

Breach Bail, Go to Jail and Other Legislation Amendment Bill 2026

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**BREACH BAIL, GO TO JAIL AND
OTHER LEGISLATION AMENDMENT
BILL 2026**



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Change the Record Submission

**Justice, Integrity and Community Safety Committee
Inquiry into the Breach Bail, Go to Jail and Other Legislation Amendment Bill 2026**

16 September 2026

About

Change the Record is Australia's only First Nations-led coalition of legal, health and family violence prevention experts. Change the Record works to end the systemic violence and over-incarceration of Aboriginal and Torres Strait Islander peoples, including by advocating for an end to the criminalisation and incarceration of First Nations children. Change the Record's work is grounded in self-determination and driven by a vision for systemic change: a future where children are supported, families are safe, and communities are strong and free.

Acknowledgement

Change the Record acknowledges Aboriginal and Torres Strait Islander Peoples as the custodians and First Peoples of so-called Australia. We acknowledge the Traditional Owners of the lands and waters on which this submission has been prepared and considered and pay respect to Elders past and present. Sovereignty was never ceded.

This submission has been authored by Jess Johnston, Change the Record Policy Lead.

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Recommendation

Change the Record rejects the Breach Bail, Go to Jail and Other Legislation Amendment Bill 2026 in its entirety.

Change the Record urges the Justice, Integrity and Community Safety Committee to recommend the Bill is not passed on the grounds that it violates and is altogether incompatible with the principles of child justice, as well as the human rights of children and Aboriginal and Torres Strait Islander peoples.

Introduction

Change the Record is deeply concerned about the suite of proposed changes in the Breach Bail, Go to Jail and Other Legislation Amendment Bill 2026 and urgently requests that the Committee recommends the Bill does not progress. The Committee must take seriously the responsibility it has before it to stand up for the dignity and human rights of those positioned to be most impacted by the Bill, as well as to prevent enormous harm that would result from the passage of this Bill into law.

In particular, we are gravely concerned about the disproportionate impact of the amendments on Aboriginal and Torres Strait Islander people and children, who are already overrepresented at all stages of the criminal legal system in Queensland and who remain disproportionately harmed by various forms of intersectional violence brought on by contemporary settler colonial systems that intervene into their lives. That harm will be exacerbated by this Bill, which overrides Queensland's own Human Rights Act and openly contravenes international human rights principles that Queensland, and Australia more broadly, are obligated to uphold.

Whatever legal responsibility to international human rights frameworks Queensland decision makers are willing to deflect or disregard, there exists an even more urgent *moral* responsibility not to knowingly inflict harm and cruel treatment on any person, and in particular on children. The amendments in this Bill violate that responsibility, and will disproportionately target and punish Aboriginal and Torres Strait Islander children.

We note the rushed timeframe of the inquiry, which hampers the ability of First Nations communities in particular to raise their concerns and as such contradicts Queensland's commitments to shared decision making under the National Agreement on Closing the Gap. As a result of the limited timeframe, our submission is focused on:

- i. the deeply concerning pattern of disregard for human rights that is underpinning this Bill and the Queensland Government's 'tough on crime' approach to lawmaking more broadly, including the human rights override framework that this Bill proposes to extend, and

- ii. The disproportionate harm this Bill will have on Aboriginal and Torres Strait Islander children, who are already over-surveilled, targeted and punished by Queensland's carceral system, over-represented in child protection systems, and who bear the brunt of punitive lawmaking and systems failure.

Change the Record's position is that this pattern of 'tough on crime' lawmaking is racially discriminatory in nature, and is a continuation of settler colonial policy aimed at the erasure, dispossession and control of Aboriginal and Torres Strait Islander peoples.

Repeated use of human rights act overrides

One of the most concerning overarching features of the Breach Bail, Go to Jail and Other Legislation Amendment Bill 2026 is the blatant disregard for human rights that it demonstrates and proposes to operationalise, including a proposed five-year extension of the override and exemption framework that is set to expire on 31 December 2026. The Bill's statement of compatibility clearly states that these overrides and exemptions will affect the human rights of adults and children, particularly those detained in watch-houses and prisons, and will erode protections for people deprived of their liberty, effectively allowing for cruel, inhuman, or degrading treatment.¹

Since 2023, under the guise of 'exceptional circumstances', the Queensland Parliament has overridden its own Human Rights Act twice, with the 'Breach Bail, Go to Jail' Bill proposing a third override. Each of these overrides has occurred in order to pass punitive legislation that specifically targets children and young people who are in contact with or are at risk of being pulled into Queensland's youth justice system, many of whom are Aboriginal and Torres Strait Islander.

This pattern of overriding human rights protections in order to pass 'tough on crime' legislation is alarming, and violates several international human rights instruments to which Australia is a party, including the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child, the Optional Protocol to the Convention against Torture, the Convention on the Elimination of Racial Discrimination, and the United Nations Declaration on the Rights of Indigenous Peoples.

It is also a pattern that is racially discriminatory in nature, a fact that was documented more than 35 years ago during the Royal Commission into Aboriginal Deaths in Custody, and has been recently acknowledged in a formal urgent complaint to the UN Committee on the Elimination of Racial Discrimination (CERD),² as well as in formal communication to the Australian Government from the Special Rapporteurs on torture and the rights of Indigenous Peoples.

¹ Breach Bail, Go to Jail and Other Legislation Amendment Bill 2026, [Statement of Compatibility](#) (2026): 3.

² International Convention on the Elimination of All Forms of Racial Discrimination – Early Warning and Urgent Action submission, Human Rights Law Centre (April 2025).

The Special Rapporteurs noted ‘an ongoing pattern of disproportionate incarceration of Aboriginal and Torres Strait Islander children, and consequent harm to those children in terms of their immediate safety and their educational and life prospects’, as well as heightened risks of self-harm, violence and suicide.³ They called out Queensland’s ‘Adult Crime, Adult Time’ regime in particular as being ‘incompatible with basic child rights’, and expressed their ‘most heightened alarm’ at the racially discriminatory impacts of these youth justice laws, and the distinct possibility that Queensland’s youth justice system would create a future under-class of Australians.⁴

That any jurisdiction in Australia, a country so outwardly committed to its image as a human rights champion and beacon of democracy,⁵ is considering the passage of a Bill that will override its own Human Rights Act and funnel more adults and children into detention centres where they are forced to endure cruel and degrading treatment is unthinkable. And yet, for Aboriginal and Torres Strait Islander peoples, who have since British invasion had to endure violent structures that are genocidal in their attempts to erase and dispossess First Nations people,⁶ culture and ways of life, this blatant disregard for human rights and the dignity of human life is unfortunately nothing new.

Change the Record wishes to remind the Committee that in considering the ‘Breach Bail, Go to Jail’ Bill, it has a powerful role to play in either escalating or standing up against this alarming pattern of racial discrimination and disregard for human rights, as well as a responsibility to act in the best interests of all children in Queensland.

Disproportionate impact on First Nations children

More children are incarcerated in Queensland than in any other state.⁷ Of those children, more than 70% and more than 80% of children aged 10-13 years are Aboriginal or Torres Strait

³ Mandates of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment and the Special Rapporteur on the rights of Indigenous Peoples, [Ref.: AL AUS 4/2025](#), 6 May 2025.

⁴ [Ref.: AL AUS 4/2025](#), 7.

⁵ Australia’s most recent report to the United Nations for its UPR human rights review opened by stating that Australia “...has an enduring commitment to protecting and promoting human rights. This is reflected in our significant and longstanding approaches to human rights domestically and internationally.” See National report submitted pursuant to Human Rights Council resolutions 5/1 and 16/21 Australia, Attorney-General’s Department (5 December 2025): 1.

⁶ Australia’s first formal truth-telling inquiry, the Yoorrook Justice Commission recently found in its final report “that the decimation of the First Peoples population in Victoria ... was the result of a coordinated plan of different actions aimed at the destruction of the essential foundations of the life of national groups”, which amounted to genocide. For more, see [Yoorrook for Transformation Third Interim Report - Volume 1](#), Yoorrook Justice Commission (2025): 38. Further, the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families concluded that the forced removal of First Nations children from their communities amounted to genocide. For more, see [Bringing Them Home: Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families](#), Commonwealth of Australia (1997): 190.

⁷ [Youth detention population in Australia 2025](#), Australian Institute of Health and Welfare, 10 December 2025.

Islander, despite making up just 7% of Queensland's overall youth population.⁸ On an average night in the June quarter 2025, Queensland had the highest rates of First Nations young people aged 10–17 in detention of any Australian jurisdiction.⁹

This crisis of mass incarceration is driven by systemic racism, including oversurveillance and racial profiling by police and other authorities. Of the group of children and young people who have been classified by Queensland's youth justice system as engaging in 'serious repeat offending', data from 2022-23 reveals that 69% are First Nations, despite only representing 9% of children aged 10–17 in Queensland. More than 95% of the children being actively monitored by police and youth justice authorities in far north Queensland for the maintenance of a 'Serious Repeat Offender Index' are Aboriginal and Torres Strait Islander.¹⁰

Queensland's 'Adult Crime, Adult Time' regime is only exacerbating this over-representation, leading to worsening cycles of police surveillance, criminal legal system involvement, compounded trauma and worsening social disadvantage for Aboriginal and Torres Strait Islander children. First Nations children with disability, including cognitive, hearing, communication, neurodevelopmental or psychosocial disability, are likely to experience particular harms from the Bill's amendments due to ableism and racism.¹¹ In Queensland in 2025-26, 60% of children involved in the youth justice system had suspected or assessed disability.¹²

The Bill in question contains many alarming features that contravene internationally recognised human rights principles, including:

- the creation of a new offence with a minimum penalty of one year imprisonment to be served wholly in custody;
- legislating in favour of mandatory sentencing;
- reversing the presumption in favour of bail;
- removing the requirement for police officers to consider diversion, including alternatives to arrest, and denying court referral to restorative justice processes, and
- eroding protections in watch-houses and detention centres, including by blocking human rights complaints and challenges.

These features will disproportionately harm First Nations young people, who the Queensland Government are well aware are over-surveilled by police and over-represented in carceral systems, and risk entrenching existing racial inequality in the justice system.

⁸ Australian Productivity Commission, Report on Government Services 2025, Part F, Section 17 (Youth justice services), table 17A.9 (2025)

⁹ [First Nations young people in detention by state and territory](#), Australian Institute of Health and Welfare, 10 December 2025.

¹⁰ [More than 95% of north Queensland children on internal police 'blacklist' are Indigenous](#), The Guardian, 18 March 2023.

¹¹ National Commission for Aboriginal and Torres Strait Islander Children and Young People, [Submission #224](#), Breach Bail, Go to Jail and Other Legislation Amendment Bill 2026 (2026): 11.

¹² Department of Youth Justice and Victim Support 2026, [Youth Justice pocket stats – 12 months ending June 2026](#), Queensland Government, nd.

The Breach Bail, Go to Jail and Other Legislation Amendment Bill 2026 also sits within a broader context of regressive, racially discriminatory and deeply harmful ‘tough on crime’ law, policy and practice that is escalating across Australian states and territories, and thus carries negative impact beyond Queensland’s borders.

‘Exceptional circumstances’ and the youth justice crisis: a failure of systems

The Bill in question claims to have as its policy objectives the protection of the Queensland community from serious offending, and the strengthening of community safety and public confidence in bail systems.¹³

All evidence, both domestic and international, makes clear that sending children and young people to prison is criminogenic, and increases the likelihood that they will have repeated contact with the criminal legal system throughout their lives.¹⁴ Furthermore, decades of research on deterrence shows that imprisonment has, at best, no effect on the rate of reoffending and often results in a *greater* rate of recidivism.¹⁵ This means that the Bill’s increased and mandatory sentencing of detention for people in Queensland, including children, will in fact likely increase future offending, and make the community *less* safe.

The Bill’s statement of compatibility states that the Queensland Government ‘considers that exceptional circumstances exist, namely the prevalence of serious repeat offending committed while on bail and the significant harm caused to victims and the broader community by that offending’.¹⁶ These ‘exceptional circumstances’ are offered as the broader context and justification for the punitive features of the Bill, which the Queensland Government admits are incompatible with human rights.

Change the Record refutes this logic on two counts. Firstly, we do not see evidence of serious repeat offending constituting ‘exceptional circumstances’ in Queensland. Secondly, we reject the premise that repeat offending justifies mandatory minimum sentencing, bail refusal, denial of diversion, the erosion of protections for children as young as 10 who are deprived of their liberty in watch-houses and youth detention centres, and a 5-year override of sections of the state’s own Human Rights Act.

There is a youth justice crisis in Queensland, but it is a crisis of failed systems and non-evidence based policy and lawmaking, not a crisis caused by young people. Children are being

¹³ [Explanatory Notes](#), Breach Bail, Go to Jail and Other Legislation Amendment Bill 2026.

¹⁴ Tamara Walsh, Jane Beilby, Phylcia Lim and Lucy Cornwell, “[Safety through support: building safer communities by supporting vulnerable children in Queensland’s youth justice system](#)”, *The University of Queensland* (2023)

¹⁵ [Does Imprisonment Deter?](#) Sentencing Advisory Council (April 2011): 2.

¹⁶ Breach Bail, Go to Jail and Other Legislation Amendment Bill 2026, [Statement of Compatibility](#) (2026): 4.

criminalised, instead of met with the supportive community-led and trauma informed therapeutic responses they deserve.

In defence of our position, Change the Record invites the Committee to consider the following:

1. Almost a third of young people engaged in ‘repeat offending’ in Queensland are living in state care

As of March 2025, Queensland had approximately 13,568 children in care, a higher proportion than any other state in Australia.¹⁷

The Queensland Government recently completed a landmark Commission of Inquiry into Child Safety, which investigated how Queensland’s out-of-home care system intersects with criminal legal system involvement of children, including serious repeat offending. The Inquiry’s final report found that the state’s ‘corporate parenting’ is contributing to childrens’ involvement in the youth justice system, and is thus failing in its obligations to children in care and to the wider community.¹⁸

Furthermore, the Inquiry found that youth detention has become the ‘de facto containment mechanism’ for children whose behaviour reflects trauma, disability, exploitation or unmet therapeutic need. These children, often classed as ‘repeat offenders’, are in fact children with the highest need for therapeutic response, and are being managed by the justice system due to a lack of adequate therapeutic pathways in the child protection system.¹⁹

The latest data shows there are 388 children between the ages of 10 and 17 who are engaged in ‘serious repeat offending’ in Queensland.²⁰ Of these, more than a third (111) are living in the state’s broken care system, and are subject to a child protection order.²¹ Furthermore, a recent report by the Queensland Audit Office found that children in detention who engage in repeat offending are not getting the rehabilitation or education they need, in large part due to detention centre staff shortages and lack of capacity (which will only worsen as a result of this Bill’s passage into law). The report found that 18% of the 50 serious repeat offender files sampled had no records of *any* rehabilitation programs being delivered to them to stop their re-offending.²²

Of the children in out-of-home care who are on supervised youth justice orders, 72% have been excluded from school, 40% have attempted suicide, 56% have a diagnosed or suspected

¹⁷ [From Pressure to Purpose: Reforming Child Protection in Queensland](#), Child Safety Commission of Inquiry Final Report (2026): 13.

¹⁸ [From Pressure to Purpose: Reforming Child Protection in Queensland](#), 145.

¹⁹ [From Pressure to Purpose](#), 129.

²⁰ [Queensland's most serious young criminals housed in Labor's broken State care system](#) [media statement], Minister for Families, Seniors and Disability Services and Minister for Child Safety and the Prevention of Domestic and Family Violence, 19 May 2025.

²¹ *Ibid*

²² [Reducing serious youth Crime Report 15: 2023–24](#), Performance Audit Report, Queensland Audit Office, (2024): 4.

mental illness, and 70% have a diagnosed or suspected disability.²³ Many of these children have been exposed to substance abuse and domestic and family violence that impact their ability to regulate behaviours or cause difficulties with interpersonal skills, which are then criminalised.²⁴ While in state care, many of these children are subjected to neglect, abuse, sexual exploitation, and lack of connection with their community and culture.²⁵

The Queensland Government frames children engaged in serious repeat offending as threats to the safety of Queensland communities. The research cited above suggests otherwise. Change the Record urges the Committee to reject the populist myth that violent children are threatening the safety of our homes, businesses and communities.

2. The Breach Bail, Go To Jail amendments will undermine community safety

The logic underpinning the ‘Breach Bail, Go to Jail’ Bill is that the suite of proposed amendments will reduce the significant harm caused to victims by patterns of repeat offending and increase community safety. There is no evidence to suggest this is the case.

Change the Record urges the Committee to be guided by the evidence, some of which we have collated below.

Proposed amendment 1: Introduce a **mandatory minimum sentence of one year's detention or imprisonment** for adults and children who commit prescribed or significant offences while on bail, unlawfully at large or failing to appear.

Evidence: Contact with the criminal legal system, including incarceration, is criminogenic, meaning it actually increases the risk of further crime.²⁶ It also causes and worsens existing trauma, mental health, homelessness, poverty and social disadvantage, which are contributing factors to children and adults coming into further contact with criminal legal systems. For example, more than half of people preparing to leave prison in Australia expect to be homeless, and unhoused people are twice as likely to return to prison within the first 9 months of release.²⁷

Mandatory minimum sentencing will increase imprisonment, but there is no evidence that it acts as a deterrent or reduces crime.²⁸

²³ “In care profile of children on youth justice orders”, [2024 Children in Care Census - Full Report](#), Department of Families, Seniors, Disability Services and Child Safety (2024): 13.

²⁴ [The criminalisation of children living in out-of-home care in Queensland](#), Queensland Family & Child Commission (2018): 4.

²⁵ From Pressure to Purpose, 158.

²⁶ Chris Cunneen, Sophie Russell & Melanie Schwartz, “[Principles in diversion of Aboriginal and Torres Strait Islander young people from the criminal jurisdiction](#)”, *Current Issues in Criminal Justice*, 33:2 (2021): 186.

²⁷ [Closing the Revolving Door](#): 12 months of stopping the cycle between imprisonment and homelessness, Justice Connect (January 2020): 2.

²⁸ See, eg, Michael Tonry, ‘The Mostly Unintended Effects of Mandatory Penalties: Two Centuries of Consistent Findings’ (2009) 38(1) *Crime and Justice* 65, as cited in ‘Impact of Mandatory Sentencing’,

Proposed amendment 2: Reverse the presumption in favour of granting bail for both adults and youths who are charged with a prescribed offence, or an "Adult Crime, Adult Time" offence, while on bail for another offence.

Evidence: While strict bail conditions and refusal of bail may temporarily incapacitate individuals (i.e. deny their liberty in places of detention, meaning a short term reduction in crime), they consistently lead to higher recidivism (i.e. more offending by the same individuals once released). For both adults and young people, incarceration (including on remand due to bail refusal) is disruptive and increases the risk of future involvement in the criminal legal system, further perpetuating cycles of disadvantage.²⁹

Reversing the presumption in favour of granting bail also erodes the key common-law doctrine of the presumption of innocence, and breaches international human rights law, including the right to liberty.

Proposed amendment 3: Remove the requirement for police officers to consider diversionary options before commencing proceedings against a child for contraventions of bail conditions, and remove the power of a court to make a restorative justice process referral.

Evidence: Diverting children away from formal interactions with the criminal legal system and providing appropriate wraparound supports are proven to prevent the many harms that come with criminal legal system involvement and to better support children and communities.³⁰ As pointed out by the Queensland Aboriginal and Torres Strait Islander Legal Service, the current mandatory obligation is an important statutory safeguard against the unnecessary criminalisation of children.³¹ Diversion of young people into place based community-led programs have also been shown to drastically reduce crime rates and support young people into meaningful education and employment.³²

Aboriginal and Torres Strait Islander young people are already less likely to receive the benefit of diversion and are more likely to be arrested.³³ Converting the requirement for Queensland

[Pathways to Justice—Inquiry into the Incarceration Rate of Aboriginal and Torres Strait Islander Peoples](#), Australian Law Reform Commission Report 133 (2018).

²⁹ Advisory Commission into the Incarceration Rates of Aboriginal Peoples in South Australia 2023; Jones 2018; Mathieson & Dwyer 2016; McGorrery, Bathy & Simu 2020; Symes 2023b as cited in Amy McDonald, Merran McAlister and Samantha Bricknell, "[Bail and remand across Australia](#)", Australian Institute of Criminology (2026): viii.

³⁰ Kelly Richards, [What makes juvenile offenders different from adult offenders?](#), *Trends & issues in crime and criminal justice* no. 409. (2011). See also, Tamara Walsh, Robin Fitzgerald, Lucy Cornwell and Cara Scarpato, 'Raise the Age – and Then What? Exploring the Alternatives of Criminalising Children Under 14 Years of Age', *James Cook University Law Review* (2021).

³¹ [Queensland Aboriginal and Torres Strait Islander Legal Service Submission](#), Breach Bail, Go to Jail and Other Legislation Amendment Bill 2026 (9 September 2026): 3.

³² [Community-based program for troubled teens halves crime rates](#), UNSW, 15 December 2014.

³³ Chris Cunneen, Sophie Russell & Melanie Schwartz, "[Principles in diversion of Aboriginal and Torres Strait Islander young people from the criminal jurisdiction](#)", *Current Issues in Criminal Justice*, 33:2 (2021): 173.

police to consider diversion into a matter for operational discretion will lead to even greater arrests of First Nations children by police, and push them deeper into criminal legal system involvement. Moreover, removing the power of a court to make a restorative justice process referral in relation to a child, under the proposed amendment of s 163 of the *Youth Justice Act 1992*, will undermine the rehabilitation, healing and wellbeing of children, and First Nations children in particular. It also breaches the international human rights principle of detention as a last resort.

Proposed amendment 4: Extend existing human rights override provisions relating to youth detention and watch-house arrangements, and provide an exemption from section 58 of the *Human Rights Act 2019* for acts and decisions reasonably necessary for the administration of the *Police Powers and Responsibilities Act 2000*.

Evidence: Children deprived of their liberty in youth detention centres and watch-houses are already at heightened risk of being subjected to cruel, inhuman and degrading treatment, abuse, and torture. The Bill's insertion of a new section 639AA to the Police Powers and Responsibilities Act 2000 will mean decisions 'which are reasonably necessary for the good order and safety of watch-houses' are not subject to human rights based complaints or challenges. This is a serious threat to human rights and in particular to the right to access justice and to an effective remedy, which are enshrined in the International Covenant on Civil and Political Rights.

Youth justice facilities and watch-houses in Queensland are already operating at or beyond capacity, leading to immediate safety issues, extended forced isolation, overcrowding, limited access to natural light, and greater risk of deaths in custody.³⁴ Children in Queensland watch-houses are at particular risk for inhuman treatment, self harm and suicide, with the Queensland Ombudsman reporting that watch-house conditions are 'inadequate' and cause psychological and physical harm.³⁵

The amendments in this Bill will increase numbers of children and adults in detention,³⁶ worsening existing capacity issues and staff shortages, and potentially leading to grave breaches of human rights and loss of life.³⁷ The Bill's statement of compatibility admits that reforms in the Bill will increase detention in police watch-houses, which 'may affect decisions concerning the

³⁴ [Joint Statement – Queensland Law Change and Detention of Children in Watch Houses and Adult Prisons](#), Australian National Preventive Mechanism (NPM), September 2023.

³⁵ [Cairns and Murgon watch-houses inspection report: Focus on detention of children](#), Queensland Ombudsman, 11 September 2024.

³⁶ The Bill's [statement of compatibility](#) openly admits that the reforms "will increase the number of children and adults held on remand or otherwise detained in youth detention centres or police watch-houses".

³⁷ The Queensland Child Death Review Board report published earlier this year found that two Indigenous boys died preventable deaths after being locked away for considerable periods of time in youth prisons. See Queensland Family and Child Commission, Child Death Review Board Annual Report 2022-23 (2023).

placement, classification, transfer and separation of detainees’, as well as ‘access to health, rehabilitation, education and other services’.³⁸

The statement further declares that the introduction of a mandatory minimum sentence of 12 months detention ‘will affect the current capacity of those facilities’ which will negatively affect the right to humane treatment as well as the right to protection from cruel, inhuman or degrading treatment.³⁹

Conclusion

The Breach Bail, Go to Jail and Other Legislation Amendment Bill 2026 claims to respond to community concerns that existing laws do not adequately deter or hold accountable people who commit serious offences while on bail. The amendments proposed in the Bill are not backed up by any evidence to suggest they will have a deterrent effect nor protect the community, but they are guaranteed to target and punish children in ways that will only create more disadvantage and pain.

Passage of the Breach Bail, Go to Jail and Other Legislation Amendment Bill 2026 into law will directly cause further harm to Aboriginal and Torres Strait Islander children, the ripple effect of which may take generations to heal from. Whatever short term effects the Queensland Government seeks to secure with the Bill will be far outweighed by long term cycles of disadvantage and distress that perpetuate harm for all communities and further burden taxpayers.

What the ‘adult crime, adult time’ regime fails to understand is that the seeds of safety and flourishing for future Queensland communities are sown now, in the way Queensland treats its children and those most in need of support. Targeting, shaming and punishing children only creates cycles of suffering that reverberate over a lifetime. Doing so with blatant disregard for their human rights, in settings that will likely expose them to cruel, inhuman and degrading treatment, is a collective failure.

Change the Record reminds the Committee that in scrutinising the Breach Bail, Go to Jail and Other Legislation Amendment Bill 2026, it must reflect on its obligation to uphold international human rights principles, as well as to respect Queensland’s commitments under the National Agreement on Closing the Gap. In light of both, and for the wellbeing of all children, we implore the Committee to recommend the Bill is rejected.

³⁸ [Statement of Compatibility](#), Breach Bail, Go to Jail and Other Legislation Amendment Bill 2026 (2026):

5.

³⁹ [Statement of Compatibility](#), 3.