

T A S M A N I A

LEGISLATIVE COUNCIL

SESSION 2025

NOTICE OF MOTION

6 November 2025

I (**Ms Webb**) give Notice that tomorrow I shall move —

- (1) That the Legislative Council notes the Ombudsman Tasmania Annual Report 2024-25, particularly statements made regarding;
 - (a) Previous recommendations made by the Ombudsman that the Tasmanian National Preventative Mechanism (NPM) be established as a specialised institution separate from the Ombudsman, and that the person appointed as Tasmanian NPM concurrently serve as Custodial Inspector, which is also to be separated from the Ombudsman has not been acted upon;
 - (b) The need for the proposed new joint Tasmanian NPM-Custodial Inspector entity to come under the administrative umbrella of a department other than the Department of Justice, given that so many of the facilities which are inspected are also under Justice's purview.
- (2) That the Legislative Council further notes that:
 - (a) The *OPCAT Implementation Act 2021*, which was passed by the Tasmanian Parliament and received Royal Assent on 29 November 2021, establishes an NPM for Tasmania as a new, permanent monitoring body to undertake regular, unannounced inspections of places of detention in order to strengthen protections against torture and ill treatment;
 - (b) On 1 December 2023, the Tasmanian NPM released its first implementation project report *Preventing torture and ill-treatment in Tasmania*, which includes the results of extensive community and expert consultation to establish the Tasmanian NPM, with a focus on custody, detention, and secure mental health settings;
 - (c) On 26 November 2024, the Tasmanian NPM released its second, supplementary implementation project report focusing on the Tasmanian NPM's mandate in community-based aged residential care and disability support services.
 - (d) The combined Tasmanian NPM 2023 and 2024 Implementation Reports provide 12 overarching recommendations to successfully establish an independent and accountable office that is most suitable for Tasmania and best placed to prevent torture and ill-treatment, designed to complement and work with existing oversight bodies, engage actively with civil society, and ensure appropriate Parliamentary scrutiny of its activities;
 - (e) On the 19 November 2024 the Legislative Council passed a motion which called for the 12 implementation recommendations to be accepted in full.

(3) That the Legislative Council also notes the following statement by the outgoing Ombudsman Mr Richard Connock in the 2024-25 Annual Report:

“Unfortunately, the report, and the 2024 Supplementary Implementation Report, have not been formally responded to though both have been tabled in parliament. In addition, whilst government provided generous funding for the implementation phase of the NPM, it has not provided sufficient ongoing funding for the NPM to perform its functions. This is disappointing, and means that Tasmania will not meet its international obligations.”

(4) And that the Legislative Council calls on the Tasmanian government to:

- (a) Provide a formal response in the Parliament to both the *Preventing torture and ill-treatment in Tasmania 2023 Report* and the 2024 Supplementary implementation report;
- (b) Commit to the full funding and implementation of all 12 overarching TNPM recommendations and provide an implementation timetable; and
- (c) report back to the Legislative Council prior the delivery of the 2026-27 State Budget.

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Signed