Australian Government
Attorney-General's Department

Modern Slavery Act consultations: Summary

From July 2025 to April 2026, the Attorney-General's Department (the department) undertook a two-stage consultation process, combining public consultation with detailed workshops to support implementation of the Government's response to the statutory review of the Modern Slavery Act (the Review). The consultation explored complex and interconnected proposals identified by the Review, which required careful consideration and extensive engagement with stakeholders, including those overseas.

Consultation topics included:

1. Operational issues
2. Mandatory reporting criteria
3. Compliance and enforcement framework
4. Due diligence requirements
5. Introducing a power to declare matters (such as an industry or supply chain) as carrying a high risk of modern slavery.

Stakeholders consulted

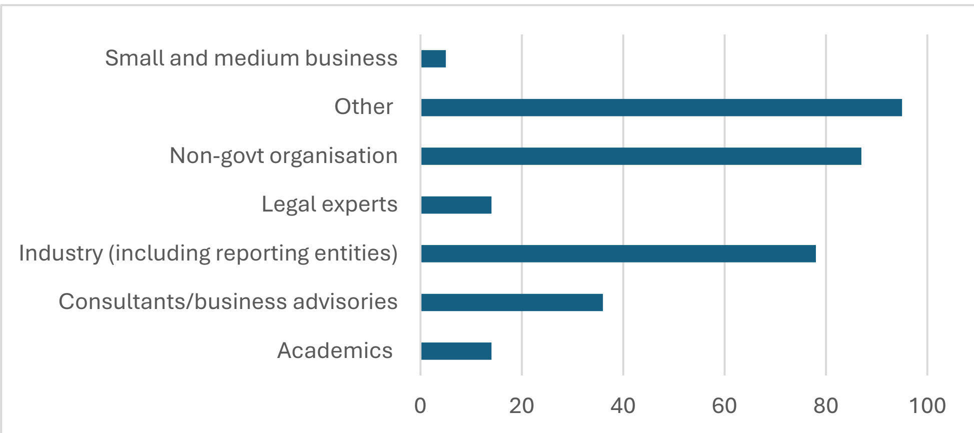
- Modern Slavery Expert Advisory Group
- Small business
- Civil society, NGOs and Network Organisations
- Victims, survivors and people with lived experience
- International organisations
- Government agencies
- Industry and investor groups
- Academics
- Anti-slavery Commissioners
- Reporting entities
- Unions

Key statistics

630 stakeholders consulted

24 workshops, across: NSW, VIC, WA and ACT

Over 200 submissions and written comments



Findings summary

Support for regulatory powers to address objective forms of non-compliance.	Need for alignment of standards and timelines with international jurisdictions.	Calls to reduce regulatory burden.
Business advocacy for clarity and flexibility.	Importance of a collaborative approach.	Mixed views on utility of a power to declare matters as high risk.

Operational issues and mandatory reporting criteria

- Reporting criteria: Stakeholders expressed differing views on changes to reporting criteria. Some supported stronger action on issues such as grievance mechanisms and remediation, while others emphasised the importance of maintaining proportionate reporting requirements and minimising additional reporting burdens.
- Joint reporting: Limited feedback was received.
- Voluntary reporting: Stakeholders generally supported allowing voluntary reporting entities to notify their intention to cease reporting at any time. Views were mixed on whether regulatory powers should apply to voluntary reporters.
- Mandatory reporting notifications: Views were mixed on whether reporting entities should be required to notify the Regulator when they intend to cease reporting.

Compliance and enforcement framework

- Stakeholders broadly supported regulatory powers for more objective forms of non-compliance, such as failure to lodge a modern slavery statement.
- Some stakeholders strongly supported a broader range of enforcement powers that could be used across a broad range of behaviours, such as failure to report, false and misleading information, inadequate reporting, and failure to conduct due diligence.
- Stakeholders supported education, guidance and use of existing powers to uplift compliance. Some also supported greater regulatory powers to tackle non-reporting and promote fairness by addressing persistent non-compliance.
- Views on penalties for non-compliance were mixed. Stakeholders generally favoured enforcement that was proportionate to the nature of the breach, particularly for less objective matters such as inadequate reporting.

Due diligence requirements

- Stakeholders generally supported businesses carrying out modern slavery due diligence aligned with international guidance, including the United Nations Guiding Principles on Business and Human Rights.
- Views differed on whether the requirements should be high-level and principles-based, providing flexibility, or prescriptive, providing greater certainty.
- Stakeholders identified challenges with undertaking all due diligence steps, including limited supply chain visibility, resource pressures, and barriers to collaboration.
- Most stakeholders preferred alignment with international frameworks, acknowledging emerging approaches in overseas jurisdictions.

High risk declarations

- Stakeholders expressed mixed views on the potential value of high risk declarations and noted potential unintended consequences.
- Some stakeholders supported government signalling of higher risk areas but views differed on form and content. Others thought declarations would be most effective when accompanied by an import ban or preferred a due diligence approach.
- Some stakeholders noted declarations could increase administrative burdens, divert attention from more significant risks, and potentially hinder remediation by negatively affecting business relationships.