

The Hon Nicola Roxon, MP
Attorney-General
Parliament House
Canberra ACT 2600

21 December 2011

Dear Attorney

Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment

We, the undersigned organisations, are writing to urge the Australian Government to ratify the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT).

We note that in December 2007, the newly elected federal Labor Government announced its intention to ratify OPCAT, and that in the intervening four years some progress has been made to make this happen. However, we are also aware that this has yet to occur.

Our position is based on the serious and well-documented concerns with conditions of detention, including prisons, mental health facilities and immigration detention. We believe that ratifying OPCAT will assist Australian governments to protect the basic rights of people who are detained. There is strong evidence that external scrutiny of places of detention can deter and, where necessary, help to redress torture and other forms of ill treatment.

Specifically, we support the international inspection regime, which will provide an important accountability measure through the international treaty system.

We also support OPCAT's 'national preventative mechanism' system. Properly implemented, this will promote greater transparency for places of detention, and also a means for rectifying problems that arise in the detention system.

It is in the interests of the broader community to prevent ill treatment in detention in order to promote rehabilitation and reintegration into the broader community. For this reason, we encourage the Australian Government to ratify OPCAT as soon as possible.

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If you would like to discuss any of these matters further, please contact Edward Santow (02 8898 6598 or esantow@piac.asn.au).

Yours sincerely,



Edward Santow, CEO, Public Interest Advocacy Centre, and on behalf of the following organisations:

Aboriginal and Torres Strait Islander Legal Service (Qld) Ltd
Aboriginal Legal Rights Movement Inc
Aboriginal Legal Service (NSW/ACT)
Aboriginal Legal Service of Western Australia
Amnesty International Australia
Australian Lawyers Alliance
Australian Lawyers for Human Rights
Castan Centre for Human Rights Law
Central Australian Aboriginal Legal Aid Service
Civil Liberties Australia
Community Legal Centres Association (WA) Inc
Edmund Rice Centre
Federation of Community Legal Centres (Victoria) Inc
Human Rights Law Centre
Hunter Community Legal Centre
Illawarra Legal Centre Inc
International Commission of Jurists (NSW Branch)
Kingsford Legal centre
Marrickville Legal Centre
North Australian Aboriginal Justice Agency
People With Disability Australia
Prisoners Legal Service Inc (Qld)
Public Interest Law Clearing House NSW
Redfern Legal Centre
Shoalcoast Community Legal Centre
UnitingJustice Australia
Victorian Aboriginal Legal Service Co-operative Ltd
Victorian Foundation for Survivors of Torture