



20 years of OPCAT

Preventing ill-treatment through independent oversight

Today, 22 June 2026 marks 20 years since the United Nations (UN) *Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* (OPCAT) entered into force. Twenty years on, 96 countries are now party to this key international human rights treaty.

This anniversary is an important opportunity to recognise the role of preventive oversight in protecting the dignity, safety and human rights of people who are deprived of their liberty.

People can be deprived of their liberty in many different contexts, including during arrest and police custody, in prisons and youth detention centres, in immigration detention, in secure mental health settings, and in other situations where people are not free to leave. These environments can involve heightened risks of harm, particularly where there is limited visibility or independent oversight.

OPCAT establishes a system of regular independent monitoring of places where people may be deprived of their liberty, to improve transparency and accountability, and help prevent torture and ill treatment.



Effective preventive oversight benefits not only people deprived of their liberty, but also staff, service providers, authorities and the broader community. Safe, transparent and well-managed environments contribute to safer workplaces, strengthen public confidence, and support better outcomes across custodial, detention and care systems.

Since Australia ratified OPCAT in 2017, significant work has been undertaken to establish preventive monitoring frameworks across Australian jurisdictions. National Preventive Mechanisms (NPMs) have been nominated for the Commonwealth, the Australian Capital Territory, the Northern Territory, South Australia, Tasmania and Western Australia, who together form the multi-body Australian NPM. Preventive monitoring activities have helped

bring greater attention to conditions, treatment and safeguards across a broad range of custodial and other detention settings.

However, Australia's implementation of OPCAT remains incomplete.

New South Wales, Queensland and Victoria have not yet nominated NPMs to join the current members of the Australian NPM. Legislative frameworks and monitoring arrangements also remain incomplete in other jurisdictions, and some settings and situations where people are deprived of their liberty are not yet subject to the level of preventive oversight envisaged under OPCAT.

Resourcing also remains a significant challenge. While Australian NPM members continue to carry out preventive monitoring functions, some NPM bodies have not received any OPCAT funding, and others continue to operate with limited resources that constrain their ability to fully implement the preventive mandate.



These issues must be addressed if Australia's preventive monitoring system is to be effective, nationally consistent and sustainable over the long term.

The Australian NPM remains committed to working collaboratively with governments, oversight bodies, detention authorities, and communities to strengthen preventive monitoring and uphold the dignity and human rights of people deprived of their liberty, staff and the broader community.

For more information about OPCAT and the Australian NPM, visit [Australian NPM](#).

