

Modern slavery: what ‘reasonable steps’ look like under scrutiny

ESG Procurement Conference
17 September 2026





Acknowledgement of Country

I acknowledge Aboriginal and Torres Strait Islanders as Australia's First Nations and custodians of the land and pay respects to Elders past and present.

First Nations people have survived modern slavery and continue to live with its legacies.

Creation

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What is modern slavery?

When a person is forced, tricked, or trapped into a situation of exploitation for someone else's benefit.

It's an umbrella terms that includes different forms of exploitation:

- Forced labour
- Trafficking in persons
- Debt bondage
- Forced marriage
- Servitude
- Deceptive recruitment
- Child labour



Modern slavery in numbers



50m

people worldwide
are enslaved (ILO)



16,400

people in NSW
estimated to be in
modern slavery



\$9.6bn

estimated cost
to NSW



533

potential survivors
identified through
the office's hotline



80-98%

modern slavery
cases in NSW
are estimated to
go unreported

Modern slavery obligations in Australia

Commonwealth and NSW regimes operate side-by-side.

NSW

450+ NSW public entities must **take reasonable steps** to ensure the goods and services they buy are not products of modern slavery, and report annually on these steps.

Commonwealth

Entities with annual consolidated revenue of at least \$100M must **prepare an annual modern slavery statement** that explains how they are addressing modern slavery risks in their global operations and supply chains.



Modern slavery risk management is becoming more urgent

United States

Tariffs linked to forced labour concerns

Tariffs imposed on the basis that firms in those countries have an unfair advantage over US firms, because they may be using imports made with modern slavery.

Global movement

Import bans are spreading

Many countries have moved towards forced labour import bans, raising expectations on suppliers and buyers.

Australia

Failing to prevent harm may carry penalties

The Australian Government has signalled stronger penalties for large firms that fail to prevent modern slavery in supply chains.

Shared Implementation Framework

In NSW, the [Shared Implementation Framework](#) is designed to give public buyers greater certainty about what constitutes ‘reasonable steps’ to ensure they do not procure products of modern slavery.

It includes detailed information about how to organise operations and procurement to address modern slavery risks, with extensive good practice examples and a range of tools and resources.

1

Guidance on
Reasonable Steps
('GRS')

2

GRS Model
Tender Clauses
('MTCs')

3

GRS Model
Contract Clauses
('MCCs')

4

Inherent Risk
Identification Tool
('IRIT')

5

Public Register

Scan the QR code

Download our Guidance on Reasonable Steps to manage modern slavery risks in operations and supply chains.



What are reasonable steps?

1

Commit

Establish governance, policies, and leadership commitment

2

Plan

Identify salient risks, assess supply chains and prioritise risk management actions

3

Source

Embed modern slavery controls into supplier selection and contracting

4

Manage

Monitor supplier performance, implement controls and address emerging risks

5

Remedy

Provide grievance pathways and respond where harm is identified

6

Report

Measure performance, maintain records and disclose actions taken

7

Improve

Assess effectiveness, strengthen capability and continuously enhance practice

Determining due diligence levels

What is considered ‘reasonable’ depends on both the **inherent risk** of the procurement and the **capability** of your organisation.

The GRS sets out the below matrix to help buyers determine what level of diligence is due.

GRS Inherent Modern Slavery Risk Level	High	Heightened	Heightened	Heightened
	Moderate	Light	Standard	Standard
	Low	Minimal	Light	Standard
	Minor	Minimal	Minimal	Light
		Low	Moderate	High
Entity's GRS Capability Level (for this kind of procurement or activity)				

Inherent Risk Identification Tool

A simple-to-use risk mapping tool identifying product categories with the greatest modern slavery risks.

Modern Slavery Inherent Risk Identification Tool				
IRIT PC ID	PROCUREMENT CATEGORY Level 1	PROCUREMENT CATEGORY Level 2	PROCUREMENT CATEGORY Level 3	INHERENT MODERN SLAVERY RISK LEVEL
WofG0033	Construction	Construction Materials	Electricity for construction	Minor
WofG0031	Construction	Construction Materials	Concrete	Low
WofG0030	Construction	Construction Materials	Asphalt, bitumen and aggregates	Moderate
WofG0034	Construction	Construction Materials	Fencing Materials	High
WofG0029	Construction	Construction Building Services	Security	Further assessment

Model Tender Clauses

Give buyers a consistent way to collect modern slavery due diligence information before choosing a supplier.

S Streamlined

Used for Light, Minimal and Standard due diligence procurements
Assessed on a pass/fail basis.

H Heightened

Used for high-risk procurements
Assessed as a weighted evaluation criteria

For some NSW government buyers, it is now mandatory to use heightened model tender clauses for high-risk procurements.

Model Contract Clauses

Establish a framework for buyers and suppliers to manage modern slavery risks throughout the life of the contract.



Scan to download
the clauses

S Streamlined

- Baseline compliance obligations
- Incident notification and disclosure
- Shared responsibility model
- Simple remediation framework
- For lower-risk procurements

H Heightened

- Enhanced due diligence
- Management planning and governance
- Stronger worker protection measures
- Audit, reporting and assurance rights
- Structured remediation and enforcement

Both sets of clauses are designed off international best practice and can be accessed and adopted by government and commercial entities.

Case Study: Monitoring probe on government procurement of electric vehicles

In February 2025, concerns were raised in NSW Parliament about **modern slavery risks associated with electric vehicles**.

In response, I established a monitoring probe which:

- Established what is known about risks in electric vehicle supply chains
- Clarified which steps were considered reasonable over a given time period
- Analysed the steps taken by government agencies to manage these risks between 2022 and 2025



Assessing inherent risk

The probe established that **there was a body of plausible information** concerning modern slavery risks in EV supply chains.

This information had been available since at least January 2022.

This category was identified as **high risk** in the IRIT.

The risks were characterised by:

- Complex and opaque global supply chains
- Forced and child labour risks associated with mining of cobalt and other mineral inputs
- Well-documented state-sponsored forced labour risks in key battery manufacturing locations

Modern Slavery Inherent Risk Identification Tool			
PROCUREMENT CATEGORY Level 1	PROCUREMENT CATEGORY Level 2	PROCUREMENT CATEGORY Level 3	INHERENT MODERN SLAVERY RISK LEVEL
Fleet Management	Purchased Fleet Vehicles	Electric Commercial Vehicles - Buy	High
Fleet Management	Purchased Fleet Vehicles	Electric Passenger Vehicles - Buy	High

Monitoring steps taken

Considering what reasonable steps looks like under scrutiny



Did buyers identify, assess and apply the risk information that was available at the time?



Did buyers apply appropriate levels of due diligence according to the guidance and tools that were available?



Have buyers used their available leverage, including contractual controls, to manage identified risks through the life of their contracts?

Learnings

The probe demonstrated what reasonable steps look like in practice, and where gaps may arise. Effective modern slavery risk management requires proactive, collaborative and ongoing efforts by buyers and suppliers.

Taking reasonable steps looks like:

- Prioritising **risk to people**
- Engaging **affected stakeholders** at the earliest opportunity
- Developing **long-term supply of slavery-free products** in high-risk categories
- Collaborating and using **collective leverage**
- Seeking **evidence-based** supplier information
- Accessing appropriate **expertise** where required
- Adopting a **shared responsibility** approach
- Supporting suppliers to **build capability**
- Setting up for **continuous improvement** by monitoring and tracking KPIs
- Facilitating or **contributing to remedy** where harm arises
- Ensuring access to **effective grievance mechanisms**
- Improving supply chain **transparency**



Office of the
Anti-Slavery
Commissioner

Thank you

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