

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 2021 to 30 June 2022**.

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 via State Purchasing Contracts (SPCs) through 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 assessment tools.
- Patient medication.
- First Aid Kits.
- Staff Uniforms.

Examples of types of goods and services obtained through SPCs 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 on 1 January 2021 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

In the previous reporting period, Forensicare undertook an in-depth investigation into the organisation's supply chain. A number of product and service categories 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).

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.

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 was recommended.

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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 final report to Forensicare in August 2021 identified 10 specific contracts with heightened risk. We have progressively been implementing strategies to reduce this risk as per table below.

Contracted goods or services	Risk reduction strategies
1. IT recruitment	Joined SPC
2. White collar recruitment	Joined SPC
3. IT hardware supplies	Joined SPC
4. Corporate fitout	Joined SPC
5. Furniture supplies	Joined SPC
6. Nursing agency	SPC in progress
7. Security	Inserted Modern Slavery compliance clause in new contract
8. Building services	Address at next market engagement
9. Records management and archiving	Address at next market engagement
10. Uniform supplies	Address at next market engagement

Forensicare's three largest service contracts are for food services, cleaning and catering service all at the Thomas Embling Hospital site.

While the report noted that food, cleaning services and security are typically in the high risk category, Forensicare's contracts for these services already included Modern Slavery compliance clauses

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)

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

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

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

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Maintain a Modern Slavery continuous improvement register.

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Entered into new contracts for the provision of security services which stipulates modern slavery compliance.

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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).
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## **Actions to be undertaken from 1 July 2022 to 30 June 2023:**

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Go to market for a uniform supplier utilising an SPC to ensure Forensicare has an agreement in place with one of the suppliers from the VGPB ethical supplier register.

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Continue to be engaged with HSV information sessions and updates on modern slavery.

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Continue to work with HSV looking for opportunities for Forensicare to join future contracts.

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Explore any updated Modern Slavery training for staff to complete.

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

Forensicare has continued a program of control assessment including:

- Embedded auditing procurement practices to ensure internal Modern Slavery risk management processes are being followed.
- enhancing contract management to ensure suppliers are adhering to their Modern Slavery risk reduction contractual commitments
- Monitoring the completion of Modern Slavery training by all staff with a procurement and / or contract management responsibility.
- Continue to explore opportunities to joining HSV or VGPB SPCs.

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## 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 expanded 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.

Forensicare is required to and does 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 7 December 2022.

Signed by:

Penny Armytage

Chair of the Board of Forensicare

7 December 2022