

This Modern Slavery Statement is made pursuant to section 13 of the Commonwealth *Modern Slavery Act 2018 (the Act)* by the Victorian Institute of Forensic Mental Health (ABN 32 807 323 885), known as Forensicare, and relates to the period **1 July 2019 to 30 June 2020**.

This statement sets out Forensicare's actions to identify, assess and address modern slavery risks in its operations and supply chains.

Forensicare's structure, operations, and supply chains

The Victorian Institute of Forensic Mental Health (**Forensicare**) is the state-wide provider of specialist forensic mental health services in Victoria.

Forensicare is a statutory body established under the *Mental Health Act 1986* and continued under the *Mental Health Act 2014*.

Forensicare's primary consumers are:

- Individuals with a mental illness at risk of, or involved in, the criminal justice system;
- Individuals who have carried out a criminal offence but who have been found not guilty by reason of mental impairment or unfit to be tried under the *Crimes (Mental Impairment and Unfitness to be Tried) Act 1997*; and
- Individuals in the community at risk of offending and/or who pose a risk to themselves or others.

Forensicare delivers a range of forensic mental health services based on a recovery-oriented mental health framework for people living with mental illness. Services are tailored to different stages of recovery and range from assessment, early intervention and prevention, inpatient care, rehabilitation and community transition support. These services are delivered through:

- Thomas Embling Hospital: a 136-bed secure forensic mental health hospital providing care and treatment for those living with a serious mental illness;
- Prison mental health services: Forensicare provides specialist forensic mental health services across 12 of Victoria's 14 prisons through a services agreement with the Department of Justice and Community Safety. Services include mental health reception assessments, dedicated units for the care and treatment of prisoners with a mental illness, as well as outpatient care and mobile forensic mental health services. There are 141 prison-based mental health beds across Victorian prisons serviced by Forensicare. All of Forensicare's prison-based specialist mental health services are voluntary.
- Community Forensic Mental Health Service: Forensicare provides a diverse suite of consultation and direct clinical services for those engaged in – or at risk of coming into contact with – the justice system, including a court reports service, a community transition and treatment program, serious offender consultation service, mental health advice and response service across eight metropolitan Melbourne courts, a problem behaviour program and a fixated threat assessment centre.

As required by the *Mental Health Act 2014*, Forensicare has responsibility in undertaking research, education, and training in forensic mental health. To this end, Forensicare works in partnership with Swinburne University of Technology through the Centre for Behavioural Science to deliver a comprehensive program of forensic mental health research, specialist training and ongoing professional development and education to support Forensicare and the wider mental health community.

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Further information about the history, operations and services of Forensicare is available at www.forensicare.vic.gov.au.

Forensicare purchases goods and services directly from providers, but also through intermediaries such as HealthShare Victoria (**HSV**) (known as Health Purchasing Victoria during the reporting period) and the Victorian Government Procurement Board (**VGPB**).

Services outsourced and contracted directly by Forensicare include:

- Catering Services (single supplier based in Victoria)
- Cleaning Services (single supplier based in Victoria)
- Security Services (two suppliers: one for gatehouse security and one for electronic surveillance, both based in Victoria)
- Education Services (single TAFE provider based in Victoria)
- Health & Leisure Services (single provider based in Victoria)

Goods purchased directly by Forensicare include:

- patient consumables (personal care items)
- Some speciality furniture items
- Therapeutic devices
- psychological assessments
- patient medication
- first aid kits
- staff uniforms

Examples of types of goods and services obtained through HSV and VGPB include:

- Linen Service
- Waste Service
- Energy provision
- Vic Fleet for leasing of vehicles
- Personal Protection Equipment supplies
- Medical consumables such as defibrillator and associated supplies
- Office/Stationery supplies

HSV is an Australian public authority established in 2001 by an amendment to the *Health Services Act 1988* and has a responsibility to facilitate reform of the procurement system for Victorian hospitals and health services. It is an independent statutory authority responsible to the Minister of Health.

HSV works to procure best-value goods and services for health services, and works with services to understand requirements, facilitate large-scale collective tenders and manage common-use contracts on behalf of the state. Goods and/or services can then be purchased by the health services from suppliers who form part of HSV collective agreements.

HSV works with approximately 449 tier-one suppliers and is responsible for more than 65 contracts with a spend value of over \$1.16 billion. HSV collective contracts cover a broad range of services, equipment and supplies across a number of categories (including beds, mattresses, patient trolleys, treatment chairs, hypodermic needles and syringes, gloves, pharmaceutical products, agency labour, catering supplies, laundry and linen services). A full list of HSV's sourcing categories can be found at

www.healthsharevic.org.au/contracts-and-documents/contracts.

Risks of modern slavery in the operations and supply chains of Forensicare

Forensicare undertook an initial high-level risk assessment of its operations and supply chain in this initial reporting period. That assessment was undertaken based on a preliminary desktop review of supplier categories with reference to the suppliers' potential exposure to modern slavery due to the nature of the category or service provided.

The initial high-level risk assessment identified 3 main supplier categories likely to pose higher risks of modern slavery: facility and property management services, catering services and medical consumables. This on the basis these are known high risk products and services, and the labour force commonly associated with these categories may be considered vulnerable.

As outlined above, facility and property management services (including cleaning and security) and catering services are procured directly by Forensicare, while medical consumables are obtained through HSV. It is acknowledged that modern slavery risks exist across Forensicare's supply chains, in relation to goods and services procured both directly and indirectly through third parties such as HSV or VBPPB.

Forensicare's directly procured security, cleaning and catering services are locally based and have been for some time. Consequently, risks arising from geographical location are considered to be low. It is likely that the major risk associated with this category relates to potential vulnerabilities among the labour force. As outlined below, Forensicare will seek to address risk in these areas in the next reporting period through strengthened procurement practices. In future, Forensicare may also consider the practices of the contracted service provider in sourcing supplies and products to carry out the contracted works (i.e. cleaning supplies).

Medical consumables are obtained through contracts sourced via HSV collective agreements. It is acknowledged that there are a number of modern slavery risks associated with this category due to the diversity of products and services and associated geographic locations, industries and regulatory systems further down those supply chains.

These may include:

- Labour practices in offshore manufacturing facilities, some of which are located in South-East Asia;
- Labour practices in the sourcing of raw materials, including cotton and rubber; and
- Industry risks associated with textiles and electronics.

HSV identified the following high risk areas specific to the healthcare sector more broadly:

- Surgical gloves and examination gloves;
- Surgical instruments; and
- Linens and gowns.

Forensicare does not purchase surgical gloves or surgical instruments.

Forensicare notes the HSV has clearly communicated its position on modern slavery at [Modern slavery » HealthShare Victoria](#) and is supportive of HSV's commitment to conduct due diligence on modern slavery risk as part of its invitation to supply process in the procurement of goods.

Forensicare also notes that HSV seeks to actively improve supplier awareness of modern slavery risks

through awareness raising and notes that HSV has committed to continually monitor, assess and address modern slavery risks. Forensicare will continue to examine HSV's practices in the procurement of goods that Forensicare sources through HSV.

Actions taken by Forensicare to assess and address these risks (including due diligence and remediation processes)

Forensicare recognises the importance of this activity and is committed to undertaking further action in the FY2020-21 reporting period as outlined in this statement.

In the next reporting period, Forensicare will commence the following measures to build knowledge of the supply chain and understanding of the modern slavery risks that lie within it:

- Assess high risk suppliers for their ability to meet and work towards minimum standards to be adopted from the State's Supplier Code of Conduct and amended to apply to Forensicare's particular circumstances;
- Survey high risk suppliers to identify geographic location of services, and supply production, labour force, and work practices; and
- Assess supplier responses and develop appropriate engagement strategies.

Actions undertaken from 1 July 2019 to 30 June 2020:

Conducted a high-level risk assessment of Forensicare's operations and supply chain and identified areas for further scrutiny.

Conducted an assessment of Forensicare's procurement process, policies and contractual documents. The analysis recognised that Forensicare currently has strong procedures and frameworks and identified some ways to strengthen them and better integrate management of modern slavery risk.

The following measures were taken in this reporting period:

- A training framework was developed broken up into different domains, enabling training modules to be developed and combined to provide appropriate levels of knowledge and understanding to different groups within Forensicare;
- Commenced updating contract templates and procurement documentation to incorporate recommended amendments from the gap analysis conduct.

Actions to be undertaken from 1 July 2020 to 30 June 2021:

Undertake a more detailed risk assessment of Forensicare's supply chain and investigate the general sectors and industries, types of products and services, countries and entities that are involved.

Address risks associated with the direct procurement of facility and property management services (cleaning, security) and catering services via strengthened procurement practices, including ensuring all future tenders address modern slavery reporting requirements.

Train all staff with responsibility for procurement, infrastructure and facility management on modern slavery.

Begin to implement the HSV modern slavery toolkit.

Begin to develop an Executive-led modern slavery risk management program, including regular discussion at Executive and Board meetings, a process for consulting with workers and suppliers, tracking actions to measure their impact and conducting a high-level internal audit of suppliers.

How Forensicare assesses the effectiveness of actions taken to assess and address modern slavery risks

Forensicare will implement a program of control assessment including:

- Auditing procurement practices to ensure the Modern Slavery risk management processes are being followed.
- Auditing contracts to ensure suppliers are adhering to their Modern Slavery risk reduction contractual commitment.
- Monitoring the completion of Modern Slavery training by all staff with a procurement and / or contract management responsibility.

Forensicare's consultation process with other entities it owns or controls

Forensicare does not own or control any other entities.

Other relevant information

In order to support the implementation of the Act across health services, HSV has developed a toolkit to assist with meeting the Act's requirements. To be distributed in March 2021, the toolkit will contain:

- A modern slavery plan to support the implementation of the governance structures, policies, processes and risk registers needed to underpin a successful modern slavery framework;
- Advice on implementing a modern slavery policy;
- A modern slavery risk register to capture and address the key modern slavery risks that a health service might cause, contribute or be directly linked to;
- A modern slavery risk assessment tool, including advice on modern slavery risk assessments, supplier questionnaires for ITS due diligence and incumbent suppliers and advice on how to interpret questionnaire results;
- A modern slavery fact sheet to facilitate staff training; and
- Supplier contract considerations, including the addition of modern slavery clauses in contracts.

The rollout and implementation of the toolkit will support health services to conduct their own risk assessment, due diligence and remediation activities.

Forensicare intends to utilise as much of the toolkit as is relevant.

Closing statement

Forensicare is working toward building the foundations of a robust modern slavery framework. The Board recognises the need to address this as a matter of priority and is committed to working

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Forensicare

collaboratively with other health providers and stakeholders to eradicate modern slavery.

This statement was approved by the Board of Forensicare on 31 March 2021.

Signed by Forensicare's Board Chair, Ken Lay AO APM

31 March 2021