

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 2020 to 30 June 2021**.

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 for 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](http://www.forensicare.vic.gov.au).

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

Services outsourced and contracted directly by Forensicare include:

- Catering (single supplier based in Victoria).
- Cleaning (single supplier based in Victoria).
- Security (two suppliers: one for gatehouse security and one for electronic surveillance systems maintenance, both based in Victoria).
- Education (single TAFE provider based in Victoria).
- Health & Leisure (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 aggregate purchasing contracts (e.g., through the Victorian Government Purchasing Board (VGPB) and HealthShare Victoria (HSV)) include:

- Linen.
- Waste.
- Energy Provision.
- Hand Hygiene, Disinfectants and Chemicals.
- Leasing of Vehicles (VicFleet).
- Personal Protection Equipment.
- Medical Consumables (e.g., defibrillator and associated supplies).
- Office/Stationery.

The VGPB sets the policies that govern procurement of non-construction goods and services across all Victorian government departments and some specified entities. The Board was established under the [Financial Management Act 1994](#) (the Act) in 1995 and reports to the Assistant Treasurer.

A full list of VGPB's whole-of-Victorian government contracts, panels, registers or directories of social and sustainable suppliers can be found at <http://www.buyingfor.vic.gov.au/state-purchase-contracts-registers>.

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 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](http://www.healthsharevic.org.au/contracts-and-documents/contracts).

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

Within the current reporting period (and building on the previous reporting period's high-level desk top risk assessment), a more in-depth investigation into the organisation's supply chain was conducted. A number of products and services were identified as Forensicare specific high-risk categories:

### *Services procurement*

- Security Guards (patient escorts).
- Onsite facilities management (e.g., gymnasium, cafeteria).
- Laundry, linen and dry-cleaning.
- Nursing labour hire.

### *Branded and unbranded products not for resale*

- Medical goods (surgical equipment, electronics and medical devices).
- Medical supplies and garments (gloves, PPE, consumables, patient/staff clothing).

### *Raw materials (production and sourcing)*

- Production for patient/staff garments and PPE (e.g., cotton, textiles, rubber).
- Sourcing for medical/electronic equipment (e.g., tin, copper, gold, tantalum, tungsten).

When assessing the presence of risk factors (being vulnerable populations, high-risk business models, and high-risk geographies), initial findings indicated a small number of Forensicare's suppliers could be considered a 'Heightened Risk Supplier', where the Supplier exposes the organisation to a heightened level of modern slavery risk and further assessment of these suppliers is recommended.

The suppliers identified were specific to the areas of construction services, building services and other administrative and support services, branded and unbranded goods, and third-party employment services

The full and final report was submitted to Forensicare in August 2021 (post reporting period of this statement) and the implemented responses will be reported within the next reporting period.

In September 2020 Forensicare issued Invitations to Supply for the provision of food and catering at Thomas Embling Hospital and cleaning services across all sites. Bidders were required to provide information about their organisation's modern slavery policies, and this was assessed as part of the bidders' social service delivery criteria.

The contracts awarded for both food and cleaning services include Modern Slavery clauses which provides the supplier to be compliant by taking all responsible steps to ensure there is no Modern Slavery in its operations and supply chain. The successful food service provider has its own Modern Slavery Statement, and the successful cleaning provider has a Modern Slavery policy.

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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.

We note both [VGPB](#) and [HSV](#) communicate their position on modern slavery and Forensicare is supportive of their commitment to conduct due diligence on modern slavery risk as part of their procurement activities in sourcing and implementing collective and/or state purchase agreements.. Forensicare will continue to examine VGPB and HSV's practices in the procurement of goods that Forensicare buys in to as part of these purchase contracts.

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

Within this reporting period, Forensicare undertook the following initiatives to build knowledge and understanding of the supply chain and modern slavery risks that lie within it and increase organisational awareness of modern slavery:

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Engaged an external consultant to undertake an in-depth detailed risk assessment of Forensicare's supply chain and investigated the general sectors and industries, types of products and services, countries and entities that are involved

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Issued a modern slavery questionnaire to high spend / high risk suppliers (such as cleaning, food services etc) to identify geographic location of services, and supply production, labour force, and work practices. Responses were provided to external consultant for inclusion in supply chain risk assessment.

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Introduced and mandated training for all Forensicare's executive team and staff with responsibility for procurement, finance and infrastructure and facility management on modern slavery.

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Assessed whether contract terms were sufficient for modern slavery risk:

- Updated standard short form contract template
  - Deemed terms within long form service contracts and construction templates sufficient as already include modern slavery provisions
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- Acknowledge adjustments to templates made be required on a case-by-case basis depending on the risks modern slavery presents for particular suppliers (i.e. high risk industry)

Discussed modern slavery risk and risk management at Executive and Board meetings.

## Actions to be undertaken from 1 July 2021 to 30 June 2022:

Action risk treatment options for suppliers identified as 'heightened risk' from in depth assessment of Forensicare's supply chain.

Embed modern slavery questionnaire and other processes relevant to identifying modern slavery within Forensicare's supply chain as part of all new supplier onboarding

Ensure Forensicare suppliers are aware of the [Victorian State Government's Supplier Code of Conduct](#) which describes the minimum expectations in a doing business with government agencies, including:

- Business integrity and ensuring Suppliers comply with modern slavery laws; and
- human rights ensuring Suppliers provide goods and services in a manner consistent with any applicable human rights obligations and relevant modern slavery legislation (i.e., Suppliers are expected to proactively identify, address and – where required by legislation – report on risks of modern slavery practices (defined broadly to include all forms of human trafficking, forced labour and slavery-like practices) in their business operations).

Implement and maintain a Modern Slavery continuous improvement register.

Go to market for new security provider.

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

Forensicare has commenced a program of control assessment including:

- Implementing and embedding auditing procurement practices to ensure internal Modern Slavery risk management processes are being followed.
- Conducting contract audits 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

The Victorian State Government is expanding the remit of the [VGPB](#) to ensure better procurement practices and greater consistency across government. These goods and services supply policies cover the whole procurement lifecycle.

From 1 July 2021, Forensicare is required to comply with the five VGPB goods and services supply policies including the requirement to make greater use of the government's 32 state purchase contracts (SPCs).

## Closing statement

Forensicare has developed the foundations of a robust modern slavery framework. The Board recognises the need to continually monitor the risk of modern slavery in our supply chain is committed to continuing to work collaboratively with other health providers and stakeholders to eradicate modern slavery.

This statement was approved by the Board of Forensicare on 24 November 2021.

Signed by the Chair of the Board of Forensicare, Ken Lay AO APM

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24 November 2021

