

### **Detainee Call: Advisory Group Position**

Justice Action strives to protect, uphold, and improve the rights of detainees. In our mission to represent those held in Australian prisons and hospitals, we work to advocate for an effective implementation of the United Nations' *Optional Protocol for the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment* (OPCAT). In order to effectively implement OPCAT within Australia, detainees themselves must be represented. Justice Action is pursuing a position in the OPCAT Advisory Group as a representative of those with lived experiences of detention.

Justice Action has been a participant and representative of detainees in OPCAT forums for numerous years and, at present, there is no representative of detainee voices in the Advisory Group. We at Justice Action have recently met with the Commonwealth Ombudsman to discuss OPCAT's current operation in Australia and express our intention to become involved in the Group as a bridge for detainees. Furthermore, Justice Action is in discussion with the Ombudsman about key issues which fall under OPCAT. These include routine and random strip searching of women in prisons and the use of solitary confinement on the basis that these cause unnecessary distress and violate the rights of detainees.

Justice Action has conducted research on the implementation of OPCAT in countries across the world, identifying the particular strengths and weaknesses in each model to propose an ideal method of implementation. We have also examined the ineffectiveness of Australia's current system for dealing with prisoners, where retribution often takes

precedence over rehabilitation. Justice Action stresses that a successful implementation of OPCAT in Australia relies on greater detainee engagement, the legislative integration of OPCAT into domestic law, and the use of technology to ensure greater transparency and detainee education and involvement.

Justice Action continues to defend human rights in the hardest places and we hope that a place at the Advisory Group's table will allow us to best represent and voice detainee concerns.