

Briefing Paper

**Working Together for
a Stronger Response**

Rebuilding Aotearoa New Zealand's Plan of Action on
Forced Labour, Trafficking in Persons & Modern Slavery



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Acknowledgements

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Executive Summary

New Zealand has a powerful opportunity to take transformative action to address and prevent modern slavery by embedding survivor leadership, strong civil society collaboration, legal accountability and coordinated implementation into the Government's next *Plan of Action on Forced Labour, Human Trafficking & Slavery* ("Plan of Action").

Modern slavery is not just a violation of individual human rights, it is a barrier to the fair, safe and inclusive society to which New Zealanders collectively aspire. A re-imagined Plan of Action can help create the conditions where everyone in New Zealand, regardless of their country of origin or occupation, is treated with dignity, fairness, and respect.

In addition to its human rights implications, modern slavery has become a matter of global leadership and economic integrity. Countries that fail to address forced labour and exploitation face increasing pressure from international trading partners, investors and multilateral institutions. A credible and future-focused Plan of Action is therefore essential, not only to uphold human rights but also to maintain New Zealand's reputation as a trusted trading partner and principled global leader.

This briefing paper presents a set of strategic recommendations to inform the development of New Zealand's Plan of Action. These recommendations represent a consensus from across civil society and international observers: **that systemic reform is well overdue. New Zealand continues to delay meaningful action while exploitation and human trafficking continue.** The paper has been developed to support Government ministers, Members of Parliament and public servants who are shaping the future response to modern slavery in New Zealand.

The briefing paper outlines six key recommendation areas, supported by sector reflections and international critiques. The recommendations are grounded in deep engagement with civil society organisations, survivor leaders and frontline practitioners, alongside analysis of international treaty reviews and human rights mechanisms. It identifies gaps in law, leadership, victim support and enforcement, and proposes a roadmap for systemic reform.

The recommendations are an urgent call to action: New Zealand's current response is not adequate to meet the scale or complexity of the issue. A transformational response is now required.

We believe that with political will, strong and improved cross-sector collaboration and a commitment to justice, New Zealand can become a global leader in preventing and addressing modern slavery in all its forms.'

Recommendations Overview

The recommendations in this section form a unified and forward-looking framework for strengthening New Zealand’s response to modern slavery, trafficking and exploitation from 2025 to 2030.

The recommendations incorporate—

1. Reflections from New Zealand’s civil society anti-trafficking sector.
2. Critiques from international bodies.
3. International best practice guidance from key global instruments and institutions.

It should be noted that this is not the first time comprehensive recommendations on New Zealand’s trafficking in persons response have been proposed by domestic experts. In December 2024, a group of independent experts published *Building Consensus: A comprehensive framework for combatting trafficking in persons and modern slavery in New Zealand* (“*Building Consensus*”). The recommendations in this briefing encompass many aspects of the proposed bill set out in *Building Consensus* including introducing supply chain reporting legislation, a public register of modern slavery statements, the establishment of an Anti-Slavery Commissioner, robust data collection, a clear referral mechanism (“NRM”) for victims, strong victim-centered support systems, the principle of non-punishment of victims and amendments to the Crimes Act 1961.

“Much of the legal work required to enact transformative change in New Zealand’s response to trafficking in persons and modern slavery has already been done. All that remains outstanding is the political will for action.”

We therefore urge Minister van Velden to consider the following recommendations alongside those made in *Building Consensus* and to see the *Combatting Trafficking in Persons and Modern Day Forms of Slavery Bill* that is proposed in *Building Consensus* as a key instrument by which all these recommendations can be enacted.

New Zealand’s response to modern slavery and trafficking in persons has come under sustained scrutiny from a range of international bodies in recent years. Collectively, these critiques have highlighted persistent gaps in victim protection, legal frameworks, interagency coordination and the protection of migrant workers. While each process has had its own scope and methodology, there is strong convergence in their recommendations: New Zealand must strengthen its national leadership and governance, align legislation with international standards, adopt a victim-centred approach and take more proactive steps to

address and prevent exploitation. These international reviews reinforce the need for urgent and comprehensive reform.

The following recommendations are also informed by international best practice guidance from key global instruments and institutions. These frameworks consistently highlight the need for legally binding obligations, strong governance and accountability, victim-centered protection systems and effective interagency coordination.

Drawing on domestic experience, international critiques and best practice approaches, the recommendations offer a clear, evidence-based path forward that reflects New Zealand's international obligations and its potential role as a global leader in this space.

2025-2030 Plan of Action Recommendations

1. Establish strong leadership, governance and oversight

- Re-establish a civil society reference group and create a Survivor Advisory Council to inform all aspects of policy, planning and implementation.
- Establish a multi-agency leadership model with clear lines of interagency accountability.
- Establish a dedicated New Zealand Police operation to drive enforcement and disruption efforts.

2. Include measurable metrics and targets

- Set measurable goals for investigations, prosecutions and victim identification.
- Track training coverage (e.g. % of frontline staff trained).
- Publish annual public implementation plans and evaluation reports.

3. Strengthen victim-centered protections

- Introduce a NRM to identify, refer and support victims.
- Ensure access to independent legal support, transparent certification processes and safe, trauma-informed repatriation.
- Provide safe reporting mechanisms and immigration relief for trafficked migrants.
- Commit funding and ensure access to:
 - Trauma-informed, gender- and culturally-responsive services.
 - Immigration relief and legal aid.
 - Safe housing and long-term reintegration support.

4. Legislative and policy reform

- Amend s98B, 98D and 98F of the Crimes Act 1961 to align with international best practice and definitions set out in the Palermo Protocol.
- Guarantee non-criminalisation of victims in law.
- Introduce modern slavery legislation requiring businesses to report publicly on transparency in supply chains to help eliminate practices of modern slavery.

- Remove discriminatory barriers for migrant women (e.g. s19 PRA).
- Reform immigration and visa policies to prevent exploitation and prohibit the use of Immigration Act tools as substitutes for criminal investigation.
- Create a pathway to appointing an Anti-Slavery Commissioner with statutory authority to coordinate, monitor and report on anti-trafficking efforts.

5. Invest in data, research and survivor voice

- Create a national database to track trends and collect data related to trafficking in persons and modern slavery.
- Commission ongoing research such as the research to map access to support and services for victim-survivors which has been proposed by the Human Trafficking Research Coalition.
- Embed survivor-informed practices in prevention, policy-making and service design.

6. Expand training and public awareness

- Provide ongoing, culturally responsive training for law enforcement, government staff, NGOs and business sectors.
- Co-create and deliver a national, multilingual awareness campaign targeting migrant, youth and high-risk communities.
- Equip frontline industries (e.g. construction, horticulture, hospitality) to identify and respond to exploitation.

Civil Society Reflections (2020-2025)

The first key input into the recommendations in this briefing paper comprises reflections from the civil society anti-trafficking sector in New Zealand. Oceania Freedom Network, in conjunction with Dr. Marieke Jasperse, convened two hui in May and June 2025 to obtain reflections on the 2020-2025 Plan of Action from civil-society organisations, survivor leaders, academics and frontline practitioners. These reflections have been consolidated, reviewed and refined by an external consultant and form a crucial base for the recommendations.

The sector reflections raised serious concerns about the 2020-2025 Plan. Participants unanimously agreed that the Plan lacked clarity, coordination and meaningful implementation. Despite the Plan's stated commitment to publishing implementation reports, the sector observed little or no progress across the Plan's four pillars – partnerships, prevention, protection and enforcement.

Key Critiques of the 2020–2025 Plan of Action

1. Lack of partnership and transparency

- Civil-society and survivor leaders were not meaningfully engaged in the Plan's development or delivery.
- Obtaining even basic information required OIA requests, undermining the principle of partnership.
- Existing reference groups were neither inclusive nor consistently maintained.

2. Limited and narrow prevention measures

- Prevention efforts focused predominantly on offshore or labour migration contexts, neglecting domestic forms of exploitation.
- Government training was not extended to NGOs or affected communities.
- There was no coordinated national awareness campaign.

3. Failure to protect victims and enable recovery

- No NRM or equivalent pathway was implemented.
- Certification processes lacked transparency and did not ensure access to support.
- Victims often remained in exploitation or were deported without adequate support or recourse due to a focus on immigration compliance.

4. Weak enforcement and outdated legislation

- The Crimes Act 1961 lacks provisions aligned with international trafficking standards.
- There have been no prosecutions under trafficking provisions since early 2020.
- Confusion between trafficking and migrant exploitation has hindered effective responses.

5. Absence of survivor leadership and inclusion

- Survivor voices were not involved in governance, design or delivery.
- Survivor participation was minimal due to fear of retaliation, deportation, or stigma.
- A national Survivor Advisory Council has not been considered

6. Under-resourced and uncoordinated implementation

- No funding was clearly allocated to deliver on the Plan's actions.
- Implementation was fragmented and lacked interagency oversight or leadership.
- MBIE's lead role had the effect of limiting the response to labour and immigration framings.

Key Recommendations from the Sector

1. Rebuild trust and partnership

- Re-establish a diverse and inclusive Plan of Action Reference Group.
- Publicly recommit to a renewed, co-designed Plan of Action
- Publish annual implementation reports.

2. Develop a survivor-centered protection system

- Establish a NRM co-designed with survivors and frontline providers.
- Guarantee access to holistic, trauma-informed support services including legal aid, housing, counselling and safe repatriation.
- Create a Survivor Advisory Council to guide all aspects of the national response.

3. Invest in prevention through education and awareness

- Deliver a national, multilingual awareness campaign, co-developed with affected communities.
- Expand government training to include NGOs, migrant organisations and local leaders.

4. Strengthen legal and enforcement tools

- Amend the Crimes Act to include definitions for forced criminality and child exploitation and to ensure the non-punishment of victims.
- Introduce corporate due-diligence laws aligned with international best practice.
- Establish a multi-agency anti-trafficking taskforce led by New Zealand Police.

5. Establish independent oversight

- Create an independent Anti-Slavery Commissioner with statutory authority.
- Remove trafficking responsibilities from Immigration NZ and MBIE to avoid an immigration-compliance focus which inherently undermines victim-centred protection.
- Ensure accountability mechanisms across agencies are survivor-informed and rights-based.

Global Observations: Critiques & Recommendations

Over the past number of years, New Zealand's response to modern slavery, trafficking and exploitation has come under growing international scrutiny. A wide range of critiques have emerged through formal United Nations mechanisms such as the International Covenant on Civil and Political Rights, Universal Periodic Review and Conventions on the Elimination of All Forms of Discrimination Against Women review, as well as from other international sources including the U.S. Trafficking in Persons Report, the Global Slavery Index, international NGOs, regional bodies and bilateral partners.

These reviews highlight consistent concerns: weak enforcement and prosecution, insufficient victim support, legislative gaps, inadequate protections for migrant workers and a lack of coordinated national leadership. While New Zealand has made strong international commitments to address these issues, the persistent gap between global rhetoric and domestic action remains a key concern raised across multiple sources.

In addition to these critiques, a growing body of international best practice guidance provides clear benchmarks for what an effective national response should include. These frameworks (such as the UN Convention against Transnational Organized Crime ("UNTOC") and its Palermo Protocol, the International Labour Organisation's Forced Labour Conventions, the UN Guiding Principles on Business and Human Rights, the Organisation for Security and Cooperation in Europe's ("OSCE") practical tools on trafficking responses, and the recent Global Commission on Modern Slavery and Human Trafficking) consistently call for legally binding obligations, strong governance and accountability, victim-centred protection systems and effective interagency coordination.

Drawing on these global standards and the observations of international review bodies, this section outlines the core themes and recommendations emerging from the international community that we believe New Zealand must consider as it rebuilds its national strategy from 2025 onward.

Key Critiques of NZ's Response to Modern Slavery and Trafficking

1. Weak enforcement and low prosecution rates

- Despite numerous reported cases of trafficking and exploitation, no new convictions have been recorded under the current Plan of Action (2020–25).
- Investigations are inconsistent and prosecutions are rare. Where cases are pursued, sentences are often too lenient to act as an effective deterrent.
- There is concern that law enforcement capacity is insufficiently resourced and trained to proactively identify and build strong cases against traffickers.

- Victims also remain at risk of criminalisation for offences committed as a result of being trafficked, due to gaps in protections and frontline misunderstanding of trafficking indicators.

2. Insufficient victim identification and support

- There is no national referral mechanism to identify, refer and support victims of trafficking and forced labour.
- Frontline officials receive inconsistent training and are often unprepared to recognise indicators of trafficking, particularly among marginalised and migrant populations.
- Services for victims are limited in coverage and accessibility, and are not consistently trauma-informed, gender-sensitive or culturally appropriate—particularly for Māori, Pacific peoples, children and migrants.
- Outreach to vulnerable groups is minimal and there are no dedicated efforts to ensure survivors can safely report their experiences and receive support without fear of deportation or prosecution.

3. Gaps in legislative framework

- New Zealand still lacks modern slavery legislation with mandatory due-diligence obligations for businesses and public-sector entities.
- Existing legislative proposals focus solely on corporate transparency reporting, which falls short of international standards and does not require companies to prevent or remediate harm.
- Definitions of child trafficking and exploitation do not fully align with international law, particularly where children are required to demonstrate coercion or deception in exploitation cases; international best practice requires that child victims be automatically recognised, without these evidentiary barriers.

4. Inadequate protection for migrant workers

- Migrant workers, including those in the Recognised Seasonal Employer (RSE) programme, remain especially vulnerable to exploitation, due to restrictive visa conditions and power imbalances with employers.
- There are limited pathways for redress and no independent complaints body with binding enforcement powers.
- Labour exploitation among migrant workers continues to be under-identified.
- workers in industries such as horticulture, hospitality, cleaning, and domestic work face heightened risk due to isolation, dependency and lack of access to legal protections.

5. Lack of interagency coordination and leadership

- The current Plan of Action lacks a clear and effective interagency governance structure, with responsibility primarily led by one ministry with a focus on immigration and labour policy.
- This has led to a narrow understanding of trafficking as an immigration compliance issue, rather than a human rights violation requiring a whole-of-government response.
- Key agencies, including police, justice, child protection and social development, are not consistently engaged or held accountable for their role in addressing exploitation.
- Stakeholders have repeatedly called for the reinstatement of a national advisory group to ensure coordinated oversight, policy alignment and survivor-informed responses.

6. Disconnect between global commitments and domestic action

- Although New Zealand is party to key international agreements and participates in regional forums addressing trafficking, progress in domestic implementation has stalled.
- Compared to peers like Australia, Canada and the UK, New Zealand has been slow to introduce binding legal frameworks, implement proactive enforcement or scale victim services.
- These gaps have raised concerns about New Zealand's credibility as a human rights leader and suggest a need to better align commitments with tangible outcomes at home.

Alignment with International Best Practice

New Zealand is party to a number of international instruments that set out minimum standards for preventing trafficking in persons, protecting victims and prosecuting offenders. Chief among these is the United Nations Convention against Transnational Organized Crime (UNTOC) and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (known as the Palermo Protocol). These treaties establish binding legal obligations, including the need to adopt comprehensive anti-trafficking legislation, ensure victims are not criminalised for acts committed as a result of being trafficked, and implement prevention strategies that address root causes.

The UN Office on Drugs and Crime (UNODC), which monitors implementation, has also issued technical guidance for governments on national action plans, victim identification and international cooperation.

Alongside UN instruments, several international expert bodies and intergovernmental organisations have articulated detailed operational guidance for states. The OSCE has been a leading voice in promoting effective NRMS, interagency coordination and the non-punishment principle, all of which are gaps in New Zealand's current response. The OSCE's practitioner-focused guidelines are widely used globally and stress the importance of victim trust, data systems and oversight structures.

The Global Commission on Modern Slavery and Human Trafficking, an initiative involving governments, survivor leaders, academics and businesses, has called for whole-of-government leadership, mandatory human rights due diligence and survivor engagement in governance.

These frameworks complement the ILO Forced Labour Conventions and the UN Guiding Principles on Business and Human Rights, which require states to regulate business conduct and ensure access to remedies for affected workers. Taken together, these global standards offer a comprehensive blueprint for an effective and rights-based response to modern slavery and trafficking.

Consolidated International Recommendations

Based on the above instruments and expert guidance, New Zealand's future Plan of Action should align with the following key recommendations:

1. Legal reform

- Fully align domestic legislation with the Palermo Protocol by ensuring comprehensive definitions of trafficking (including child trafficking) that do not require proof of coercion.
- Enshrine the **non-punishment principle** for trafficking victims in law.
- Pass **modern slavery legislation** that includes **mandatory human rights due diligence** obligations across supply chains for both private and public entities.

2. Victim identification and protection

- Establish a formal, nationwide **National Referral Mechanism (NRM)** that includes clear roles for all frontline agencies, survivor input and referral pathways to specialist services.
- Guarantee **access to justice and protection** regardless of immigration status.
- Ensure services are **trauma-informed, culturally safe** and accessible to Māori, Pacific peoples, migrants, children and gender-diverse individuals.

3. Interagency coordination and leadership

- Create a **national coordinating body** or reinstate a **Modern Slavery Advisory Group** to ensure consistent policy alignment and accountability across government agencies.
- Embed **survivor representation and civil society voices** in governance structures.
- Develop and publish an **implementation and evaluation framework** with annual reporting.

4. Prevention and transparency

- Launch public awareness campaigns and workplace training to improve detection and reporting.
- Implement regulations requiring entities to **prevent, mitigate and remedy harm**, not just report on risks.
- Address systemic vulnerabilities in visa, labour and migration systems, particularly in the Recognised Seasonal Employer (RSE) scheme.

5. Data, monitoring, and regional engagement

- Collect and publish disaggregated data on trafficking and forced labour cases.
- Fund research into prevalence, lived experiences and emerging forms of exploitation (e.g. digital grooming).
- Work collaboratively with Pacific neighbours and support capacity building to strengthen anti-trafficking systems regionally.

Conclusion

New Zealand stands at a crossroads. The 2025–2030 Plan of Action is more than a policy update, it is a chance to correct past failings and build a national response that is coordinated, survivor-centered and internationally credible. The recommendations in this briefing paper reflect the shared wisdom of those working on the frontlines of prevention, protection and accountability.

We have both an opportunity and a responsibility to get this right. The next Plan of Action needs to be more than words on paper. It needs to deliver real change: coordinated leadership, stronger protections, survivor voice at the center and accountability at every level.

We urge Government ministers, Members of Parliament and public servants to take bold, principled action. The recommendations in this briefing paper come from those closest to the work: people supporting survivors, pushing for justice and building safer systems every day. Implementing these reforms will not only bring New Zealand into line with its international commitments, it will send a clear signal that we are prepared to lead by example in our region. With courage, cross-sector collaboration and a commitment to justice, Aotearoa New Zealand can become a place where freedom from exploitation is not just a promise, but a lived reality for all.



The civil-society anti-trafficking sector stands ready to support the Government to achieve the recommendations we are proposing.

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