



9 November 2011

H16
RB; rp

The Honourable John Rau MP
Attorney-General
DX 336
ADELAIDE SA

Dear Mr Attorney

Operational Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment ("OPCAT")

We are writing to you in relation to the United Nations Operational Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment ("OPCAT").

The OPCAT was adopted by the United Nations in 2002 and entered into force in 2006. The Australian Government signed the OPCAT on 19 May 2009, but has not yet ratified it.

We note that there have been continuing discussions between the Commonwealth and State Governments concerning the measures required to implement the Protocol. We understand that the South Australian government generally supports the OPCAT, but that there has not yet been final agreement by all of the States to enable a full ratification. The Society supports the ratification of the OPCAT and requests that the South Australian Government use every effort to have Australia ratify the Protocol in the near future.

In our view, the final ratification of the OPCAT would be a significant step towards the establishment of an independent inspectorate to properly review immigration detention centres and prisons in each State. The Society is concerned at the significant length of time which has been taken, following the signing of the OPCAT by the Australian Government, for a full ratification of the Protocol. We urge the South Australian Government to use every effort to resolve any differences between the States so as to enable ratification of the OPCAT as soon as possible.

Please do not hesitate to contact me, should you require any further information.

Yours sincerely

Ralph Bönig
PRESIDENT