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Australia's Broken Promise on Detention Oversight

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Australia's detention system is failing the most vulnerable, children, Indigenous Australians, people with mental illness, and those who haven't even been convicted of crimes. Despite ratifying international agreements meant to prevent abuse, meaningful oversight remains absent, and the Albanese Government has yet to meet its obligations.

Australia ratified the *Optional Protocol to the Convention Against Torture* (OPCAT) in 2017, committing to establishing independent inspection bodies known as *National Preventive Mechanisms* (NPMs). These bodies are designed to monitor all places of detention, prisons,

immigration centers, mental health facilities, and aged care homes- to prevent abuse and promote transparency. Yet eight years later, key states like New South Wales, Queensland, and Victoria have failed to designate an NPM. Where oversight bodies do exist, they often lack funding, authority, and access.

The need for reform is urgent. Forty-two people have died in custody in 2025 so far, 13 of them Indigenous. Children in detention are being isolated for up to 23 hours a day. The elderly in nursing homes face overuse of chemical restraints. A 2024 Human Rights Commission report revealed significant neglect of women in custody, especially around safety and healthcare. These aren't isolated incidents; they're signs of a system left unchecked.

In 2022, the *United Nations Subcommittee on the Prevention of Torture* cancelled its inspection of Australian facilities after being denied access, a global embarrassment. Australia has also missed several extended deadlines, including the latest in January 2024. These failures send a troubling message: that our commitment to human rights is optional when politically inconvenient.

The federal government already has a solution in hand. The *Australian Human Rights Commission* released a *Roadmap to OPCAT Compliance* in 2022, outlining practical steps. What's lacking is political will. The Albanese Government must stop delaying and start working with states and territories to fund and empower a national NPM network. This should be backed by national legislation to ensure lasting compliance.

Australia has long claimed to lead on human rights. But words are not enough. Without real action, vulnerable Australians will continue to suffer behind closed doors, and our credibility on the world stage will keep slipping. Oversight is not a luxury. It's a responsibility, and one that's long overdue.