

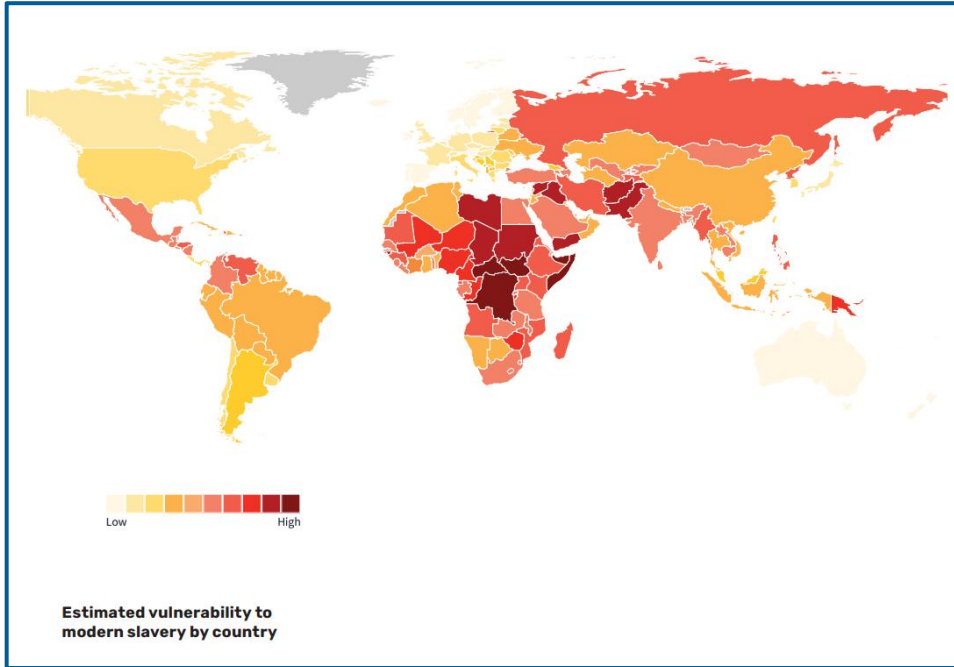
Modern Slavery: What 'Reasonable Steps' Look Like Under Scrutiny

Dr Lorraine Finlay
Human Rights Commissioner
(5th annual ESG Procurement Conference)
(17 September 2026)



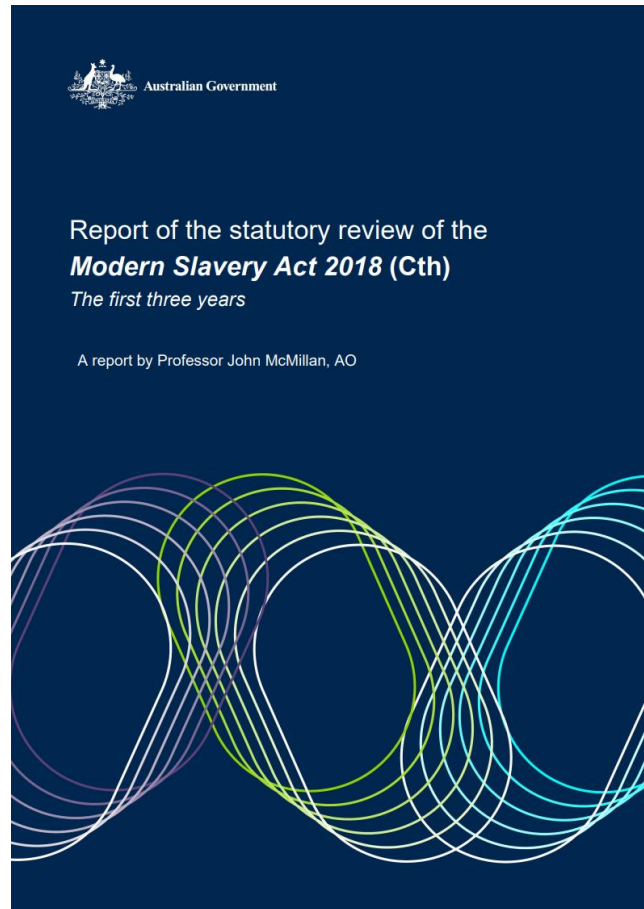
Australian
Human Rights
Commission

Global Estimates of Modern Slavery



- ▶ Walk Free Global Slavery Index 2023 estimates:
 - ▶ 49.6 million people live in modern slavery today
 - ▶ 1 in 4 are children
 - ▶ 54% are woman & girls
 - ▶ 27.6 million are in forced labour
 - ▶ 22 million are in forced marriage
 - ▶ Approximately 41,000 are living in Australia

Australia's Modern Slavery Act Review



‘A widely endorsed view in the consultations for this review is that there is no hard evidence that the *Modern Slavery Act* in its early years has yet caused meaningful change for people living in conditions of modern slavery. There are occasional scattered instances of modern slavery incidents and victims being identified, but no strong storyline that the drivers of modern slavery are being turned around.’

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Proposed Criminal Law Offence



Figure 1 – Current and proposed criminal law offences targeting modern slavery



(f) Defence

A defence would apply where a corporation can demonstrate on the balance of probabilities it had taken reasonable steps to prevent modern slavery.

Whether the 'reasonable steps' defence is made out would be determined by the courts on a case-by-case basis, having regard to the guidance and any other reasonable steps taken by the corporation.

Consultation Process

<https://consultations.ag.gov.au/crime/modern-slavery>

Strengthening Australia's response to modern slavery in supply chains

Overview

On 16 July 2026, the Australian Government [announced](#) its intention to further strengthen Australia's modern slavery laws, including by introducing a new criminal offence for the failure to prevent modern slavery. This consultation will inform the details of the proposed offence and enforcement options, including the possible introduction of a Deferred Prosecution Agreement (DPA) scheme for relevant modern slavery offences and remedies for victims.

The proposed reforms aim to enhance corporate accountability for preventing modern slavery in supply chains, improve protections for workers vulnerable to exploitation, and create a level playing field for businesses that are already taking meaningful action to identify, manage and address modern slavery risks.

The government is seeking feedback to help ensure any reforms are practical, effective and proportionate, while supporting meaningful action to identify, prevent and address modern slavery risks.

Closes 25 Sep 2026

Opened 21 Aug 2026

Contact

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Thank you & Questions

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