

2021 Modern Slavery Statement

December 2021

We would like to acknowledge the traditional custodians of the lands on which we live and work. We would like to pay respect to the Elders of these lands, both past and present, and extend that respect to all Aboriginal and Torres Strait Islander Peoples and First Nation Peoples globally.

This statement is made on behalf of Norton Rose Fulbright Australia and Norton Rose Fulbright Australia Services Pty Ltd (ABN 32 720 686 049) pursuant to section 16 of the *Modern Slavery Act 2018* (the Act) and constitutes our modern slavery statement for the financial year ended 30 June 2021 ("Reporting Period"). Where we refer to "NRFA", "we", "us", "our" or the "firm" in this statement, it means Norton Rose Fulbright Australia, Norton Rose Fulbright Australia Services Pty Ltd and other entities owned or controlled by Norton Rose Fulbright Australia Group Pty Ltd as trustee for the equity partners of Norton Rose Fulbright Australia from time to time.

As providers of legal services, we have a responsibility to uphold the rule of law and respect human rights. We support and respect internationally recognised human rights, and are committed to mitigating the risk of modern slavery within our operations and supply chain.

Wherever we are, we operate in accordance with our [Business Principles](#) of Quality, Unity and Integrity. These Business Principles guide our activities and staff across our offices. They describe our culture, the way we work and what we stand for. We value our people and promote a culture of respect for the individual.

This statement illustrates how we strive to apply our Business Principles in practice, and reflects our continued public commitment not to use forced, compulsory, trafficked or child labour within our organisation, and to challenge and confront use of such labour within our supply chains.

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Our structure, operations and supply chains

We have offices across Australia, in Brisbane, Canberra, Melbourne, Perth and Sydney, with a total head count of approximately 896¹.

Norton Rose Fulbright Australia provides legal and advisory services to clients, while Norton Rose Fulbright Australia Services Pty Ltd provides ancillary services to support the activities of Norton Rose Fulbright Australia. Norton Rose Fulbright Australia Group Pty Ltd has a number of subsidiaries, which are non-trading and do not have employees.

Norton Rose Fulbright Australia, Norton Rose Fulbright US LLP, Norton Rose Fulbright LLP, Norton Rose Fulbright Canada LLP and Norton Rose Fulbright South Africa Inc are separate legal entities and all of them are members of Norton Rose Fulbright Verein, a Swiss verein. Norton Rose Fulbright Verein helps coordinate the activities of the members but does not itself engage in the practice of law or other business. We have no liability for the acts or omissions of another Norton Rose Fulbright entity unless specifically agreed.

We also have associations or alliances with other organisations such as the law firms Jaramer Legal (in which we also have a minority shareholding) in Australia and TNB & Partners in Indonesia.

Our principal activity is the provision of legal and advisory services to business enterprises, governments and other public sector organisations. We are focused on six key industry sectors:

- consumer markets;
- energy, infrastructure and resources;
- financial institutions;
- life sciences and healthcare;
- technology; and
- transport.

Our suppliers include suppliers of IT and communications equipment and services; property; office cleaning and other facilities management services; transport such as airlines and couriers; marketing such as merchandise suppliers and conference providers; office equipment and supplies; and professional services such as auditors, accountants, consultants, legal counsel, banks, insurers, recruitment agencies, education and training service providers and medical services providers. We also have some suppliers that provide legal or other services which are used by us in the provision of services to our clients, primarily barristers. Our suppliers are primarily domiciled in Australia, but also include global entities that supply Norton Rose Fulbright globally.

The geographic footprint of the suppliers that completed our Modern Slavery Questionnaire (MSQ) from 2021 is shown below:



¹ This figure includes partners, employees and contractors.

Modern slavery risks in our operations and supply chains

Our operations

We assess the potential for our operations to cause, contribute to, or be directly linked to modern slavery on an ongoing basis. We consider the overall risk of modern slavery in our operations to remain low for the reasons described in our first statement, namely, the lower risk profile associated with the legal services sector, the lower prevalence of modern slavery in Australia and the robust processes we have in place in relation to workplace relations.

We follow set protocols in the way we recruit people into the firm via our recruitment practices. For example, we verify qualifications, conduct reference checking on prior experience, and verify the right to work in our country. We continue to monitor and engage with our staff on issues such as work hours and overtime, to ensure they are adequately compensated and we monitor any excessive work patterns.

We remain confident that the level of risk of modern slavery in Jaramer Legal, given the nature of its services and the jurisdiction in which it operates, is low.

With respect to TNB & Partners, although Indonesia is a higher risk jurisdiction for modern slavery than Australia, we do not consider our association with that firm links us to a high risk of modern slavery. This is because of the nature of the services provided by TNB & Partners.

Supply chains

We have also assessed the potential for our business to cause, contribute to, or be directly linked to modern slavery via our supply chain. Given the nature of our procurement categories and practices as described in further detail below, it is unlikely that we have caused or contributed to modern slavery in our procurement of goods or services during the reporting period. There is, however, the latent risk that we may be connected to modern slavery practices through the activities of our suppliers and their supply chains.

Our supply chain comprises the following main categories and we recognise that modern slavery risks exist in each one of them by virtue of the industry risk profiles and the globalised and often complex supply chains supporting the provision of goods or services:

Category	Generally known modern slavery risks ²
IT equipment and software	Modern slavery risks are present in the supply chains that provide IT companies with the necessary materials to produce electronic goods, and parts of those goods. The manufacture of IT equipment has also been linked to modern slavery.
Cleaning and laundry	The cleaning industry is considered high-risk for modern slavery largely due to the nature of the workforce and the often opaque nature of operations. The cleaning sector does not require a qualification in many instances and as such the workforce is often low-skilled and not fluent in the local language.
Hospitality and food services	Food related supply chains have a high risk of modern slavery. These risks are not only a concern for supermarkets and suppliers generally, they should also be considered by producers, distributors and caterers.
Facilities maintenance	The prevalence of subcontracting in the facilities maintenance industry can lead to contractual liabilities and obligations diminishing to the point where the human rights of workers on site may go unnoticed due to a lack of transparency.

² The risks outlined in this table are general and do not relate to any actual instances of modern slavery in the supply chain of our first tier suppliers.

Category	Generally known modern slavery risks ²
Corporate merchandise	The higher risk of modern slavery in the supply chains supporting the garment industry is well documented. The same can be said of mass produced items manufactured in higher risk countries with components from numerous locations.
Furniture	There are increased modern slavery risks associated with raw materials such as timber, fabrics, metals and glass as well as risks in the manufacturing industry located in higher risk countries.
Travel services	Although global travel management services are typically the first tier suppliers for large companies, hotels and airlines inevitably form part of the supply chain for purchasers of travel services. A vulnerable workforce supporting these industries combined with complex supply chains result in greater modern slavery risks.
Postal and Courier Pick-up and Delivery Services	The utilisation of subcontractors and agents together with the utilisation of vulnerable workers places the suppliers in this category at greater risk of being directly linked to modern slavery.

Based on the information gathered via our modern slavery questionnaire in 2021, our suppliers manufactured or procured goods and/or services from a range of countries including Australia, the United States, the United Kingdom, Singapore, China and India. Of these countries, the Global Slavery Index (GSI) ranked China 111th of 167 and India 53rd of 167 for the prevalence of modern slavery.

Due diligence process and steps taken to assess and manage modern slavery risk

As a provider of legal services, a purchaser of goods and services and also an employer, we recognise our responsibility under the UN Guiding Principles on Business and Human Rights in *all* areas of our practice. Accordingly, we continue to assess and address the risk of modern slavery risks across three levels of our business, namely, operations, client services and supply chain. Our existing policies and procedures, as described in our first modern slavery statement, are set out in **Annexure A**.

Our operations

We are committed to combatting modern slavery in all forms, and we strive to identify any actual or potential modern slavery risks occurring within our business. An overview of the actions we have taken to assess and manage modern slavery is set out below:

- We continued to monitor the reports made via our **whistleblowing channels** and confirm that we did not receive any reports of actual or suspected violations of our Human Rights Policy or which otherwise gave rise to cause for concern relating to human rights during the Reporting Period.
- We **communicated** with our people regarding our inaugural modern slavery statement and recapped our firm's commitment to respecting human rights in our operations and supply chain.
- We updated our firm-wide mandatory online **Human Rights Training** designed to increase awareness of how to recognise red flags for modern slavery. By the end of the Reporting Period, approximately 71.4% of all staff in Australia completed the updated training.
- We provided training to our firm-wide banking department on Equator Principles 4 (**EP4**) and implementation of business human rights aspects into banking transactions.

Client services

As stated in our Human Rights Policy, we have continued to assess potential human rights impacts and take these into consideration when opening new client matters. Our review of clients during the Reporting Period did not identify clients requiring further due diligence beyond our usual checks.

Our monthly email to partners and senior lawyers seeking disclosure of risks in relation to our client services has been amended to incorporate human rights concerns. Our partners and senior lawyers have not raised human rights issues in relation to our client services during the Reporting Period.

Through our advisory work and the sharing of best practice between our Business Human Rights team and our other practice areas, we have continued to support our clients' understanding of human rights issues and impacts, including modern slavery. Our Business Human Rights subject matter experts have presented at numerous roundtables and webinars for external audiences in relation to modern slavery, human rights due diligence and best practice.

In addition to our ongoing efforts to raise awareness of modern slavery risks, many of our clients have required us to comply with their supplier charters, which address modern slavery risk. During the Reporting Period, we have cooperated with the risk assessment measures requested by our clients as and when required. In recognition that we form part of supply chains of other reporting entities, we responded to modern slavery questionnaires issued to us by our clients.

Supply chain

On a periodic basis, we review and revise our internal procedures to improve the way we assess, address, mitigate and prevent the risk of modern slavery occurring within our supply chain. We do this in recognition of the fact that striving to do better is the only way to bring about impactful change in the way we embed human rights considerations in our procurement processes.

In summary, our due diligence process required:

- the consideration of the human rights impacts of a supplier's provision of goods or services to us both at the time of first selecting the supplier and upon renewal or extension of the contract with the supplier;
- all suppliers to confirm in writing their compliance with our Supplier Charter or an equivalent document (for example, the supplier's own supplier charter) that is approved by our General Counsel. Our Supplier Charter sets out our expectations of suppliers in respect of anti-bribery and corruption, diversity and inclusion, health and safety, sustainability and human rights. In respect of human rights, it provides that our suppliers,

whether directly or through their supply chain, must comply with all applicable human rights related laws in respect of their employees; conduct their business activities in a manner which respects human rights as set out in the UN Universal Declaration of Human Rights and the core conventions of the International Labour Organization; not hold another person in slavery or servitude, employ, engage or otherwise use forced or compulsory labour, trafficked labour or child labour; and not engage in or condone the use of corporal punishments or mentally, physically or sexually abusive or inhumane treatment of workers;

- that suppliers meeting our internal procurement annualised spend threshold, and all suppliers providing goods and/or services relating to courier services, food and food related goods and services and/or cleaning services, complete an annual online MSQ; and
- staff with procurement responsibilities to have completed our human rights training and procurement training with the aim that staff have an understanding of human rights risks, the processes that we have in place at NRFA and how to use the MSQ.

During the Reporting Period, we trained users on the ethiXbase platform that underpins our supplier risk assessments, with the aim of enabling those users to understand individual supplier modern slavery risk ratings, including accessing supplier responses to the MSQ.

We continued to use the MSQ on the ethiXbase platform as a key part of our modern slavery due diligence program. All but one supplier from 2021 that completed the MSQ confirmed that they would comply with our Supplier Charter. The one supplier that was unable to comply confirmed that they had their own equivalent human rights policy and code of conduct. The average modern slavery risk rating for suppliers that completed the MSQ was 3/10, which is low. No supplier that completed the MSQ was allocated a high risk rating. The suppliers that received a moderate risk rating operated predominately in the hospitality sector.

An additional review was undertaken in relation to our 2021 suppliers by reference to data obtained from our finance department on payments made to suppliers as against the suppliers uploaded on the ethiXbase platform.

Assessing the effectiveness of our actions

During the course of the next reporting period, we will seek to review, monitor and embed our processes by:

Goal	Status	Future goals
Issue the MSQ for our suppliers from the FY21 reporting period on the ethiXbase platform	Completed in FY21	Analyse the results of the review of data of payments paid to suppliers as against suppliers uploaded to the ethiXbase platform to identify where there are process gaps resulting in suppliers bypassing the MSQ requirement
Assess the results from the MSQ responses in FY20 and FY21 to ascertain patterns, trends and changes in risk profiles	Completed in FY21	Assess the results from the MSQ responses in FY21 and FY22 to ascertain patterns, trends and changes in risk profiles
Seek to increase the completion rate of the Human Rights Training program	Completed in FY21	Update the Human Rights Training content and review the Human Rights Policy
Incorporate business and human rights considerations in the firm's precedents	In progress	Seek to finalise the inclusion of human rights considerations in firm precedents
Assess the number of our suppliers which have adopted a human rights or modern slavery commitment, whether by agreeing to our Supplier Charter or otherwise	Ongoing	
Identify the suppliers requiring further due diligence following the MSQ results and develop remediation plans in conjunction with the supplier(s) as and when required	Ongoing	
Consider the modern slavery statements of suppliers and prospective suppliers (where available) when making procurement decisions	Ongoing	
Continue to monitor the reporting channels for any reported instances of human rights impacts in our operations and supply chains	Ongoing	
Undertake a deep dive into the cleaners engaged to clean each of our offices	Yet to commence	

Other information

We are committed to the sharing and dissemination of our knowledge and expertise in the area of business and human rights in order to promote capacity building amongst our clients as well as more widely in the market.

In the Reporting Period, we assisted Anti-Slavery Australia with a legislative update to its "Behind the Scenes" report. Several of our lawyers completed secondments with human rights organisations, four working with Anti-Slavery Australia and one with the Australian Human Rights Commission. Our lawyers also continued to provide ad-hoc volunteer support for Anti-Slavery Australia as needed. We have been assisting a community legal centre (CLC) industry association to deliver resources aimed at upskilling CLC lawyers on key human rights laws in Australia. Further, our firm provided assistance, including two secondees lawyers, to organisations supporting refugees with visa applications and with entrance into professional careers.

We have actively engaged in the Australian Border Force Modern Slavery Consultation groups and shared the learnings with our clients on best practice compliance and reporting trends. One of our consultants, Greg Vickery AO, sat on the Advisory Committee set up by the Australian Border Force in relation to the Modern Slavery Act guidance and implementation. Greg also chaired the Law Council of Australia Business and Human Rights Committee during the 2020 financial year. One of our partners, Abigail McGregor, also sat on the Committee.

Our Global Charitable Initiative for 2021 focused on fighting systemic racism and championing social justice. This initiative aimed to raise awareness in our business, in our local communities and as individuals.



In the Reporting Period, we also focused on the changing Environmental, Social and Governance (ESG)/sustainability landscape of which Business Human Rights forms an indivisible part. It is becoming increasingly important to view the sustainability agenda holistically and deal with all its component parts, including human rights. Globally, we have recently been named IJGlobal ESG Legal Advisor of the Year, to reflect our firm's commitment to ESG, both as a client service area, and in relation to our own business and pro bono activities.

Consultation and Approval

This statement was prepared by our General Counsel team and our modern slavery subject matter experts, who have consulted with partners, employees and contractors of both Norton Rose Fulbright Australia and Norton Rose Fulbright Australia Services Pty Ltd. Norton Rose Fulbright Australia's Australian Partnership Council approved this statement on behalf of the partners of Norton Rose Fulbright Australia on 16 December 2021, and the board of directors of Norton Rose Fulbright Australia Services Pty Ltd approved this statement on 9 December 2021. **Annexure B** sets out the page references within this statement addressing the mandatory reporting criteria.

Alison Deitz

Chief Executive Partner

(Norton Rose Fulbright Australia)

Director

(Norton Rose Fulbright Australia Services Pty Ltd)

December 2021

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Annexure A

Existing policy or procedure

- a) All partners and staff are expected to comply with our **Business Principles** of Quality, Unity and Integrity as well as any relevant laws and professional codes of conduct applicable to us. These ethical principles are embedded in employment contracts and supported by our policies as set out in our intranet, and are communicated to new employees on commencement.
- b) Our **Human Rights Policy** articulates our commitment to respecting internationally recognised human rights under the UN Guiding Principles, the International Bill of Human Rights and the ILO Declaration. It also sets out our expectations for the conduct of our business partners.
- c) We recognise that one of the fundamental human rights is the right to an adequate living wage. Norton Rose Fulbright Australia provides at least the minimum entitlements called the **National Employment Standards** to all its full-time and part-time employees. For those employed under the Legal Services Award 2020 (LSA), we ensure compliance with the minimum pay and conditions as set out in the award. We comply with the minimum wage standards applicable to each of our offices and there is a regular process in place to monitor compliance.
- d) We have an established **remuneration framework** which is designed to ensure our people are paid fairly, competitively and based on merit. Our remuneration framework is structured to reward people for their individual and collective contribution to our success, for demonstrating our values and for creating value for the firm, our clients and stakeholders.
- e) In our efforts to address the human rights risk of excessive working hours, our People and Development team conducted a monthly survey allowing employees covered under the LSA to report if they were working beyond their regular work hours. With the implementation of a new payroll system and enhanced reporting in April 2021, this monthly survey ceased. The HR Managers review excessive hours and overtime hours and provide any necessary support to employees to manage their workload.
- f) Freedom from discrimination based on gender, race, ethnicity, sexual orientation or any other status is set out in the Universal Declaration of Human Rights and other international human rights treaties and Declarations. We recognise that **diversity and inclusion** is a critical business issue. We aim to leverage the rich diversity of our people in order to provide better service to our clients now and into the future. We value difference and the variety of perspectives that this brings to the firm. We have a well-developed diversity and inclusion policy and program - and promote a diverse workforce and an inclusive culture.
- g) The right to feel safe in our workplaces is another enshrined human right. We take a **Zero Tolerance** approach to sexual harassment and indeed any form of harassment, discrimination or bullying. Our policies reflect this stance and every member of our firm has the right to feel respected and safe. We refreshed and updated our equal employment opportunity (EEO), discrimination and harassment policies and launched our Appropriate Workplace Conduct Policy and Issues and Complaints Resolution Procedure policy (policy effective April 2020). This was supported by a mandatory e-learning module, Fostering a Respectful Workplace (release date July 2020), covering a variety of topics such as discrimination, harassment, bullying, sexual harassment and other inappropriate behaviour.

Existing policy or procedure

- h) Workplace health and safety has been central to our response to the continued **COVID-19** pandemic. A comprehensive risk assessment framework was developed to identify hazards and control measures for the operation of our offices. Risk issues and control measures are brought to the attention of the “Unlock” Committee (a committee comprising the Chief Executive Partner, and senior partners and managers) who lead our response to the pandemic and ensure that business processes, procedures and standards remain in place while the firm adapts to new (more agile and virtual) ways of working. Responding to the ongoing disruption due to restrictions and lockdowns, our leaders and the People and Development team actively reached out to employees to check on their wellbeing and offered varied work arrangements to support individual circumstances.
- i) A **mental health risk assessment** was also developed to identify hazards and control measures to respond to heightened stress, anxiety and other mental health challenges caused and/or exacerbated by the pandemic. Our Mental Health First Aid Officers undertook skills building in May 2021 and specialist training on the COVID-19 wellbeing journey and psychological risks in July 2020. A range of additional mental health initiatives has been offered to support employees, including wellness surveys, a dedicated wellness portal (providing mental health resources and tips) and a wellness training program.
- j) In 2017/2018 we undertook an extensive review of our **client on-boarding system** from a human rights perspective. Our client and matter induction process is extensive and it takes potential risks relating to human rights into consideration. Compliance officers, including those in our Australian Client Due Diligence (CDD) team, have been trained to extend their Know Your Client (KYC) screening to include the human rights record of, amongst other things, the client, counterparties and any relevant jurisdiction(s).
- k) The Modern Slavery Questionnaire (**MSQ**) was developed by our Business Human Rights group in 2018 to promote more sustainable sourcing practices and to streamline the process of assessing modern slavery risk in our own supply chain. It is a cloud-based solution that brought together powerful analytics, our global human rights expertise and user-friendly design to identify and manage supply chain risk. Through the MSQ process, we allocate risk ratings to suppliers which then provide the groundwork for informing the actions to be taken. In July 2020, the MSQ was licensed to ethiXbase.
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Annexure B

	Mandatory criteria	Page number/s
a)	Identify the reporting entity.	1
b)	Describe the reporting entity's structure, operations and supply chains.	3
c)	Describe the risks of modern slavery practices in the operations and supply chains of the reporting entity and any entities it owns or controls.	4-5
d)	Describe the actions taken by the reporting entity and any entities it owns or controls to assess and address these risks, including due diligence and remediation processes.	5, 6 & 9
e)	Describe how the reporting entity assesses the effectiveness of these actions.	7
f)	Describe the process of consultation on the development of the statement with any entities the reporting entity owns or controls (a joint statement must also describe consultation with the entity covered by the statement).	8
