



Justice - Rebalancing the justice system - Independent police oversight bodies and \$382 million for oversight of the Optional Protocol to the Convention Against Torture

Party:	Australian Greens
<p>Summary of proposal:</p> <p>The proposal has 2 components:</p> <ul style="list-style-type: none">• Component 1: implement oversight of Australia’s obligations under the Optional Protocol on the Convention Against Torture (OPCAT) by providing \$382 million over 4 years to set up a monitoring system to ensure all imprisoned people have their human rights respected and affirmed while in custody. An equal funding contribution would be provided by the states and territories.• Component 2: establish an independent Police Ombudsman in each state and territory and the Commonwealth. Funding would be split equally between the states and territories and the Commonwealth for the non-Commonwealth jurisdictions. <p>The proposal would start on 1 July 2026.</p>	
<p>Additional information (based on further advice provided):</p> <p>Component 1 of the proposal would be non-ongoing, distribute funding evenly over 4 years of the proposal and include departmental funding from within the capped amount.</p> <p>For component 2 of the proposal, the structure and funding for the Police Ombudsmen would be based upon the Police Ombudsman for Northern Ireland. Funding would be ongoing and indexed to the Consumer Price Index (CPI).</p>	

Costing overview

The proposal would be expected to decrease the fiscal and underlying cash balances by around \$710 million over the 2025-26 Budget forward estimates period (see Table 1). This impact reflects an increase in administered and departmental expenses.

The proposal would be expected to have an impact beyond the 2025-26 Budget forward estimates period. A breakdown of the financial implications (including separate public debt interest (PDI) tables) over the period to 2035-36 is provided at Attachment A.

The Parliamentary Budget Office (PBO) has not made any assessment as to whether the specified funding would be sufficient to meet the objectives of the proposal.

Table 1: Justice - Rebalancing the justice system - Independent police oversight bodies and \$382 million for oversight of the Optional Protocol to the Convention Against Torture – Financial implications (\$m)^{(a)(b)}

	2025-26	2026-27	2027-28	2028-29	Total to 2028-29
Fiscal balance	-	-243.5	-246.5	-219.5	-709.5
Underlying cash balance	-	-243.5	-246.5	-219.5	-709.5

(a) A positive number represents an increase in the relevant budget balance; a negative number represents a decrease.

(b) PDI impacts are not included in the totals.

- Indicates nil.

Key assumptions and methodology

Component 1 of the proposal is capped at a fixed amount, evenly distributed over 4 years from the commencement date. Departmental expenses were estimated based on the cost of administering similar programs and are included within the capped funding amount. Administered expenses are as specified in the proposal, less expected departmental expenses.

Costs for Component 2 of the proposal were determined using the operating budget of the Police Ombudsman for Northern Ireland from its 2023-24 Annual Report, with additional establishment costs over the first 2 years of operation. We assume that a body similar in size and scope to the Police Ombudsman for Northern Ireland would be required for each jurisdiction and that the states and territories would agree to pay half of the establishment and ongoing operating costs for their respective Ombudsman. There would be no additional departmental costs for existing government agencies as the entities created under the proposal would be independent and self-directed.

We assume that no funds allocated to a given year are left unspent.

Financial implications were rounded consistent with the PBO's rounding rules.¹

Data sources

Commonwealth of Australia (2025) *Pre-election Economic and Fiscal Outlook 2025*, Commonwealth of Australia.

Departmental expenses were informed by similar measures in the Commonwealth budgets from 2015-16 to 2021-22.

Police Ombudsman for Northern Ireland (2025) [Annual Report & Accounts for the year ended 31 March 2024](#), Police Ombudsman for Northern Ireland, accessed 20 May 2025.

Reserve Bank of Australia (2025) [Exchange Rates – Daily – 2023 to Current](#) [data set], Reserve Bank of Australia website, accessed 20 May 2025.

¹ <https://www.pbo.gov.au/for-parliamentarians/how-we-analyse/pbo-rounding-rules>

Attachment A – Justice - Rebalancing the justice system - Independent police oversight bodies and \$382 million for oversight of the Optional Protocol to the Convention Against Torture – Financial implications

Table A1: Justice - Rebalancing the justice system - Independent police oversight bodies and \$382 million for oversight of the Optional Protocol to the Convention Against Torture – Fiscal and underlying cash balances (\$m)^(a)

	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34	2034-35	2035-36	Total to 2028-29	Total to 2035-36
Expenses													
Administered													
<i>Component 1: Implement OPCAT oversight</i>	-	-90.7	-93.1	-93.1	-93.1	-	-	-	-	-	-	-276.9	-370.0
<i>Component 2: Establish independent Police Ombudsmen</i>	-	-148.0	-151.0	-124.0	-127.0	-130.0	-134.0	-137.0	-140.0	-144.0	-147.0	-423.0	-1,382.0
Total – administered	-	-238.7	-244.1	-217.1	-220.1	-130.0	-134.0	-137.0	-140.0	-144.0	-147.0	-699.9	-1,752.0
Departmental													
<i>Component 1: Implement OPCAT oversight</i>	-	-4.8	-2.4	-2.4	-2.4	-	-	-	-	-	-	-9.6	-12.0
Total – departmental	-	-4.8	-2.4	-2.4	-2.4	-	-	-	-	-	-	-9.6	-12.0
Total (excluding PDI)	-	-243.5	-246.5	-219.5	-222.5	-130.0	-134.0	-137.0	-140.0	-144.0	-147.0	-709.5	-1,764.0

(a) A positive number for the fiscal balance indicates an increase in revenue or a decrease in expenses or net capital investment in accrual terms. A negative number for the fiscal balance indicates a decrease in revenue or an increase in expenses or net capital investment in accrual terms. A positive number for the underlying cash balance indicates an increase in receipts or a decrease in payments or net capital investment in cash terms. A negative number for the underlying cash balance indicates a decrease in receipts or an increase in payments or net capital investment in cash terms.

- Indicates nil.

Table A2: Justice - Rebalancing the justice system -Independent police oversight bodies and \$382 million for oversight of the Optional Protocol to the Convention Against Torture – Memorandum item: Public Debt Interest (PDI) impacts – Fiscal and underlying cash balances (\$m)^{(a)(b)}

	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34	2034-35	2035-36	Total to 2028-29	Total to 2035-36
<i>Fiscal balance</i>	-	-5.4	-16.4	-27.5	-38.5	-48.1	-56.2	-64.8	-74.0	-83.8	-94.3	-49.3	-509.0
<i>Underlying cash balance</i>	-	-4.0	-13.7	-24.7	-35.8	-45.7	-54.2	-62.6	-71.7	-81.4	-91.7	-42.4	-485.5

- (a) As this table is presented as a memorandum item, these figures are not reflected in the totals above. This is consistent with the approach taken in the budget where the budget impact of most measures is presented excluding the impact on PDI. If the reader would like a complete picture of the total aggregate, then these figures would need to be added to the figures above. For further information on government borrowing and financing please refer to the PBO's online budget glossary.²
- (b) A positive number for the fiscal balance indicates an increase in revenue or a decrease in expenses or net capital investment in accrual terms. A negative number for the fiscal balance indicates a decrease in revenue or an increase in expenses or net capital investment in accrual terms. A positive number for the underlying cash balance indicates an increase in receipts or a decrease in payments or net capital investment in cash terms. A negative number for the underlying cash balance indicates a decrease in receipts or an increase in payments or net capital investment in cash terms.
- Indicates nil.

² [Online budget glossary – Parliamentary Budget Office \(pbo.gov.au\)](https://pbo.gov.au/)