

# Road Map to OPCAT Compliance

## Best Practice OPCAT Principles

- Nationally consistent NPMs
- Disability informed and inclusive NPMs
- Child rights centred and expert NPMs
- Culturally safe and inclusive NPMs

## Recommendation 1

Governments ensure full OPCAT compliance no later than the 20 January 2023 extended deadline by designating NPMs and ensuring the mandates of NPMs are sufficient to allow them to effectively fulfil their OPCAT functions.

## Recommendation 2

Governments give particular attention to ensuring NPMs are designed and operate in a way that reflects the particular needs, and are inclusive of, vulnerable cohorts who are disproportionately represented in places of detention, including (but not limited to) First Nations people, children and young people, and people with disability.

## Recommendation 3

The Australian Government introduces dedicated primary legislation to ensure full effect is given to the key provisions of OPCAT around Australia, and the national coordination of Australia's OPCAT response. Legislation should provide:

- Powers of unfettered access to all places of detention by NPMs and the UN SPT
- A clear foundation for these visits
- Ensure access to facilities and information
- Secure the continued, long-term, and effective operation of OPCAT

## Compliance Map [as at 17 Oct 2022]

States | Territories



- No NPM | No OPCAT legislation passed
- No NPM | Limited legislative progress
- Designated NPM | Limited legislative progress
- Designated NPM | OPCAT legislation passed

## Recommendation 4

Governments adopt an inclusive approach to the interpretation of 'places of detention', ensuring that both 'primary' and 'secondary' places of detention are included within the scope of all NPMs.

## Recommendation 5

Governments resource NPMs sufficiently to allow them to effectively fulfil their OPCAT functions, including the outward-facing functions contained in the 'preventive package'.



**Australian  
Human Rights  
Commission**