

OPCAT ADVISORY GROUP (OAG)

OPCAT ADVISORY GROUP COMMUNIQUE NO 3

Meeting 30 November 2021

At the final meeting for 2021 of the Commonwealth Ombudsman's OPCAT Advisory Group (OAG), the Acting Ombudsman, Ms Penny McKay, welcomed the new Human Rights Commissioner Ms Lorraine Finlay as an observer. Apologies were received from OAG member Mr Brendan Thomas, former CEO of Legal Aid NSW, and invited guests Dr Ben Gauntlett, Disability Discrimination Commissioner and Professor Rosalind Croucher AM, President of the Australian Human Rights Commission.

The OAG considered:

- ongoing discussions with stakeholders to identify potential subject matter experts to assist the Commonwealth National Preventive Mechanism (NPM) and NPM Coordinator with its inspections and related functions
- the continued impact of the COVID-19 pandemic on physical inspections of places of detention and taking complaints from detainees
- ongoing discussion about engagement with civil society including with disability organisations
- formalising OPCAT-related communication strategies with all stakeholders
- reviewing and updating the OAG Terms of Reference ahead of the next meeting.

The NPM Coordinator provided an update on OPCAT-related questions taken on notice at Senate Estimates, jurisdictional OPCAT-related legislation, and engagement with international bodies including the Association for the Prevention of Torture and the UN Subcommittee on Prevention of Torture. The NPM Coordinator will continue to prioritise domestic and international engagement to support full OPCAT implementation in Australia.

The Commonwealth NPM provided an update on its remote monitoring of immigration detention facilities in the absence of physical inspections due to COVID-19 restrictions and the Office's plans to resume in-person visits in 2022. The next immigration detention oversight report will be an annual report and is anticipated to be published in early 2022.

The next OAG meeting is likely to be held in March 2022.

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In early 2020, the Commonwealth Ombudsman established a civil society advisory group to provide expert advice and guidance to the Ombudsman about the functions and responsibilities as an NPM and as the Coordinator of the Australian NPM network. The Advisory Group's Terms of Reference are available [here](#).