

Visit Report of the Subcommittee on Prevention of Torture and response from the Australian NPM

Today, members of the Australian National Preventive Mechanism (NPM) published a response to the United Nations Subcommittee on Prevention of Torture (SPT)'s report of their terminated 2022 visit to Australia. The Australian NPM also provided their response to the SPT, and to all Australian governments. The response from members of the Australian NPM is available [here](#).

In October 2022, the SPT visited Australia to examine Australia's progress towards implementation of our obligations under the ***Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT)***. The SPT suspended their visit on 23 October 2022 and formally terminated it on 20 February 2023, including because they were denied access to some places of detention.

Despite the termination, in June 2023 the SPT provided the Australian Government with a report of their visit, and the Australian Government replied to this report in December 2023. Both the visit report and government reply have been made public, and are available [here](#).

Iain Anderson, Commonwealth Ombudsman and Coordinator of the Australian NPM, stated: ***“The SPT’s visit report is a considered reflection of the issues in detention environments they observed while here, and the status of OPCAT implementation in Australia. We encourage all Australian governments to consider carefully the SPT’s recommendations in the interests of improving the treatment of people in all detention environments.”***

The Australian NPM is made up of separate monitoring bodies across multiple Australian jurisdictions, though is itself not yet complete. The Australian NPM works in partnership with the SPT and, under OPCAT, has a mandate to perform its own, regular preventive visits to places where people are deprived of their liberty. These visits allow for the bodies to consider the treatment and conditions of people who are detained, and make recommendations towards preventing torture and other ill treatment in detention.

Mr Anderson added:

“The SPT raised specific concerns with the progress of OPCAT implementation in Australia. Members of the Australian NPM reiterate our own concerns that the establishment of the Australian NPM is not yet complete. There are not yet NPM bodies in place, or sufficiently funded NPM bodies, to undertake visits to all places of detention in Australia. Further, legislative authority to ensure all NPM bodies can independently and effectively undertake their full role remains a patchwork across the country. We again call on all governments to address these critical shortcomings.”