



**FACT SHEET:**

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# Right to freedom from forced work

## Section 18 of the *Human Rights Act 2019*

Section 18 of the *Human Rights Act 2019* says that:

1. A person must not be held in slavery or servitude.
2. A person must not be made to perform forced or compulsory labour.
3. In this section –

*court order* includes an order made by a court of another jurisdiction.

*forced or compulsory labour* does not include

- (a) work or service normally required of a person who is under detention because of a lawful court order or who, under a lawful court order, has been conditionally released from detention or ordered to perform work in the community; or
- (b) work or service performed under a work and development order under the State Penalties Enforcement Act 1999; or
- (c) work or service required because of an emergency threatening the Queensland community or a part of the Queensland community; or
- (d) work or service that forms part of normal civil obligations.

The Human Rights Act says that a person must not be made a slave or forced to work. This right does not include certain forms of work or service, such as work or service required of a person who is detained.

This section is based on Article 8 of the International Covenant on Civil and Political Rights. Australia ratified this treaty in 1980.

## Scope of the right

Although slavery and servitude have been against the law across the world for many decades, contemporary forms of slavery and servitude still happen every day. Under international law, the protection from slavery is an absolute right. It may not be limited in any circumstances.

Contemporary forms of slavery and servitude include child soldiers, debt bondage, forced labour and forced marriage. There are many people in Queensland who either experience these things or live with the consequences of them every day.