

JOINT STATEMENT - NATIONAL PREVENTIVE MECHANISM

We, the undersigned, are the Australian National Preventive Mechanism (NPM) appointed or nominated by the Commonwealth, Australian Capital Territory, Northern Territory, South Australian, Tasmanian and Western Australian Governments to monitor facilities these governments control where people may be deprived of their liberty.

We are appointed or nominated by our respective governments to fulfill Australia's obligations under the *Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* (OPCAT), which Australia ratified in 2017. OPCAT is designed to protect the fundamental human rights of people detained in places including, but not limited to, police stations, prisons (military and civilian), detention centres (pre-trial detention centres, immigration detention centres, youth justice establishments, etc), mental health, and social care institutions.

An NPM is not an investigative or complaint handling body. Our role is to conduct preventive monitoring visits of places of detention and to work with the government that appointed us to ensure that people detained are not subjected to torture or to cruel, inhuman or degrading treatment while detained.

While we are appointed under OPCAT, Australian governments have human rights obligations to all people they detain. For example, Australia ratified the *Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* in 1989 and the *Convention on the Rights of the Child* (1990) and was one of the original signatories to the *Convention on the Rights of Persons with Disabilities* (2007), ratifying in 2008.

Among the people detained are children, people with disability, and people fleeing from persecution in their home country. People in detention in Australia include a significantly disproportionate number of First Nations people.

Preventing human rights abuses and ill-treatment of detainees is in everyone's interests.

As an NPM, we work closely with the United Nations Subcommittee on Prevention of Torture (SPT). We have had very constructive and practical engagement with the SPT on their recent visit to Australia, and the NPM looks forward to further engagement over the coming months and years. The NPM values the expertise, guidance, and perspectives that the SPT can provide, particularly in the lead up to, and following, the commencement of Australia's NPM obligations under OPCAT on 20 January 2023.

Although the SPT has now suspended its visit to Australia, we are committed to undertaking the preventive mandate of a National Preventive Mechanism.

COMMONWEALTH
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COMMISSION

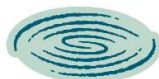

Richard Connock
Tasmanian NPM



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