



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**JACS No. 45**

**STANDING COMMITTEE ON JUSTICE AND COMMUNITY SAFETY**

**JEREMY HANSON CSC MLA (CHAIR), MARISA PATERSON MLA (DEPUTY CHAIR), JO CLAY MLA**

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION ON NOTICE**

Asked by Mrs Elizabeth Kikkert MLA: To ask the Public Advocate and Children and Young People Commissioner

In relation to: **Lockdowns at Bimberi Youth Justice Centre and their consequences**

Ref: ACT Human Rights Commission Annual Report 2019–20, pp. 64–65

In relation to:

1. The annual report notes that rolling lockdowns at Bimberi caused by staffing shortages significantly impacted on educational opportunities and may have contributed to increased use of force and timeouts (pp. 68, 70). What are the human rights implications of confining children and young people to their quarters because of inadequate staffing?

ACT Human Rights Commission: The answer to the Member's question is as follows:–

The rights in the *Human Rights Act 2004* (HR Act) that may be limited by the use of lockdowns at the Bimberi Youth Justice Centre (Bimberi) include the right to liberty and security of person; the right to freedom of movement; the rights of children to the protection needed because of being children, without distinction or discrimination of any kind; the right to humane treatment when deprived of liberty; and the protections against being treated or punished in a cruel, inhuman or degrading way. Where lockdowns interfere with young peoples' ability to attend school and/or do schoolwork, they also limit the young peoples' right to education under the HR Act.

The issue of rolling lockdowns caused by staffing shortages is of significant concern because it has the potential to impose unreasonable limitations on the human rights and rehabilitation opportunities of young people at Bimberi.

Approved for circulation to the Standing Committee on Justice and Community Safety

Signature: 

Date: 9 March 2021

By the Public Advocate and Children and Young People Commissioner, Jodie Griffiths-Cook

Signature: 

Date: 9 March 2021



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By the President and Human Rights Commissioner