

Although research found no evidence that child labor exists on Norfolk Island, in 2019 the government made a moderate advancement in efforts to prevent the worst forms of child labor. The Government of Australia enacted the Modern Slavery Act, which applies to Norfolk Island, and took steps to begin consultations on a revised National Action Plan to Combat Human Trafficking and Slavery. Although Norfolk Island made meaningful efforts in all relevant areas during the reporting period, its legal framework does not have a minimum age for work for children. In addition, laws related to child trafficking do not meet international standards because the recruitment, harboring, transfer, and receipt of children for forced labor and commercial sexual exploitation are not prohibited.




I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists in Norfolk Island. (1)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Norfolk Island is included as part of the territory of the Australian Commonwealth, which provides for its defense. (1-4) All legislation of the Federal Parliament applies, unless specifically excluded. (3) Because Australia has ratified most key international conventions concerning child labor, the following conventions apply to Norfolk Island (Table 1).

Table 1. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The government has established laws and regulations related to child labor (Table 2). However, gaps exist in Norfolk Island's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work.

Table 2. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No		Article 24 of the Norfolk Island Employment Act 1988 (5)
Minimum Age for Hazardous Work	No		
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Sections 270.6–270.7 and 270.7c of the Commonwealth Criminal Code Act of Australia (6)
Prohibition of Child Trafficking	No		Sections 271.1A, 271.4, and 271.7 of the Commonwealth Criminal Code Act of Australia (6)
Prohibition of Commercial Sexual Exploitation of Children	No		Section 93N of the Criminal Law Amendment Act; Articles 122–124 of the Norfolk Island Criminal Code 2007; and Sections 271.4 and 271.7 of the Commonwealth Criminal Code of Australia (6-8)
Prohibition of Using Children in Illicit Activities	No		Articles 303 and 305 of the Norfolk Island Criminal Code 2007; and Sections 309–310 (6,7)

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Table 2. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
Minimum Age for Voluntary State Military Recruitment	Yes	18	Canberra Act 2600 (8)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Canberra Act 2600 (8)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Sections 268.68 and 268.88 of the Commonwealth Criminal Code Act of Australia (6)
Compulsory Education Age	Yes	17	Section 21(B) of the New South Wales Education Act (4,9,10)
Free Public Education	Yes		Section 31 of the New South Wales Education Act (9)

* No conscription (8)

The Norfolk Island Employment Act 1988 and the Norfolk Island Criminal Code 2007 remain in force. (4-13) Norfolk Island does not have a minimum age for work. Under the Norfolk Island Employment Act 1988, and with certain limitations, children younger than age 15 may begin working. (5,14) This is not in compliance with international standards because it allows for the employment of children under the age of 15. Further, as the minimum age for work is lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education. (15) In addition, laws related to child trafficking are not sufficient because the recruitment, harboring, transfer, and receipt (domestically) of children for forced labor and commercial sexual exploitation—including prostitution—are not clearly prohibited. (6,16) Also, laws related to illicit activities do not criminalize the use, procuring, and offering of children for the production of drugs. (6,7)

In 2019, the Government of Australia passed the Modern Slavery Act of 2018, which requires that (a) any entity with revenue in excess of \$685,000 (\$100m AUD), and (b) is an Australian entity or an entity engaging in business in Australia at any time during a yearly reporting period; or (c) is an entity that has volunteered to comply with the Modern Slavery Act of 2018, must report via a modern slavery statement the entity's modern slavery risks, including the worst forms of child labor, within the entity's operations and supply chains; and actions taken by the entity to address aforementioned risks. (1,17,18)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

Although there is no evidence of a problem, the Government of Australia has established institutional mechanisms for the enforcement of laws and regulations on child labor, which apply to Norfolk Island. Norfolk Island also has its own institutional mechanisms to enforce labor laws and regulations on child labor (Table 3).

Table 3. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Norfolk Island Labor Inspectors	Inspect places of employment for violations. Authorized to issue stop-work orders when violations are found, including child labor violations. (5)
Child Welfare Officers	Enforce laws prohibiting commercial sexual exploitation of children. Provide outreach and establish community programs to raise awareness about commercial sexual exploitation of children. (19)
Australian Federal Police	Enforce criminal laws related to the worst forms of child labor. (20) Oversee the Child Protection Operations Team, which coordinates and investigates online and multi-jurisdictional online child sexual exploitation issues, including child pornography; and the Human Trafficking Teams, which investigate human trafficking for the purposes of transnational sexual and labor exploitation. (21,22)

Labor Law Enforcement

As there is no evidence of a problem, there appears to be no need for enforcement actions to address child labor.

Criminal Law Enforcement

As there is no evidence of a problem, there appears to be no need for criminal law enforcement actions to address child labor.

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

Although there is no evidence of a problem, the Government of Australia has established mechanisms to coordinate government efforts on child labor (Table 4).

Table 4. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Inter-Departmental Committee on Human Trafficking	Deals with child labor issues, including its worst forms, from a human trafficking perspective. Comprises 11 government agencies, including the Australian Federal Police, Department of Employment, and Department of Foreign Affairs, and chaired by the Department of Home Affairs. (1,22) This Committee was active in 2019 and met to discuss issues as they arose. The Committee was also actively implementing the Modern Slavery Act of 2018. (1,23,24)

V. GOVERNMENT POLICIES ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for government policies to address child labor. However, the Government of Australia has established policies related to child labor (Table 5).

Table 5. Key Policies Related to Child Labor

Policy	Description
National Action Plan to Combat Human Trafficking and Slavery 2015–2019	Outlined cooperation and participation by government and NGOs to combat human trafficking and slavery, including commercial sexual exploitation of children. (11,25) This policy was in effect in 2019. (1,24)

In 2019, the Government of Australia took steps to begin consultations on a revised National Action Plan to Combat Human Trafficking and Slavery. (24,26,27)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem, there appears to be no need for programs to address child labor.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, the following actions would advance the continued prevention of child labor in Norfolk Island (Table 6).

Table 6. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the minimum age for work is in compliance with international standards, including by ensuring that it is not lower than the compulsory age for education.	2016 – 2019
	Establish laws to prohibit children under age 18 from engaging in hazardous work and identify hazardous occupations and activities prohibited for children in consultation with employers' and workers' organizations.	2010 – 2019
	Ensure that child trafficking, including the recruitment, harboring, transfer, and receipt of children for forced labor and commercial sexual exploitation, is clearly criminalized both domestically and internationally.	2018 – 2019
	Ensure that the law prohibits using, offering, and procuring a child under age 18 for commercial sexual exploitation, including prostitution.	2017 – 2019
	Ensure that laws related to illicit activities criminalize the use of children, including in the production of drugs.	2016 – 2019

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