

(Jurisdictional Input) Detailed Annex to Australia's seventh report under article 19 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, pursuant to the optional reporting procedure

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I. Specific information on the implementation of articles 1 to 16 of the Convention, including with regard to the Committee's previous recommendations

Article 2

Reply to the issues raised in paragraph 3 of the LoIPR

Jurisdiction	Legal safeguards for all detainees
ACT	Section 17 of the <i>Bail Act 1992</i> (ACT) requires that a person charged and not released on bail be brought before a court within 48 hours, subject to limited exceptions.
NSW	Part 9 of the <i>Law Enforcement (Powers and Responsibilities) Act 2002</i> (NSW) provides safeguards for police interactions with individuals during investigation, questioning and detention phases.
SA	Police inform all detainees of their rights in section 79A of the <i>Summary Offences Act 1953</i> (SA).
Tasmania	The <i>Criminal Law (Detention and Interrogation) Act 1995</i> (Tas) places a range of requirements on members of Tasmania Police, including informing an individual of the reason for their custody, the right to communicate with a friend or relative and legal practitioner, and allowable timeframes to detain.
Victoria	The <i>Crimes Act 1958</i> (Vic) provides safeguards for persons arrested and detained. While there is no prescribed maximum duration of police custody, section 464A requires that a person taken into custody be released unconditionally, released on bail or brought before court within reasonable time. The <i>Bail Act 1977</i> (Vic) governs any attempt to remand a person in custody after the expiration of reasonable time.
WA	The <i>Criminal Investigation Act 2006</i> (WA) limits detention to six hours, requiring authorisation for longer periods.

Jurisdiction	Control measures to ensure legal safeguards of detainees
NSW	Complaints concerning excessive use of force by police are managed by the misconduct process, with disciplinary action under the <i>Police Act 1900</i> (NSW). Independent oversight includes the Law Enforcement Conduct Commission, the NSW Ombudsman and the NSW Inspector of Custodial Services (ICS).
Queensland	Legal safeguards for youth in detention are enshrined in the <i>Youth Justice Act 1992</i> (Qld), <i>Youth Justice Regulation 2016</i> and <i>Human Rights Act 2019</i> (Qld) (HRA), including access to legal representation and embedded health and wellbeing safeguards.
SA	The <i>Police Complaints and Discipline Act 2016</i> outlines how to make complaints against police officers.
Tasmania	Tasmania Police comply with legislation and maintain policy and oversight mechanisms to ensure officers respect the fundamental legal safeguards of all detained persons. Complaints about officer behaviour can be raised both internally and externally. Matters are investigated by a specialist police unit, and sanctions range from a reprimand, counselling, a fine, reassignment of duties, demotion, or termination. Tasmania Police notify the Integrity Commission (independent body) of complaints that are categorised as serious and all matters involving commissioned officers upon receipt and at the conclusion of the investigation. The Integrity Commission may and has audited and reviewed investigations conducted by Tasmania Police, and published findings and recommendations. In 2023 Tasmania Police commenced annual public reporting on complaint outcomes (including matters relating to excessive force).

Victoria	The treatment of detained persons is encompassed within the <i>Victoria Police Act 2013</i> (Vic) and subordinate legislation, instructions issued by the Chief Commissioner of Police, and the values and standard of conduct.
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Jurisdiction	Video monitoring coverage of places of deprivation of liberty and interrogation rooms
ACT	ACT Policing ensures comprehensive closed-circuit television system (CCTV) coverage in all areas, including active recording and live feed of the ACT Watch House.
NSW	New and upgraded police facilities must include CCTV across custody and interview locations. CCTV monitoring is deployed across 140 custody sites, including 86 monitored cells and 89 bail hearing or custody rooms.
NT	All NT youth detention centres are equipped with CCTV systems operating continuously.
SA	CCTV coverage varies across court holding cell locations. Where CCTV is unavailable, direct supervision by a Sheriff's Officer is provided.
Tasmania	All suspect interview rooms have audio-visual electronic recording equipment and long-established procedures for recording of suspect interviews. Additionally, members are issued with body-worn camera that may be activated before or after a recorded interview.
Victoria	All Victorian police cells are fitted with CCTV, including interviews for indictable offences.
WA	All WA prisons, juvenile detention centres, court custody centres, holding cells and designated police lock-up areas are equipped with CCTV. The Perth Watch House records all areas except the strip-search room. There are no video monitoring systems in interview rooms unless they are designated video interview rooms.

Reply to the issues raised in paragraph 5 of the LoIPR

Jurisdiction	Combatting gender-based violence
ACT	The ACT Government has released its <i>ACT Domestic, Family and Sexual Violence Strategy 2026-2036</i> (the Strategy), alongside the <i>First Action Plan 2026-2028</i> (First Action Plan). The Strategy sets out a 10-year, whole-of-society approach to prevent violence, protect victim-survivors, and create lasting cultural and systemic change. The First Action Plan focuses over the first two years of the Strategy on progressing early reforms to build a strong and connected domestic, family and sexual violence system and strengthening current system capacity to support victim-survivors, intervene early, and respond effectively to people using violence.
NSW	The NSW Government's <i>Domestic and Family Violence Plan 2022-2027</i> and <i>Sexual Violence Plan 2022-2027</i> build on existing work and reforms underway in NSW and align with the National Plan.
NT	The NT Government is progressing prevention through its <i>Gender Equality Action Plan 2022-2025</i> and a forthcoming strategy addressing underlying drivers of gender-based violence. It supports locally-led, culturally-safe initiatives, particularly for Aboriginal women and women with disabilities, and is implementing the <i>NT Disability Strategy 2022-2032</i> and response to the Disability Royal Commission improve safety, access to justice, safeguards and service availability in remote communities.
Queensland	Queensland has progressed reforms to strengthen responses to family and domestic violence (FDV) impacting Aboriginal and Torres Strait Islander women and girls, including the establishment of the First Nations Division and the Police First Nations Advisory Group which includes a Cultural Safety Framework to support culturally responsive policing in remote Aboriginal and Torres Strait Islander communities. Queensland criminal justice reforms that support FDV include legislative measures criminalising coercive control, trialling electronic monitoring for high-risk perpetrators, new police protection directions, expanded use of prerecorded evidence, and the establishment of an independent FDV Advisory Panel to

	support ongoing reform. These reforms are supported by the 2026 <i>Safer Families, Safer Communities</i> Strategy to prevent and respond to FDV.
SA	The SA Government accepted 129 recommendations (in full, in part, or in principle), of the final report of the Royal Commission into Domestic, Family and Sexual Violence in 2025-26. It committed \$674 million over 10 years to create a responsive, integrated system to respond to FDV. In 2025, the SA Government enacted laws to strengthen and expand criminal offences relating to stalking, choking, suffocation and strangulation in a domestic setting, and passed legislation to criminalise coercive control for intimate partners.
Tasmania	Tasmania's Third Family and Sexual Violence Action Plan 2022–2027 prioritises a coordinated, whole-of-government response, including Aboriginal-led collaboration, the Victim-Survivor Advisory Council, and support for Aboriginal families through Aboriginal Family Safety Workers in Child and Family Learning Centres. From 2025–26, the Tasmanian Aboriginal Centre's Nukara plan will be implemented, including the Ningina program, which focuses on redesigning prevention and early intervention services to keep Aboriginal families together, ensuring these services are Aboriginal-designed and delivered. This includes funding Family Support Workers within the Ningina program to provide early engagement, and prevention supports aimed at reducing the number of Aboriginal children entering child safety and out-of-home care systems. These workers deliver family, domestic and sexual violence interventions, including safety planning, early intervention and service coordination, alongside therapeutic support to address trauma and promote recovery.
Victoria	The Victorian Government has invested more than \$3.8 billion in family and sexual violence reform since the 2016 Royal Commission into Family Violence. It has strengthened legislative provisions to establish information sharing protections for victim-survivors, strengthened guidelines for further engagement with perpetrators of family violence, and victim-centric and trauma-informed reforms to services to enable safe access.
WA	WA's <i>Family and Domestic Violence (FDV) System Reform Plan 2024–2029</i> promotes a whole-of-government approach focused on early intervention, culturally appropriate services, and improved perpetrator accountability. WA's Police Force continues to strengthen measures to prevent and respond to violence against women through specialised frontline services, risk assessment and interagency coordination. Leave Safe Stay Safe is a specialist service providing wraparound legal and social support to women prisoners affected by FDV.

Jurisdiction	Capacity-building activities on GBV and domestic violence
ACT	In the ACT, funding was provided in 2024-25 for policing and courts to deliver training on identifying and responding to coercive control. The Enhanced Domestic and Family Violence Program is mandatory training for all sworn constables, sergeants, inspectors and superintendents.
NSW	NSW Police build capacity for gender-sensitive responses to FDV, including through training on coercive control, trauma-informed practice, recognising patterns of abuse and specialised and tailored training.
Queensland	In Queensland, FDV training for police has been strengthened to support culturally informed and gender-sensitive responses, including training to understand coercive control, supported by trauma-informed and victim-centric approaches. Queensland magistrates' inductions include an FDV component and are offered ongoing training, seminars and resources with a focus on FDV.
SA	In April 2020, South Australia Police trialled phase one of the Australian Government Attorney-General's Department training for law enforcement in family, domestic and sexual violence. This training is designed to strengthen the knowledge, confidence and capability of police across Australia to safely and effectively respond to family, domestic and sexual violence focussing on key competencies such as recognising coercive control and the pattern-based nature of abuse, applying a victim-centric lens, identifying warning signs of escalation and understanding the specific vulnerabilities of culturally and linguistically diverse group, ,

	LGBTQ+ group, those living with disability and Aboriginal and Torres Strait Islander people. The training platform incorporates simulation technologies utilising Virtual Reality (VR) headsets and customised software allowing 'scenario training' for frontline police.
Tasmania	In Tasmania, the Supreme Court's Annual Report includes a section on judicial activities, where attendance at conferences etc. are reported on for each judge. The Annual Report is available publicly on the Supreme Court website. Within Tasmania Police a specialist unit (Family Violence Unit – FVU) is available to provide specialist advice to frontline officers attending incidents. The Safe Families Coordination Unit (SFCU) reviews family violence reports submitted by frontline police, in part as a safeguard against misidentification
WA	WA's Police Force has reviewed its agency-wide, compulsory FDV training packages to enhance training on trauma-informed approaches, victim misidentification, systems abuse and coercive control.

Jurisdiction	Reporting incidents of GBV
ACT	In the ACT, the Enhanced Family and Domestic Violence Program has increased police officers' understanding of trauma-informed practices, strengthened responses and supported greater reporting of GBV. ACT Policing has First Nations Liaison Officers to support individuals in their reporting of GBV, and the FDV Investigation Unit have attended the 'Yeddung Mura Men's Camp' to promote behavioural change and awareness of GBV.
SA	In SA, the See the Signs Campaign strengthened community awareness of coercive control, reinforced the services available to victims of FDSV, and changed attitudes and behaviour around men's violence against women, with a focus on education and awareness of non-physical forms of violence.
Tasmania	Tasmania has multi-disciplinary response models for sexual violence (Arch), family violence (SFCU), and mental health (PACER). Professional development training is delivered regarding family violence, most recently focusing on coercive control (Small Steps 4 Hannah).

Jurisdiction	Measures and funding for GBV
NT	The NT Government supports 29 crisis accommodation services for victim survivors escaping domestic and family violence including in regional and remote locations.
SA	In SA, the National Agreement on Social Housing and Homelessness supports people experiencing, or at risk of, homelessness and supports the effective operation of Australia's social housing and homelessness services sectors. The SA Government funds five Homelessness Alliances under the Agreement, including a FDV Safety Alliance which provides specialist place-based homelessness services.
Tasmania	The Tasmanian Government is committed to supporting victim-survivors of family violence through targeted housing services and assistance, including social housing and the Family Violence Rapid Rehousing program, which provides housing assistance for people escaping family violence through transitional accommodation with leases up to two years at subsidised rent. In addition, the Housing Australia Future Fund Crisis and Transitional Accommodation Program is providing a contribution of \$3.34 million for women in Tasmania — with Homes Tasmania securing \$2.25 million in funding for 7 new transitional homes as a pathway out of shelters for women and children who have experienced family and domestic violence. Further funding to deliver another 37 transitional homes is under negotiation.

Article 10

Reply to the issues raised in paragraph 10 of the LoIPR

Jurisdiction	Educational and training programs
NT	In the NT, all youth detention staff must complete mandatory induction training covering obligations under the CAT, including the prohibition of torture and ill treatment.
Queensland	Queensland Police has strengthened cultural capability training, making it mandatory for recruits and rolling it out statewide.
SA	Recruit training includes human rights training covering perpetrators, victims, lawful use of force and professional standards/accountability. These topics are refreshed and re-trained as needed through a corporate training program which may be aimed at the whole of workforce, or specific workgroups or areas as needed.
Tasmania	Training regarding the use of force and ethical policing is embedded at recruit and professional development levels. Professional development modules include both mandatory and optional courses.
Victoria	Victoria provides mandatory human rights training for police recruits and custodial staff, including lawful use of force, rights of persons in custody, and scenario-based decision-making.
WA	WA's Police Academy delivers a structured 28-week police recruit program covering use-of-force, accountability, and interviewing built on legal and ethical standards. As of 21 May 2026, 94.2% of the operational workforce was qualified in critical skills; unqualified officers are not authorised to carry out use of force options.

Jurisdiction	Training in non-coercive investigating techniques
Queensland	Queensland Police training incorporates trauma-informed, victim-focused and investigative interviewing approaches, designed to support effective, non-coercive interactions.
SA	SA Police provide training in investigative interviewing and custody policy and procedures which safeguards the rights of persons subject to these processes. Training in interviewing vulnerable persons (as both perpetrators and victims) is provided to ensure fairness and safety/wellbeing of the vulnerable person is managed in accordance with legislation.
Tasmania	Tasmania Police partners with the University of Tasmania and the Centre for Investigative Interviewing (Griffith University) to provide specialist interviewing training to Tasmania Police officers – scaffolded from recruit training through the investigative training program. The training focuses on evidence-based best practice as non-coercive open narrative style.
Victoria	Victoria Police training incorporates structured, non-coercive interviewing methodologies that emphasise communication, rapport building, procedural fairness, and the protection of vulnerable persons.
WA	In WA, investigative interviewing is conducted with emphasis on fairness, open-mindedness and voluntary participation. Training in non-coercive investigative techniques include interview components, formal assessment and recording, and safeguards for vulnerable persons.

Jurisdiction	Measures giving effect to article 10 (2) of the CAT
NSW	In NSW, guidance has been provided to mental health services via the <i>Mental Health Act 2007</i> (NSW) (MHA). Section 69 of the MHA provides that no person employed in a mental health facility is allowed to wilfully strike, wound, ill-treat or neglect a detainee. The relevant

	NSW Police Force training courses regarding custody incorporate principles related to humane treatment of subjects.
NT	The NT Government provides training to clinical staff working with persons deprived of liberty, which focuses on recognising and responding to trauma. While formal training aligned to the Istanbul Protocol may not be uniformly mandated, its principles are reflected in clinical practice standards relating to trauma-informed care, documentation, and medico-legal reporting. NT Youth Justice has implemented a range of measures to give effect to Article 10(2), which requires that education and information regarding the prohibition of torture and ill treatment be included in the training of personnel involved in custody, interrogation, or treatment of individuals subject to detention or imprisonment. Key training components include human rights and legal obligations, the CAT, CRC and legal safeguards relating to detention and treatment. Independent oversight bodies include the NT Ombudsman, Children's Commissioner and Independent Commissioner Against Corruption (ICAC).
Tasmania	In Tasmania, statewide training is available for healthcare staff and stakeholders via eLearning, virtual and face-to-face delivery methods on the safe, lawful, and least restrictive approach to assessment and treatment of persons deprived of liberty under the <i>Mental Health Act 2013</i> (Tas). This includes the legal basis and obligations, Tasmanian Health Service policy and procedures, documentation requirements and incident reporting (including those involving seclusion and restraint and incidents reportable to external authorities), and safeguarding patients' rights. Current priorities include training to support the rollout of a statewide restrictive practice policy, supporting and strengthening the understanding of the <i>Mental Health Act 2013</i> (Tas) more widely across the Department (e.g. in emergency departments, intensive care units and paediatrics), and expanding guidance and advice materials. While not specific to the Istanbul Protocol, training aligns with trauma-informed care, clinical governance principles, cultural awareness, professional practice standards and ethical considerations.
Victoria	In Victoria, all training programs are subject to curriculum oversight and governance processes in place to ensure alignment with legislative and organisational requirements. Oversight is primarily internal to police, with additional external oversight applying to accredited and higher-risk programs.

Article 11

Reply to the issues raised in paragraph 11 of the LoIPR

Jurisdiction	Interrogation rules, methods and practices
ACT	ACT Policing has Better Practice Guides to guide operational procedures when conducting an interview. Under the AFP Commissioner's Order 1, governance material is to be reviewed every 3 years.
NSW	In NSW, all key policies and procedures are subject to regular review, including the Standard Operating Procedures on charge room and custody management. Police conduct mandatory statutory compliance, independent external oversight, and internal policy audits, and the Law Enforcement Conduct Commission can independently investigate complaints.
NT	The NT's <i>Youth Justice Act 2005</i> (NT) establishes safeguards governing detention, questioning, treatment and obligations regarding lawful, humane, and non-coercive practices, supported by youth detention standards, operating procedures, and use of force policies. All instruments explicitly prohibit CIDTP and require adherence to necessity, proportionality, and least restrictive practice principles.

Tasmania	At Tasmania's Ashley Youth Detention Centre (AYDC), the treatment and questioning of young people are governed by the <i>Youth Justice Act 1997</i> (Tas), which is currently under review. The Act sets out the powers and safeguards applying to police and AYDC staff while a young person is in custody. Tasmania considers these arrangements largely comply with Article 11. In other places of detention, supervisors monitor day-to-day compliance with relevant legislation and policies and take remedial action where required. Periodic review occurs of the Tasmania Police Manual (procedures manual). Additionally, review and amendment occur as needed in response to trends identified by complaints and research advice provided by Tasmania Police research partners.
Victoria	In Victoria, there are Standards for the management of men and women's prisons which establish minimum requirements for correctional services. Corrections operationalise the Guiding Principles and Standards through Commissioner's Requirements, which incorporate a Charter compatibility statement and gender impact assessments.
WA	WA has introduced and strengthened a range of measures to enhance transparency, accountability and prisoner welfare, including expansion of CCTV coverage, strengthened use of force governance, increased emphasis on trauma-informed practice, and improved staff training.

Reply to the issues raised in paragraph 12 of the LoIPR

Jurisdiction	Pre-trial detention
ACT	In May 2026, the ACT introduced legislation requiring those making decisions regarding bail to consider a range of matters, including those specific to Aboriginal and Torres Strait Islander people and vulnerable individuals.
Queensland	Queensland Police has supported alternative approaches to formal justice processes for Aboriginal and Torres Strait Islander peoples, including the Respected Persons Youth Co-Cautioning model introduced in May 2024. The initiative provides culturally appropriate cautioning processes and supports diversion from the formal justice system.
SA	SA's Law Reform Institute will undertake a comprehensive review of the <i>Bail Act 1985</i> (SA). The Review will consider the Act's practical operation, effectiveness and balance between rehabilitation, community safety and rights of the accused.
Tasmania	Tasmania continues to have a presumption that bail will be granted in all but certain very serious situations. The court is also required to be satisfied of the safety and welfare of victims and affected persons in family violence matters before granting bail. Bail may be denied where certain risks are demonstrated – this is in line with the long-established principles in <i>R v Fisher</i>. The Tasmanian Government has a significant focus on reducing the court backlogs, one of the effects of a reduction in the backlog would be reducing the amount of time spent on remand. Tasmania Police members must comply with the <i>Criminal Law (Detention and Interrogation) Act 1995</i> (Tas), <i>Bail Act 1994</i> (Tas), <i>Justices Act 1959</i> (Tas), and the Tasmania Police Manual.
Victoria	In Victoria, there have been a series of recent reforms to the <i>Bail Act 1977</i> (Vic), including reforms to reduce the unnecessary remand of those accused of minor and repeat offending. Victoria has subsequently introduced further amendments to the Bail Act to address community safety priorities.
WA	The WA government funds programs such as the Reducing Avoidable Remand program which provides targeted legal representation, non-legal bail support and practical assistance to help accused individuals secure bail and comply with conditions. The General Court Intervention program provides a diversionary pathway for accused persons by addressing the underlying cause of offending.

Reply to the issues raised in paragraph 13 of the LoIPR

Jurisdiction	Steps to reduce overcrowding, including through imprisonment alternatives, and improve healthcare
ACT	The ACT decides detainee placement guided by legislation, policies and individual risk assessments, including legal status, self-harm risks, sex, disability, nature of the offence, and the need for protection. In the ACT, all detainees receive a health assessment within 24 hours of admission, including physical and mental health screening. The ACT Policing Watch House also has recently undergone remediation work, inclusive of constructing a wheelchair accessible Reasonable Adjustment Cell.
NSW	NSW manages population pressures through active monitoring of time spent in cells, triaging individuals and targeted responses to mitigate risks associated with overcrowding, mental health concerns and isolation. In NSW, adult inmates have access to physical, psychiatric and mental healthcare. Corrective Services provide education and training, employment initiatives, substance abuse programs, and access to mental health treatment and other medical services.
NT	The NT addresses system wide capacity pressures through expansion and repurposing custodial facilities, with the aim of maintaining safety and access to rehabilitation, education, and employment programs. In the NT, mental health needs are identified through screening and ongoing assessment, with care coordinated across custodial, clinical and therapeutic services to manage risk, support stability in custody, and assist reintegration.
Queensland	In Queensland, population and demand are managed by a centralised Admission Coordination Unit to ensure optimal utilisation of youth detention centre beds. In Queensland, prisoners receive screening and assessment of their physical and mental health needs upon arrival.
SA	In SA, new facilities enable consolidation of youth detention services onto one site, designed using contemporary therapeutic principles. In SA, prisoners receive healthcare appropriate to their physical and mental health needs, consistent with community standards.
Tasmania	Tasmania's Court Mandated Diversion program was expanded in April 2026 to enable the court to make a treatment order where an offender has a demonstrated history of alcohol dependence which is linked to their offending. The program, which was previously limited to those with illicit drug use, provides opportunities for offenders to receive treatment and support in the community, helping them maintain family connections and access local services. Planning has commenced for a new maximum-security unit in Tasmania incorporating a dedicated alcohol and drug treatment unit. In the interim, a number of strategies have been developed to enable the Tasmania Prison Service to effectively manage capacity pressures, which include upgrading and refurbishing units that had been previously decommissioned. Prisoners in Tasmania with moderate to severe mental illness will be identified and referred during their admission process or sentence and will be provided appropriate treatment.
Victoria	The Sentence Management Division in Victoria manages the system flow of people in custody. Youth Justice closely monitors population trends and projections and manages placements accordingly, including by opening more rooms in custody where required. In Victoria, people in custody are entitled to access reasonable medical care and treatment. All prisons have onsite primary healthcare and specialist services.
WA	In WA, prisoner numbers are monitored at system and facility levels, and capacity risks are managed through prisoner classification and placement processes, infrastructure planning, alternative accommodation arrangements and access to health and wellbeing services. WA delivers culturally respectful, trauma-informed and person-centred care. It is committed to strengthening sanitation and environmental health standards to support wellbeing and prevent illness, alongside improving access to comprehensive health services.

Jurisdiction	Recreational, educational and vocational activities
ACT	ACT Corrective Services established the Detainee Education, Industry and Rehabilitation Program Board in January 2025 to oversee the work of auditing current programs.
NSW	NSW Corrections continue to expand access to educational, vocational and rehabilitative programs for people in custody, including digitally enabled platforms.
NT	In the NT, Youth Justice has undertaken a range of measures to address previous gaps and improve access to recreational, educational and vocational activities.
Queensland	Queensland Youth Detention Centres operate under a rehabilitation-focused model of care. Youth have access to structured daily routines, including mandatory onsite education, vocational training and accredited programs.
Tasmania	Tasmania continues to expand recreational, educational and vocational opportunities for people in custody. These include a Job Ready program delivering accreditation in white card, use of small hand tools, small plant and equipment, and workplace communication for participants preparing for release; training and certification in hospitality skills; a Peer Support Program inside the Men's prison and a Transition to Community Throughcare program with case management and mentorship for prisoners returning to the community. AYDC offers education to all detainees via AYDC School. An extra-curricular activities program, which includes recreational and vocational activities, operates daily at the Centre. Support is also available to remand prisoners with cognitive impairment during incarceration and on release into the community.
Victoria	Corrections Victoria offers a large suite of education, vocational and reintegration programs across the statewide prison system.
WA	In WA, assessment and case management practices assess rehabilitation and reintegration needs, as well as suitable programs and services. Programs include the Carey Bindjareb Project and the Boronia Pre-release Centre for Women.

Jurisdiction	Use of restraints
ACT	ACT Policing officers must only use handcuffs and other approved restraints lawfully and in accordance with the Commissioners' Order on Operational Safety. Police must ensure that only the minimum force reasonably necessary is used and that principles of negotiation and conflict de-escalation are considered. ACT Policing officers are also subject to oversight by the ACT Policing Operational Practices Safety Committee. Under section 252I of the <i>Crimes Act 1900</i> (ACT), if a police officer takes a child or young person under restraint, a responsible person must be notified.
NSW	In NSW, section 22 of the <i>Children (Detention Centres) Act 1987</i> (NSW) states that a detainee shall not, without reasonable excuse, be handcuffed or forcibly restrained. Sections 230 and 231 of the <i>Law Enforcement (Powers and Responsibilities) Act 2002</i> (NSW) provide that police officers may only use such force that is reasonably necessary. The NSW Law Enforcement Conduct Commission has the power to investigate complaints of inappropriate and unlawful use of restraints and oversee investigations.
NT	In the NT, the use of restraints in youth detention is governed by legislation, operational policies, and strict procedural safeguards designed to ensure compliance with the CAT. The NT's <i>Youth Justice Act 2005</i> (NT) and associated policies establish that restraints may only be used as a measure of last resort and where strictly necessary, and policies explicitly prohibit the routine or punitive use of restraints.
Queensland	In Queensland, the use of mechanical restraints occurs in strict compliance with the Youth Justice Regulation, only used when absolutely necessary and in the safest way possible. All youth detention operational staff and authorised officers receive training in the appropriate use of mechanical restraints, and incidents are reviewed for compliance.

Tasmania	In Tasmania, the use of force and restraints is governed by established legislation, codes of conduct and operational policies and procedures. Within the Tasmania Prison Service, mechanical restraints are used only when necessary and never as a form of punishment. Their use may be authorised for external escorts, operational requirements within a prisoner's management plan, or immediate safety needs such as preventing injury, offences, or significant property damage. Restraints may only be applied when no less restrictive option is suitable, and their use must consider the prisoner's health and wellbeing while remaining justifiable, proportionate, temporary, consistent, and reasonable. Only approved techniques may be used, officers must be appropriately trained, and restraints must be removed as soon as safer alternatives become viable. The Ashley Youth Detention Centre's Use of Force and Use of Mechanical Restraint procedures specify that restraint must only be used as a last resort. Staff are also provided practice guidance to minimise their use and only specifically approved handcuffs may be used. Regular staff training and refresher courses ensure staff understand requirements and expectations and have safe and legal techniques for restraint.
Victoria	In Victoria, the use of restraint in prisons is strictly regulated within the framework of the <i>Corrections Act 1986</i> (Vic), Corrections Regulations 2019, and the Charter of Human Rights. Restraints may only be applied on reasonable grounds where necessary and proportionate. The <i>Youth Justice Act 2024</i> (Vic) has introduced a strengthened restricted practices framework.
WA	In WA, restraints are only used when absolutely necessary and for the good order and safety of prisoners and staff. The <i>Young Offenders Act 1994</i> (WA) provides that the use of restraints may be authorised, if required, to prevent injury or escape.

Jurisdiction	Measures to end the use of spit hoods, tasers and chemical agents
ACT	Following an internal review in 2023, the AFP ceased using spit hoods, including in ACT Policing. ACT Policing's Watch House Operations Functional Governance dictates that any ACT Policing member seeking entry to the Watch House must secure their firearm, their taser and their OC spray in a locker prior to their entry.
NSW	In 2024, NSW legislation commenced prohibiting the use of spit hoods (<i>Detention Legislation Amendment (Prohibition on Spit Hoods) Act 2024</i> (NSW)) and tasers are not used in police custody.
NT	The NT has taken significant steps to address concerns regarding the use of spit hoods and similar equipment, through prohibition or strict limitation and enhanced safeguards. Across all contexts, use of force measures are governed by strict legal and policy controls, requirements of necessity, proportionality, and last resort, and robust oversight and accountability mechanisms.
Queensland	In Queensland, spit hoods, spit guards, tasers and similar equipment are not used or authorised for use in Queensland Youth Detention Centres.
SA	In SA, the use of spit hoods against adults and children in detention settings is expressly prohibited by legislation.
Tasmania	Spit hoods are explicitly banned within the Tasmania Prison Service for any purpose. Use of tasers and chemical agents are controlled, with deployment only happening on special direction and limited to trained users. Use of chemical agents are reported to the Director of Prisons and incident review occurs. Tasers and chemical agents may not be used by staff at the Ashley Youth Detention Centre in accordance with the Prohibited Items Procedure. The use of spit hoods of any kind is prohibited for workers in accordance with the Use of Force Procedure and other practice advice.
Victoria	In Victoria, electrical discharge weapons are not used in prisons, and their use has not been approved as an authorised tactical option. The <i>Youth Justice Act 2024</i> (Vic) prohibits the use of spit hoods in police gaols and youth justice custodial centres. The use of chemical agents

	has been significantly reduced, limited to riot control and crowd management in open or large indoor settings by specialist response staff. The Charter requires that any exercise of police powers be lawful, justified, proportionate and the least restrictive necessary. The use and carriage of tasers is governed by the 'Conducted energy devices' policy, restricting use to qualified members and prescribing requirements for carriage, deployment and post-use.
WA	In WA, spit hoods are not used on young people. Spit hoods are permitted for use in adult prisons, being utilised infrequently and only for brief periods to protect staff from the risks of injury and/or disease.

Jurisdiction	Independent oversight mechanisms of solitary confinement and isolation
ACT	The ACT does not use solitary confinement for young people, and all notices of segregation are subject to independent oversight and monitoring. Segregation of a young person is not to affect a young person's minimum living conditions. Segregation of adult offenders includes legislated requirements on the reason, timeframes and review requirements.
NSW	In NSW, segregated custody only occurs when there is no other reasonable way to manage risk to the safety, security, or good order and discipline of the correctional centre. There are strict time limitations, review, and appeal processes. Confinement occurs in a young person's room unless there is a specific risk or reason not to, and they are provided with means of usefully occupying themselves during this time.
NT	The NT is committed to reducing reliance on separation through stronger dynamic security, improved engagement, and increased access to education, employment, health and wellbeing support wherever operationally possible, including for those in separation.
Queensland	Queensland does not use solitary confinement for youth. Separation in a locked room is lawful under the <i>Youth Justice Act 1992</i> (Qld) and can only be applied for prescribed purposes under the Act. Separations are subject to strict approvals, supervision protocols, time limits and record keeping, ensuring they are reasonable, justified and used for the shortest time possible. Separation is also the subject of both internal and external oversight by a range of independent oversight bodies.
SA	In SA, isolation and segregation must not continue for longer than is reasonably necessary and must not be used as a punishment.
Tasmania	In Tasmania, separate confinement can be ordered, as per regulation 8(1) of the Corrections Regulations 2018 in accordance with the Director's Standing Order (DSO). The DSO states that the decision to place a prisoner in separate confinement must be reasonable in the circumstances and justified according to the risk(s) the prisoner poses to the safety, security and good order of the prison, themselves or others. A separation order may be issued for a maximum of 30 days on each occasion, but the cumulative duration must not exceed three months. Oversight over isolation is provided by the Commissioner for Children and Young People and the Custodial Inspector via a monthly report provided by Ashley Youth Detention Centre staff. The Department of Education, Community and Young People is reviewing both the Use of Isolation Procedure and the <i>Youth Justice Act 1997</i> (Tas) in line with Commissioner of Inquiry Recommendation 12.33.
Victoria	In Victoria, the practice of separating people in prison from others is referred to as 'separation'. The term solitary confinement is not used in the Victorian corrections system, and many separations do not meet the definition of solitary confinement in the Standard Minimum Rules for the Treatment of Prisoners (Mandela Rules). In the adult system, prisoners are separated from others under the Corrections Regulations for safety and protection, welfare, to manage good order and security, or to serve a period of loss of privileges. People who are separated retain the same rights under the <i>Corrections Act 1986</i> (Vic) as all other people in prison. Corrections Victoria's policy is for people who are separated to be managed under the least restrictive conditions and for the shortest time necessary consistent with the reasons for their separation. The use of isolation in youth

	detention facilities is only authorised in accordance with relevant legislative requirements after carefully considering human rights.
WA	In WA, confinement may be authorised where necessary to address an immediate risk or emergency, and for the shortest period required to manage the situation.

Jurisdiction	Measures for strip-searches of prisoners
ACT	In the ACT, Section 227 of the <i>Crimes Act 1900</i> (ACT) legislates the requirements that must be met for a police officer to perform strip-searches. The <i>Corrections Management Act 2007</i> (ACT) provides strict controls, including that the strip-search shall be conducted in a private area by a corrections officer of the same sex as the person being searched.
NSW	Youth Justice NSW has multiple safeguards in place to prevent and respond to the abuse or harm of young people in their care. Since the release of the findings of the Royal Commission into Institutional Responses to Child Sexual Abuse (RCIRCSA), these safeguards have been further strengthened. Body scanners allow Youth Justice NSW to nearly eliminate partially clothed body searches of young people which is best practice in contraband screening. The NSW Law Enforcement Conduct Commission can investigate complaints of unlawful strip-searches.
Queensland	In Queensland, the <i>Corrective Services Act 2006</i> (Qld) provides conditions that must be met before a removal of clothing search may be conducted, including reasonable care to protect the prisoner's dignity and the opportunity to remain partly clothed. Reasonable steps are also required to not carry out the search in front of a person of the opposite sex. Queensland Corrective Services (QCS) has also introduced x-ray body scanner technology at women's and youth centres as a non-invasive alternative to removal of clothing searches. In Queensland Youth Detention Centres, fully unclothed searches are prohibited. Searches of youth are actioned in strict compliance with legislative requirements, including Queensland's <i>Human Rights Act 2019</i> (Qld), and are conducted by a staff member of the same sex. Transgender, non-binary and intersex youth can nominate the sex of the staff member who searches them.
Tasmania	Tasmania requires searches to be conducted using the least intrusive method necessary, with more intrusive searches only undertaken where justified by circumstances or reasonable evidence. Preferred methods include non-intrusive tools such as body scanners, and officers must be appropriately trained and certified where required. Personal searches should be conducted by an officer of the same gender as the person being searched, including for transgender, intersex or non-binary people where a preferred gender is nominated. At Ashley Youth Detention Centre C, fully unclothed and body cavity searches are prohibited. Partially clothed searches may only be used as a last resort, require Director-level approval, and must be conducted by trained staff of the same or preferred gender. Tasmania Police policy requires searches to be proportionate, private and conducted with minimal force. Unclothed searches of young people must be authorised, documented, and generally conducted in the presence of a parent or guardian. Body cavity searches are prohibited.
Victoria	In Victoria, the Corrections Regulations 2019 (Vic) govern the strip searching of prisoners and specify procedural requirements for when and how these searches may occur. Corrections Victoria recognises that strip searching is an intrusive practice and remains committed to reducing the practice wherever possible. In certain circumstances, strip searching remains a necessary safeguard to support the safe and secure operation of a prison and the safety of prisoners. Where less invasive search practices are available, such as body scanning searches, these are prioritised over strip searches. This is in accordance with the publicly available Commissioner's Requirement – Personal Searches. Corrections Victoria continues to explore technology to support barrier control practices and reduce the need for strip searching. The canine fleet also supports contraband detection along with the Corrections Victoria Intelligence Unit.

	The introduction of alternative methods to strip searching and changes to policies that prioritise scanning technology as a first-line approach, reflect an ongoing commitment to minimising invasive practices.
WA	In WA, legislation provides the searching requirements on entry to prison and the authority to order strip searches of prisoners. Custodial operational instruments outline the mandatory strip search requirements on first entry to custody in a manner that maintains the dignity, self-respect and privacy of persons, by custodial officers of the same gender.

Reply to the issues raised in paragraph 16 of the LoIPR

Jurisdiction	Aboriginal and Torres Strait Islander people in prison
ACT	The ACT launched the RR25by25 and Beyond JR Strategy in 2024. Its key focus is to reduce the overrepresentation of Aboriginal and Torres Strait Islander people in custody by building community-led alternative approaches, and second phase aims to reduce recidivism. Programs include specialised circle sentencing courts, help for complex needs, the Through Care for transition back into community, and Empowering Yarning Circles.
NSW	NSW has committed \$9.8 million to expand justice reinvestment in NSW until June 2027 to reduce the contact of Aboriginal people with the criminal justice system by addressing underlying drivers of crime and causes of incarceration. The MERIT program is a court diversionary program for defendants with issues related to their alcohol or other drug use. Amendments to NSW's <i>Young Offenders Act 1997</i> (NSW) facilitate greater access to diversion for young persons.
NT	The NT Government leads youth diversion as a formal pathway for alleged offenders aged 10-17. Young people are case managed through a tailored plan, including community service, skills development, education and training, and cultural connection.
Queensland	Queensland Police has supported initiatives intended to reduce unnecessary contact between Aboriginal and Torres Strait Islander people and the criminal justice system. The Queensland Government has Multi-Agency Collaborative Panels aimed at reducing and preventing youth reoffending. Murri Courts are connected to the community and provide culturally appropriate rehabilitation and support services. In 2025, the Government launched a Justice Reinvestment Grants Program, which focuses on locally led prevention and early intervention strategies, such as night patrols and initiatives for engagement in education.
SA	SA continues to expand diversion and Justice Reinvestment initiatives, including the Child Diversion Program for Aboriginal children aged 10–14 charged with minor offences, funding for Aboriginal youth workers and night bus services and a community-led Justice reinvestment hub. SA has invested significantly in efforts to reduce Aboriginal adult incarceration rates, including through the Yalakiana Tappa alternative to custody programs, Work Ready Release Plus program and the development of SA's first Aboriginal Justice Agreement (AJA).
Tasmania	Tasmania is developing an Aboriginal and Torres Strait Islander youth justice strategy and recruiting a culturally responsive lead practitioner. A Tasmanian youth detention centre has implemented the Connection to Family and Community Policy under the Keeping Kids Safe in Detention Action Plan 2024-2026, which includes financial support to visit young people in detention.
Victoria	Victoria aims to improve justice outcomes for Aboriginal and Torres Strait Islander people through the Aboriginal Justice Agreement, which has driven numerous program, policy, governance and legislative reforms. These include partnership governance structures within Aboriginal communities which have played a key role in legislative reform and the <i>Youth Justice Act 2024</i> (Vic). Victoria also has statewide networks of Aboriginal wellbeing staff, Koori Courts and the Community Grants Program, through which over \$50 million was provided to Aboriginal organisations in 2025/26.
WA	WA continues to implement non-custodial measures to reduce the incarceration of Aboriginal and Torres Strait Islander people. Bail and diversion support for young people is provided

	through the Youth Engagement Program, Legal Aid bail support, and the Aboriginal Legal Service. Preventive initiatives include the Kimberley Juvenile Justice Strategy and On Track to Thrive programs, alongside alternatives to detention. WA is investing in Aboriginal-led diversion and therapeutic court models, including the Dandjoo Bidi-Ak Court and the In-Roads Therapeutic Court.
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Jurisdiction	Progress to meet Closing the Gap targets
ACT	In 2025, the ACT raised the minimum age of criminal responsibility to 14 years, and in May 2026, the ACT introduced legislation requiring decision makers to consider several matters relevant to a person's Aboriginal culture and circumstances when making bail decisions. ACT Policing initiatives related to youth and adult incarceration rates include the Front-Up program, which supports Aboriginal and Torres Strait Islander people who have outstanding arrest warrants or who have breached bail conditions to divert policy custody legally and safely.
NSW	The NSW Government invested in culturally appropriate throughcare supports during incarceration and post-release, to improve reintegration outcomes and reduce recidivism. The NSW Government also supported Target 11 by investing in the implementation of priority actions from the Therapeutic Pathways for Children Report.
NT	The NT Government is leading the place-based partnership reform in Maningrida, working closely with the Maningrida Cultural Governance Group to drive community-led outcomes on Closing the Gap. The Government has provided funding to Aboriginal Law and Justice Groups to lead local Community Courts in remote locations and to law and justice groups to support individuals through various programs.
Queensland	Queensland established the First Nations Justice Office to address the overrepresentation of Aboriginal and Torres Strait Islander people in the criminal justice system. Better Justice Together: Queensland's Aboriginal and Torres Strait Islander Justice Strategy 2024-2031 is a co-designed whole-of-government and community strategy focusing on priority reforms of the Closing the Gap Agreement.
SA	The SA Government, in partnership with the ACCOs Network, is investing in policy and place-based partnerships to drive community-led outcomes under Targets 10 and 11, including SA's Justice Partnership Committee and Youth Justice Working Group. While SA's progress against Target 10 is consistent with the national trend, it has the lowest return to prison and correctional services rates for Aboriginal adults released from prison. SA has continuously seen a steady decrease in Aboriginal youth detention rates since 2018-19, indicating positive progress against Target 11. SA is on currently track to meet Target 11 to reduce the rate of Aboriginal and Torres Strait Islander young people in detention by at least 30% by 2031.
Tasmania	Tasmania continues engagement through the Justice Policy Partnership and Justice Sector Strengthening Plan to build the capacity of the community-controlled sector in adult justice services and improve performance against Target 10. It is also investing in reforms to reduce contact Aboriginal young people have with the criminal justice system (Target 11), including early intervention and diversionary programs. Tasmania's Plan for Closing the Gap 2025–2028 commits to initiatives with the Tasmanian Aboriginal Centre and other organisations, aims to progress Sea Country and land return priorities and transition the Working on Country Ranger Program to Aboriginal community control.
Victoria	Victoria became the first state to raise the minimum age of criminal responsibility to 12 years of age under the <i>Youth Justice Act 2024</i> (Vic) in 2025. This Act also codifies the presumption that a child under 14 years of age is incapable of criminal intent. As of 30 June 2025, Victoria is showing improvement on Targets 10 and 11. The partnership approach of the Aboriginal Justice Agreement (AJA) is a key driver of Victoria's positive progress in reducing incarceration rates of Aboriginal people. The AJA provides the framework for the state to achieve its Closing the Gap targets, working in partnership with Aboriginal communities to design, implement and monitor initiatives to reduce the overrepresentation of Aboriginal people across the justice system. Wirkara Kulpa is Victoria's first Aboriginal Youth Justice

	Strategy, which represents a significant step toward the Government's commitment to improving justice outcomes for Aboriginal young people and contributing to Closing the Gap by 2031. Youth Justice has met and exceeded AJA milestone 4 by reducing the number of Aboriginal young people under supervision on an average day by 43 against a target of 89 young people by 2022–23.
WA	WA has demonstrated progress against Target 11, with the rate of Aboriginal young people in detention decreasing from 50.4 per 10,000 young people in 2019 to 21.9 in 2024–25. Based on this trajectory, WA is on track to meet or exceed Target 11 by 2031. This progress reflects a range of initiatives, including the implementation of place-based early intervention and JR initiatives focusing on diversionary approaches, the expansion of culturally responsive and Aboriginal-led services, and strengthened partnerships with Aboriginal Community Controlled Organisations.

Reply to the issues raised in paragraph 17 of the LoIPR

Jurisdiction	Number and outcome of deaths in custody investigations
Tasmania	In Tasmania, there have been four deaths in custody since 2022, noting that custody has a wide definition. Forensic Services attended and medical autopsies occurred in each case. No matters were assessed as involving excessive use of force. No reportable deaths were recorded by the Tasmania Prison Service in 2024-25.
Victoria	Victoria does not report publicly on the number of sentences, penalties or compensation outcomes. However, results of all coronial investigations are published on the Coroners website.
WA	In WA, 18 coronial inquests relating to deaths in custody were conducted in 2024-25. Outcomes of these inquests, including any findings or recommendations, are published by the Coroner's Court.

Jurisdiction	Status of implementing Deaths in Custody Royal Commission recommendations
ACT	On 7 May 2025, the ACT Government committed to forming a Board of Inquiry into Aboriginal and Torres Strait Islander deaths in custody with the intent of considering systemic issues surrounding the recent deaths of Aboriginal and Torres Strait Islander people in custody.
NSW	NSW established the Thematic Review into Aboriginal deaths in custody in 2021. As part of this review, an Expert Reference Group determined that RCIADIC recommendations related to Justice Health NSW and Corrective Services NSW (109 of 339 recommendations). Of these 109 recommendations, 93 were considered fully implemented, four were assessed for alternative implementation, 11 were partially implemented, and one was considered not implemented.
Queensland	Queensland police are progressing reforms consistent with the objectives of the Royal Commission into Aboriginal Deaths in Custody (RCIADIC) through initiatives that strengthen cultural capability, partnership with Aboriginal and Torres Strait Islander communities, and culturally safe policing practices. Queensland has responsibility for 65 of the recommendations of the RCIADIC relating to correctional services. Of these, 49 were considered completed in 2017. Of the outstanding 16 recommendations, 10 are implemented, five recommendations remain outstanding and one recommendation remains in progress. Queensland has increased the number of suicide resistant cells in correctional facilities.
SA	In SA, the Advisory Commission into the Incarceration Rates of Aboriginal Peoples was established in 2022 to develop options to reduce the rate of Aboriginal people in custody. This Commission handed down its final report in February 2023, including a number of

	recommendations relating to outstanding RCIADIC findings. The SA Government is actively responding to the key themes and recommendations, including developing an Aboriginal Justice Agreement in partnership with Aboriginal people and communities. The SA Government has also committed funding to support a number of the Commission's other key themes and recommendations.
Tasmania	Tasmania reports that all recommendations relating to police custody have been implemented. A comprehensive review of recommendation status was last undertaken by the Commonwealth several years ago. As part of broader youth justice reforms arising from the Commission of Inquiry, the Tasmanian Government is co-developing with Aboriginal stakeholders a strategic approach to address the over-representation of Aboriginal children in youth justice. The approach is based on self-determination and focuses on prevention, early intervention, diversion, strengthening Aboriginal community-controlled services, and addressing systemic barriers within government. Within youth detention, a proposed Positive Behaviour Support Framework emphasises proactive, preventative and de-escalation practices, with restrictive responses used only as a last resort. Child-focused complaints mechanisms support the safe reporting of concerns and promote accountability. An Incident Review Committee monitors incidents, including use of force and isolation, to ensure compliance, identify learning opportunities and drive continuous improvement.
Victoria	In Victoria, the <i>Coroners Act 2008</i> (Vic) mandates that a coroner must investigate a death in custody, but it is up to their discretion to hold an inquest in instances where a medical investigator finds the death was due to natural causes. The Aboriginal Justice Agreement (ADA) is Victoria's enduring response to the recommendations of RCIADIC. Development of Phase 5 of the Agreement and its first action plan is informed by the Aboriginal Justice Caucus' community-led review of Victoria's implementation of RCIADIC. Looking Back, Moving Forward prioritises RCIADIC recommendations requiring further work and identifies actions to fulfil their implementation in line with community expectations.
WA	In WA, 18 coronial inquests relating to deaths in custody were conducted in 2024-25. Outcomes of these inquests, including any findings or recommendations, are published by the Coroner's Court. WA has 301 RCIADIC recommendations assigned. As of 2018, seven have been superseded since 1991, and 248 recommendations have been implemented. Ongoing coronial inquests are not tracked, but notifications of the coronial findings are recorded in the Department of Justice's RiskShare risk management system and data is reported annually by the National Deaths in Custody Watch Committee. The RCIADIC recognised the value of non-custodial sentencing options and pre-sentence programs. A key initiative to reduce deaths in custody in WA is the Aboriginal Visitors Scheme (AVS), which mobilises Elders and community representatives to deliver culturally-safe, person-centred and trauma-informed support to Aboriginal and Torres Strait Islander people in custodial settings. From October 2023 to 2026, AVS has been strengthened as a frontline intervention/prevention service by embedding regular in-custody visits, early identification of social, emotional and wellbeing risks and escalation pathways for vulnerable individuals. Additional initiatives include the WA Suicide Prevention Governance Unit (SPGU) and the Custody Notification Scheme.

Jurisdiction	Steps to reduce the incidence of inter-prisoner violence
ACT	The ACT's only youth detention facility continues to explore mechanisms of governance to review incidents where force, restraint or lockdown have occurred with the purpose of ensuring staff operate consistent with the under the <i>Human Rights Act 2004</i> (ACT) and the <i>Children and Young People Act 2008</i> (ACT).
NSW	Youth Justice NSW has a centralised Use of Force Committee that meets weekly to review use of force incidents across all six Youth Justice Centres. Any misconduct is referred to an

	external unit for investigation. Oversight bodies including the NSW Ombudsman, Inspector of Custodial Services and Youth Justice Centre Managers receive a monthly report outlining incident trends which includes interpersonal violence between young people and patterns. All Youth Officers receive mandatory training in relation to de-escalation and use of force. All Youth Justice NSW front line custodial staff are trained in Protective Tactics at induction which incorporates strategies and techniques for the effective use of force for preventing harm for young people and staff. The Use of Force policy requires a refresher training every two years thereafter. All frontline Youth Justice NSW staff in Centres also complete a suite of endorsed Custodial Training Drills (run every Saturday morning at each Centre) which covers Protective Tactics strategies and techniques.
Tasmania	Tasmania adopts a zero-tolerance approach to violence in custodial settings. Assaults against prisoners and staff are investigated through disciplinary processes, referrals to Tasmania Police where appropriate, and workplace health and safety reviews. Recent results show reductions in both prisoner-on-prisoner assault rates and serious assaults. In youth detention, violence prevention is supported through staff recruitment, training and accountability measures. Youth Workers must hold Working with Vulnerable People registration, meet psychological and physical suitability requirements, and undergo pre-employment screening, including criminal history and disciplinary checks. All allegations of violence or misconduct are subject to formal review and investigation processes, with matters assessed against legislative and procedural requirements to ensure accountability and procedural fairness. Suspected staff misconduct must be referred to the Complaints Management Oversight Unit, with reportable conduct managed under statutory oversight arrangements.
Victoria	Several ongoing measures are in place to address the risk of violence in prisons, including: • individual risk assessments conducted for each prisoner to determine security rating and placement within the prison system • Cell Sharing Risk Assessments conducted by prison staff to assess a prisoner's suitability to share cells with others • structured day, prisoner employment, engagement programs and peer mentoring • dynamic security and prison intelligence measures, including barrier control and cell searches • onsite presence of Security and Emergency Services Group, Emergency Response Group and the canine team • internal assurance and oversight functions, including analysis of assault information data to understand trends, potential causes, and mitigation opportunities • staff training (including refreshers) • recruitment activities (including campaigns, community engagement and rolling recruitment) and pre-service training squads allocated to prison locations maintain a trainee prison officer pipeline to meet ongoing recruitment demand and ensure prisons are adequately staffed.
WA	The WA government is implementing a range of measures to reduce assaults, including a three-year recruitment campaign to strengthen frontline staffing across the estate, targeted deployment of officers to high-pressure facilities, and active prisoner management strategies based on security classification, behaviour and risk. It is also increasing access to education, criminogenic programs, cultural activities and structured out-of-cell time, which supports prisoner engagement and helps reduce violence.

Reply to the issues raised in paragraph 18 of the LoIPR

Jurisdiction	Measures taken to raise the minimum age of criminal responsibility (MACR)
ACT	On 1 July 2025, the ACT became the first jurisdiction to raise the MACR to 14 years, with the exception of children aged 12 and 13 years old who commit certain serious and intentionally violent offences. The ACT also established the Therapeutic Support Panel for Children and Young People to provide individualised therapeutic responses to address the root causes of harmful behaviour.
NSW	The NSW Government has enshrined the <i>doli incapax</i> test into legislation through the <i>Children (Criminal Proceedings) and Young Offenders Legislation Amendment Act 2025</i> (NSW), in effect since 1 March 2026. The NSW Government is considering alternative and additional responses needed to ensure community safety while supporting children aged under 14 who are demonstrating problematic and harmful behaviours so they can be diverted from the criminal justice system.
Queensland	In Queensland, for a child aged between 10 and 14 years, there is a rebuttable presumption that the child is not criminally responsible for an offence. The prosecution must prove beyond reasonable doubt that the child had capacity to know they ought not to commit the offence.
SA	The SA Government is not pursuing an increase in the MACR at this time. The SA Government will always prioritise community safety and is pursuing measures to divert children away from the criminal justice system and reduce reoffending.
Tasmania	The Tasmanian Government has accepted the recommendations of a Commission of Inquiry and plans to legislate in 2027 to raise the MACR to 14 without exceptions, amend child sentencing laws to make rehabilitation the primary purpose and detention the last resort, clarify that confining a detainee in their room constitutes isolation, and that isolation as a punishment is a prohibited action.
Victoria	The Victorian Government introduced the <i>Youth Justice Act 2024</i> (Vic), which introduced staged reforms including raising the age of criminal responsibility to 12 years without exceptions and codifying the presumption of <i>doli incapax</i> within the legislative framework on 30 September 2025. The Act commences in full on 30 September 2026.

Jurisdiction	Detention of children as last resort and detention alternatives
ACT	In the ACT, police can only arrest a child or young person under the MACR if their behaviour meets a specific threshold under the <i>Crimes Act 1900</i> (ACT). If a young person is detained in accordance with 252AE of the Act, police may only continue detention for as long as reasonably necessary to take the child to an appropriate person or agency. The establishment of the Therapeutic Support Panel under the <i>Justice (Age of Criminal Responsibility) Legislation Amendment Act 2023</i> (ACT) aims to divert children and young people from the criminal justice system through individualised therapeutic responses.
NSW	In NSW, the Children's Court is required by law not to order a child to spend time in detention, unless an alternative would be wholly inappropriate. Most young people in contact with Youth Justice are supervised in the community (non-custodial supervision). Youth Justice funds early intervention and diversion initiatives, including <i>Youth on Track</i> , <i>Place to Go</i> , two residential rehabilitation facilities, responses to domestic and family violence, a short-term remand program, bail assistance and accommodation support services. Youth Justice implements conferences to divert young people from the criminal justice system through restitutionary outcome plans under the <i>Young Offenders Act 1997</i> (NSW).
NT	The NT legislated provisions relating to the principle that detention be used only as a “last resort” in May 2025. This reflects a policy position informed by community safety, operational experience, and the need for greater flexibility in judicial decision making. Broader non-custodial options are supported through bail and supervised community arrangements, police diversion programmes and therapeutic and rehabilitation-focused

	services. Operational policy and practice continue to encourage diversion wherever appropriate, and minimising detention, particularly for lower-level offending.
Queensland	Queensland introduced program reforms to deliver meaningful change for young people at key intervention points. For pre-trial alternatives to detention, Queensland funds youth bail programs to provide practical assistance to support bail compliance, reduce risk-taking behaviours, and access support services. Community-based orders remain a key approach to youth justice for post-trial alternatives to detention. The Queensland Government has introduced legislation to implement the Circuit Breaker program as a sentence for three to six months, and as a condition of bail. The Circuit Breaker program will offer an alternative to youth detention through intensive, structured and evidence-based rehabilitation.
SA	The <i>South Australian Young Offenders Act 1993</i> (SA) incorporates limitations on custodial sentencing to particular circumstances and preserves family relationships, avoids unnecessary withdrawal of a youth from their environment and prevents unnecessary interruption of education or employment.
Tasmania	Tasmania continues to invest in diversionary approaches aimed at reducing youth offending, reoffending and detention. Funding includes \$3.7 million over three years for JCP Youth programs and \$2.3 million for community-based initiatives that address the underlying causes of offending through education, training, employment, sport and the arts. A Youth After-hours Diversionary Service pilot commenced in May 2025, providing after-hours engagement and referral support for young people who come into contact with police, with the aim of increasing diversion through police bail and reducing remand. Additional funding has been provided to support young people on bail, and a tender has been released for a 24/7 youth bail support service from September 2026. Tasmania's youth justice framework emphasises restorative justice, diversion and detention as a last resort. Police custody of young people is closely monitored, with supervisory and guardian notification requirements.
Victoria	In Victoria, the <i>Youth Justice Act 2024</i> (Vic) empowers the court to tailor sentences to individual risks and needs. This Act sets out a pre-charge action hierarchy that ensures alleged offending behaviour is met with appropriate responses and requires police to apply the lowest diversionary option suitable to respond to a child's offending.
WA	In WA, the 'In-Roads' program provides an alternative to detention for youth who have pled guilty to criminal charges. Successful completion of the program is considered during sentencing and may result in a conditional release order or no further penalty.

Jurisdiction	Means of coercion or discipline of children in custody
ACT	In the ACT, Div 6.6.4 of the <i>Children and Young People Act 2008</i> (ACT) provides that the use of force in managing young detainees must be a last resort and in accordance with the Act. ACT Policing are only authorised to use force against a child as a last resort to effect an arrest or to defend themselves or others from a physically violent child or young person, and any such force must be reasonable, necessary and proportionate to the threat posed and consistent with Commissioner's Order 3 and section 221 of the <i>Crimes Act 1900</i> (ACT).
NSW	In NSW, section 22 of the <i>Children (Detention Centres) Act 1987</i> (NSW) states that a detainee shall not, without reasonable excuse, be handcuffed or forcibly restrained. Legislation commenced in February 2024 to prohibit the use of spit hoods (<i>Detention Legislation Amendment Act 2024</i> (NSW)). Youth Justice does not use any pain compliance methods.
NT	In the NT, the use of force in youth detention is governed by the <i>Youth Justice Act 2005</i> (NT), policies and operational procedures. These explicitly prohibit the use of force, including physical and mechanical restraints, as a means of punishment or discipline, coercion or intimidation and behavioural compliance, in the absence of an immediate safety risk. The NT has implemented a comprehensive framework to explicitly prohibit the use of force, and it is

	used only where strictly necessary, proportionate, and time-limited. Appropriate disciplinary and criminal sanctions apply where misconduct is substantiated.
Queensland	Queensland has established clear legislative, policy and operational safeguards to prohibit the use of force, including physical restraints as a means of coercion or punishment, and to ensure all incidents are subject to robust oversight and investigation. Queensland prohibits practices such as deprivation of sleep, food, communication, visits, cultural participation, education or medical care. Youth detention centres prioritise de-escalation, communication and non-physical responses. Physical interventions are only permitted as a last resort, where strictly necessary to prevent harm to the young person or others, and must be proportionate, reasonable and justified in the circumstances. Complaints and serious incidents may be independently investigated or referred to oversight and integrity bodies.
SA	In 2021, SA passed a law to prohibit the use of spit hoods in all settings across the state. The law imposes criminal penalties, with a maximum sentence of two years' imprisonment for anyone who uses a spit hood. Following the legislative ban, SA authorities have adopted alternative measures to manage safety risks in detention settings, including the use of Personal Protective Equipment by staff in youth detention facilities, and trauma-informed and developmentally appropriate de-escalation and behavioural management techniques.
Tasmania	During the reporting period the <i>Child and Youth Safe Organisation Act 2023</i> (Tas) commenced in Tasmania. The definition of reportable conduct in the Act includes conduct that causes or is likely to cause significant emotional or psychological harm to a child; and physical violence (intentional or reckless application of physical force without lawful justification or excuse). The Act establishes the Office of the Independent Regulator and requirements for entities to notify the Regulator of reportable conduct.
Victoria	In Victoria, the <i>Youth Justice Act 2024</i> (Vic) introduces a strengthened restricted practices framework for the use of force, isolation and searches that clarifies thresholds and strengthens the safeguards applying to their use. The Act expressly prohibits the use of solitary confinement, routine unclothed searches, and certain restraint techniques. Section 475 provides that the use of force is prohibited except in limited prescribed circumstances, including where there is an immediate risk of a child or young person harming themselves or others, causing serious damage to property, or attempting to escape.
WA	In WA, spit hoods are not used on young people and restraints are only used when absolutely necessary for order and safety in prison. Force can only be used when a young person presents an imminent physical injury to themselves or another person. Restraints may be authorised to prevent injury or to prevent escape. Medical staff assess each young person following any incident where force is used, and the incident must be recorded with the reasons, duration, and authorisation. In WA, legislation, policies and procedures prohibit the use of force, including physical restraints, as a means of coercion or discipline. Any force must be lawful, necessary and proportionate, with all incidents subject to mandatory reporting and supervisory review. Children are recognised as a vulnerable cohort and afforded additional protections. All allegations of abuse or ill-treatment are promptly investigated through formal processes, including the creation of investigation files, with matters subject to criminal or disciplinary action where substantiated.

Jurisdiction	Measures to improve living conditions in detention, training and inspections
ACT	In the ACT, the youth justice facility, Bimberi, operates under a robust system of oversight that regulates operations and living conditions. The ACT's NPM helps to identify systemic issues and root causes of ill-treatment and forms part of a national framework under OPCAT. The ACT has comprehensive medical, dental, and mental healthcare to meet standards under the <i>Children and Young People Act 2008</i> (ACT).

	In the ACT, operational staff at Bimberi are subject to rigorous recruitment, evaluation, and training processes on trauma-informed practice, emergency procedures, human rights, disability and cultural awareness. In the ACT, oversight is provided by the NPM, Official Visitors, the ICS, the ACT Public Advocate, the ACT Ombudsman, the Children and Young People Commissioner and the ACT Commissioner for Aboriginal and Torres Strait Islander Children and Young People. Independent reviews of Bimberi are conducted by the Inspector every three years, and the NPM can inspect the Centre at any time.
NSW	NSW's Justice Health and Department of Education ensure young people in the high-secure Forensic Hospital have continued access to education, vocational activities, and primary and specialist healthcare, including alcohol and drug support. In NSW, frontline Youth Justice staff receive a comprehensive five-week induction training program on topics such as child safety and human rights. In NSW, the ICS provides independent scrutiny of the conditions, treatment, and outcomes for young people in custody. The authority, function, and power of the ICS are provided under the <i>Inspector of Custodial Services Act 2012</i> (NSW).
NT	The NT has undertaken a range of measures to improve living conditions in youth detention, including enhanced access to education, healthcare, rehabilitation programmes, and recreational activities. NT's Youth Justice has strengthened workforce capability through mandatory training and professional development, including child-safe and rights-based practice, trauma-informed care, de-escalation and conflict management techniques. In the NT, youth detention centres are subject to regular independent inspections, including by the NT Ombudsman and Children's Commissioner, with both scheduled and unannounced visits.
Queensland	In Queensland, medical, psychological and safety needs are assessed upon admission. Youth detention centres are accommodated in safe and structured environments that promote wellbeing and rehabilitation with consistent access to education, programs, recreation, cultural activities and social interaction. In Queensland, all youth detention staff are required to complete mandatory induction training and ongoing professional development to ensure safe, lawful and therapeutic practice. In Queensland, youth detention centres are subject to a robust framework of independent oversight and inspection, including regular visits and monitoring by the Office of the Public Guardian, Queensland Ombudsman and Inspector of Detention Services.
SA	In SA, new facilities consolidate youth custodial services, incorporating contemporary therapeutic design principles.
Tasmania	AYDC offers education to all detainees via AYDC School. An extra-curricular activities program, which includes recreational and vocational activities, operates daily at the Centre. Within the context of youth detention, the proposed Positive Behaviour Support (PBS) Framework (currently in development) embeds proactive, preventative and relational practices that prioritise early intervention, co-regulation and de-escalation, aiming to reduce the occurrence of abuse, conflict and ill-treatment and ensure that any safety responses are least restrictive and used only as a last resort.
Victoria	In Victoria, access to education, training and employment opportunities form critical components of the youth justice system's rehabilitative framework. Those in youth justice precincts are given access to a range of structured daily programs to support educational and employment pathways. In Victoria, Youth Justice officers undertake 45 days foundational training, comprising of theoretical and practical training. In Victoria, the Commissioner for Children and Young People monitors the safety and wellbeing of children and young people in the youth justice system, including through the Independent Visitor Program and direct engagement.

WA	WA has introduced a new model of care for youth detention centres based on a trauma-informed, therapeutic approach that prioritises safety, cultural security, rehabilitation, and throughcare to support reintegration. Young people benefit from structured daily routines, maximising time out of cell, education and vocational programs; cultural programs and mentoring delivered by ACCOs. In WA, Youth Custodial Officers complete initial entry level training and periodic training, including trauma-informed practice, suicide prevention and cultural competency. In WA, all officers undertake periodic training at the Corrective Services Training Academy. In WA, the Office of the ICS is responsible for inspecting youth detention centres, reviewing custodial services, carrying out thematic reviews and supporting the Independent Visitor Service.
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Jurisdiction	Separation of children and adults and banning solitary confinement of children
ACT	The ACT does not use solitary confinement for young people and notices of segregation are subject to independent oversight and monitoring. The <i>Children and Young People Act 2008</i> (ACT) requires all notices of segregation to be sent to the ACT Public Advocate. For Aboriginal and Torres Strait Islander young people, notices of segregation must also be sent to the Aboriginal and Torres Strait Islander Children and Young People Commissioner.
NSW	In NSW, under section 19 of the <i>Children (Detention Centres) Act 1987</i> (NSW), a young person in custody may be segregated to protect personal safety if there is an immediate risk. In 2024/25, no confinements in Youth Justice centres exceeded the 24-hour legislated maximum for a young person over the age of 16.
NT	In the NT, children deprived of liberty are held separately from adults in accordance with the <i>Youth Justice Act 2005</i> (NT) and Youth Justice operational policies and custodial standards. These frameworks require that children must not be detained in adult correctional facilities, except in strictly limited and exceptional circumstances prescribed by law. Where such exceptional circumstances arise, additional safeguards must apply, including separation from adult detainees at all times and enhanced supervision and welfare monitoring.
Queensland	Queensland ensures that youth in detention are strictly separated from adults and that solitary confinement is not used, through legislative safeguards, operational policy and independent oversight. Separation of children from adults is mandated under Queensland's HRA and may only be used in limited circumstances. Separation is governed by the Youth Justice Act and Regulation and subject to strict safeguards.
SA	The SA Youth Justice Administration Regulations 2016 govern the use of isolation and segregation at Youth Justice centres, including that it must not continue for longer than reasonably necessary. The Regulations also prohibit the use of isolation or segregation as a form of punishment.
Tasmania	Young people in Tasmania may be held in police watch houses for short periods while awaiting court or bail decisions. Under the <i>Youth Justice Act 1997</i> (Tas), youths not granted police bail must be detained in a watch house until they appear before a justice. They are accommodated separately from adults, and police are required to take all reasonably practicable steps to prevent contact with adult detainees. While young people may occasionally be housed in close proximity to adults, creating the potential for verbal contact, the Department of Justice continues to work towards improved arrangements for the detention of young people in watch houses.
Victoria	In Victoria, the new <i>Youth Justice Act 2024</i> (Vic) expressly prohibits the use of solitary confinement. Youth Justice provides tailored support to young people under community and custodial supervision, aligned to individual needs and offending patterns. Youth Justice operates distinct models for specific cohorts to ensure developmentally appropriate care and supervision. Consistent with legislative and operational requirements, young adults under and over 18 years are housed separately to ensure compliance, maintain safety, and support safety and security.

WA	In WA, young people are detained under the <i>Young Offenders Act 1994</i> (WA), which mandates that they be accommodated in dedicated youth detention facilities rather than adult prisons. Solitary confinement is not practiced; however, lockdowns occur for a number of reasons. Non-routine lockdowns are utilised for reasons including maintaining the good government, good order or security of the detention facility, for emergency management and in response to unplanned operational impacts. Due to extensive efforts to increase staffing and address infrastructure limitations, the use of confinement orders and lockdowns have steadily decreased across youth detention centres with a commensurate increase in out of cell hours.
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Jurisdiction	Measures to reduce the incarceration rate of Aboriginal and Torres Strait Islander children
NSW	The NSW Government has amended the <i>Young Offenders Act 1997</i> (NSW) to facilitate greater access to diversion for young persons and is developing a voluntary assessment, case management and referral pathway for children at risk of contact with the criminal justice system.
NT	The NT aims to address the overrepresentation of Aboriginal children in the youth justice system through expanding diversionary programs, restorative justice conferencing, and community-based alternatives to detention. Youth Justice NT has implemented measures to prevent ill-treatment, including clear policies prohibiting physical or verbal abuse, and CIDTP. There is mandatory staff training in trauma-informed practice, child-safe standards, cultural competency, de-escalation and communication techniques. Youth Justice prevent and respond to abuse and ill-treatment through strong policies, staff training, monitoring systems, accessible complaints processes, independent oversight, and clear disciplinary and criminal accountability mechanisms.
Queensland	Queensland Police are progressing initiatives to reduce the involvement of Aboriginal and Torres Strait Islander children in the justice system, including the Respected Persons Youth Co-Cautioning model introduced in May 2024. A suite of new programs aimed at reducing youth offending through early intervention and rehabilitation will help tackle the incarceration rate of Aboriginal and Torres Strait Islander youth. Queensland maintains a transparent, accessible, tailored, and culturally-responsive complaints and oversight framework for instances of physical or verbal abuse in youth detention. Youth and their advocates are supported to raise concerns, including anonymously, and complaints are managed in a way that is responsive, timely and respectful of human rights. Matters may be referred for independent investigation where appropriate, including to external oversight and integrity bodies.
SA	The SA Justice Partnership Committee and the Youth Justice Working Group are partnered with the SA Government and ACCOs Network to drive policy, promote community-led decision-making and outcomes under Targets 10 and 11.
Tasmania	Tasmania Police applies diversion as the default and preferred response for young people under the <i>Youth Justice Act 1997</i> (Tas). Broader youth justice reforms arising from the Commission of Inquiry include co-development with Aboriginal stakeholders of a strategic approach to reduce the over-representation of Aboriginal children in the justice system. The approach emphasises self-determination, prevention, early intervention, diversion, and strengthening Aboriginal community-controlled services. Within youth detention, a proposed Positive Behaviour Support Framework promotes proactive, relationship-based practices, early intervention and de-escalation, with restrictive measures used only as a last resort. Child-focused complaints mechanisms enable young people to safely raise concerns and support accountability. An Incident Review Committee oversees significant incidents, including use of force and isolation, to monitor compliance, identify improvements and support continuous learning and safer practice.

Victoria	Wirkara Kulpa is Victoria's first Aboriginal Youth Justice Strategy, with a number of key reforms, including establishing the Aboriginal family-centred program pilot to keep children under 14 out of the justice system and re-establishing Aboriginal Case Management Review Panels. Victorian Youth Justice custodial centres have operational protocols that seek to prevent and respond to instances of physical and verbal abuse, such as comprehensive risk assessments and de-escalation training. In Victoria, every Aboriginal young person in the youth justice system is allocated an Aboriginal Liaison Officer. Youth Justice also takes steps to ensure the ongoing safety in facilities, including through dynamic risk assessments.
WA	In WA, the Kimberley Juvenile Justice Strategy (KJJS) supports community-led, place-based initiatives to improve wellbeing, enhancing community safety, and reduce the overrepresentation of Aboriginal young people in the justice system. The new model of care in WA youth detention centres prioritise safety, cultural security, rehabilitation and throughcare with training provided to all new youth custodial staff. This is focused on supporting staff to respond accordingly to the needs of young people and prevent physical and verbal abuse or other forms of ill-treatment during their detention.

Reply to the issues raised in paragraph 19 of the LoIPR

Jurisdiction	Protections for people with disability
NSW	In NSW, the Forensic Hospital is a 140-bed mental health facility that provides high secure care for those with primary mental illnesses. Principles of therapeutic security and a well-rounded rehabilitation program are hallmarks of this facility.
NT	The NT Forensic Mental Health Service manages 11 clients subject to Custodial Supervision Orders under Section 43X(2)(a) of the <i>Criminal Code Act 1983</i> (NT). These individuals have been found not guilty by reason of mental impairment and are commonly referred to as Part IIA clients.
Queensland	In Queensland across the reporting period, Forensic Disability Service (FDS) has supported seven clients detained to its medium secure facility, with two clients currently being detained. FDS living conditions reflect a medium level of restriction required to appropriately manage clients with an intellectual or cognitive disability and uphold fundamental human rights. Conditions are designed to emulate a safe and home-like environment with risk-assessed personalisation possible.
Tasmania	Tasmania's <i>Mental Health Act 2013</i> (Tas) provides a comprehensive legislative framework governing detention, treatment, and safeguards for involuntary and forensic patients living with mental illness. These include protections with independent oversight (e.g. Tasmanian Civil and Administrative Tribunal, and Official Visitors programs) and statewide monitoring and reporting by the Chief Psychiatrist. Restrictive practices are tightly regulated and authorised only by approved statutory roles. Additional safeguards are noted for children under the Act. Confinement of individuals may also occur for treatment and safety reasons, such as in relation to infection prevention and control or work health and safety, where environmental circumstances impact individuals' freedom of movement within a specific area.
WA	WA's <i>Criminal Law (Mental Impairment) Act 2023</i> (WA) protects the human rights of persons with mental impairment in the justice system and ensure procedural fairness. WA has a dedicated mental health unit at Bandyup's Women's Prison, the Mental Health Support Unit at Casuarina Prison for high-risk adult male prisoners, and the Crisis Care Unit for young people with intellectual or psychosocial disability.

Jurisdiction	Measures on involuntary hospitalisation and forced institutionalisation
NSW	NSW maintains a legislative framework under the MHA, permitting involuntary hospitalisation only where statutory criteria are met, and no less restrictive options are reasonably available. Policy and funding settings prioritise community-based care, including programs that support independent living. Justice Health NSW and the Ministry of Health are committed to reducing and progressively eliminating involuntary psychiatric treatment in NSW prisons.
NT	The NT is progressing reforms to strengthen community-based mental healthcare and reduce reliance on involuntary admission where it is safe and appropriate, including expansion of community mental health services, step-up/step-down models, and increased access to outpatient care.
Queensland	In Queensland, FDS prioritises a transitional model of care, with pathways towards community transition and goal acquisition pursuant to the <i>Forensic Disability Act 2011</i> (Qld) (FDA). Clients are supported to transition to the community at the earliest suitable point in their care, and clients and support persons are active participants in the decision to admit. FDS consults and maintains strong connections to stakeholder groups, including community organisations.
Tasmania	Tasmania promotes community-based, least restrictive responses for people with psychosocial or intellectual disability. Restrictive practices are subject to oversight by the Office of the Senior Practitioner under disability safeguarding legislation. Mental health services prioritise voluntary treatment, with care delivered in hospital or community settings where appropriate. Involuntary treatment is only authorised when statutory criteria are met and is independently reviewed to ensure necessity and proportionality. The <i>Disability Rights, Inclusion and Safeguarding Act 2024</i> (Tas) promotes human rights, inclusion, accessibility, self-determination, and individual choice and control. For young people, services focus on early intervention, multidisciplinary assessment, diversion from restrictive settings, and coordinated access to community-based mental health, disability and therapeutic supports to maintain continuity of care and support participation in the community.

Jurisdiction	Instruments of restraint and force
ACT	ACT Policing's internal governance specifically highlights that members have a duty of care for all people in their custody. Where there is concern regarding a person's physical or mental health, officers must seek medical assessment or treatment. ACT Policing officers must only use approved restraints lawfully and in accordance with the AFP Commissioners Order on Operational Safety (CO3). When using force to gain compliance from persons in custody, police must ensure that only the minimum force reasonably necessary in the circumstances is used.
NSW	The NSW Government is committed to reducing and where possible eliminating the use of restrictive practices. NSW Police regulate the use of physical restraints through strict legal frameworks, mandatory operational policies, and rigorous accountability mechanisms, including the <i>Law Enforcement (Powers and Responsibilities) Act 2002</i> (NSW).
NT	The NT has established a robust framework to ensure that the use of restraint and force occurs only where strictly necessary and proportionate, is applied for the shortest possible duration, is subject to continuous monitoring and supervision, and is documented, reviewed, and independently overseen.
Queensland	In Queensland, staff of the FDS are required to operate in accordance with the FDA and with due regard to the HRA. The use of any instrument of restraint is strictly regulated and documented and may only occur when it has been formally approved and authorised by the Director of Forensic Disability. The FDS reviews the use of restraints as part of a continuous improvement process. Feedback, further training and education, and scenario-based training is implemented if/when required.

SA	In SA, Part 6A of the <i>Disability Inclusion Act 2018</i> (SA) sets out the limited circumstances in which restrictive practices can be used in the delivery of NDIS supports by NDIS providers to NDIS participants. The Act provides strong safeguards to ensure that such practices are only used in accordance with law.
Tasmania	Tasmania requires the use of force and restraints to be lawful, necessary, proportionate and applied for the minimum time required. All uses of force are subject to accountability and review processes. In youth detention, policies and staff training emphasise safe and lawful use of force, with any inappropriate use required to be reported. For people with disability, restrictive practices are regulated under the <i>Disability Rights, Inclusion and Safeguarding Act 2024</i> (Tas) and overseen by the Senior Practitioner, who authorises, reviews, amends or revokes approvals. The Senior Practitioner also has a statutory role in promoting the reduction and, wherever possible, elimination of restrictive practices. Physical restraints are further regulated under the Disability Rights, Inclusion and Safeguarding Regulations 2025, which identify prohibited restraint practices.
WA	WA's <i>Prisons Act 1981</i> (WA) outlines the requirement for the use of force and restraints, along with Commissioners Operating Policy and Procedure. Force is used as a last resort if other means for safety or security are unsuccessful.

Jurisdiction	Medical treatment and interventions of persons with disabilities
NSW	Under NSW's <i>Guardianship Act 1987</i> (NSW), only the NSW Civil and Administrative Tribunal can consent to treatment intended, or reasonably likely to have the effect of rendering a person permanently infertile, if the person cannot provide their own consent, and to save the patient's life or to prevent serious injury.
NT	NT Health operates under legislative and policy frameworks that require prior and informed consent for medical treatment wherever a person has decision-making capacity. Additional safeguards apply for people with cognitive or psychosocial impairment, including substitute decision-making provisions, guardianship frameworks and clinical review processes.
Queensland	Queensland's <i>Guardianship and Administration Act 2000</i> (Qld)(GAA) and <i>Powers of Attorney Act 1998</i> (Qld) provide a scheme for persons to be appointed to make personal decisions, including health matters, on behalf of adults who do not have capacity themselves. Under the GAA, sterilisation and termination of pregnancy are classified as 'special health care' and require approval from the Queensland Civil and Administrative Tribunal, which is required to make decisions consistent with the Human Rights Act and consider a person's wishes, rights and cultural background. The FDA does not authorise major, intrusive or irreversible procedures such as sterilisation, and any such decisions must be made under the GAA.
SA	SA's <i>Guardianship and Administration Act 1993</i> (SA) provides that, except in a medical emergency, a medical practitioner must not give "prescribed treatment" to a person who, by reason of his or her mental incapacity, is incapable of giving effective consent, and the SA Civil and Administration Tribunal must give consent.
Tasmania	Tasmania's legislative framework emphasises informed consent, autonomy and strong safeguards for medical treatment of people with disability or impaired decision-making capacity. Where a person cannot provide consent, the <i>Guardianship and Administration Act 1995</i> (Tas) provides substitute decision-making arrangements, with certain "special treatments" requiring approval from the Tasmanian Civil and Administrative Tribunal (TASCAT). These include sterilisation or other treatments affecting fertility, termination of pregnancy, tissue donation, psychosurgery and treatments involving aversive stimuli. The <i>Mental Health Act 2013</i> (Tas) requires assessment of decision-making capacity and informed consent wherever possible, with involuntary treatment permitted only where statutory criteria are met and subject to independent review. Disability legislation further promotes human rights, self-determination and supported decision-making. For children and young people, clinical services emphasise informed consent, age-appropriate participation, guardian involvement where required, and safeguards for complex consent matters.

Victoria	Victoria's <i>Guardianship and Administration Act (GAA) 2019</i> (Vic) provides that a "special medical procedure" (sterilisation, abortion or tissue donation) can only be carried out on an adult without decision-making capacity in an emergency, if the Victorian Civil and Administrative Tribunal has given consent to the procedure, or where the Tribunal has specifically authorised the procedure.
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Jurisdiction	Solitary confinement regarding people with disability
NSW	The NSW Government is committed to reducing the use of restrictive practices with respect to people with disability. Justice Health applied evidence-based practices to minimise seclusion in the Forensic Hospital, including close monitoring and data-driven performance, staff training, diversional and therapeutic activity.
Queensland	In Queensland there are no mechanisms in place through which a client is subjected to solitary confinement within the FDS. Any period of seclusion is short-term, time-limited, justifiable, considers relevant legislation and is reviewed at least every three hours.
Tasmania	In Tasmania a person's disability and mental health is given consideration when a separation order is being considered and any person placed in separation is seen by health staff. Tasmania's <i>Disability Rights, Inclusion and Safeguarding Act 2024</i> (Tas) identifies seclusion as a restrictive practice. Tasmania's framework requires restrictive practices to be a last resort, least restrictive and reduced, and where possible, eliminated. The Tasmanian Disability Commissioner is responsible for establishing and monitoring safeguards to prevent violence, abuse, neglect, coercion and exploitation of people with disability, and may respond to allegations by referring matters to appropriate authorities or conducting investigations.
Victoria	In Victoria, solitary confinement is strictly prohibited for young people. The <i>Youth Justice Act 2024</i> (Vic) outlines the Youth Justice Commissioner's powers to authorise the use of isolation only where it is necessary and appropriate in limited high-risk circumstances. Isolation must not be authorised unless all other reasonably practicable behavioural, relational, and therapeutic interventions have been attempted.
WA	WA Corrections do not use or apply the term Solitary Confinement, but separate confinement is outlined in Section 43 of the <i>Prisons Act 1981</i> (WA) and Commissioner Operating Policy and Procedure. Consideration is given to the impact separate confinement may have on prisoners with vulnerabilities including disability or mental health conditions.

Jurisdiction	Measures to prevent indefinite detention
ACT	In the ACT, an accused person found not guilty by reason of mental impairment or unfit to stand trial cannot be subjected to an order for longer than the term of imprisonment. The ACT Government has also pursued broader reforms to promote equitable treatment within the justice system through the Disability Justice Strategy. In the ACT, Disability Liaison Officers at courts and tribunals help reduce the risk of inappropriate or prolonged detention and enhance procedural fairness.
Queensland	Queensland's FDA and MHA together provide the primary statutory safeguards, ensuring that people with intellectual, cognitive or psychosocial disabilities who are found unfit for trial or not guilty due to cognitive or mental health impairment are not detained indefinitely or for excessive periods, and in a way that is justifiable and proportionate to the alleged offence. Under the FDA, individuals subject to Forensic Disability Orders are managed within a therapeutic, rights-based framework, and reviewed by the Mental Health Review Tribunal every six months.
Tasmania	The Tasmanian Government is currently developing a range of reforms in relation to individuals found to be unfit to plead or stand trial and their interaction with the justice and corrections system. These reforms will be informed by the Tasmania Law Reform Institute

	report Review of the Defence of Insanity in s 16 of the Criminal Code and Fitness to Plead, Tasmania Law Reform Institute, Final Report No. 27, as well as the Tasmanian Government's participation in a national working group working on a National Statement of Principles relating to Persons Unfit to Plead or Not Guilty by Reason of Cognitive or Mental Health Impairment.
WA	WA's <i>Criminal Law (Mental Impairment) Act 2023</i> (WA) is consistent with the National Principles, including in respect of indefinite detention, requiring a court to impose a limiting term on orders for those found not guilty on account of mental impairment or unfit to stand trial.

Reply to the issues raised in paragraph 20 of the LoIPR

Jurisdiction	National Preventive Mechanisms
ACT	Between May and June 2025, the ACT and Commonwealth NPM conducted a joint program of visits to the ACT Watch House, Belconnen Police Station, Gungahlin Police Station, Tuggeranong Police Station, Woden Police Station and Jervis Bay Police Station. Visits to the ACT Watch House during this period consisted of announced, and semi-announced visits. At all times, ACT Policing ensured the members of the NPM had access to areas within the custody facilities, on-shift staff, and persons in custody as needed.
Tasmania	Tasmania has robust external oversight through the Ombudsman, Integrity Commission, Custodial Inspector and Tasmania's National Preventive Mechanism.

Articles 12-13

Reply to the issues raised in paragraph 21 of the LoIPR

Jurisdiction	Independent investigation of complaints of torture and ill-treatment
ACT	In the ACT, the AFP provides policing services, which is overseen by the OCO in its role as Commonwealth and ACT Ombudsman. In 2025, the OCO released the report <i>Use of force by ACT Policing: more to do to lessen harm</i> . The review considered operational safety curricula, observing training, and reviewed data and use of force reports and made 13 recommendations. ACT Policing accepted two, partially accepted eight, and did not accept three. ACT Policing is implementing the actions proposed in the response to the report. The OCO is monitoring the implementation.
NSW	In NSW, an internal Use of Force Review Committee independently assesses incidents involving excessive use of force, which are referred to an external Professional Standards and Investigations directorate Branch.
NT	Allegations of excessive force within the NT Police Force are managed through a structured accountability framework to ensure transparency and public confidence. Investigations are conducted by the Professional Standards Command (PSC) under the <i>Police Administration Act 1978</i> (NT). Independent oversight is provided by the Northern Territory Ombudsman and the Independent Commissioner Against Corruption. Where a death in custody occurs, the Northern Territory Coroner conducts an independent investigation under the <i>Coroners Act 1993</i> (NT).
Queensland	The Queensland Office of the DPP is required under law in certain circumstances to provide information regarding the prosecutions of certain individuals, and the Commissioner of the Queensland Police Service and Chief Executive of Corrective Services is notified.
SA	In SA, the Office for Public Integrity assesses complaints about police conduct, including the use of excessive force, and matters may be heard by the Police Disciplinary Tribunal.

Tasmania	In Tasmania, all incidents involving force are reviewed by the Operational Skills Unit to identify issues or trends and are assigned for investigation if necessary. Complaints can be received from members of the public (including referrals from oversight bodies) or raised internally. Serious complaints are notified to the Tasmanian Integrity Commission which may choose to audit police investigations and publish its findings. Representatives from the NPM regularly review conditions at AYDC through the Custodial Inspector.
Victoria	In Victoria, complaints against police, including allegations of excessive or unreasonable use of force, may be formally investigated by PSC, which may be referred to the Independent Broad-based Anti-Corruption Commission.
WA	WA's People Culture and Standards Division is responsible for assessing and investigating allegations relating to prison staff, including incidents involving the excessive use of force, with oversight from Police, Public Sector Commission, Corruption and Crime Commission or Ombudsman Reportable Conduct Scheme.

Jurisdiction	Interactions between CDPP and investigative authorities
Queensland	The Queensland Office of the Director of Public Prosecutions (ODPP) relies on investigative agencies to investigate offences and prepare briefs of evidence to support prosecutions. The ODPP primarily works with police, but also other government agencies. All ODPP employees are subject to the Code of Conduct for the Queensland Public Service.
SA	The SA Office of Public Prosecutions is responsible for prosecuting major indictable offences, and relies on investigating agencies, such as Police and the Independent Commission Against Corruption (ICAC), to investigate alleged offences, gather evidence and prepare preliminary briefs of evidence. Upon receiving the preliminary brief, the Office will consider whether there is sufficient evidence to proceed with charges. Other offences are usually prosecuted by specialist police prosecutors.
Tasmania	Tasmania has established processes for reviewing and investigating use of force and allegations of official misconduct. Where investigations identify potential criminal offences, summary offences or code of conduct breaches, matters are referred to the independent Director of Public Prosecutions for consideration.

Jurisdiction	Complaints systems in places of detention
NSW	NSW's Law Enforcement Conduct Commission has arrangements in place that allow prisoners to make confidential complaint to it about the conduct of NSW Police Force personnel.
Tasmania	Tasmania has established mechanisms for receiving, investigating and overseeing complaints in places of detention. In correctional settings, all planned and unplanned uses of force are recorded, reviewed through post-incident debriefs and examined by a Use of Force Review Panel. Police complaints are investigated by Professional Standards under a formal complaints framework, with serious matters and complaints involving senior officers notified to the independent Integrity Commission, which may audit investigations and publish findings. Deaths in custody are investigated by Professional Standards in conjunction with the Coroner, with potential criminal or disciplinary matters referred to the Director of Public Prosecutions. At AYDC, allegations of misconduct are assessed and overseen by the Complaints Management Oversight Unit. Matters involving reportable conduct must be notified to the Office of the Independent Regulator within statutory timeframes, ensuring timely investigation, independent oversight and accountability.
WA	WA's Police Force maintains accessible complaints mechanisms in all custodial environments, including police stations and watchhouses, with detainees informed of their rights and complaint options. Complaints are formally recorded, investigated and subject to

	oversight by Professional Standards, with independent review available through bodies such as the Corruption and Crime Commission.
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Jurisdiction	Alleged perpetrators relieved of duties during investigation
Tasmania	In Tasmania, where allegations of misconduct arise in custodial settings, investigative processes are separated from operational management and subject to independent oversight. Tasmania Police investigations are undertaken by Professional Standards officers outside the chain of command of those being investigated, while matters involving commissioned officers are investigated by the Integrity Commission. Where appropriate, allegations may be referred to the Director of Public Prosecutions for consideration of criminal charges. In youth detention, all suspected criminal conduct is reported to Tasmania Police and investigated independently and in accordance with procedural fairness. DECYP may engage external investigators, and reportable conduct matters are subject to oversight by the Office of the Independent Regulator. Depending on the circumstances and risks involved, staff may be removed from operational duties while investigations are undertaken. Broader oversight is provided by bodies including the Ombudsman, Integrity Commission, Custodial Inspector and Tasmania's National Preventive Mechanism.
WA	Under the provisions of the <i>Public Sector Management Act 1994</i> (WA), the employer may suspend an employee if the People Culture and Standards (PCS) division suspects the employee has committed a breach of discipline. An assessment is undertaken immediately on receipt of the information and in accordance with the <i>Public Sector Commission Commissioner's Instructions 3 – Discipline – general</i>, PCS will consider the seriousness of the allegations, the nature of the employment and whether the prison staff's presence in the workplace may pose a serious risk.

Reply to the issues raised in paragraph 22 of the LoIPR

Jurisdiction	Data on acts of torture
NSW	In NSW, between March 2023 and March 2026, 222 complaints received from the state Ombudsman related to excessive use of force or ill treatment, with a breakdown as follows: 126 for use of force, 49 for inmate discipline, 20 for staff conduct, 16 for multiple issues, and 11 for strip searches.
SA	In SA, between 1 November 2022 and 21 May 2026, 815 complaints and 141 reports about proper exercise of authority were made to the Office for Public Integrity about the SA Police. Allegations of excessive force are ordinarily classified as 'proper exercise of authority', which also includes other complaints in which it is alleged that police have exceeded their authority.
Tasmania	In Tasmania, during the reporting period, 65 allegations of assault by police were received, with outcomes including dismissal, or court proceedings and guilty findings.
Victoria	In Victoria the Independent Broad-Based Anti-Corruption Commission (IBAC) received 2,376 complaints and notifications relating to Victoria Police in 2025. 81 percent related to inaction, breaches of professional boundaries, or use of force. Investigations finalised in 2025 considered alleged use of excessive force, improper searches, unlawful arrests and unlawful search and entry, leading to 51 recommendations to Victoria Police to address systemic misconduct and strengthen internal investigation practices. Victoria Police has updated policies, procedures, guidance and training.

Article 14

Reply to the issues raised in paragraph 23 of the LoIPR

Jurisdiction	Redress and compensation measures for torture or ill-treatment
SA	In SA, the <i>Victims of Crime Act 2001</i> (SA) provides that a victim of crime has the right to have access to information about how to obtain compensation or restitution for harm suffered as the result of an offence. There are a range of different types of compensation that a victim of crime may be entitled to in SA, including offender-paid compensation and restitution, state-funded compensation from the Victims of Crime Fund, and other payments.
Tasmania	The statutory victims of crime compensation scheme in Tasmania is known as the Victims of Crime Assistance (VoCA) Scheme. It is administered by the Department of Justice and is governed by the <i>Victims of Crime Assistance Act 1976</i> (Tas). While an offence needs to be established to invoke the Act, awards of compensation are not tied to outcomes of criminal proceedings and there does not need to have been any criminal proceedings held establishing guilt, whether by verdict or plea. Victims of Crime Services are also available, free of charge, to victims of violent crime requiring counselling and support services together with information and referral. In Tasmania, future medical, dental, psychological and counselling expenses can be awarded. This means that victims do not have to wait until finishing all treatment before making a claim.
Victoria	Victoria's Victims of Crime Financial Assistance Scheme provides assistance to victims of violent crime, including financial assistance for counselling, medical, safety-related and recovery expenses. The Scheme does not require a criminal proceeding or finding of guilt to be recorded against the alleged offender and can provide assistance to victims notwithstanding any civil proceedings the victim may pursue.

Jurisdiction	Access to effective remedies when perpetrators have not been identified or found guilty
NSW	In NSW, a victim of an 'act of violence', as defined in the <i>Victims Rights and Support Act 2013</i> (NSW), may be eligible for victims support through the Victims Support Scheme, including counselling, financial assistance and recognition payments. A victim may be eligible for victims support even if the perpetrator has not been identified or found guilty of an offence.
Queensland	In Queensland, eligible victims of violent crime can apply for and receive, financial assistance, under the <i>Victims of Crime Assistance Act 2009</i> (Qld)(VCAA), where the violence was committed in the state. Under the VCAA, financial assistance may be granted to an eligible victim.
SA	In SA, there are a range of potential remedies (such as compensation) that may be available to victims of torture and ill-treatment, including in circumstances where the perpetrator has not been identified or found guilty of an offence.
Tasmania	Under Tasmania's Victims of Crime Assistance (VoCA) Scheme awards of compensation are not tied to outcomes of criminal proceedings and there does not need to have been any criminal proceedings held establishing guilt, whether by verdict or plea. Victims of Crime Services are also available, free of charge, to victims of violent crime requiring counselling and support services together with information and referral. In Tasmania, future medical, dental, psychological and counselling expenses can be awarded. This means that victims do not have to wait until finishing all treatment before making a claim.

Article 16

Reply to the issues raised in paragraph 25 of the LoIPR

Jurisdiction	Legislative measure to prohibit corporal punishment
NSW	NSW legislation limits the use of excessive physical force to punish children through the <i>Crimes Act 1900</i> (NSW). Corporal punishment is prohibited in public and private schools under the <i>Education Act 1990</i> (NSW), and the <i>Children (Education and Care Services National Law Application) Act 2010</i> (NSW) prevents any unreasonable corporal punishment or form of discipline.
NT	In the NT, the <i>Youth Justice Legislation Amendment Act 2018</i> (NT) specifically prohibits the administering of corporal punishment of children in detention. Under section 162 of the <i>Education Act 2015</i> (NT), corporal punishment is expressly prohibited in schools and early childhood sectors.
Queensland	Corporal punishment is explicitly prohibited in Youth Detention Centres under Queensland's Youth Justice Regulation. Staff are required to respond to behaviour using approved de-escalation and behaviour support approaches. Compliance is reinforced through mandatory training, internal oversight and external monitoring mechanisms. Any allegation of prohibited conduct is subject to investigation and may be referred to external oversight bodies.
SA	In SA, corporal punishment is prohibited in preschools and children's services centres and in government and non-government schools under the <i>Education and Children's Services Act 2019</i> (SA). In SA, the use of physical force against an adult or a child without their consent is assault under the <i>Criminal Law Consolidation Act 1935</i> (SA). However, the use of moderate and reasonable chastisement by a parent or caregiver against a child remains legally defensible in certain contexts. The defence does not apply to the use of excessive force or where the use of force is motivated by rage, malice or gratification
Tasmania	Tasmania's <i>Youth Justice Act 1997</i> (Tas) is currently under review to implement Recommendation 12.33 from the Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings. This Recommendation states the Act should be amended so that, subject to provisions on searches and isolation, force may only be used in detention when reasonable and necessary to prevent an imminent and serious threat of harm to a person or to prevent an imminent escape when all other means of control have been exhausted and force must be used for the minimum time necessary. In terms of care settings, a wholesale review of the <i>Children, Young Persons and Their Families Act 1997</i> (Tas) will commence in December 2026.
Victoria	Under Victoria's Charter of Human Rights, public authorities in the adult correction system are required to act in a way that is compatible with human rights, including protections against torture and CIDTP.

Reply to the issues raised in paragraph 26 of the LoIPR

Jurisdiction	Use of tasers
ACT	ACT Policing officers can only use conducted electrical weapons (CEWs) lawfully and in accordance with the AFP Commissioners Order 3 (CO3). Under section 9.2 of CO3, ACT Policing officers may only use a CEW against another person or animal where they believe on reasonable grounds the use is necessary to defend themselves or others, or resolve an incident where a person is acting in a manner likely to injure themselves, an appointee, or another person, where protection cannot be afforded less forcefully. Under section 9.3 of CO3, ACT Policing officers must, where practicable, identify themselves as police, and must give clear oral warning of their intention to use a CEW. Internal governance relating to the use of a CEW advises ACT Policing officers must, where practicable, consider the use of a CEW on higher risk populations prior to every application.
NSW	In 2019, Corrective Services NSW (CSNSW) established an internal Use of Force Review Committee. All incidents involving excessive use of force within CSNSW are referred to the Committee for independent assessment. Where the Committee determines that force was excessive and identifies potential misconduct, the matter is escalated to the Department of Communities and Justice (DCJ) Professional Standards and Investigations (PSI) Branch for further investigation and, where appropriate, disciplinary action. Where the potential for criminal charges is identified, a NSW Police team, embedded in CSNSW also review the use of force.
Tasmania	Tasmania tightly regulates the use of tasers, which may only be used by appropriately trained staff and in accordance with principles of necessity, proportionality and last resort. Tasmania Police currently restricts taser use to Special Operations Group members, with any use requiring clear justification and consideration of less intrusive options first. Additional safeguards apply to higher-risk groups, including children, older people and pregnant persons. These requirements are supported by legislation, policy and operational procedures designed to minimise harm and ensure the least restrictive response.
Victoria	In Victoria, custodial staff do not have authority to access or use tasers in correctional facilities.
WA	In WA, the use of tasers in correctional facilities is limited to specialist roles with the Corrective Services Special Operations Group (SOG). SOG officers must complete initial training and assessment before carrying or using such devices, and annually thereafter. Training incorporates technical proficiency, critical thinking and judgement in decision-making and relevant legislation, codes of conduct and ethics. Ongoing monitoring of competency also contributes to safe, lawful, and accountable operational practice.

Jurisdiction	Investigating causes of disproportionate use against Aboriginal and Torres Strait Islander people and minorities
NSW	The use of police powers against Aboriginal and Torres Strait Islander people is a focus area for the NSW Law Enforcement Conduct Commission, and is given priority in its investigations, complaint oversight and systemic work.
NT	All use of force incidents, including Electronic Control Device (ECD) deployment are subject to mandatory reporting, a centralised reporting and data collection framework, internal oversight and review mechanisms, and external oversight and scrutiny by bodies such as the NT Ombudsman and Independent Commissioner Against Corruption. The combination of data driven oversight, mandatory reporting, and culturally-informed decision-making supports ongoing monitoring and mitigation of any disproportionate impacts.

SA	In SAPOL, devices commonly referred to as "tasers" are formally identified as either Electronic Control Devices (ECDs) or Conducted Energy Weapons (CEWs). Their use is subject to comprehensive internal and external oversight arrangements designed to ensure deployments are lawful, proportionate and consistent with SAPOL policy. All ECD and CEW use is subject to mandatory reporting and review. SAPOL's Internal Investigation Section (IIS) maintains oversight of all reported ECD and CEW incidents and reviews deployments to assess compliance with General Orders and the SAPOL Code of Conduct. Category A incidents (discharge) are directly investigated by IIS, while all categories of use (e.g. presentation only) are subject to recording and supervisory review. External oversight is provided by the Office for Public Integrity (OPI), which has full access to SAPOL's complaint management system (IAPRO) and oversees complaints and potential misconduct matters involving police. Where IIS identifies information suggesting an ECD or CEW deployment may be inconsistent with policy or constitute a breach of the Code of Conduct, a complaint is raised and referred through established processes, triggering OPI oversight. This framework ensures independent scrutiny of allegations of misconduct and promotes transparency and accountability in the use of ECD/CEW.
Tasmania	Tasmania applies oversight and review mechanisms to all uses of force. All incidents are reviewed by a Use of Force Panel, including consideration of whether de-escalation options were available and whether force was justified. Tasmania Police does not currently use tasers as part of its standard response; however, a 12-month trial commencing in July 2026 will include evaluation across a limited number of frontline officers. In youth detention, tasers are prohibited. Staff at AYDC are not permitted to possess or use tasers, consistent with legislation and departmental policy. These arrangements apply across the population, including Aboriginal people and other minority groups, and are intended to support accountability and proportionality in the use of force.
Victoria	In Victoria, custodial staff do not have authority to access or use tasers in correctional facilities.
WA	WA Police Force's use of force training and reporting frameworks support consistent decision making and accountability, with reports and review processes designed to capture incident details and support monitoring and quality assurance. The Standards and Legal Command reviews any complaint of excessive use of force pursuant to the WA Police Force Code of Conduct and Police Manual and takes appropriate action, including applying a range of sanctions, or terminating employment where appropriate, against any member found to have breached the WA Police Force's policies on use of force.

II. Other issues

Reply to the issues raised in paragraph 27 of the LoIPR

Jurisdiction	Counter-terrorism measures
NSW	NSW Police respond to terrorism threats through an updated, comprehensive, and permanently structured strategy. The response spans prevention, tactical readiness, community engagement, and legislative enforcement. Features include: - A permanent Counter-terrorism and Special Tactics Command, which oversees highly trained units, including the Tactical Operations Unit, State Protection Group, and dedicated units that resolve sieges, armed confrontations, and bomb threats. - Membership of the Australia New Zealand Counter-terrorism Committee which provides the agreed policing framework and

	direction for managing consistent terrorist related responses across jurisdictions.
Queensland	Queensland's Counter-Terrorism Investigations Group within the Police's Security and Counter-Terrorism Command, contributes responses to terrorism through its operational role in investigating and disrupting terrorism-related activity. The Group operates within national counter-terrorism frameworks, including offence provisions, preventative measures, and investigative powers available to law enforcement and intelligence agencies. Activities are undertaken in accordance with established legislative and policy frameworks that include safeguards relating to the use of powers, accountability, and oversight. Operational decisions are made within these frameworks, which incorporate legal requirements and protections relevant to counter-terrorism activity.
SA	In 2025, SA's Parliament passed laws to extend the operation of the <i>Terrorism (Police Powers) Act 2005</i> (SA) and the <i>Terrorism (Preventative Detention) Act 2005</i> (SA) for a further 10 years. These laws ensure that police have the necessary and appropriate powers required to prevent and investigate terror acts, including the power to temporarily detain terror suspects to prevent the occurrence of a terrorist act or to preserve evidence.
Tasmania	Tasmania's <i>Terrorism (Preventative Detention) Act 2005</i> (Tas) addresses the response to threats of terrorism. Applications for orders under that Act are determined by the Supreme Court. Section 30 of the Act directs that a person in custody or detention must be treated with humanity and respect, and must not be subjected to cruel, inhumane or degrading treatment.
Victoria	Victoria's <i>Terrorism (Community Protection) Act 2003</i> (Vic) contains a suite of powers and mechanisms that broadly assist police responses to threats of terrorism. These primarily relate to the prevention of, and the response to, terrorist acts but also include therapeutic interventions to advance the welfare of persons vulnerable to violent extremism.

Jurisdiction	Safeguards for counter-terrorism measures
NSW	In NSW, police provide counter-terrorism training, including on legislation and safeguards, to police across all ranks and in general and specialist commands. Police officers also attend national training, including investigative training, delivered under the auspices of the ANZCTC.
Queensland	In Queensland, training is provided to law enforcement officers on counter-terrorism matters. Investigator training includes a structured, multi-day formal course along with desktop exercises to test responses and capabilities for terrorism matters. Legal officers deliver a component of investigator training to provide advice and guidance regarding safeguards and oversight under both Queensland and Commonwealth legislation. In Queensland, safeguards and remedies are established in legislation and oversight frameworks.
SA	In SA, the <i>Terrorism (Police Powers) Act 2005</i> (SA) provides that the powers under the legislation must be exercised with care to avoid inflicting unnecessary physical harm, humiliation or embarrassment, offending cultural or religious beliefs and unnecessary damage to property. Where a special powers authorisation ceases to operate, the Commissioner of Police must report it to the Attorney-General and Minister for Police with the terms of the authorisation and matters relied upon to issue it, and a copy must be tabled in Parliament. The <i>Terrorism (Preventative Detention) Act 2005</i> (SA) requires a preventative detention order be referred to the Supreme Court as soon as practicable after detention.
Tasmania	In Tasmania, the <i>Criminal Code Act 1924</i> (Tas), the <i>Police Powers (Public Safety) Act 2005</i> (Tas) and the <i>Terrorism (Preventative Detention) Act 2005</i> (Tas) contain conditions that constitute safeguards for counter-terrorism measures. The Emergency Management Special Response Command serves as a critical link between State and Commonwealth priorities in the prevention of terrorism and violent extremism. The highly skilled members of that Command are trained to adhere to State and Commonwealth legislation including that which relates to the rights of persons in custody who are suspected of involvement in terrorist acts.

Victoria	Victoria Police support organisational capability to respond to complex and high-risk threats through structured training and preparedness activities that incorporate legislative safeguards and human rights considerations. Training contributes to ensuring that members engaged in counter-terrorism and related operations understand the balance between community safety and the protection of individual rights, reinforced through specialised training, operational exercises, and integration with broader national frameworks.
WA	In WA, specialist police officers within the Counter-terrorism and Emergency Response Command receive specialist counter-terrorism training through the WA Police Force and nationally coordinated ANZCTC programs. These programs develop capability in terrorism investigations, intelligence, legislative and operational command. Officers also participate in protective security training and multi-agency exercises to maintain operational readiness, strengthen coordination arrangements and support effective responses to terrorism-related incidents. In the WA Police Force, individuals subject to counter-terrorism measures are protected by legal safeguards, including court oversight and statutory thresholds. In WA, safeguards are supported by the <i>Terrorism (Preventative Detention) Act 2006</i> (WA) which provides statutory limits on detention, access to legal representation, Supreme Court oversight and avenues for complaint, including to the Ombudsman WA and the Office of the Inspector of Custodial Services. No specific complaints have been identified in WA alleging non-observance of international standards in the application of counter-terrorism measures. Broader concerns about compliance have generally been raised at the national level in relation to Australian counter-terrorism and detention powers.