



Queensland Advocacy Incorporated

Our mission is to promote, protect and defend, through advocacy, the fundamental needs and rights and lives of the most vulnerable people with disability in Queensland.

Systems and Legal Advocacy for vulnerable people with Disability

13 September 2018

For immediate release

Queensland Advocacy welcomes Australian Human Rights Commissioner Edward Santow to Brisbane to convene the second stage of OPCAT consultations

Queensland Advocacy Incorporated (QAI) is pleased to welcome Australia's Human Rights Commissioner, Mr Edward Santow, to Brisbane to convene consultations with civil society as part of the second stage of the OPCAT in Australia inquiry.

This inquiry, which has been led by the Australian Human Rights Commission (Commission), focusses on the way in which the United Nations treaty – the Optional Protocol to the Convention Against Torture, will be implemented in Australia.

QAI again congratulates the Federal Government for the commitment it has expressed, by ratifying OPCAT, to the protection of the human rights of vulnerable Australians. Implementation of OPCAT, which will progressively occur throughout a three-year period until December 2020, is a significant step towards improvements in the conditions in which vulnerable Australians are detained.

“Ratification of OPCAT was an important milestone in Australian history,” QAI Director Michelle O’Flynn said today. “OPCAT is different to most of the UN treaties as it obliges the Australian government to establish mechanisms, known as National Preventive Mechanisms or NPMs, for the inspection of all places of detention in Australia. In this way, OPCAT gives impetus to the human rights protections provided in the Convention Against Torture (CAT).”

In February 2018, QAI was proud to host the Queensland launch of an important resource developed by international human rights organisation Human Rights Watch, in consultation with community organisations including QAI. This powerful and confronting report: “I Needed Help, Instead I was punished: Abuse and Neglect of Prisons with Disability in Australia”, documents the significant over-representation of people with disability, particularly cognitive and psychosocial disability, within the criminal justice system in Australia and provides first-hand insight into the dire conditions in which people with disability are incarcerated. Given this urgent call to action for the Federal Government to prioritise reform in this area, the implementation of OPCAT is timely.

“QAI is very excited by OPCAT’s potential to improve the lives of some of the most vulnerable and disempowered people with disability and mental illness in Australia,” Ms O’Flynn said. “We are strongly advocating for the need for OPCAT to be broadly interpreted so that it covers not only the traditional places in which people are detained, but also some of the lesser known places, such as forensic disability service units and locked wards of mental health facilities. We consider that this is the only just way in which OPCAT can be implemented and this approach is consistent with international practice. Of the 67 nation states that have ratified OPCAT to date, none have sought to limit the places of detention subject to inspection.”

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QAI endorses the objectives, and promotes the principles, of the Convention on the Rights of Persons with Disabilities.

Patron: His Excellency The Honorable Paul de Jersey AC

QAI has been actively involved in the NGO OPCAT network and has made submissions to both stages of the OPCAT inquiry. We have participated in the first stage consultation roundtable convened by the Commission and look forward to participating in the second stage consultation in Brisbane tomorrow.

QAI is an independent, community-based system and individual advocacy organisation for people with disability in Queensland with over 30 years' experience advocating for systems change, through campaigns directed at attitudinal, law and policy reform. Our focus throughout the OPCAT ratification and implementation campaign and consultations has been on ensuring that the rights of the most vulnerable people with disability and mental illness are advocated for and protected.

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