

## A joint statement: **CALL FOR AUSTRALIA'S RATIFICATION OF THE OPCAT**



Australasian  
College for  
Emergency  
Medicine



Australian  
College of Rural  
and Remote  
Medicine



Australian  
Medical  
Students'  
Association



Australian and New  
Zealand College of  
Anaesthetists



Royal Australian  
College of General  
Practitioners



Royal Australian  
College of Obstetrics  
and Gynaecology



The Royal Australasian  
College of Physicians

Royal  
Australasian  
College of  
Physicians



Australian  
College of  
Nursing



Australian  
College of  
Midwives



The Australian College  
of Mental Health Nurses

The Australian  
College  
of Mental  
Health Nurses



Australian  
Nursing  
& Midwifery  
Federation

Australian  
Nursing  
& Midwifery  
Federation



Australian  
Primary Health  
Care Nurses  
Association



Maternal, Child  
and Family Health  
Nurses Australia



PALLIATIVE  
CARE  
NURSES  
AUSTRALIA  
INC

Palliative  
Care Nurses  
Australia



AASW  
Australian Association  
of Social  
Workers

Australian  
Association  
of Social  
Workers



APS  
Australian  
Psychological  
Society

Australian  
Psychological  
Society



CHILDREN'S  
HEALTHCARE  
AUSTRALASIA

Children's  
Healthcare  
Australasia



Public Health Association  
AUSTRALIA

Public  
Health  
Association  
Australia

**We call upon the Australian Government to ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT).**

As Australia's peak health bodies, we are concerned that current systems for transparency and accountability in places of detention are inadequate and must be urgently strengthened.

The lack of consistent and comprehensive monitoring has contributed to ongoing incidents of mistreatment and human rights abuses in places of detention. A succession of parliamentary inquiries, royal commissions, coronial inquests, and reviews from international bodies have highlighted gaps in monitoring across different places of detention in Australia, and the need for improved oversight to protect the health and human rights of people deprived of their liberty.

**The Government must act now and ratify the OPCAT to prevent further instances of harm and abuse.**

The OPCAT aims to minimise the risks of ill-treatment or abuse by opening up places of detention to independent oversight by international and domestic monitoring bodies. By ratifying the OPCAT, the Australian Government will demonstrate its commitment to safeguarding the human rights of people deprived of their liberty in all places of detention, including prisons, police lock ups, juvenile detention centres, immigration detention facilities, locked psychiatric facilities, and secure disability and aged care facilities.

Under the OPCAT, domestic monitoring bodies must be established that are fully independent, sufficiently resourced, equipped with the requisite expertise, and unrestricted in their ability to regularly access places of detention and all relevant information. Legislated protections must be in place to ensure detainees, staff and others who provide information to monitoring bodies can do so freely and without fear of reprisals.

Significant work has already been undertaken to support Australia's ratification of the OPCAT. Australia became a signatory to the OPCAT in 2009, and support for prompt ratification was reiterated in a favourable National Interest Analysis and a bipartisan report from the Federal Parliamentary Joint Standing Committee on Treaties. The Commonwealth and state and territory governments have also jointly developed a model bill for implementing detention and oversight obligations under the OPCAT.

It is imperative the Australian Government complete the last steps toward ratification and demonstrate Australia's commitment to transparency and human rights for people deprived of their liberty.

**The prohibition and prevention of torture and other forms of ill-treatment in places of detention is a cornerstone of human rights and an ethical imperative for professionals providing healthcare and welfare support to those in places of detention.**

The ratification and implementation of OPCAT will strengthen Australia's domestic monitoring of places of detention, enhance the prevention of torture and cruel, inhuman and degrading treatment, and avoid or remediate working environments that undermine the capacity of health professionals and social workers to provide ethical and quality care.