

KING & WOOD  
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# MODERN SLAVERY

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REFORMS AT HOME & ABROAD

# INTRODUCTION

In this update, we summarise key modern slavery law developments in Australia and overseas during 2024, and what changes businesses should be prepared for in the rest of the year ahead.

Global developments in 2024 demonstrate that legal regimes are emerging in an ad hoc fashion, signalling the need for businesses to closely monitor domestic and international developments for where modern slavery regulation diverges and aligns.

2024 was a significant year for modern slavery law reform in Australia and overseas.

In Australia:

- the Federal Government responded to recommended reforms to the Modern Slavery Act 2018 (Cth) (**Modern Slavery Act**) and indicated the future direction of Australia’s modern slavery reporting regime,
- Australia’s first Federal Anti-Slavery Commissioner (**Federal Commissioner**) was appointed, and
- the NSW Modern Slavery Committee reported on the statutory review of the Modern Slavery Act 2018 (NSW) (**NSW Act**).

Globally, the landscape of modern slavery reporting and due diligence laws grew in breadth and complexity. New legal regimes emerged or came into force, most notably across Europe, Canada and South Korea. International trends indicate the increasing expression of soft law standards such as the UN Guiding Principles on Business and Human Rights (**UNGPs**), as legal regimes extend to human rights more broadly, the environment, mandatory due diligence, and significant penalties for non-compliance.

In 2025, navigating the increasingly complex patchwork of global modern slavery laws should be a priority for businesses that:

- are exposed to multiple reporting regimes across jurisdictions,
- have key customers that are exposed to modern slavery reporting regimes, or
- have complex and multi-jurisdictional operations and supply chains.

Navigating the interplay of modern slavery legal obligations across the jurisdictions you do (or want to do) business in will be increasingly important in 2025 – as the year ahead promises the uncertainty of the Australian Federal election, and new or evolving legal regimes around the world.

The opportunity is for businesses that can adapt to this evolving regulatory landscape and demonstrate their effectiveness in addressing modern slavery risk across their operations and supply chains – which ultimately preserves brand value, investment appeal, and supports impactful outcomes for victims.

## MODERN SLAVERY – COUNTRY SNAPSHOT

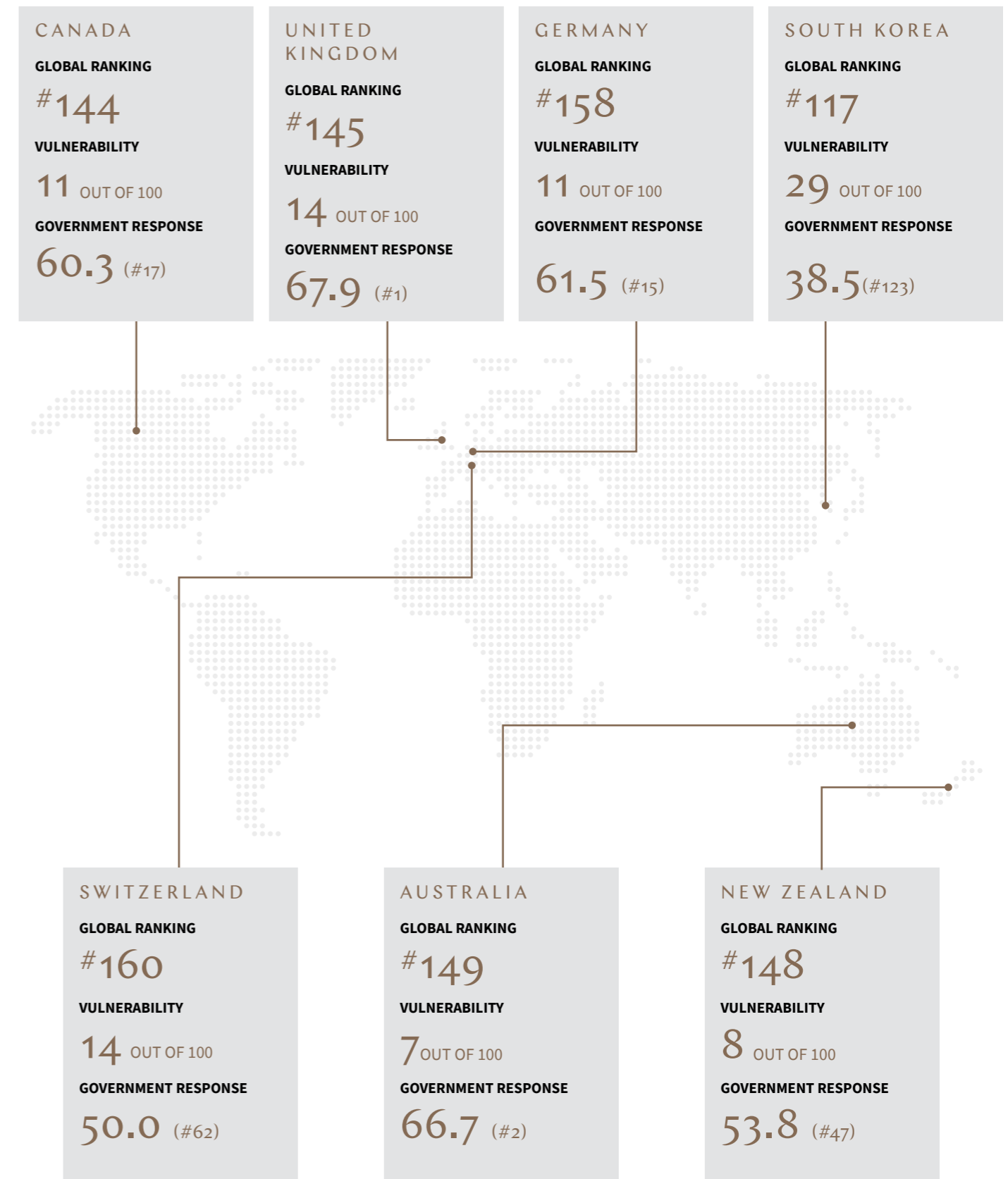
To the right is a snapshot of the Global Slavery Index (**GSI**) ranking of countries covered in this publication. The GSI, produced by Walk Free, is a comprehensive data set that estimates the number of people living in modern slavery across 160 countries.

This information, sourced from the latest GSI (2023), does not necessarily reflect recent government policies and legislative changes, including the developments discussed in this publication.

 **Global Slavery Index (GSI)**  
<https://www.walkfree.org/global-slavery-index/map/>

### KEY

- **Global ranking** – the scale of modern slavery in terms of estimated prevalence. Prevalence means the estimated proportion of the population living in modern slavery (measured per 1,000 people). The higher the global ranking, the better the position (max 160).
- **Vulnerability** – how vulnerable people in a country are to modern slavery. The higher the score, the greater the vulnerability.
- **Prevalence** – estimated proportion of the population living in modern slavery (measured per 1,000 people).
- **Government response** – assessment of the legal, policy and programmatic actions by the government (measured as a %). The higher the number, the more action is being taken.



# AUSTRALIA

## THE GOVERNMENT CLARIFIES LIKELY REFORMS TO THE MODERN SLAVERY ACT

On 2 December 2024, the Australian Government released its long-awaited response to the 2023 statutory review of the Modern Slavery Act (**Government Response**).<sup>1</sup>

The Government Response:

- confirms key areas of future reform to Australia’s modern slavery reporting regime and what steps the Australian Government intends to take to achieve them, and
- responds directly to the recommendations of the **McMillan Report**,<sup>2</sup> which was released in May 2023 and reported on the statutory review of the first three years of the Modern Slavery Act (we summarise the McMillan Report recommendations [here](#)).

The Government Response agrees in full, part or in-principle to 25 of the 30 McMillan Report recommendations, and acknowledges, but will not immediately implement, 5 recommendations.

One of the recommendations made in the McMillan Report, being the introduction of Australia’s first Federal Anti-Slavery Commissioner (**Federal Commissioner**), has already been implemented.

## WHAT ARE THE GOVERNMENT’S KEY PRIORITIES FOR REFORM?



The Australian Government has committed to progress the following key recommended reforms:

RECOMMENDED REFORM	GOVERNMENT RESPONSE
1 Introducing penalties for non-compliance with the Modern Slavery Act	The Government commits to consulting on the proposed penalties with stakeholders
2 Amend the mandatory reporting criteria in section 16 of the Modern Slavery Act to improve clarity and simplicity	The Government commits to consulting with stakeholders
3 Update the Attorney-General’s Department’s Guidance for Reporting Entities to ensure it is clear and easily accessible	The Government commits to working with stakeholders and the Federal Commissioner to progress enhancements
4 Future review of the Modern Slavery Act	A further review is expected once reforms to the Modern Slavery Act are implemented



## WHICH REFORMS WILL NOT BE PROGRESSED AT THIS TIME?

Significantly, the Government Response confirms that it will not immediately progress the following reforms:



Lower the reporting threshold to A\$50 million annual consolidated revenue, until other key reforms are progressed.



Introduce mandatory due diligence obligations. Instead, the Government will undertake consultations on how to enhance due diligence requirements in the Modern Slavery Act.



Amend the Modern Slavery Act to provide reporting entities the option to submit a full modern slavery statement every 3 years and only submit updates in the intervening 2 years.



Equip the Federal Commissioner with powers to issue guidelines on special issues relating to the reporting requirements of the Modern Slavery Act.



Update the online reporting system to permit reporting entities to upload text to the Modern Slavery Register, instead of a document containing their modern slavery statement.

While the Government Response clarifies the future direction of Australia’s modern slavery reporting regime, it is unlikely that further reforms will be implemented in law before the upcoming Federal election.

A national response to modern slavery has typically received bipartisan support in Australia. However, it remains to be seen whether the next Australian Government will be willing to pursue the outcomes of the Government Response, or whether the incumbent Australian Government can expedite consultation on any of the proposed reforms before the election.



## AUSTRALIA’S FIRST FEDERAL ANTI-SLAVERY COMMISSIONER

In June 2024, the *Modern Slavery Amendment (Australian Anti-Slavery Commissioner) Act 2024* (Cth) was passed to establish an independent office for a Federal Anti-Slavery Commissioner.<sup>3</sup>

On 2 December 2024, Mr Chris Evans, former CEO of Walk Free’s Global Freedom Network and Labor Senator for Western Australia, was appointed to the role of Federal Commissioner for a five-year term<sup>4</sup> (see more details in our previous [update](#)).

Moving forward my focus will be to raise our country’s ambition and our capacity to respond effectively to modern slavery both here and abroad. In the role as Commissioner, I intend to act as a catalyst for change, to bring people together, and to generate more activity and more commitment to the objectives of ending modern slavery.

**Federal Commissioner Evans,**  
Commissioner’s speech to the National Roundtable on Human Trafficking and Slavery (3 December 2024)



## HOW WILL THE FEDERAL COMMISSIONER IMPACT REPORTING ENTITIES?

For reporting entities, the new Federal Commissioner does not change the mandatory criteria or other reporting requirements under the Modern Slavery Act. Rather, the Federal Commissioner has functions such as promoting compliance with the Modern Slavery Act, supporting reporting entities to address modern slavery risks, encouraging collaboration across sectors, and supporting modern slavery victims.

The role of Federal Commissioner will build upon the work of the existing NSW Anti-Slavery Commissioner (**NSW Commissioner**), Dr Cockayne, who has flagged his intention to work closely with the Federal Commissioner for a ‘truly federal effort to combat modern slavery’.<sup>5</sup>

Like the NSW Commissioner, the Federal Commissioner does not have enforcement powers or coercive powers to investigate or resolve complaints of modern slavery.

Nevertheless, we expect the Federal Commissioner will play a key role in shaping the implementation of future reforms to Australia’s modern slavery reporting regime, including from the McMillan Report and the Government Response.



## NSW PARLIAMENTARY COMMITTEE REPORTS ON THE NSW ACT STATUTORY REVIEW

On 20 December 2024, the NSW Modern Slavery Committee tabled the second part of its report on the statutory review of the NSW Act (**NSW Act Report**).<sup>6</sup>

The first part of the report, tabled in December 2023, recommended that the Committee continues its review to consult with individuals with lived experience of modern slavery. The NSW Act Report follows that consultation and makes 12 recommendations to the NSW Government to strengthen the NSW Act.

### KEY RECOMMENDATIONS INCLUDE:



Strengthen the NSW Commissioner's information gathering and sanctioning powers



Explore the use, scope and efficacy of penalties to reduce the prevalence of modern slavery in NSW



Amend section 14 of the NSW Act to clarify that the NSW Commissioner cannot demand cooperation that conflicts with existing rights and privileges, such as legal professional privilege



Implement mandatory, ongoing training for frontline workers to recognise and respond to potential victims of modern slavery



Update the NSW Act to require the NSW Modern Slavery Committee to review the NSW Act every four years

The NSW Government responded to the NSW Act Report in March 2025 and confirmed that the above key recommendations are either not supported or unnecessary due to existing processes. For example, the NSW Government confirmed that legislation will necessarily be interpreted to be consistent with existing rights and privileges, modern slavery training already occurs, and that it will monitor the need for legislative amendments to the NSW Act. The Committee's recommendations to explore the use of penalties, or provide the NSW Commissioner with greater information-gathering and sanctioning powers, were not supported.



## AUSTRALIA: OTHER UPDATES

DEC 2024

The Australian Government launches its new website of modern slavery resources at: [modernslavery.gov.au](https://modernslavery.gov.au).

NOV 2024

The UN Special Rapporteur on contemporary forms of slavery conducts a country visit to Australia.<sup>7</sup> His resulting recommendations include: (a) for large businesses, implement modern slavery due diligence and provide guidance to global supply chains, and (b) for smaller businesses, start sector-based collaboration to identify modern slavery risks.<sup>8</sup>

The Attorney-General's Department releases guidance on *Modern Slavery Lived Experience Engagement and Empowerment*<sup>9</sup> to support organisations when engaging with people with lived experience of modern slavery.

OCT 2024

The NSW Parliament establishes an inquiry into modern slavery risks faced by temporary migrant workers in rural and regional NSW.<sup>10</sup>

JUN 2024

The U.S. Department of State releases its annual Trafficking in Persons Report (**TIP Report**),<sup>11</sup> which highlights global anti-trafficking efforts. Australia maintains its Tier 1 ranking, meaning it meets the minimum standards for the elimination of trafficking under the *Trafficking Victims Protection Act of 2000* (US). However, the TIP Report recommends that the Australian Government: increases investigation and prosecution of trafficking crimes; removes 'movement' as an element of the statutory definition of 'trafficking' under the *Criminal Code Act 1995* (Cth); and, establishes a national compensation scheme for trafficking victims.

MAY 2024

The NSW Commissioner releases a Discussion Paper on a Code of Practice to reduce modern slavery through lending, investing and asset management in the financial services sector.<sup>12</sup> The NSW Commissioner expects to consult on the Code of Practice in 2025.<sup>13</sup>

### FINDINGS IN KWM DIRECTIONS REPORT 2024

KWM's *Directions 2024* report found that only 8% of directors and senior leaders consider 'addressing social commitments' (including modern slavery and human rights) as an area of greatest opportunity or concern over the next 3-5 years. Businesses that are unprepared for the evolving regulatory landscape may find themselves at a disadvantage, whereas businesses that have integrated effective modern slavery and broader human rights controls will be better equipped to adapt, enhancing their appeal to investors and consumers who prioritise ethical practices.

# INTERNATIONAL DEVELOPMENTS

## INTERNATIONAL ORGANISATIONS

In 2024, multiple international organisations published reports that recommended reforms to address the prevalence of modern slavery globally, including:



### INTERNATIONAL LABOUR ORGANISATION (ILO):

The ILO published a paper in September 2024, which finds that freeing people from forced labour and bringing them into employment in the formal economy could generate USD\$611 billion in additional GDP.<sup>14</sup>



### HUMAN RIGHTS COUNCIL (HRC):

The HRC published a report in July 2024 which details the effects of modern slavery on current and formerly incarcerated people, and reveals the increasing risk of 'prison labour' as a potential form of modern slavery.<sup>15</sup> The report examines the causes, consequences and use of compulsory labour by some Member States which may constitute slavery or other human rights abuses, and makes a series of recommendations to prevent modern slavery in correctional settings.



### UN GENERAL ASSEMBLY (UNGA):

The UNGA released a report in July 2024 which considers the role of workers' organisations to prevent workers being subject to modern slavery. It highlights encouraging practices by workers' organisations globally, as well as challenges faced by workers and workers' organisations, in effectively exercising trade union rights and preventing modern slavery.<sup>16</sup>

## PROGRESS ON A BINDING TREATY ON BUSINESS AND HUMAN RIGHTS

The UN open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights (**OEIGWG**) was established by the UN HRC. Since 2014, the OEIGWG has been preparing the scope of a binding treaty to regulate the activities of transnational enterprises in international human rights law.<sup>17</sup> The work of the OEIGWG is a clear marker of the global trend towards greater regulation in this field.

The OEIGWG has released multiple draft versions of the treaty over the last decade, most recently at its [10th session in December 2024](#). Draft treaty negotiations will continue into the 11th session of the OEIGWG in October 2025.

Once settled and ratified, the proposed treaty will formalise the obligations that businesses have in respect of human rights in international law. If enacted in domestic law, business obligations to prevent, mitigate and remediate adverse human rights impacts related to their activities, will likely expand and be subject to increasing regulatory focus.

## EUROPE

2024 marked a year of momentous legal reform across Europe, with the emergence of new regulation that will have impact well beyond the region. Key developments are outlined below:

### THE EUROPEAN UNION (EU): CORPORATE SUSTAINABILITY DUE DILIGENCE DIRECTIVE (CSDDD)

Entering into force on 25 July 2024, the CSDDD applies to EU and non-EU companies that meet any of the below thresholds for two consecutive financial years:<sup>18</sup>

EU COMPANIES	<ul style="list-style-type: none"> <li>• EU companies with at least 1000 employees and annual net worldwide turnover of €450 million, or</li> <li>• EU companies that enter into franchising or licensing agreements in the EU, where (among other conditions) the annual royalties are more than €22.5 million and the company has an annual net worldwide turnover exceeding €80 million, or</li> <li>• EU companies that are the ultimate parent company of a group meeting either criterion above.</li> </ul>
NON-EU COMPANIES	<ul style="list-style-type: none"> <li>• Non-EU companies that generate an annual net turnover exceeding €450 million in the EU, or</li> <li>• Non-EU companies that enter into franchising or licensing agreements in the EU, where (among other conditions) the annual royalties exceed €22.5 million in the EU and generate an annual net turnover exceeding €80 million in the EU, or</li> <li>• Non-EU companies that are the ultimate parent company of a group meeting either criterion above.</li> </ul>

In-scope companies will, among other things, be required to conduct risk-based human rights and environmental due diligence on adverse impacts, and provide remediation where harm is found.

Member States must transpose the CSDDD into national law by 26 July 2026, with application starting in phases from July 2027 - 2029.<sup>19</sup> Non-compliance may result in penalties such as fines of up to 5% of global net turnover, 'naming and shaming', and potential liability for damages caused by intentional or negligent due diligence failures.<sup>20</sup>

### FORCED LABOUR REGULATION

In December 2024, the *Regulation on prohibiting products made with forced labour on the Union market* entered into force. The Regulation will ban businesses from selling products in, or exporting products from, the EU where made with forced labour, from 14 December 2027.<sup>21</sup>

The Regulation states that it does not create additional due diligence requirements, as it is designed to operate alongside existing regimes in EU and national law, such as the CSDDD. It does however mandate the European Commission to publish guidance on due diligence requirements on forced labour, which will take into account the different size, economic resources, types and sectors of suppliers. The European Commission and national authorities are also empowered to launch investigations into potential violations of the Regulation.

## GERMANY

### CORPORATE DUE DILIGENCE OBLIGATIONS IN SUPPLY CHAINS ACT

From January 2024, amendments to Germany's *Corporate Due Diligence Obligations in Supply Chains Act* (**German Supply Chain Act**) expanded the scope of that Act from businesses with over 3,000 employees, to businesses with over 1,000 employees in Germany.<sup>22</sup>

The German Supply Chain Act, which has been in force since 2023, requires companies principally based in Germany to implement specific due diligence obligations - to prevent or minimise risks to human rights or the environment in a company's operations and supply chains.

Those obligations include establishing a risk management system, conducting risk assessments, issuing a policy statement by senior management, taking remedial action, and establishing a complaints procedure. Non-compliance can result in fines of up to €8 million, or 2% of annual global turnover (where a company has average annual turnover of more than €400 million).

## SWITZERLAND

### ORDINANCE ON DUE DILIGENCE AND TRANSPARENCY IN RELATION TO MINERALS AND METALS FROM CONFLICT-AFFECTED AREAS AND CHILD LABOUR

The Ordinance applies to companies that are principally based in Switzerland, and which import or process minerals and metals from conflict-affected areas, and/or offer products or services suspected of carrying child labour risk.<sup>23</sup>

The Ordinance requires in-scope companies to conduct supply chain due diligence and to have in place a traceability system, risk management system, and grievance mechanism.

In 2024, reporting by in-scope companies commenced (for the prior financial year).

## THE UNITED KINGDOM

### PARLIAMENTARY INQUIRY INTO THE MODERN SLAVERY ACT 2015 (UK)

On 24 January 2024, a UK House of Lords Select Committee was appointed to review the effectiveness of the *Modern Slavery Act 2015* (UK) (**UK Modern Slavery Act**).<sup>24</sup>

The Committee published its report on 16 October 2024 and among other things, emphasised the following key issues:<sup>25</sup>

- **Immigration legislation:** Recent UK laws (e.g. *Nationality and Borders Act 2022* and *Illegal Migration Act 2023*) have restricted victim support and increased vulnerabilities.
- **Supply chains:** The UK Modern Slavery Act's requirements for companies to report on modern slavery are insufficient and lack enforcement. Progress towards international best practice for due diligence and import bans on goods and services produced with forced labour is needed.
- **Independent Anti-Slavery Commissioner (IASC):** The IASC position was vacant for 18 months, signalling a lack of governmental prioritisation of modern slavery.

The new UK Government responded to the Committee's report on 16 December 2024. Regarding the above key issues, some of the UK Government's responses included:

- **Immigration legislation:** The UK Government recognises the need for 'robust evidence' when it is developing, delivering and conducting reviews of its immigration and modern slavery policies.
- **Supply chains:** The Home Office plans to introduce improvements to the modern slavery statement registry, including more publicly accessible data on those statements.
- **IASC:** The UK Government notes that Eleanor Lyons was appointed as the IASC in December 2023 and that appointment was made on merit, following open and fair competition.

### THE HUMAN RIGHTS AND ENVIRONMENT BILL

In May 2024, the *Commercial Organisations and Public Authorities Duty (Human Rights and Environment) Bill* progressed to second reading in the House of Lords.<sup>26</sup> Introduced as a private members' Bill in late 2023, it proposes a duty for public authorities and companies to prevent human rights and environmental harms, including via mandatory due diligence, reporting obligations and oversight by a new regulatory authority.

The Bill must proceed through the UK House of Lords and House of Commons before being passed into law. While not identified in the latest King's Speech as a Bill that will be progressed under the current UK Government,<sup>27</sup> it is a clear sign of the trend towards mandatory due diligence by businesses and greater transparency of business operations and supply chains.

## CANADA

### FIGHTING AGAINST FORCED LABOUR AND CHILD LABOUR IN SUPPLY CHAINS ACT

It was a milestone year for Canada as the *Fighting Against Forced Labour and Child Labour in Supply Chains Act*<sup>28</sup> (the **Canadian Act**) came into effect on 1 January 2024.

First reports under the Canadian Act were due swiftly, by 31 May 2024.

The Canadian Government published its Annual Report on the Canadian Act in October 2024,<sup>29</sup> outlining observations on the first year of reporting.

Relevantly, the report found that 13.7% (or 796) of reporting entities were subject to supply chain legislation in multiple jurisdictions - with the vast majority also reporting under the UK Modern Slavery Act, Californian Transparency in Supply Chains Act and Australian Modern Slavery Act.

## SOUTH KOREA

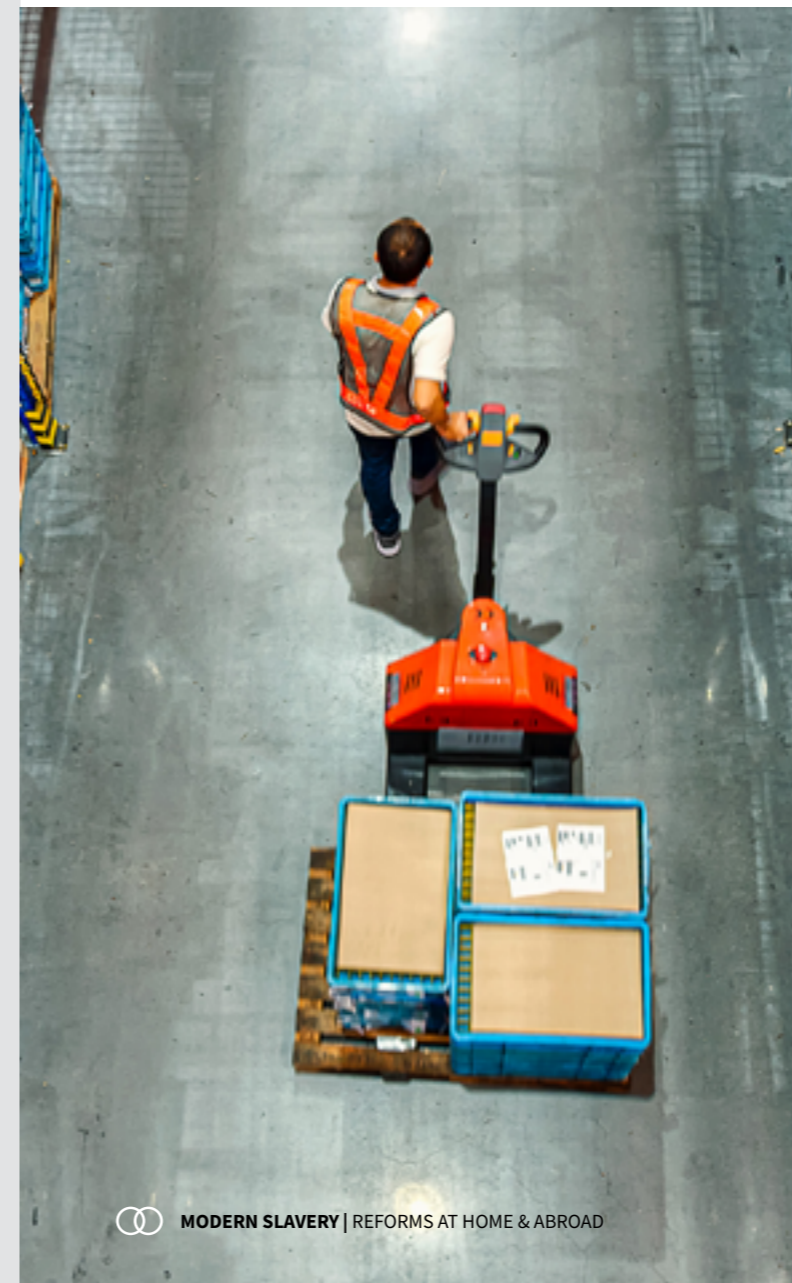
### HUMAN RIGHTS AND ENVIRONMENTAL PROTECTION BILL

The Bill on *Human Rights and Environmental Protection for Corporate Sustainable Management*, the first legislation of its kind in Asia, was proposed in September 2023.<sup>30</sup>

Echoing some of the abovementioned European regimes, the Bill, among other things, proposed mandatory human rights and environmental due diligence by in-scope businesses across their operations and supply chains.<sup>31</sup>

Heralded as an opportunity to lead countries in the Asia region to adopt similar legal frameworks, the Bill lapsed in May 2024. It is not clear that the Bill will be re-enlivened, especially in its current form, although it is expected that the passage of the CSDDD in Europe will motivate further progress in South Korea.<sup>32</sup>

More recently, Thailand has indicated that it will introduce a mandatory human rights and due diligence law - and may set the precedent for Asia.



## NEW ZEALAND

### INTRODUCTION OF MODERN SLAVERY REPORTING DELAYED

The New Zealand government has been developing transparency laws for corporate modern slavery reporting since 2023.<sup>33</sup> The *Modern Slavery Reporting Bill*<sup>34</sup> was introduced as a members' bill in December 2023 and required in-scope entities to prepare an annual modern slavery statement that would address specific criteria and be published on a public register.

Following a change in government, and in 2024 the dissolution of the Modern Slavery Leadership Advisory Group (set up to provide advice on the proposed modern slavery reporting legislation), the proposed legislation has not progressed. New Zealand's Workplace Relations and Safety Minister has indicated that while modern slavery reporting legislation has not been abandoned in New Zealand, the proposal is not a priority for the Government.<sup>35</sup>

### WORK PROTECTION (MIGRANT AND OTHER EMPLOYEES) ACT 2023

In contrast, New Zealand's *Work Protection (Migrant and Other Employees) Act 2023* (**Worker Protection Act**) entered into force on 6 January 2024.<sup>36</sup>

The Worker Protection Act introduced offences and a penalty regime to deter the exploitation of migrant workers. Reforms introduced by the Worker Protection Act include empowering the High Court of New Zealand to disqualify directors if convicted of exploitation of unlawful employees and temporary workers, or a human trafficking offence.<sup>37</sup>

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