

JOINT STATEMENT – NO ADDITIONAL FUNDING TO IMPLEMENT AUSTRALIA’S OBLIGATIONS UNDER OPCAT

We are members of the Australian National Preventive Mechanism (NPM) appointed or nominated by the Australian, Australian Capital Territory, Northern Territory, South Australian, Tasmanian and Western Australian Governments, to implement the United Nations (UN) Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT).

Our governments appointed or nominated us to undertake the important work of advancing efforts to prevent the torture and ill-treatment of detained people, including by visiting places where people are or may be deprived of their liberty.

We are disappointed that the 2023-24 Federal Budget did not contain any additional funding to support the work of Australia’s NPM. While ongoing resourcing for Australia’s NPM is the responsibility of all Australian Governments, we had hoped an understanding would be reached between the Commonwealth and State and Territory Governments on funding to implement Australia’s obligations under OPCAT given recent communiqués from the Standing Council of Attorneys-General. We urge Governments to resolve this matter expeditiously and ensure that NPMs are appropriately resourced to fulfil their mandate.

Australia’s NPM is firmly committed to our work and will continue to carry out our functions to the extent possible despite our limited resourcing. An NPM plays an important role in identifying risk of ill-treatment and making recommendations for improvements to tackle some of the most challenging detention-related issues facing Australia. This includes, the treatment of children, people with disability and First Nations people.

Where they have not yet done so, we call on all Australian governments to appoint NPMs, to legislate their role and powers, and to resource them to fully discharge their mandate to carry out preventive visits to places of detention.

