

## Modern Slavery Statement

**HWL Ebsworth Lawyers**

Year ended 30 June 2022

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## Modern Slavery Statement

### 1. Introduction

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This statement (**Statement**) is a statement made pursuant to the *Modern Slavery Act 2018* (Cth) (**Act**) on behalf of THE MARTINEZ HWL PRACTICE TRUST & THE EAST HWL PRACTICE TRUST & THE WARAT HWL PRACTICE TRUST & THE MARIN HWL PRACTICE TRUST & OTHERS trading as HWL Ebsworth Lawyers (ABN 37 246 549 189) (**HWLE**). HWLE is a reporting entity for the purposes of the Act.

This Statement relates to the reporting period commencing 1 July 2021 and ending 30 June 2022 (**Reporting Period**) and sets out the actions taken by HWLE and its controlled entity, HWLE Consulting Pty Ltd (ACN 158 617 497) (**HWLE Consulting**), to identify, assess and address modern slavery risks within the operations and supply chain of HWLE and HWLE Consulting.

### 2. HWLE's structure, operations and supply chain

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#### 2.1 Legal structure and corporate details

HWLE is Australia's largest legal partnership with origins dating back to the 1890s. It is a firm which operates in 9 locations across every state and territory in Australia.

HWLE's legal structure as a partnership involves a partnership of the practice trusts of each of its 278 partners (as at 30 June 2022).

As at 30 June 2022, HWLE consisted of 210 capital partners, 68 fixed draw partners, and employed another 993 legal staff and 378 support staff.

#### 2.2 Operations

HWLE operates within the Australian legal market and predominantly provides legal services and advice to its diverse client base which includes, but is not limited to, government department and agencies, corporate clients across numerous industries, including finance, financial services, insurance, construction, manufacturing, retail, resources, property and high net worth individuals.

HWLE provides a full service, multi-faceted offering across all major areas of commercial law, including Corporate & Commercial, Litigation, Insurance, Property, Construction & Infrastructure, Banking & Finance, Workplace Relations & Safety, Australian Government, State Government and other industry-based practice groups, including Transport, Planning & Environment and Health.

HWLE Consulting offers consulting services to clients of the partnership, utilising partners and staff seconded from HWLE.

## 2.3 Supply Chain

As HWLE is an Australian-based professional services business, its supply chain does not directly include any product manufacturers, but rather is a simple supply chain consisting of suppliers that provide various goods and services to support HWLE's general operations and to provide support for its technology, systems and infrastructure.

Accordingly, HWLE's supply chain consists of information technology (IT) service providers, suppliers of IT equipment, hardware and software, insurance providers, external consultants, external legal counsel, banks and other financiers, knowledge subscription and media providers, document storage providers, postal and courier services, cleaning contractors, facility managers, travel and accommodation providers, recruitment agencies, hospitality providers, property agents, and suppliers of office and kitchen supplies.

During the reporting period, HWLE's contracted suppliers were based in Australia. Less than 5% of our total suppliers were based overseas, with the international suppliers being based in New Zealand, Great Britain and the United States.

HWLE undertook a significant IT hardware procurement project during the Reporting Period, contracting directly with a USD headquartered IT supplier, through its established Australian subsidiary (**IT Project**).

Given HWLE's desire to maintain a disciplined and effective operating model and financial model, its relationships with its key suppliers are typically structured as stable, long-term relationships, rather than short-term arrangements.

HWLE's supply chain also consists of a broad range of indirect suppliers that provide goods and services to the suppliers that directly service HWLE. By way of example, these can include the suppliers of parts for photocopiers that HWLE leases, office equipment to HWLE's insurance providers and external consultants, the cleaning equipment providers that provide equipment to HWLE's cleaning contractors and the manufacturers of IT equipment that provide parts to HWLE's IT product and service providers.

## 3. Risk Profile

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HWLE undertook a detailed assessment of its exposure to modern slavery risks prior to preparing this statement. This assessment built on the analysis conducted during in preparation of our 2020 and 2021 modern slavery statements. This included a fundamental review of HWLE's employment and staff management processes and a review of its business partners and suppliers including the key IT supplier engaged as part of the IT Project. A similar analysis has been undertaken in respect of HWLE Consulting.

HWLE has identified the following key areas of risk in its operations and supply chain during the Reporting Period:

- (a) workforce recruitment;

- (b) the suppliers of our local suppliers;
- (c) to the limited extent relevant, offshore suppliers; and
- (d) IT equipment, hardware and software procurement.

Based on its most recent assessment of its exposure to modern slavery risks, HWLE considers the risk of modern slavery within its operations and supply chain (and that of HWLE Consulting) during the Reporting Period to be low for the following key reasons:

- (a) the nature of operations of HWLE primarily involves the provision of legal services and advice to clients in Australia, which are services that carry a low risk of exposure to modern slavery practices;
- (b) the primary location of the operations of HWLE is Australia, and all direct suppliers of goods and services are located in countries that are rated low for modern slavery practices in accordance with the Global Slavery Index;
- (c) the employees of HWLE consist only of skilled professionals, and not from groups of people where modern slavery is a key risk. HWLE Consulting does not employ any staff but utilises staff of HWLE under secondment arrangements;
- (d) HWLE does not use any labour hire agencies or any short-term contractors, nor does it engage any foreign staff;
- (e) we have undertaken a comprehensive review of our employment, consultancy and secondment arrangements to ensure that we are in compliance with all legislative and award based requirements;
- (f) our domestic suppliers (such as suppliers of cleaning services, document storage services and the like) are reputable and well-established, local, and we have a long standing relationship with those parties and a good understanding of how they run their business;
- (g) we understand our domestic suppliers to be alive to the risk of modern slavery in their operations and supply chain, including the risk in respect of their suppliers, and to ensure they diligence those suppliers appropriately;
- (h) regarding the IT Project, HWLE engaged in a diligence process when it on-boarded the supplier and also notes that the supplier is a major global IT provider with an Australian subsidiary that also has legal obligations under the Act;
- (i) HWLE and HWLE Consulting procure the majority of their goods and services from well-established suppliers, many of whom HWLE understands have robust policies and processes in place to reduce the risk of modern slavery in their own operations and supply chain; and
- (j) the nature of goods and services that HWLE and HWLE Consulting procure from third party suppliers do not by their nature present a high risk of modern slavery, other than IT equipment, hardware and software as identified above.

Nevertheless, HWLE recognises that it and HWLE Consulting may be indirectly exposed to a higher risk of modern slavery through their supply chain including the suppliers of its direct suppliers, and seeks to implement processes including through its diligence processes to identify these risks before the supplier is engaged.

## 4. Actions taken by HWLE to assess and address these risks

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HWLE adopts a number of processes and procedures to assess and address any potential risks of modern slavery within its operations and supply chain (and those of HWLE Consulting). These processes are detailed below.

### 4.1 Assessing risks

HWLE continues to adopt processes and procedures to assess the risk of modern slavery, including through a comprehensive process of risk mapping its operations and supply chain on an annual basis. The Management and procurement team consider the risk of modern slavery when making operational decisions and during the process of on-boarding of new suppliers.

### 4.2 Addressing risks

#### (a) Responsible Procurement Policy

HWLE has adopted a Responsible Procurement Policy which sets out its objective to engage suppliers that share HWLE's approach to ethics, diversity and sustainability.

The Responsible Procurement Policy provides that HWLE expects its suppliers to comply with requirements including:

- (i) respecting fundamental human rights, including worker representation;
- (ii) adopting ethical business practices with respect to the business behaviour of individuals and the organisation as a whole;
- (iii) having a positive impact on the communities in which they operate;
- (iv) maintaining and evidencing responsible health and safety practices; and
- (v) committing to a comprehensive policy of equal opportunities in employment.

The Responsible Procurement Policy also states that HWLE expects its suppliers to maintain management systems and practices that ensure the prevention of modern slavery, fraud, bribery and corruption.

(b) **Supply contracts**

Where possible, HWLE seeks to incorporate language into the contract to reflect its expectations of the supplier in respect of human rights and ethical procurement.

(c) **Supplier due diligence**

HWLE's procurement team undertake risk based due diligence in respect of all direct suppliers before they are on-boarded. In line with its other social procurement objectives, HWLE also seeks to source goods and services from locally based reputable suppliers, and considers the risk profile and organisational practices of the supplier as part of its procurement strategy.

(d) **Training**

HWLE has a team of modern slavery specialists across the country who are regularly communicating with Management and relevant internal team members to educate them on the matters identified in this statement, including:

- (i) the risks of modern slavery in HWLEs operations and supply chain; and
- (ii) the importance of such team members' seeking to implement processes to identify, assess and address risks of modern slavery in HWLEs operations and supply chain.

Core team members communicate key updates to the firm via the Intranet and it is made known that they are available as key contact points should any internal team member have any concerns or wish to discuss. Each core team member has undertaken in-depth training on managing modern slavery risks.

(e) **Remuneration arrangements and advice**

The remuneration arrangements of HWLE relate to places of employment within Australia and are based on a combination of award and contractual employment arrangements. HWLE monitors its obligations under the *Legal Services Award 2020* and all other applicable awards and continually obtains industry specific remuneration information to ensure that it pays its employees at or above industry levels. HWLE also ensures that it complies with all relevant legislative requirements in relation to salary, superannuation contributions and leave.

More broadly, HWLE operates a significant and national team of Workplace Relations & Safety specialists who routinely advise the business itself on the rights of its employees.

All staff seconded to HWLE Consulting are remunerated by HWLE under the arrangements described above.

## 5. Remediation Actions

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HWLE expects complete compliance with its Responsible Procurement Policy and all other firm policies by all partners, staff, contractors and suppliers.

If a supplier was found to be engaging in modern slavery practices or there was a concern that a supplier may be the subject of a risk of modern slavery, HWLE would immediately address the risk with the relevant supplier. If the supplier was not able to demonstrate that the risk has been addressed within a reasonable period of time, HWLE would seek to discontinue its relationship with that supplier immediately.

## 6. Measuring Effectiveness of Our Actions

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HWLE has implemented practices to measure the effectiveness of the processes it has put in place to identify, assess and address modern slavery risks. Those practices include:

- (a) annual assessment and analysis of supplier activity (for example, whether HWLE has refused to on-board any supplier due to concerns regarding the risks attached to their operations or supply chain, and whether any suppliers have been terminated for such reasons); and
- (b) conducting internal audits of suppliers to determine if mitigation measures have been consistently adopted by such suppliers.

As a measure of effectiveness, the Management team have reported that the procurement process on the IT Project differed from previous major procurements conducted by HWLE, with the location of the supplier, its robust internal processes and procedures including its reputation as an ethical supplier, forming a key consideration in that process.

## 7. Future activities

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HWLE continues to critically examine its practices and procedures in respect of modern slavery risk in order to ensure it is implementing appropriate measures that reflect the level of risk attached to its operations and supply chain. HWLE will implement enhancements and new measures as appropriate, during the course of the 2023 reporting period. For example, HWLE is continuing to develop a Code of Conduct to provide a framework for decisions and actions in relation to conduct, and to set out the standards of behaviour expected of HWLE's employees and contractors.

The firm is also proposing to deliver firm wide training on the firm's approach to addressing modern slavery risks prior to 30 June 2023, and all partners, staff and contractors will be required to attend those training sessions.



## 8. Other relevant information

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HWLE has a keen interest in developments in this area of law in Australia and as such made a submission to the Modern Slavery Act Review Secretariat in November 2022. While this falls outside of the Reporting Period, it reflects our ongoing commitment to advocate for enhancements to the regime and to ultimately seeing the reduction (and ideally eradication) of modern slavery in the community.

## 9. Consultation with HWLE Consulting

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As the management team of HWLE and HWLE Consulting are the same, HWLE Consulting has been directly consulted in respect of the preparation of this Statement and each of the activities described within it. All relevant stakeholders within both HWLE and HWLE Consulting are aware of and consulted on all practices and procedures described in this Statement, as well as in the preparation of this Statement.

## 10. Approval

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This statement was approved by Juan Jose Martinez in his capacity as Managing Partner of HWL Ebsworth Lawyers (ABN 37 246 549 189) pursuant to the powers delegated to him by the partnership under the HWL Ebsworth Partnership Deed.

This statement was approved by the authorised representatives of HWLE on 22 December 2022.

This statement is signed for and on behalf of HWL Ebsworth Lawyers (ABN 37 246 549 189) by its duly authorised representative:

Signed:



Name: Juan Martinez

Title: Managing Partner