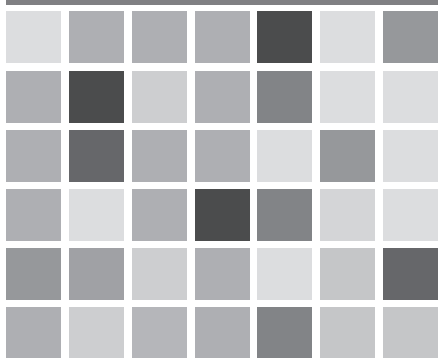


New legislation helps curb human trafficking



AFP efforts to stem the trade in people have reduced the misery for many, especially one very vulnerable group.

More than 200 years after the British parliament passed an Act for the Abolition of the Slave Trade, recent cases in Australia have shown that there are many people becoming increasingly wealthy by trading in people.

The terms 'people trafficking' and 'people smuggling' are often used interchangeably and have been the subject of media attention over the past couple of years.

However it is important to distinguish between the two.

People trafficking is defined as *"the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat, or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation"*¹.

Trafficked persons have either not consented or, if they had initially

consented, that consent has been rendered meaningless due to coercion or deception or both. Once the victim has arrived at the destination, people traffickers often exploit them again and again by use of threats, force or coercion.

People smugglers, on the other hand, are paid and have consent to transport those who wish to enter a country illegally. Although people smuggling is often conducted by extremely risky methods, the person is involved voluntarily. Smuggling ends once the person arrives at their destination.

The AFP's Transnational Sexual Exploitation Trafficking Team (TSETT) has been combating the transnational crime of human trafficking since its creation in 2004. TSETT forms part of the Australian whole-of-government strategy to address the complete cycle of trafficking in persons, from recruitment to reintegration of victims in their home countries.

TSETT has to date identified and placed 123 people on the Support to Victims of Trafficking Program, with most of these victims arriving from the South East Asia region.

One of the most significant achievements for TSETT was the AFP investigation that led to the prosecution and conviction of Wei Tang.

Nina Vallins, Joint Coordinator of Project Respect Inc stated in a media release that The Queen v Wei Tang case "was the most crucial test of the effectiveness of our criminal laws against sexual and all other forms of slavery ever to come before an Australian court".

Wei Tang was the owner of a licensed brothel in Fitzroy, Victoria, who was tried and convicted for possessing and using slaves under the *Criminal Code Act 1995*. The charges related to five women, all Thai nationals, who came into Australia to work in the sex industry.

National Coordinator of TSETT Jennifer Cullen said the conviction was a win for all law enforcement agencies, providing a modern day definition of slavery.

"The Wei Tang case was important because it defined a threshold as far as what evidence is required to prove the offences amounted to slavery or exploitation under the legislation," Federal Agent Cullen said.

¹ People trafficking is defined by the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children

“The High Court was able to provide a distinction between what may amount to harsh working conditions and what was considered slavery under the criminal code.

“The majority of victims are recruited by promises of being able to earn good wages in Australia, high enough to send some home to their families, good working conditions and the ability to return to their home country within a short period of time.

“The women, in many cases, are aware of the nature of their work but are unaware of the conditions they will be subjected to when they get to Australia.

“On arrival the women then find themselves contracted to pay a debt of anywhere up to \$50,000 and expenses such as accommodation and food are additional charges. In some cases the traffickers keep the victims’ passports and visas and restrict their movements.”

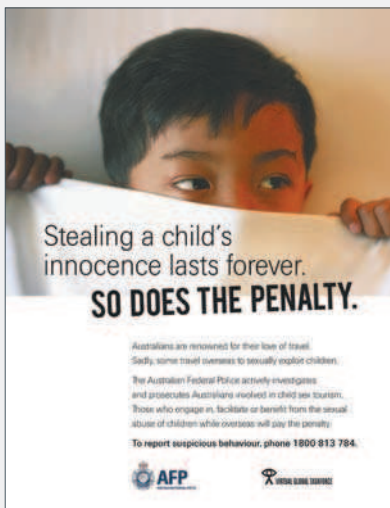
Despite the complexity of this crime type, Australia’s geographical isolation combined with our tough sentencing has meant that the number of people being trafficked to Australia is low when compared to many other countries.

Testament to the success of TSETT and the tough new laws, is the fact that the AFP has not yet received a report of a child being trafficked to Australia.

The AFP continues to successfully use the new legislation to prosecute sexual servitude and human trafficking offenders.

In addition to enforcing the law, the AFP is taking a number of other proactive approaches to control these types of activities. The AFP works with non-government organisations and colleagues in the State and Territory police services to combat human trafficking.

AFP partners with Qantas and Child Wise to combat child sex tourism



Full page advertisements raising the awareness of child sex tourism and the AFP’s commitment to combating this crime appeared in the Qantas in-flight magazine, *The Australian Way*, in February 2009.

Thanks to the support of Qantas, the advertisements will continue to appear for six months and will target Australian travellers who may be unaware of this type of behaviour overseas.

The advertisements also target potential travelling sex offenders in an attempt to prevent them from engaging in, facilitating or benefiting from the sexual exploitation of children while overseas.

In June 2008, the AFP provided funding to Child Wise to assist with their Association of Southeast Asian Nations (ASEAN) regional education campaign for the prevention of child sex tourism.

The campaign comprises an inflight video, to be aired on a number of flights within the ASEAN region, web banners, campaign stickers and posters, and

outdoor advertising including airport billboards in Australian and selected ASEAN regions.

Child sex tourism involves Australians who travel overseas to sexually exploit children under the age of 16.

The AFP is committed to combating this crime and has a role in preventing, disrupting and investigating Australian citizens or permanent residents who are associated with offences of this type.

These offences have provisions applying an extended geographical jurisdiction that enable crimes committed overseas to be investigated and prosecuted within Australia.

To report suspicious behaviour phone 1800 813 784

(free call from anywhere in Australia).