
From: [REDACTED]
Sent: Thursday, 5 January 2023 5:30 PM
To: Legal Affairs and Safety Committee
Subject: FW: Call for submissions - Monitoring of Places of Detention (Optional Protocol to the Convention Against Torture) Bill 2022 - Queensland Parliament's Legal Affairs and Safety Committee

Categories: OPCAT, Submission

Dear Committee Secretary,

Thank you for the opportunity to comment on the *Monitoring of Places of Detention (Optional Protocol to the Convention Against Torture) Bill 2022*.

The Queensland Mental Health Commission (the Commission) welcomes the proposed legislation to enable the United Nations Subcommittee on Prevention of Torture to visit places of detention in Queensland, especially locked mental health wards.

The Commission is committed to supporting a human rights culture in Queensland and strengthening the human rights protections of all Queenslanders, including those living with a mental illness and/or problematic alcohol and other drug use. People with a mental illness who are treated involuntarily on locked mental health wards are especially vulnerable and therefore in need of human rights protections.

Those are provided by the *Queensland Human Rights Act 2019*; however, Australia's international human rights obligations also play an important role.

We are pleased to see that the Bill demonstrates Queensland's support for the principles of the Optional Protocol to the Convention Against Torture (OPCAT) and provides a consistent framework to provide the Subcommittee with access to places of detention in Queensland; and information to assist the Subcommittee to fulfil its mandate under OPCAT.

We especially welcome the removal of legislative barriers that restrict physical access to inpatient units of authorised mental health services (AMHS) under the *Mental Health Act 2016* or to the forensic disability service under the *Forensic Disability Act 2011*.

The Commission looks forward to the finalisation of the implementation of OPCAT in coming months. This will be an important milestone in achieving Australia's, as well as Queensland's, human rights commitments and obligations.

Kind Regards
Amelia Callaghan

Amelia Callaghan
Executive Director
Queensland Mental Health Commission

phone [REDACTED]
email [REDACTED]
PO Box [REDACTED]