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Dear Iain

2022 Annual Report

I write to provide my first annual report as Tasmanian National Preventive Mechanism (NPM).

Tasmania's OPCAT legislative framework, the *OPCAT Implementation Act 2021* (Tas), requires that I submit an annual report to the National Preventive Mechanism Coordinator within the period of 4 months after 30 June in each year. The intention of this provision is to assist with Australia's compliance of Article 23 of OPCAT.

As my new office is currently in development and has not commenced operations, in this letter I intend to provide you with an implementation progress update.

On 28 February 2022 I was appointed Tasmanian NPM by the Governor of Tasmania, the Honourable Barbara Baker. The period of my appointment is to 13 July 2024, to coincide with my current appointments as Tasmanian Ombudsman, Health Complaints Commissioner, Custodial Inspector, Principal Official Visitor and Coordinator of the Official Visitors Scheme.

In commencing as Tasmanian NPM, I observed that little organisation had occurred between the then Australian Government and the states and territories on the implementation of OPCAT; notably, to assist jurisdictions with the operationalisation of these new entities once their respective NPMs had been appointed. I understand that federal funding discussions are also unresolved.

Although I am familiar with visiting places of detention, having served as Custodial Inspector for Tasmania since January 2017, the preventive lens of OPCAT and NPM mandate differs in many respects from this existing inspectorate framework. For that reason, I advised the Tasmanian Government that appropriate implementation scoping was required before I could provide an accurate resourcing estimate and fulfil my functions. At my request, in May the Tasmanian Government provided me \$344,000 under its 2022-23 Budget for this purpose; to enable the recruitment of a full-time Project Manager, and to obtain expert advice. I am encouraged that the Tasmanian Government has expressed a commitment to appropriately resource this new entity.

Following an open recruitment process, in September I employed Mr Mark Huber as Project Manager. Mr Huber brings to this role established corporate knowledge, having been involved in the development of the Tasmanian legislative framework, alongside previous policy and international experience, and related postgraduate qualification in law. Mr Huber is assisted by my Principal Inspection Officer in the Office of the Custodial Inspector, Mr Sam Christensen.

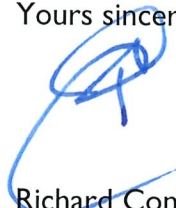
In September, Mr Huber and Mr Christensen attended the National OPCAT Symposium in Melbourne, hosted by the Australian Human Rights Commission and RMIT University. I was pleased to hear that this was a valuable event, and I observe that it has created ongoing positive momentum with respect to OPCAT implementation in Australia, including through the Commission's subsequent publication of the *Road Map to OPCAT Compliance*.

This month, alongside your office and our counterparts in other jurisdictions I had the pleasure of meeting the United Nations Subcommittee on the Prevention of Torture (SPT) delegation during its visit to Australia. This was an invaluable opportunity to engage in practical and educative discussion on the mandate of the SPT, NPMs, and in particular their respective visiting functions to places of detention. I am advised that members of the SPT delegation travelled to Tasmania as part of its visit and attended places of detention. I note that the visit is now suspended. I look forward to ongoing engagement with the SPT.

I am fortunate that a great depth of expert knowledge and material exists to assist with the implementation of my new office, including from your office, the SPT, other States' NPMs, nongovernmental organisations, and leading academics. In accordance with SPT recommendations and best practice, I intend for the development of my office to incorporate active consultation with experts, stakeholders, and civil society. Further information about this process will be provided in due course.

Finally, I take this opportunity to acknowledge and thank you for the valuable work you have completed and I am grateful for the assistance you provide as NPM Coordinator. I look forward to engaging with you and the NPM Network further as we perform the NPM mandate to prevent torture and ill treatment.

Yours sincerely,



Richard Connock

TASMANIAN NATIONAL PREVENTIVE MECHANISM

31 October 2022