

## Notice of Motion

Tuesday, 12 December 2023

Ms Webb to move –

1. That the Legislative Council:-
  - a) Notes the inaugural Implementation Report (the Report) of the Tasmanian National Preventive Mechanism (TNPM), *Preventing torture and ill-treatment in Tasmania: Report to the Tasmanian Government on the Implementation of the Tasmanian National Preventive Mechanism under the OPCAT Implementation Act 2021*, November 2023;
  - b) Recognises the Report's acknowledgment of the importance of the "strong civil society response" to the TNPM establishment project;
  - c) Further notes the Report's eight recommendations:
    - i. That the Tasmanian NPM be established as a new specialised institution, separate from the Ombudsman;
    - ii. That the person appointed as Tasmanian NPM concurrently serve as Custodial Inspector, which is also to be separated from the Ombudsman, and the offices combined under the recommended governance model;
    - iii. That the Tasmanian NPM delegate authority to the Commissioner for Children and Young People and establish a joint process agreement for the exercise of functions pertaining to children and young people;
    - iv. That the Commissioner for Children and Young People and the Custodial Inspector be specifically resourced to contribute to the delivery of the Tasmanian NPM;
    - v. That the Tasmanian NPM and Commissioner for Children and Young People be co-located in a purpose designed office setting;
    - vi. That the Tasmanian NPM establish a formal and permanent Civil Society Advisory Council, which is integrated into its governance structure;
    - vii. That the Tasmanian NPM's corporate services are provided by an agency over which it will not exercise oversight; and
    - viii. That the Tasmanian NPM and Commissioner for Children and Young People engage cooperatively and provide advice to Government on an agreed approach to the implementation of Commission of Inquiry recommendations related to OPCAT and youth justice inspections.
2. That the Legislative Council further notes the Report's Foreword contains a call by the current Tasmanian NPM's urging the Tasmanian Government to accept the Report's recommendations in full.
3. That the Legislative Council calls on the Tasmanian government to:
  - a) Commit to accepting and delivering the Report's eight recommendations in full;
  - b) Deliver an update on any progress made on implementation of any recommendations since the Report's public release on 1 December 2023; and
  - c) Detail a timeframe for the delivery and implementation of any remaining recommendations still to be undertaken and completed.