

## Final Case Study

### Forced & Bonded Migrant Labour Gripping New Zealand: *A Clarion Call for the Church of New Zealand to Respond*

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# Table of Contents

<b>Table of Contents .....</b>	<b>2</b>
<b>Introduction.....</b>	<b>3</b>
<b>Missiological Assessment.....</b>	<b>7</b>
<b>Missional Proposal .....</b>	<b>12</b>
<b>Conclusion .....</b>	<b>16</b>
<b>Glossary.....</b>	<b>17</b>
<b>References Cited.....</b>	<b>18</b>

## Introduction

“In a real sense all life is inter-related. [All] are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly. I can never be what I ought to be until you are what you ought to be, and you can never be what you ought to be until I am what I ought to be. This is the inter-related structure of reality.”

- Martin Luther King Jr.

New Zealand is gripped by a new phenomenon. All around the world New Zealand is a desirable destination no matter what your socio-economic standing. As I have travelled, people have often said to me that they want to visit, or live, in New Zealand. When asked if they know anything about New Zealand, *no* is a typical answer. So New Zealand is a desirable destination even if you don't know anything about us, and for migrant workers who get the opportunity to travel, live and work in this country it is a dream come true. Sadly many do not experience the dream, but rather enter a nightmare called forced or bonded labour.<sup>1</sup>

According to the 2014 Trafficking In Persons (TIP) Report, “Some Asian and Pacific Islanders migrate to New Zealand (NZ) to work in the agriculture, horticulture, viticulture, and hospitality sectors, or as domestic workers, and are subsequently subjected to forced labor. Some foreign workers are charged excessive and escalating recruitment fees, experience unjustified salary deductions and restrictions on their movement, and have their passports confiscated and contracts altered. Some migrant workers are also forced to work in job conditions that are different from what they were promised during their recruitment, but do not complain about it because they are afraid of losing their temporary work visas” (US Department Of State 2014, 291).

The TIP report is considered “the world's most comprehensive resource of governmental anti-human trafficking efforts” and takes a “global look at the nature and

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<sup>1</sup> A number of terms like forced and bonded labour are used throughout the paper. A basic list of definitions can be found in the Glossary.

scope of trafficking in persons and the broad range of government actions to confront and eliminate it.”<sup>2</sup>

Worried about the lack of prosecutions in New Zealand, Justice Acts New Zealand “decided to take a look at all the laws that touch on the issue of trafficking, slavery and labour exploitation to see if there were issues with the legislation making it difficult for trafficking to be prosecuted” (Lambert 2014, 5).

Among the findings were: inconsistency with international protocols; lack of empowering legislation; legal issues with contracts for services and employment agreements; lack of training and resourcing of government agencies; poor victim support services; and issues with access to justice for victims (Lambert 2014, 5). Highlighted in the report were issues in the fisheries, agriculture, construction and horticulture (orchards & fruit picking) industries where labour exploitation was clearly evident, predominantly with migrant communities (Lambert 2014, 14).

The issue of forced labour came into prominence in 2011 when the long term issue of unsafe, exploitative and slave like conditions aboard foreign-crewed fishing vessels chartered by New Zealand companies came into the public spotlight when thirty-two Indonesian fishermen took the courageous step to leave the Korean vessel, Oyang 75, in Christchurch New Zealand’s, Lyttelton Harbour, in 2010, objecting to poor wages and abuse (Field 2011).

Following the devastating earthquakes in September 2010 and February 2011, destroying the Central Business District of Christchurch NZ, and much of the city’s Eastern Suburbs, the emergence of forced and bonded labour in the construction industry was reported in a current affairs Television show called 3<sup>rd</sup> Degree. It dammed Recruitment Agencies for taking advantage of foreign Filipino workers through double contracts and bonds of over NZD10,000. These bonds were in addition to the loans

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<sup>2</sup> Online Introduction to the US Department of State’s Trafficking In Persons Report website. <http://www.state.gov/j/tip/rls/tiprpt/index.htm> (accessed 20 November 2014).

Filipino workers had taken out in the Philippines to secure a job in NZ (TV3 News aired 16 July 2014).

In one of New Zealand's most significant export arenas, the Kiwifruit industry, severe labour exploitation was once again raised in the media, this time by a local newspaper, *Sun Live*. In this article Indian administrator Hardeep Singh refused to sign a letter falsifying to the Inland Revenue Department<sup>3</sup> that all of his Employers' workers were paid according to the law. This action caused him to be demoted and he stopped getting paid for his work, and he eventually quit (Campbell, 2014).

Whilst not an exhaustive list of incidences of forced and bonded migrant labour in New Zealand, this issue has now surfaced in such a fashion that the New Zealand public are beginning to understand the magnitude of the problem. This converged on 28 August 2014 when, "Two people [were] charged with human trafficking after 18 Indian men were trafficked into New Zealand to work in the horticulture industry. [It] is the first time human trafficking charges have been laid in this country" (APNZ 2014).

As the issue of the exploiter is coming into focus we must not lose sight of the assistance that needs to be afforded to the victims in this complex issue. In a recent interview with the author of the New Zealand section of the TIP report, Jennifer Hong highlighted that support for victims of migrant exploited workers was a very important concern of hers and enquired about what we, at Stand Against Slavery, see as the next important steps that need to be taken by the New Zealand Government, and what do we see as our role in the care and protection of those being exploited (Hong 2014). I suggested that there is a need for a partnership between government and civil society that would help with the care, protection and advocacy of victims as they enter into the

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<sup>3</sup> The Inland Revenue Department (IRD) is the Government agency responsible for collecting taxes in New Zealand, including personal income tax from all wage and salary earners. This is collected by Employers and paid to IRD on a monthly basis. A common illegal practice is to pay workers cash 'under the table', and falsify the level of wages and salaries being paid so as to minimize or avoid paying income taxes on behalf of their employees to IRD.

vulnerable position of being illegal immigrants and therefore risk deportation without contributing to the prosecution of the exploiter, but also the support they will likely need both here in New Zealand and the potential harm they, or their families, may be subjected to back in their country of origin.

Stand Against Slavery (SAS), a ministry birthed out of the Baptist Churches of New Zealand in 2013, is positioned to assist on a number of fronts. SAS gathers around a common belief that all humans are made in the image of the Creator God. It follows then, that every human being has certain unalienable rights that should never be contravened. We believe that chief among those rights is the right to be free. We also believe that the only way to rid our world of the tyranny of slavery is for those with power to work together for those who are yet to have power. Our purpose therefore is to stand together for as long as is necessary to see a slave free world. Specifically, we believe that New Zealand can become the first country in the world to be slave free.

Inherent in the gospel mandate is the call for followers of Jesus to care and protect the vulnerable. It is therefore my thesis that Jesus mandates the body of Christ, the best equipped and strategically located group in the community, to provide support for victims and survivors of forced and bonded migrant labour in New Zealand. SAS, as a ministry of the Church, is equipped to provide the necessary tools and resources to mobilise a Christian response.

The remainder of this paper will outline our assessment of what SAS and the Church is currently doing and what SAS proposes to do in mobilising the Church across New Zealand.

## Missiological Assessment

“At the beginning of this new millennium I was asked to discuss, here in Oslo, the greatest challenge that the world faces. Among all the possible choices, I decided that the most serious and universal problem is the growing chasm between the richest and poorest people on earth.”

- Former U.S. President Jimmy Carter<sup>4</sup>

The world is waking up to the reality of modern slavery and it is fast becoming the justice issue of the 21<sup>st</sup> Century. It is helpful to examine what the Church is doing in light of the profundity of former U.S. President, Jimmy Carter’s remarks above because the owning of slaves or the exploitation of workers through forced or bonded migrant labour drives at the very heart of the chasm he is expounding. The abolishment of modern slavery will go a long way toward closing the gap between the richest and the poorest people on earth.

Inevitably this leads to a number of questions that need to be aimed at the Church. What is and should be the response from the Church? What is the Church in New Zealand doing? What is Stand Against Slavery doing in the task of abolishing forced and bonded migrant labour in New Zealand? To answer these questions it is important to observe this from a macro perspective before assessing the specificity of forced and bonded migrant labour.

In March 2014, the Global Freedom Network was launched at the Vatican. This was an “unprecedented agreement among representatives of major faiths. The Joint Statement by the Global Freedom Network signatories underscored the searing personal destructiveness of modern slavery and human trafficking and called for urgent action by all other Christian Churches and Global Faiths. The Global Freedom Network is an open association and other faith leaders will be invited to join and support this initiative” (Global Freedom Network 2014a). Since the launch of this initiative there has been a growing number of faith leaders joining across the globe and it now includes

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<sup>4</sup> Nobel Lecture from former U.S. President, Jimmy Carter after receiving the 2002 Nobel Peace Prize in the Oslo City Hall, Oslo, Norway. <http://bit.ly/1qvWUEa>. (accessed 11 December 2014).

representatives from “the Christian Catholic, Anglican and Orthodox, as well as Buddhist, Hindu, Jewish and Muslim faiths who have jointly declared one common humanitarian endeavour: To eradicate modern slavery by 2020 throughout our world and for all time as a crime against humanity” (Global Freedom Network 2014b).

This action by faith leaders around the world, particularly the Christian response, fits well within the biblical framework of justice and the mandate of Christians to respond. Eddie Byun, in this helpful guide, *Justice Awakening: How You and Your Church Can Help End Human Trafficking*, suggests that there are three places where we find God’s justice: God’s solution from the beginning - the cross; God’s solution at the end - the judgement; and God’s solution for today - the Church (Byun 2014). We are set free through the cross and we will face eternal judgement in the end. Those two aspects we cannot control, but we can contribute to the Church response, globally, nationally and locally.

The Church in New Zealand has historically reached out to the poor and disadvantaged both locally and globally. Many Parachurch organisations exist having been birthed out of the church at the genesis of their existence. Take TEAR Fund for example. In May 1968, “members the Evangelical Alliance Relief Fund Committee, meet for the first time, determined to marry Christian compassion with practical action.”<sup>5</sup> TEAR Fund NZ was established in 1975.<sup>6</sup> Established in 1994, in response to the story of Hagar in Genesis 16 and 21, Hagar international was formed and began operations in Cambodia. The New Zealand operation was established in 2008, raising awareness, money and volunteers for the work they do across Asia.<sup>7</sup> These are just two examples of a number of organisations, birthed out of the church and specifically working at

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<sup>5</sup> History page of TEAR Fund UK. [http://www.tearfund.org/en/about\\_us/history/](http://www.tearfund.org/en/about_us/history/) (accessed 11 December 2014).

<sup>6</sup> About Us page of TEAR Fund NZ. <http://www.tearfund.org.nz/about-us/index.html> (accessed 11 December 2014).

<sup>7</sup> About Us page of Hagar International. <http://hagarinternational.org/new-zealand/about/> (accessed 11 December 2014).



abolishing slavery and human trafficking. However, these organisations are primarily focused offshore. Until recently, New Zealand was not considered a country that had a problem in this area. If you asked a person in the street about slavery they would not consciously consider New Zealand in that conversation. This view would be confirmed if the same question was asked in churches across the country. The focus has almost always been international.

A major challenge is the dearth of information about the prevalence of slavery and human trafficking in New Zealand. Stand Against Slavery formed, along with five other organisations, a Human Trafficking Research Coalition (HTRC) with the purpose to engage in evidence based research to determine the size of the problem in New Zealand. The 2014 Global Slavery Index indicates that New Zealand has approximately 600 slaves (Global Slavery Index 2014), and anecdotal evidence would suggest that this is very conservative and conducting this research will bring clearer understanding of the numbers. The HTRC have commissioned the University of Auckland to conduct this research and in a recent meeting with our researchers, Dr Christina Stringer and Dr Glenn Simmons, Glenn indicated that from their world-renowned research in the fishing industry they could verify 1,200 slaves in New Zealand (Simmons 2014).

Whilst the Church has had limited involvement over the years in respect to forced and bonded migrant labour in NZ there has been some activity. The most notable involvement came in June 2011 when an Anglican Church in Christchurch NZ, became a place of refuge for thirty-two Indonesian men who escaped the Oyang 75 because of abuse and slave like conditions. At the outset, this little church provided support, food and shelter. This is captured well in a video animate describing their involvement (Anglican Life 2012). Rev. Jolyon White, an Anglican social justice worker, also provided advocacy assistance in the dialogue with Immigration New Zealand, in representing the fishermen (Van Beynan, 2011).

As a recent arrival to the abolition movement, Stand Against Slavery has been in start up mode. SAS is a joint venture ministry between the two governing organisations of the Baptist Churches of New Zealand—The New Zealand Baptist Missionary Society; and the Baptist Union of New Zealand. As an organisation we are clear that we pursue justice from a Christian worldview. We are always careful with our language so as to not offend and we have found in every audience a warm reception.

Our purpose has already been described above and the first fourteen months of operation has primarily been about developing strong relationships with a number of sectors. Firstly, with non-government organisations (NGOs) who combat slavery and human trafficking in some form. We engage that through meetings, collaborative efforts, and mini conferences. One significant activity is the SAS Freedom Coffee Club whereby once a month we invite organisations to a café and provide a two-hour window with no agenda so that people can create connections and establish camaraderie within the abolition movement. This is enthusiastically supported.

Second, we connect with the various Government agencies that have some form of response to exploitation, slavery and human trafficking. These agencies include, NZ Police, Immigration NZ, the Labour Inspectorate, Ministry of Justice, and the Ministry of Business, Innovation and Employment. The successful relationship building we have done in such a short space of time has been very encouraging.

Third, we are developing good relationships with the NZ Media. Two national radio stations will often ask us to comment on something that has come through the media. Our television debut occurred in August 2014, which has been well received.

Fourthly, we engage the general public in any medium we can. This is often through invitations to address groups or schools. It has also been in individual meetings or correspondence with people who believe they are victims or have observed some form of forced labour or exploitation.

Finally, we are building relationships with the Church through invitations to speak at the local and national levels. In September 2014 I addressed the National Church Leaders of Aotearoa New Zealand (NCLANZ)<sup>8</sup> where I had the opportunity to say, "... And where should we look first? I believe it is the Church. Outside of Government the Church provides the greatest level of community services in our nation, and it is mandated by Jesus to do so. We need a clarion call as the body of Christ to take in the enslaved as well as the hungry and the poor and the sick and naked and the imprisoned and the widowed. There are people trapped in physical slavery in our communities and we, as the Church, need to wake up to the reality that there are more desperate people out there that need our help. We know how to help people, and now our boundaries; our borders; and our tent pegs have been extended and enlarged. I believe without a shadow of doubt that the Church can respond effectively and I call on this body to be the leaders we need to make that happen" (Mihaere 2014). Following this meeting I met with a similar nationwide group focused on Youth Ministry.

As we have developed relationships across the board, we are developing resources, many of which will be published during 2015. There is urgency for these resources given the research we are currently undertaking and it's to the missional framework of these resources that we turn to next.

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<sup>8</sup> The National Leaders of all the Christian Denominations in New Zealand are invited to be part of the NCLANZ, and get to spend time with New Zealand's Prime Minister to discuss matters of interest to the New Zealand Christian community.

## **Missional Proposal**

“Surely the principles of Christianity lead to action as well as meditation.”  
- William Wilberforce

As I sat across from the Northern Manager for compliance and boarder control of Immigration NZ, I asked what care is given by immigration to victims of forced and bonded migrant labour, particularly if they require repatriation. The motive behind the question was to ascertain what systems are in place to deal with the enormity of the issue given the limited resources Immigration NZ has at its disposal. As we dialogued further I asked if it would be helpful to know that SAS has an extensive network, that within several hours, depending where in New Zealand a victim is situated or the country a victim originates from, I could find a group of people from that migrant community willing to help and assist. As we explored this topic Murray became aware of the magnitude of the Christian network available to him (Manager 2014).

If the Church, both local and global, is prepared to extend its tent pegs, as I advocated to the NCLANZ, for victim support and advocacy of forced and bonded migrant labour in New Zealand, I believe that will go a long way to abolishing slavery and human trafficking in New Zealand. It requires a church to embark on a four-part journey. Every church needs to be: biblically compassionate; abolition awakened; migrant friendly; and first responders in the event of a need in the community.

### **1. Become a Compassionate to the Core Church**

Arloa Sutter, in her book *The Invisible: What the Church Can Do to Find and Serve the Least of These*, categorises churches into three general groups. The *personal piety church* that focuses “almost exclusively on personal evangelism and personal growth” (Sutter 2010, 86). The *social justice committee church* where “the church recognizes compassion and justice as important”, but relegates it to one of the ministries of the church (Sutter 2010, 86). The third group, from which I have borrowed the title, is the

*compassionate to the core* church. “This is the church in which compassion, reconciliation, and justice are core values that permeate every aspect of church life” (Sutter 2010, 86).

The *compassionate to the core* church requires leaders to “understand and embrace the centrality of God’s heart for justice in their understanding of the good news of the gospel” (Sutter 2010, 92), and impart that understanding to every ministry and person across the church. This requires a recalibration of a sound theology of mission, which will inevitably lead to the debate on proclamation versus demonstration. David Bosch in his significant work *Transforming Mission: Paradigm Shifts in Theology of Mission* in wrestling with this issue refers to it as “one of the thorniest areas in the theology and practice of mission (Bosch 2011, 410). Drawing heavily from Bosch in balancing the idea of proclamation and demonstration Michael Frost in *The Road to Missional: Journey to the Centre of Church* advocates that “it is impossible to separate the announcement of God’s reign from its demonstration ... restoration will include both our lips and our hands” (Frost 2011, 57).

Stand Against Slavery is drawing from resources like Sutter, Frost and Eddie Byun’s *Justice Awakening* to develop a series of studies that will help a church transition to a *compassionate to the core* church. Once a church makes that theological transition they are better able to be a move to the next part of the journey with confidence, to becoming an Abolition Awakened Church.

## **2. Become an Abolition Awakened Church**

Having chosen the path of becoming a *compassionate to the core* church, knowledge becomes a critical ingredient in order to understand the world of slavery, forced & bonded labour, exploitation and human trafficking. The church needs to understand what this means from a migrant perspective. What drives people to want to come to a country like New Zealand and accept being forced and coerced into labour

that is illegal? What it is like to come from a corrupt society into a society like New Zealand? Why don't migrant people ask for help?

The *SAS Toolbox for Churches*<sup>9</sup> resource will explain what modern slavery is; God's stance on modern slavery; and what the Church can do as a result. It will specifically explain what modern slavery looks like at a global and local perspective. It will draw on the experience of the Anglican Church in Christchurch as a model of what is possible.

The *SAS Toolbox for Churches* is scheduled to be available as a free download in the first quarter of 2015 and will provide resources for a Sunday event; a non-Sunday event; a Weekend event; a Multi weekend event. The resource kit will be packed with worship materials; small group materials; youth & children's materials; and community connection materials.

### **3. Become a Migrant Friendly Church**

Unique to the issue of forced and bonded migrant labour in New Zealand is the need to fully understand ethnic diversity in the local community of the local church. Those churches who are already *compassionate to the core* churches may already understand the diversity of their community and may be further along the journey when it comes to embracing the community, but there is a difference when engaging with migrant communities. J Samuel Escobar in his article *Missions Fields on the Move* highlights the complexity of migration and the transition of people from one culture to another (Escobar 2010). Migrant communities are often closed communities because of culture and language and it is important that churches do their best to develop friendly associations with these communities in their area.

Supplementary to the *SAS Toolbox for Churches* will be a module on engaging migrant communities in your local neighbourhood. Most migrant communities have a

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<sup>9</sup> The promotional brochure for this resource is available online at <http://standagainstslavery.com/#publications-2> (accessed 12 December 2014).

Christian presence in NZ and Stand Against Slavery is planning to build a directory of connections into migrant communities where people across the country can develop relationships and be resourced directly.

#### **4. Become a First Response Church**

As a church develops its compassionate core; abolition awakening and migrant friendly-ness it is critical to move into action, or at the very least be ready for action. This will be done by establishing a 'first response team' to be ready to assist vulnerable migrant workers. As exemplified by the Anglican response in assisting the Indonesian fisherman there are two levels of assistance that a Church will be able to respond to.

The first level is the immediate response of *support, food and shelter*. Every church community can provide this basic level of response within its immediate community. Some may already have significant ministries in this area, but possibly not with vulnerable migrant communities. Churches will be encouraged to link up across their city, town or rural region in shared responsibility. This is a good opportunity for some ecumenical collaboration.

The second level of assistance is *advocacy*. Stand Against Slavery is developing excellent relationships with key agencies like NZ Police, Immigration NZ, and the Labour Inspectorate, and these relationships provide good contact for a local church when they need to engage in advocacy conversations with these various agencies. Stand Against Slavery has been dialoguing with some of these agencies for training materials, with positive response. A specific SAS training module is planned for development in 2015, with the assistance of these agencies, which will help first response teams to be confident in who to contact and the appropriate process for advocating for a victim or group of victims.

## Conclusion

“Now that I have seen, I am responsible.”

- Brooke Fraser<sup>10</sup>

Profoundly Bosch advocates that, “there is, in Jesus’ ministry, no tension between saving from sin and savings from physical ailment, between spiritual and social. The same applies to the term used for ‘forgiveness’ (Greek *aphesis*); it includes a wide range of meanings, from the freeing of bonded slaves to the cancellation of monetary debts, eschatological liberation, and the forgiveness of sins. All shades of meaning of these terms give expression to the all-embracing nature of God’s reign” (Bosch 2011, 34).

It follows therefore that when the Church is compassionate to the core; abolition awakened; migrant friendly; and equipped as first responders they are being missional. When Jesus entered the synagogue, stood up to read, asked for the scroll of the prophet Isaiah, and read the familiar words that declared why he was here he was declaring the year of the Lord’s favour (Luke 4:16-19). When the church is able to reach into the vulnerable communities in their neighbourhood, and in particular those who are captive in forced and bonded migrant labour, they also are declaring the Lord’s favour.

As a young New Zealand Christian songwriter and entertainer, Brooke Fraser travelled to Rwanda to see the poverty and devastation in that war torn country. She wrote a song entitled *Albertine* of which the Wilberforce-like lyric quoted above comes from. Further into the song she writes, “I will tell the world, I will tell them where I’ve been. I will keep my word, I will tell them Albertine”.

As a missional response to forced and bonded migrant labour in New Zealand, my team and I at Stand Against Slavery are moved deeply to do likewise.

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<sup>10</sup> Fraser, Brooke. 2006. “Albertine.” Lyric. <http://bit.ly/1qapqeo> (accessed 7 December 2014).



## Glossary

This not an exhaustive glossary for this paper but rather some basic definitions to some of the various terms used in describing aspects of the abolition movement. The definitions have been simplified for this paper, and are the views of Stand Against Slavery, and not intended to be exhaustive treatise of the terms. SAS is developing a comprehensive document that takes into account international discussion around these terms.

**Abolition Movement** – the movement of people around the world fighting to end modern slavery.

**Bonded Labour** – where a person is forced to provide labour and bonded to an employer, often by debt, providing labour or services for the purpose of gaining a benefit, reward, or profit for the exploiter. Some of this debt may relate to the cost of recruitment, travel to the destination country, accommodation & services and even food, incurred during their forced labour.

**Double Contracts** – Often an employment contract is signed in the recruitment country with conditions and promises. On arrival to New Zealand the employer forces them to sign another contract locally, which often have very different conditions that disadvantages the worker, putting them further into debt or threats if they do not comply. Usually the promises made in the first contract are there to entice the worker to NZ.

**Labour Exploitation** – the unfair treatment of a person who is providing labour or services for the purpose of gaining a benefit, reward, or profit for the exploiter.

**Forced Labour** – where a person is forced to provide labour or services to another person (or company) but has not offered that labour voluntarily, by some form of control for the purpose of profiting the oppressing party.

**Human Trafficking** – is the movement of people for the purpose of slavery, servitude or serious exploitation.

**Slavery** – where a person is forced into an activity, against their will by some form of control, for gain or profit of another, with any or all of the powers of ownership exercised over that individual.

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