

# OFFICIAL

## Meeting of the OPCAT Advisory Group

Canberra - 28 July 2021

### COMMUNIQUÉ

On 28 July 2021 the Office of the Commonwealth Ombudsman's (the Office) OPCAT Advisory Group (OAG) held its second meeting for 2021, and welcomed Rebecca Vonhethoff, Senior Assistant Ombudsman, Assurance Branch, as an observer to the meeting. Brendan Thomas was an apology, and the Chair agreed to brief Mr Thomas about the meeting.

The OAG discussion continued to focus 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 acknowledged resourcing is a focus for jurisdictions in considering appointment of their NPMs. The OAG discussed draft legislation prepared by Australian jurisdictions to support the implementation of OPCAT, including provisions regarding the powers of NPMs (once nominated) in those jurisdictions.

The Chair updated the OAG on external engagement including the Office's participation in the Australian Human Rights Commission's recent webinar on management of COVID-19 risks in immigration detention facilities, and the Chair providing the keynote speech at the Prisons 2021 Conference in Sydney. The OAG noted the new updates on OPCAT available on the Office's website, increasing visibility of OAG discussions and providing publicly available resources.

The OAG continued to explore optimal ways to engage with the many relevant civil society representatives. The OAG also discussed options for engaging with specialised experts to support the Commonwealth NPM and NPM Coordinator. The OAG will continue discussions on this issue.

The Group discussed the recent publication of the Office's immigration detention oversight report for the period January to June 2020. The Group noted the next immigration detention oversight report will be an annual report covering the period July 2020 to June 2021.

The Chair thanked the OAG for their participation and advised of his retirement at the end of July 2021. The Chair noted the Deputy Ombudsman will act as Ombudsman until the Commonwealth Government appoints a new Ombudsman. The group responded with appreciation to the Chair for laying solid foundations for the implementation of OPCAT in Australia.

The OAG agree to scheduling the next meeting for late November 2021.