- Sharon Prince, Design for Freedom Lead; CEO and Founder of Grace Farms Foundation
- Anwyn Shoemark, Ph.D. Candidate and Graduate Architect
- Deepen Somaiya, Responsible Sourcing Manager, Mirvac, and
- Adam Whitefield, Head of ESG and Compliance, Achilles.

A second panel, which focused on Anti-slavery Collaborations and Australian Competition Law, is discussed later in this newsletter.

On Day Two, a [third panel](#), with experts from Hong Kong, the US, and Australia discussed strategies to mitigate modern slavery risks in ICT hardware addressing the challenges of this product's complex global supply-chain. The panel discussed the modern slavery risks across the ICT value-chain from sourcing of raw materials to manufacturing, through to end of life using three key themes,

- how to identify and assess these modern slavery risks,
- the role and amplification of worker voice in managing these risks, and
- practical next steps for public and private buyers.

Speakers included:

- Alex Coward, Director, Pillar Two
- Dong Fang Han, Executive Director, China Labour Bulletin
- Julie Petticrew, Australian Representative, Electronics Watch, and
- Mark Taylor, Senior Director, Strategy and Global Partnerships, Issara.

Other panels during the Forum included remarks by the UN Special Rapporteur on contemporary forms of slavery, Professor Tomoya Obokata, and a panel of survivors from Australia, Albania, Bangladesh, and Kenya, discussing the growing role survivors play in the global anti-slavery movement.



### **ACCC's Draft Guide on Sustainability Collaborations and Australian Competition Law**

On 8 July 2024, the [Australian Competition and Consumer Commission](#) (ACCC) published a [Draft Guide on Sustainability Collaborations and Australian Competition Law](#). On 26 July 2024, the Commissioner [wrote to](#) the Chair and Deputy Chair of the Commission, to express concerns that:

- the Draft Guide, in the form it then was, risked winding back anti-slavery efforts prompted by five

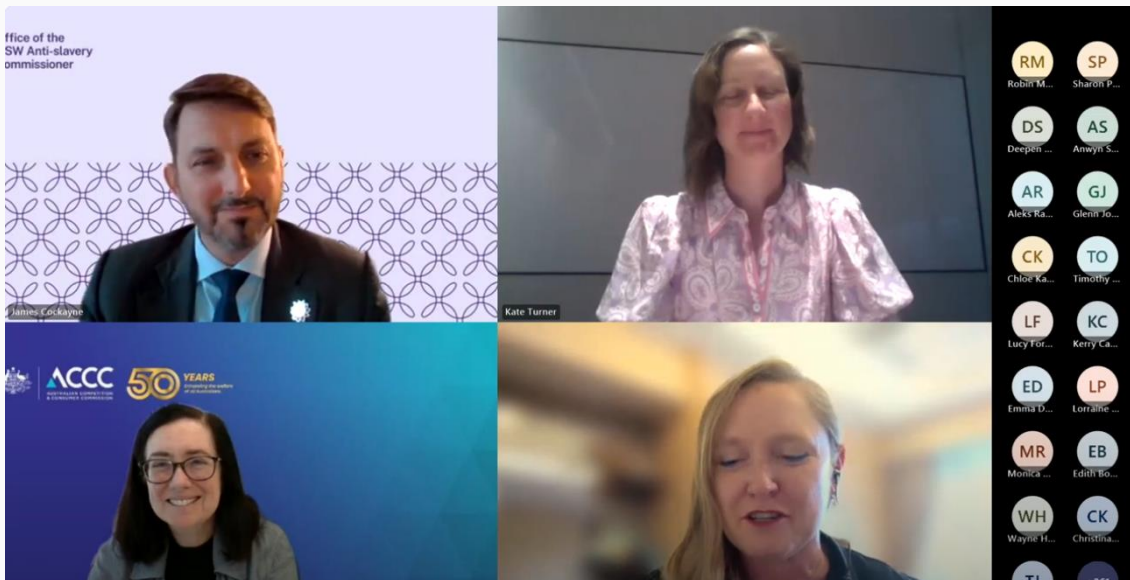
- years of government encouragement to business to collaborate to tackle modern slavery, and
- the proposed approach could be out of step with developments in the UK, European Union and beyond, and risk placing domestic businesses (especially small and medium enterprises) at a competitive disadvantage as they will find it harder to demonstrate their sustainability credentials in global value-chains and markets.

Senior members of the ACCC met with the NSW Anti-slavery Commissioner to discuss his concerns in the following months, and invited Dr Cockayne to submit additional evidence and analysis to the ACCC. The Commissioner [did so](#) in September 2024 incorporating information shared with him by a wide variety of business and civil society sources.

The Chair of the ACCC, Ms [Gina Cass-Gottlieb](#), generously participated in the [second panel](#) of Day One of the 2024 Online Anti-slavery Forum. Accompanying Ms Cass-Gottlieb on this panel was Darian McBain, CEO, Outsourced Chief Sustainability Officer Asia; Chairperson, Be Slavery Free and Kate Turner, Global head of Responsible Investment, First Sentier Investors.

The Panel discussed competition law issues relating to anti-slavery collaborations. The Commissioner, and the panel moderator, posed three questions to the panellists,

- what are the competition law issues potentially raised by anti-slavery collaborations?
- how are business, civil society, and other organisations addressing these concerns as they collaborate to tackle modern slavery?
- and, what can we learn from international case studies?



The Special Rapporteur on Contemporary Forms of Slavery, Professor Tomoya Obokata, issued his End of Mission Statement following a two-week country visit to Australia. During his visit, Professor Obokata engaged with more than 500 stakeholders across Sydney, Melbourne, Brisbane, Canberra, Wagga Wagga, Griffith, and Leeton.

In his [End of Mission Statement](#), Professor Obokata made several recommendations, including measures to address modern slavery risks among temporary migrant workers, such as those in the Pacific Australia Labour Mobility (PALM) scheme, working holiday makers, international students, and domestic workers. Professor Obokata also highlighted the intergenerational impacts of slavery and slavery-like practices for Australia's First Nations peoples, systemic risks faced by asylum seekers and sex worker communities and offered practical recommendations for addressing these issues.

Read the [NSW Anti-Slavery Commissioner's Response to the Statement](#).

#### **Where can I find more information?**

Visit the [Due Diligence and Reporting page](#) for information and resources related to the GRS.

For advice and support relating to the matters covered in this announcement, or for other queries related to the GRS, contact the Office of the NSW Anti-slavery Commissioner at [GRS@dcj.nsw.gov.au](mailto:GRS@dcj.nsw.gov.au).