

Meeting of the OPCAT Advisory Group

Canberra - 21 April 2021

COMMUNIQUÉ

On 21 April 2021 the Commonwealth Ombudsman's OPCAT Advisory Group (OAG) held its first meeting for 2021, and welcomed Brendan Thomas, CEO of Legal Aid NSW and a Wiradjuri man, to his first meeting. The OAG discussion focussed on National Preventive Mechanism (NPM) implementation by January 2022, in the context of Australia's ratification of the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT).

The OAG welcomes the steps being taken by the states and territories to progress NPM nominations, noting legislative and resourcing challenges for the existing oversight bodies that are likely to form the NPM network. The OAG also noted the need for progress to accelerate, particularly by jurisdictions that have not nominated NPMs.

The Chair provided updates to the OAG about the work of the Commonwealth NPM and NPM Coordinator since the previous meeting. The Commonwealth NPM continued its monitoring regime of immigration detention facilities. This included engagement with relevant civil society representatives ahead of facility visits. The NPM Coordinator also continued engagement with the UN Subcommittee on Prevention of Torture (SPT), participated in meetings with jurisdictions and civil society stakeholders about potential NPM models, and was consulted on draft OPCAT legislation.

The OAG discussed and accepted updates to its Terms of Reference and agreed to their publication on the Office's website.¹ The OAG also agreed to the publication of a communique on the Office's website after each meeting. The OAG also began discussion on optimal ways to engage with civil society organisations, which will be the subject of further dialogue.

The OAG discussed how a preventive oversight mechanism can contribute to systemic change in the context of various Royal Commissions and the Closing the Gap initiative.

The OAG agree to scheduling the next meeting for July 2021.

¹ [OPCAT Advisory Group \(ombudsman.gov.au\)](https://www.ombudsman.gov.au)