

Expanding Adult Time, Adult Crime and Taking a Strong Stance on Drugs and Anti-Social Behaviour Amendment Bill 2026

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Submission on Proposed Anti-Social Behaviour Legislation – Queensland

To: Queensland Government

Subject: Public Submission on Proposed Anti-Social Behaviour Legislation

I welcome the opportunity to provide a submission on proposed measures to address anti-social behaviour in Queensland. Maintaining safe and respectful public spaces is essential for community wellbeing, economic activity, and public confidence. Any legislation in this area should strike a careful balance between effective enforcement, prevention, accountability, and protection of civil liberties.

1. Clear and Precise Definition of Anti-Social Behaviour

The legislation should provide a clear statutory definition of anti-social behaviour to ensure consistent application and prevent overly broad interpretation. Behaviour captured by the legislation should be limited to conduct that has a demonstrable negative impact on public safety, amenity, or the rights of others.

Examples that could reasonably fall within this definition include:

- Harassment, intimidation, or threatening behaviour in public places
- Vandalism, theft, and intentional property damage
- Persistent public nuisance such as excessive noise or disruptive conduct
- Public alcohol or drug induced intoxication where it causes harm or distress to others
- Aggressive or coercive forms of begging

A clear definition will help ensure the law targets harmful conduct without unnecessarily criminalising minor or incidental behaviour.

2. Graduated and Proportionate Enforcement

An effective response to anti-social behaviour should include graduated enforcement mechanisms that escalate only where necessary. Early intervention can often prevent repeat behaviour and reduce the burden on courts and policing resources.

A tiered approach could include:

- **Early interventions:** strong warnings, diversion programs, community mediation
- **Intermediate responses:** fines, community service, enforced behaviour orders
- **Serious or repeat cases:** court-ordered restrictions or exclusion orders where behaviour is persistent and harmful and incarceration when necessary

Such a framework allows authorities to respond proportionately while prioritising rehabilitation and behaviour change where appropriate.

3. Strengthening Home Protection and Self-Defence Rights

Queensland residents should have clear legal protections when defending themselves, their families, and their homes against intruders. The new laws should explicitly recognise the

right of a homeowner or lawful occupants to defend their home if an intruder unlawfully enters or attempts to enter.

Consideration should be given to adopting principles similar to “castle doctrine” provisions used in other jurisdictions, where a person defending their home from a break-in is presumed to be acting in lawful self-defence, provided their response is reasonable in the circumstances. The law should ensure that individuals who act in good faith to protect themselves and their family are not unfairly criminalised for defending their own home.

Clarifying these protections would improve community confidence in the justice system and reinforce the principle that people have the right to feel safe in their own homes.

4. Youth Accountability for Serious or Repeat Offending

While prevention and early intervention for young people remain important, there must also be meaningful accountability for serious criminal conduct. In cases involving serious offences - such as violent assault, armed robbery, home invasion, vehicle theft involving death or injury, or repeat serious offending, the courts should treat these offenders as adults, particularly in cases where there is a demonstrated history of criminal behaviour.

Where young offenders repeatedly engage in serious crimes, stronger consequences are necessary to protect the community and deter further offending. The justice system should consider an offender’s prior history and the severity of the offence before determining whether adult-level charges or sentencing should apply.

For first offenders, an appropriate rehabilitation programs should be available to help young offenders reintegrate and reduce reoffending.

5. Prevention and Community Support Measures

Anti-social behaviour is often linked to broader social issues including youth disengagement, substance misuse, homelessness, and mental health challenges. Enforcement alone will not provide a long-term solution.

The legislation should be accompanied by complementary initiatives such as:

- Youth engagement and diversion programs, enforced national service
- Increased access to drug and alcohol treatment services
- Outreach services for people experiencing homelessness
- Local community safety partnerships involving councils, police, and social services

Investing in prevention will reduce repeat incidents and support stronger communities.

6. Safeguards and Accountability

It is important that any expanded enforcement powers include appropriate safeguards. These should include:

- Clear guidelines governing the use of discretionary powers
- Accessible review or appeal processes for enforcement orders

- Independent oversight and public reporting on the use of these powers

Such safeguards help maintain public trust and ensure enforcement measures are applied fairly and consistently.

7. Monitoring and Review

Given the potential impact of new enforcement tools, the legislation should include a requirement for periodic review. A formal review within three to five years would allow government to assess effectiveness, community impact, and any unintended consequences.

Conclusion

Queensland communities have a strong interest in maintaining safe, welcoming public spaces and ensuring people feel secure both in public and in their own homes. Effective legislation should address anti-social behaviour while remaining proportionate, evidence-based, and focused on both prevention and accountability.

In summary, I recommend that the proposed legislation:

- Clearly define anti-social behaviour in law
- Introduce a graduated enforcement framework
- Strengthen legal protections for home self-defence
- Allow adult-level charges for serious or repeat youth offending
- Invest in prevention and community support programs
- Include safeguards, accountability, and periodic legislative review

Thank you for the opportunity to contribute to this consultatio