



30 Days Series 1 by Zhang Kaihui

MODERN SLAVERY STATEMENT FY23

1 July 2022 – 30 June 2023

KING&WOOD
MALLESONS
金杜律师事务所

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ACKNOWLEDGEMENT OF COUNTRY

We acknowledge the Traditional Owners of the lands on which we work and live, and pay our respects to Elders past and present. We recognise that this land always was and always will be Aboriginal and Torres Strait Islander land.

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REPORTING ENTITIES AND STRUCTURE

INTRODUCTION

KWM Australia is committed to identifying, assessing and addressing modern slavery risks in our supply chain and business operations.

This is our fourth modern slavery statement and is made pursuant to section 14 of the Modern Slavery Act 2018 (Cth) (Modern Slavery Act) for the period 1 July 2022 to 30 June 2023 (FY23 or Reporting Period).

REPORTING ENTITIES AND STRUCTURE

This statement is made on behalf of King & Wood Mallesons Australia, comprising:

- **King & Wood Mallesons, a partnership in Australia:** which provides legal services to our clients and
- **Dabserv Pty Ltd¹:** which provides various support services (such as premises, finance, technology, procurement, travel, people & development and business development services) to the Australian partnership

(collectively known as “**KWM Australia**”).

Each entity has its own employees and suppliers.

For convenience, a reference in this Statement to KWM Australia refers collectively to both entities unless otherwise specified.

KWM Australia is part of King & Wood Mallesons, a global law firm headquartered in Asia, with offices in 32² locations around the world.

Globally, King & Wood Mallesons operates under a Swiss Verein structure (a legal entity formed under Swiss law) and is comprised of member firms across different regions, including independent partnerships in Australia, the People’s Republic of China (China Partnership) and the Hong Kong Special Administrative Region of the People’s Republic of China (Hong Kong Partnership).

Legal services are provided independently by each of the separate King & Wood Mallesons member firms. KWM Australia does not own or control the foreign business operations of these independent member firms of King & Wood Mallesons. See our website at kwm.com for more information on the King & Wood Mallesons global structure including KWM Australia’s status within that global structure.

1 Dabserv Pty Ltd (ACN 008 551 993), with its registered office located at Level 61 Governor Phillip Tower, 1 Farrer Place, Sydney, is trustee of the firm’s service trust which provides various support services to the partnership as described further below.

2 As at 30 June 2023.

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OPERATIONS AND SUPPLY CHAIN

OUR OPERATIONS

KWM Australia is a full-service commercial law firm delivering a range of transactional, advisory and disputes-based legal services. We have market leading legal expertise across a wide range of legal practice areas, including cross-border mergers and acquisitions; private equity; public mergers and acquisitions; employment; intellectual property; competition; international funds; commercial litigation; international arbitration; projects, energy and resources; real estate; construction; environment; tax; banking and finance; and restructuring and insolvency.

Our core business involves the delivery of specialist professional legal services to our clients.

We advise and support our clients, both domestically and internationally on complex Australian law matters across a range of sectors.

In addition to our legal advisors, we have a number of shared services and support functions that deliver critical business services, including Technology, Finance, Business Services, Business Development, Knowledge, and People & Development.

KWM Australia employs approximately 1540 people in Australia (not including partners) and operates from 5 centres located in Brisbane, Canberra, Melbourne, Perth and Sydney.

Our workforce includes approximately 130 staff from outside Australia on working visas. We use labour hire agencies in Australia in limited circumstances to support casual personnel requirements within our legal, hospitality and other shared services teams.

In addition to the provision of professional legal services, in Australia we also offer clients resourcing support through a short-term contract engagement service known as KWMConnexion.

WHERE WE OPERATE

While KWM Australia's operations are predominantly based in Australia, as a member of the King & Wood Mallesons global network, KWM Australia has relationships with other members of that network which have operations outside Australia, as part of the pursuit of a common global vision. The members of the network trade under a common name to provide seamless multi-jurisdictional legal services to the world's leading commercial entities.

As part of the global arrangements, some management, IT, procurement and other support services are provided by foreign Verein subsidiaries to member firms, including KWM Australia.

KWM Australia has an affiliate entity, King & Wood Mallesons LLP (a Singapore limited liability partnership), which carries on a foreign law practice in Singapore (Singapore LLP). Under the arrangements with the Singapore LLP, the Singapore LLP provides legal and representation services to KWM Australia in the South East Asian region. KWM Australia also provides professional legal services and a range of support services to the Singapore LLP.

KWM Australia's relationship with the Hong Kong Partnership has also included the provision of some support services, the mutual exchange of professional legal services and the transfer of KWM Australia partners and employees to the Hong Kong office. KWM Australia does not own or control the Hong Kong Partnership or its operations.

KWM Australia's relationship with other parts of our global network includes:

- providing professional legal services to international clients
- providing professional legal services to, and receiving professional legal services from, other King & Wood Mallesons offices, including offices located in the People's Republic of China, the United States of America, United Kingdom, Europe and the Middle East³
- the transfer of KWM Australia partners and employees to other King & Wood Mallesons offices and
- receiving services from other entities within the network.

While our relationship with members within the King & Wood Mallesons global network is very important to KWM Australia and our clients, we do not control the foreign business operations of these independent member firms of King & Wood Mallesons.

³ As at 30 June 2023.

WHAT WE PROCURE

KWM Australia procures goods and services to enable the delivery of legal services to our clients. Goods and services are sourced from both Australia and overseas.

We have identified 6 major expense categories – professional services, premises, print and mail management, information technology, travel and accommodation, human resources and staffing services.

We purchased goods and services from approximately 2500 suppliers and contractors in FY23. This number does not include suppliers from whom we purchased goods and services through staff corporate credit cards.



Professional Services



Premises



Print and mail management



Information Technology (software and hardware)



Travel and accommodation



Human resources and staffing services

WHERE WE PROCURE FROM

Over 80% of our suppliers and contractors are based in Australia and comprise mostly professional services (barristers, expert witnesses, technical specialists), sophisticated commercial suppliers and our KWM member firms. We take steps to identify and assess modern slavery risks associated with our suppliers irrespective of whether they are located in Australia or overseas, as outlined in [Sections 3 and 4](#).

Our data shows that the remaining suppliers or contractors for FY23 (excluding credit card purchases) were based in Singapore, United States of America, United Kingdom, Hong Kong, New Zealand, Israel, China, Switzerland, Canada, South Africa, Ireland, Germany, India, Vietnam, Netherlands and Indonesia.

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OUR MODERN SLAVERY RISK AREAS

Our Modern Slavery Working Group reviews potential modern slavery risks in our operations and supply chains on an annual basis. The 6 key risk areas identified in our last statement remain the same in this Reporting Period. No additional areas of risk have been identified.

RISK AREAS IN OUR OPERATIONS

- **Workforce and recruitment:** We recruit staff in accordance with applicable employment laws and obligations. We also use labour hire agencies to provide staff in limited circumstances. Agency staff may be short-term contractors or require a visa to work in Australia. We recognise the reliance on external recruitment agencies means we have less visibility and control over the recruitment practices and employment conditions adopted by those organisations. As a consequence, the outsourcing of recruitment creates an element of modern slavery risk for our business. We have processes in place to minimise this risk, including requiring recruitment agencies to comply with our Supplier Code of Conduct, which sets out our expectations on human rights.
- **Domestic contractor and service arrangements:** We procure services for the maintenance of our premises such as cleaning services, indoor plant maintenance, document production, printing services and casual labour hire such as contracted hospitality staff. In some circumstances, these workers can have an increased vulnerability to modern slavery due to sector and industry risks, including a tendency to employ workers from more vulnerable populations (migrant workers, low and semi-skilled workers, limited English speaking capability). We identify this as a potential modern slavery risk for our business.

RISK AREAS IN OUR SUPPLY CHAIN

- **Suppliers of suppliers:** Our supply chain has multiple tiers and we acknowledge that there are certain sectors and industries, products and services, geographic regions and supplier entities which carry a higher risk of modern slavery. While we can coordinate the due diligence of our tier 1 suppliers and act where high risk suppliers come to our attention, we have less immediate visibility or control of the business practices and operations of tier 2 suppliers and beyond. To mitigate this risk, we have strengthened the due diligence conducted for our tier 1 suppliers to ensure they have active modern slavery programs in place within their own businesses.
- **Offshore suppliers and contractors:** Our offshore supply arrangements are varied and include legal services and software subscriptions. We also engage independent members of our King & Wood Mallesons global network (which are not controlled by KWM Australia) and other foreign law firms or professional services providers in countries where the perceived risk of modern slavery may be elevated (eg where a country has limited government response to modern slavery as identified in the Global Slavery Index 2023).
- **Procurement of goods for corporate functions on an ad hoc basis:** There are times when gifts or promotional goods are procured for corporate functions in a decentralised manner by individuals or teams within our business. Goods may be purchased in bulk (eg cups or notebooks) and due to the low cost involved, do not always undergo the same level of procurement due diligence as higher value contracts managed by our procurement function. While we still have procurement policies in place to govern purchases made by our staff, the risk is elevated where the goods are purchased (directly) from countries which have been identified as high risk. We continue to place a strong focus on education and training of our staff about our procurement policies in order to mitigate this risk.
- **Risk-based products identified for Australia:** The supply chain for electronic goods (laptops, computers, mobile phones) is generally considered a source of elevated modern slavery risk.⁴ As a firm that procures electronic goods for use by our people, we perform due diligence during the tender process for our tier 1 suppliers and final vendors are chosen in respect of criteria that includes the existence of robust modern slavery policies and procedures. However we recognise the inherent risks that may be present beyond tier 1 and tier 2 suppliers.

⁴ Electronics were identified in the [Global Slavery Index 2023](#) as one of Australia's top 5 categories of imported products at risk of modern slavery.

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ASSESSING AND ADDRESSING MODERN SLAVERY RISK

ASSESSMENT OF MODERN SLAVERY RISK

We assessed the risk of modern slavery being present in our Australian business operations and supply chain for the Reporting Period to be low. This assessment was conducted by members of our internal Modern Slavery Working Group (Procurement, Strategy and Risk).

We made this assessment by focusing our review on the 6 areas we have identified as our key modern slavery risks within our operations and supply chain (see [Section 3](#) above) and actions taken to address these risks both this year and in previous reporting periods.

For our operations, we consider the risk to be low due to the processes we have in place that require recruitment agencies we contract with to meet the standards set out in our Supplier Code of Conduct (which includes human rights). We use large reputable recruitment agencies who do not outsource to third parties. In addition, the legal industry more broadly is considered lower risk for modern slavery given the type of professional services that we provide. The Global Slavery Index 2023 also identifies Australia as lower risk in terms of its estimation of the prevalence of modern slavery and vulnerability to modern slavery⁵.

For our supply chain, we also assess the risk to be low. In conducting a risk analysis, we reviewed our suppliers based on the country they are located, their category of goods and services offered, and the volume of our spend. This analysis found:

- Over 80% of our suppliers are located in Australia and represent 89% of our spend.
- For our Australian supply chain, the nature of goods and services procured are predominately attributed to premises costs (leases to our 5 Australian offices), consultants, barristers, search fees, and agents (which are considered low risk of modern slavery).
- After Australia, our top 3 suppliers are located in Singapore, the United States of America, and the United Kingdom, representing 6% of our suppliers and 7% of spend.

Of these top 3 overseas suppliers, the nature of goods and services procured were the provision of legal or professional services (consultants, agents), which are deemed to carry a lower risk of modern slavery.

We note that our analysis of suppliers does not include credit card purchases where we are unable to identify the supplier or the country from which the goods are sourced. Work is continuing in this space to improve our systems so that credit card purchases can be better assessed for risk of modern slavery.

CASE STUDY

In the FY22 and FY23 reporting periods, we undertook a renovation of our Brisbane office. The refit involved new desks, chairs and other furniture as well as a renovation of the reception and breakout areas.

We recognise that the use of sub-contractors for the refit may elevate risks of modern slavery in our business operations and supply chain that would not normally exist in other reporting periods.

To address this risk, modern slavery clauses were included in our contract with the head contractor. A number of other factors were considered by us when assessing the modern slavery risk of our fit out, including:

- the head contractor is wholly Australian owned and operated
- the head contractor is a publicly listed company who is required to report under the modern slavery legislative regime
- actions taken by the head contractor to manage modern slavery risks within its own operations and supply chain (as set out in their modern slavery statements for FY22 and previous reporting periods).

⁵ Page 117 of the [Global Slavery Index 2023](#)

ACTIONS TAKEN TO ASSESS AND ADDRESS OUR MODERN SLAVERY RISKS IN FY23

We continued to implement our existing processes and controls to assess and address our modern slavery risks in the Reporting Period. Key actions taken in FY23 are set out below.

AREA OF FOCUS	ACTIONS COMPLETED
Supply chain and procurement	<ul style="list-style-type: none"> Operational Risk Appetite Statement (including modern slavery) approved by Risk Committee Explored a number of commercial products on vendor compliance and monitoring risk of modern slavery in our supply chain Continued work to incorporate robust modern slavery clauses into new and existing procurement contracts, where appropriate Conversations with both existing and potential suppliers (at least 30)
Education and awareness	<ul style="list-style-type: none"> Attendance at educational webinars on modern slavery by members of our Modern Slavery Working Group Attendance at the 3-day Modern Slavery Conference hosted by the Commonwealth Attorney-General's Department of Australia by a member of the Modern Slavery Working Group Updated firmwide online modern slavery learning module CLE on ESG (including modern slavery) presented by Office of General Counsel to our Business Services unit Articles published in KWM Insights and KWM Pulse on our firm website
Partnerships and collaborations	<ul style="list-style-type: none"> Continued collaboration with Australian Legal Sector Alliance (AusLSA) and other member law firms Pro bono work specific to combatting modern slavery Engagement with the Business Council of Australia Modern Slavery Working Group regarding review of the Modern Slavery Act 2018 (Cth)
Remediation processes	<ul style="list-style-type: none"> Launch of anonymous reporting platform to enable our people to report concerns about modern slavery risks
Due diligence processes	<ul style="list-style-type: none"> Continued to perform due diligence on suppliers who submit a formal tender to us by reviewing their responses to a set of modern slavery questions as part of our evaluation process Continued to perform due diligence through vendor onboarding process, through a sub-set of targeted modern slavery questions (for vendors not engaged through formal tender)

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ASSESSING THE EFFECTIVENESS OF OUR ACTIONS

In FY23 we set ourselves key performance indicators based on our key risk areas. We measure the effectiveness of our actions by tracking our progress against those indicators on an annual basis.

FOCUS AREA	INDICATOR	RESULT
Education and awareness	<ul style="list-style-type: none"> Year on year increase in number of people completing our firmwide online modern slavery module Year on year increase in number of people accessing and engaging with our Modern Slavery Policy, Procurement Policy and Modern Slavery Response to Incident Policy 	<ul style="list-style-type: none"> Firmwide completion rate of 27% for our online modern slavery module, up from 22% in the FY22 reporting period 49% of our Shared Services completed the module, up from 45% in FY22 Completion rate by our Legal staff dipped slightly to 20% from 27% in FY22 Intranet hit rates for our policies dealing with Modern Slavery, Procurement and Responding to Modern Slavery Incidents saw a reduction in both number of viewers and number of views. We will look to push awareness and use of these policies as part of our FY24 commitments (see Section 6)
Risk	Finalise risk appetite statement and have approved by Risk Committee	Modern slavery risk appetite statement incorporated into our firm operational risk appetite statement and review of approach to managing third party risk approved by Risk Committee
Supplier engagement	Collect data via our modern slavery questionnaire from active overseas suppliers and suppliers in high risk industries in Australia	This work was not undertaken in FY23 due to resourcing constraints. The risk assessment of overseas suppliers and suppliers of high risk industries in Australia will now form part of our FY24 commitments
Remediation and grievance mechanisms	100% of incidents reported remediated or resolved	Zero modern slavery incidents reported through our incident response policy or anonymous reporting platform

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OUR COMMITMENTS LOOKING FORWARD

KWM Australia aims to continuously improve our approach to combatting modern slavery risks in our operations and supply chains.

We commit to uplifting our performance in all areas of our current internal workplan, including framework and accountability, education, supplier engagement, people processes, clients, partnerships and collaboration.

Our core focus for FY24 will be aligning our procurement policies and procedures with firm-wide risk frameworks to enable us to make more rigorous risk assessments of modern slavery risks in our supply chains.

Some additional actions are set out below:

PROCUREMENT AND RISK ASSESSMENTS

- Identify clear guidelines for our procurement function to operationalise the firm's risk appetite statement
- Continue to test risk-based technology platforms that may assist us to more efficiently identify modern slavery risks

PREMISES

- Undertake a review of modern slavery risks associated with our use of cleaners through our building landlords
- Monitor and assess modern slavery risks as part of renovations happening in 2 of our office locations
- Undertake a review of modern slavery risks associated with our facilities waste management, including e-waste management

EDUCATION AND AWARENESS

- Provide specific training to contract owners on how to identify modern slavery risks and guidance on how to talk to their suppliers about modern slavery
- Uplift awareness and completion of our firmwide online modern slavery module to new starters to the firm
- Explore thought-leadership events with external stakeholders to discuss emerging trends

PARTNERSHIPS AND COLLABORATION

- Continue our involvement in the AusLSA collaboration series
- Explore becoming a member of Shared Value Project

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OTHER RELEVANT INFORMATION

We recognise that modern slavery is strongly linked to other human rights and societal issues such as gender and discrimination, poverty, education, climate change and sustainability issues.

Our modern slavery response forms part of our broader Responsible Business practice, which includes the following:

- Community Impact (our Australian social impact practice) works to strengthen communities where young people thrive, through a holistic and multi-disciplinary approach to social impact
- The pro bono legal services provided by Community Impact includes advice to community organisations on their modern slavery reporting obligations
- Community Impact also designs, develops and delivers social mobility programs to provide or assist disadvantaged youth to secure meaningful and fair employment
- KWM Australia has a robust set of policies that aim to discourage behaviour that may have a direct or indirect impact on heightening the risk of modern slavery, such as our Anti-Bribery and Corruption Policy
- We have delivered seminars, tailored presentations and published publicly available resources on our website on the topic of modern slavery and associated risks, which help organisations understand their role and obligations and what services we are able to provide

All of these measures demonstrate the importance of collaborating with communities and stakeholders to raise awareness of, and contribute to, combatting modern slavery.

PRO BONO WORK SPECIFIC TO COMBATTING MODERN SLAVERY

In FY23 we were engaged to work on several pro bono matters relevant to modern slavery:

- We prepared a comparative legal analysis for a global non-government organisation of human trafficking and forced labour laws in a number of countries including Malaysia, England & Wales, Australia, United States, Singapore and Hong Kong
- We assisted The Smith Family with the drafting of their Modern Slavery Statement, including advising the organisation on its modern slavery work program and broader modern slavery risk mitigation measures
- Partnership with Justice Without Borders to assist with providing legal support to victims of labour exploitation and human trafficking

BROADER HUMAN RIGHTS PRO BONO WORK

- Prepared report for Australian Conservation Foundation: 'Children's Right to a Healthy Environment: An Australian Perspective', which assesses the extent to which the right is currently recognised in Commonwealth and Queensland law
- Involvement in clinics such as Justice Connect Homeless Law, Refugee Legal's Fast Track Clinic (Melbourne), Refugee and Immigration Legal Service (Brisbane), Refugee Advice and Casework (Sydney)
- Advisory work for Human Rights Law Centre, Public Interest Advocacy Centre, Kaleidoscope Australia Human Rights Foundation, National Justice Project
- Collaborative work with the Castan Centre for Human Rights Law, Monash University
- Assisted National Justice Project with preparing fact sheets to educate individuals who have experienced discrimination or injustice to make complaints to the appropriate complaints body
- Advised various governance and real estate aspects of the Wilya Junta Housing Collaboration which provides culturally safe and climate appropriate housing for remote Aboriginal communities

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CONSULTATION AND BOARD APPROVAL

This Statement was prepared through consultation with a team of representatives from our Procurement, Risk, People & Development, Business Services, Strategy and Responsible Business functions, which consisted of staff from both of the reporting entities to this Statement.

KWM Australia does not own or control any of the other entities within the global KWM network.

The King & Wood Mallesons Australia Board approved this Statement on behalf of the Australian partnership on 6 December 2023.

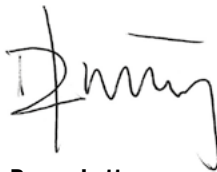
The board of directors of Dabserv Pty Ltd approved this statement on 13 December 2023.

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David Friedlander
Chairman
King & Wood Mallesons, Australia

DABSERV PTY LIMITED



Renae Lattey
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