

To: Education and Workforce Committee

Date: 28 May 2026

Submission on: Modern Slavery Bill

From: New Zealand Kiwifruit Growers Inc (NZKGI)



New Zealand Kiwifruit Growers Incorporated

New Zealand Kiwifruit Growers Incorporated (NZKGI) advocates on behalf of around 2,800 kiwifruit growers by representing their commercial and political interests in industry and government decision making.

We are committed to upholding the industry's social licence by promoting responsible practices, ensuring compliance, and engaging with the community to address concerns proactively.

We are funded by levies mandated under the Commodity Levies Act 1990.

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Executive Summary

NZKGI supports measures to combat modern slavery and recognises the importance of strong, transparent supply chains. The kiwifruit industry already operates under robust, independently audited systems that prioritise worker welfare and labour risk management.

However, the Bill places too much emphasis on reporting, with insufficient focus on outcomes. There is a risk it becomes a compliance exercise that generates disclosures without improving how risks are identified, managed, or remediated. Large corporates are already highly aware of their social responsibilities and typically have strong systems in place, while the greatest risks of modern slavery tend to sit in less regulated sectors.

NZKGI is very concerned that compliance obligations will be pushed down supply chains, creating duplication and unnecessary costs for growers who already operate under rigorous assurance frameworks. There is also a clear risk that multiple entities within a single supply chain will be required to report on the same issues. Greater clarity is needed on the roles and expectations of entities across the supply chain to avoid duplication and ensure obligations are proportionate and appropriately allocated.

Critically, reporting alone is insufficient without effective enforcement. Regulators must be adequately resourced to respond quickly and consistently to identified cases. The regime will not deliver meaningful protection for workers without this.

Introduction

NZKGI acknowledges that worker exploitation and modern slavery risks exist globally and within New Zealand, including within the horticulture sector. We support the Government's efforts to address these risks and improve outcomes for vulnerable workers.

Maintaining New Zealand's reputation as a producer of safe, high-quality, ethically produced exports is critical to the economy. The kiwifruit industry is committed to playing its part in upholding these standards.

Industry Context and Existing Systems

The kiwifruit sector has invested heavily over time in systems designed to support worker welfare and manage labour-related risks:

- All growers and contractors must meet GLOBALG.A.P. certification, and;
- those that employ staff must also meet social practice (GRASP) requirements, which specifically address worker welfare.
- Contractors are vetted and reassessed annually across financial, operational, and compliance criteria.

In addition, the industry works proactively with regulators and voluntarily provides regular reporting on labour compliance activities.

These systems are robust, but they are not a complete solution. Exploitation can still occur.

Primary Concern: Administrative Reporting Without Outcomes

NZKGI's primary concern is that the Bill places significant weight on disclosure and reporting requirements, without clearly defining what effective due diligence looks like or how reporting will improve outcomes for workers.

There is a risk the regime becomes compliance-focused rather than outcome-focused. It's an administrative exercise that generates reports but does not meaningfully improve how risks are identified, assessed, and addressed.

Further, we suggest the mandatory reporting is structured and standardised. In its current form, the Bill largely relies on narrative reporting. This will likely result in inconsistent disclosures that are difficult to compare, analyse, verify, or use across industries and supply chains.

Importantly, large companies captured by the Bill are generally already highly aware of their social responsibilities. Their commercial success and brand value depend on maintaining strong ethical standards. Many already have well-developed systems in place to manage labour-related risks.

Businesses with stronger systems are more likely to identify and report issues. A framework focused primarily on reported instances of exploitation risks penalising those actively working to detect and resolve problems, while those with weaker systems may appear lower risk simply because issues remain undetected.

NZKGI support a framework that places greater emphasis on:

- the quality and robustness of due diligence processes
- the systems and controls used to identify and assess risk

- the actions taken to respond to and remediate issues.

Risk of Compliance Burden Shifting

NZKGI is concerned that reporting obligations on large entities may result in compliance burdens being passed down supply chains.

For kiwifruit growers, this could include:

- additional documentation and reporting requirements
- duplication of existing assurance processes, and
- duplication of reporting if multiple entities in a supply chain meet reporting thresholds
- increased costs for growers and contractors.

Kiwifruit growers are already subject to rigorous, independently audited standards. Any duplication risks creating unnecessary administrative burden without improving worker outcomes.

Greater clarity is needed on the roles and expectations of entities across the supply chain to avoid duplication and ensure obligations are proportionate and appropriately allocated.

Enforcement and System Effectiveness

NZKGI's experience is that identifying issues is only part of the challenge. Follow-up action can be slow or inconsistent, which undermines confidence and limits the effectiveness of the system.

If this legislation is to make a meaningful difference, enforcement agencies must be equipped to respond in a timely, coordinated, and consistent manner.

Recent reporting in the kiwifruit industry underscores this point. A recent case publicly reported on involves an individual who assisted authorities to expose a multimillion-dollar tax evasion scheme, reportedly involving more than \$3 million and accompanied by allegations of kidnapping and assault, faces deportation despite acting as a key witness.¹

Situations such as this raise serious concerns about whether current settings sufficiently support those who come forward with information about wrongdoing. Where issues are identified, but responses are slow, uncoordinated, or fail to support those involved, it undermines confidence in the system and may discourage future reporting.

A reporting regime on its own will not address these challenges. Without effective enforcement and follow-through eg. sufficient penalties, the system risks falling short of its intended purpose.

NZKGI continues to advocate for increased resourcing of regulators, including the Labour Inspectorate, to enable a more proactive and timely response.

Where the Greatest Risks Lie

NZKGI submits that the highest risks of modern slavery and exploitation are more likely to occur outside of highly regulated and audited supply chains.

The greatest vulnerabilities are typically found within:

- smaller businesses

¹ [The \\$3m 'money mule' allegedly kidnapped in kiwifruit tax scam set to be deported - NZ Herald](#)

- less formalised labour arrangements
- sectors with limited oversight or certification.

This is supported by publicly available evidence, including media reporting and Employment Relations Authority decisions, which consistently highlight cases of non-compliance in these areas.

A regime that focuses primarily on large, compliant organisations risks missing where the most significant harm occurs.

Distinction Between Exploitation and Modern Slavery

Greater clarity is required between workplace exploitation and modern slavery.

Workplace exploitation is already addressed within New Zealand's existing legal framework, while modern slavery involves more serious conduct such as:

- forced labour
- trafficking
- coercion.

Failure to clearly distinguish between these concepts risks:

- misdirecting compliance effort
- duplicating existing enforcement frameworks
- obscuring where the most serious harm occurs.

Clear definitions are critical to ensuring the regime is proportionate and targeted.

Limitations of an Incident-Based Reporting Model

The regime should remain focused on risk identification, governance, and due diligence processes, rather than evolving into an incident-based reporting framework.

A requirement to disclose any incident, regardless of materiality or knowledge, risks:

- discouraging good-faith remediation
- creating liability exposure for matters that could not reasonably have been known
- shifting focus away from systemic risk management.

The legislation should instead focus on:

- known or reasonably identifiable risks and incidents
- proportionate, process-based reporting
- continuous improvement over time.

Conclusion

NZKGI supports the intent of the Bill but considers its effectiveness will depend on a stronger focus on outcomes rather than reporting.

The legislation should:

- prioritise robust due diligence and risk management systems over administrative disclosure
- greater clarity on the roles and expectations of each entity within a supply chain
- avoid duplication and prevent compliance burdens being passed down supply chains
- ensure existing assurance frameworks are recognised and not replicated
- target effort toward higher-risk, less regulated sectors
- clearly distinguish modern slavery from broader workplace exploitation, and
- ensure regulators are properly resourced to act on identified issues.

Without these changes, the Bill risks increasing compliance activity and duplication across supply chains without materially improving protections for vulnerable workers.