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6 August 2014

Ms Sophie Dunstone  
Committee Secretary  
The Senate Legal and Constitutional Affairs Legislation Committee  
PO Box 6100  
Parliament House  
Canberra ACT 2600

Sent via e-mail: [legcon.sen@aph.gov.au](mailto:legcon.sen@aph.gov.au)

Dear Ms Dunstone

**Inquiry into the Crimes Legislation Amendment (Psychoactive Substances and Other Measures) Bill 2014**

Thank you for your letter by e-mail on 28 July 2014 inviting Anti-Slavery Australia to make a submission addressing issues that may be of relevance in relation to the Crimes Legislation Amendment (Psychoactive Substances and Other Measures) Bill 2014.

This short submission is limited to addressing Schedule 4 of the Bill – “Slavery offences: jurisdiction”.

Anti-Slavery Australia strongly supports the universal jurisdiction of slavery offences as envisaged by Section 270.3A of the *Criminal Code Act 1995* (the Code). This amendment will ensure that Australia’s anti-slavery laws are in keeping with our nation’s recognition through a number of international treaties that the prohibition of slavery is *jus cogens* and that this fundamental human right is non-derogable.

In addition, after reading the Explanatory Memorandum to the *Criminal Code Amendment (Slavery and Sexual Servitude) Act 1999* it appears that the original intent was for universal jurisdiction to apply to the slavery offences contained in the Code.

We support this legislative amendment which will assist Australian law enforcement agencies to investigate allegations of slavery offences wherever they occur.

Anti-Slavery Australia recognises that the restrictions set out in Section 270.3B requiring permission of the Attorney General to prosecute slavery offences which take place wholly outside of Australia are consistent with other Code offences carrying extended jurisdiction as set out in Division 16.1 of the Code.

We commend the proposed amendments to the Committee.

Yours sincerely

Jennifer Burn  
Associate Professor, Faculty of Law  
Director Anti-Slavery Australia, University of Technology, Sydney

**Anti-Slavery Australia (ASA)** at UTS is dedicated to eliminating all forms of human trafficking and slavery in Australia. The Centre engages in research, policy development, and evaluation of Australia’s response to slavery, slavery-like practices and human trafficking. Anti-Slavery Australia provides access to a specialist pro bono legal service for survivors, promotes a human rights and evidence based response to policy development and the protection of survivors. Anti-Slavery Australia has launched Australia’s first e-learning platform for front-line workers about slavery, slavery-like practices and human trafficking.