



**THE HON NICOLA ROXON MP
ATTORNEY-GENERAL
MINISTER FOR EMERGENCY MANAGEMENT**

7 3 MAR 2012

AG-MC12/00052

Mr Edward Santow
Chief Executive Officer
Public Interest Advocacy Centre
Level 9, 299 Elizabeth St
SYDNEY NSW 2000



Dear Mr Santow

Thank you for your letter to me dated 21 December 2011 on behalf of 29 organisations representing a range of legal services providers, and human rights, disability and anti-torture advocacy bodies, including the Public Interest Advocacy Centre. I apologise for the delay in responding.

The Optional Protocol sets out provisions for the monitoring of places of detention through a domestic 'national preventive mechanism', provided by one or more domestic bodies, to visit places of detention; and for international monitoring visits and recommendations by members of a United Nations body appointed for that purpose.

I can assure you that the Government is continuing to actively work on the necessary measures to be undertaken to enable ratification. On 28 February 2012 the Government tabled a National Interest Analysis in Parliament that proposes Australia ratify the Optional Protocol. The National Interest Analysis indicates that while further work is needed to ensure the arrangements for inspecting places of detention, including prisons, police stations, juvenile detention centres, immigration detention centres and secure mental health facilities, meet the obligations in the Optional Protocol, it is intended that all necessary steps will be taken to ratify the Optional Protocol at the earliest practicable time. In moving towards ratification the Government is working in close consultation with the Australian states and territories.

The proposal to ratify the Optional Protocol will now be considered by Parliament's Joint Standing Committee on Treaties. I attach a copy of the National Interest Analysis for your information. If you would like further information, please contact Stephen Fox in my Department on 02 6141 3420.

NICOLA ROXON

Encl: National Interest Analysis