

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

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The proposed amendments to Queensland's Adult Crime, Adult Time laws represent a significant step backwards in how we respond to children in the justice system. The Statement of Compatibility acknowledges that these reforms are not compatible with the Human Rights Act 2019, and the Minister concedes they will negatively affect children. The justification that these impacts will only fall on children who commit "heinous crimes", misunderstands who these children are and what actually reduces harm. Children who commit the most serious offences are overwhelmingly those who have experienced the most serious disadvantage. Research consistently shows that young people in the justice system are disproportionately represented in child protection, homelessness, disability, and exposure to violence. The Australian Institute of Health and Welfare reports that over half of children in detention have had a child protection notification, and almost one in three have a diagnosed or suspected disability. Studies also show extremely high rates of complex trauma, with some research estimating that up to 90% of justice involved children have experienced at least one traumatic event. These are children who have been failed by every system long before they ever "fail" the criminal law. For them, a rehabilitative, trauma informed response is not optional; it is essential.

Decades of evidence show that harsher, more punitive sentencing does not reduce reoffending. The Productivity Commission, the Australian Institute of Criminology, and the Royal Commission into the Protection and Detention of Children in the Northern Territory all reach the same conclusion: punitive youth justice responses increase the likelihood of reoffending, particularly when incarceration occurs at a young age. The AIC has found that children who are first incarcerated under the age of 14 are significantly more likely to become chronic adult offenders. In other words, these amendments do not prevent harm, they accelerate it.

The government frames these reforms through the criminological lens of deterrence, in an attempt to promote accountability. But accountability is not the same as punishment. True accountability requires the capacity to understand consequences, repair harm, and build the skills needed to make different choices. None of this is achieved by pushing children deeper into the criminal justice system. International research, including from the UN Committee on the Rights of the Child, unequivocally notes that treating children as adults in the justice system violates human rights and produces worse outcomes for community safety. Queensland has already been criticised nationally and internationally for its treatment of children in custody. The Australian Human Rights Commission, the Queensland Human Rights Commissioner, and multiple UN bodies have warned that punitive, carceral responses do not work. Yet instead of investing in early intervention, therapeutic supports, and community based alternatives, these reforms double down on approaches that have failed for decades. They risk creating a generation of young people who are more traumatised, more disconnected, and more entrenched in the system.

Expanding the definition of "heinous crimes" to capture a broader range of behaviours does nothing to address the underlying drivers of those behaviours. It simply widens the net of children subjected to punitive responses in a system already struggling to meet its basic obligations of care. The proposal to revoke the drug diversion framework is particularly alarming. Evidence from Queensland's own police diversion programs shows that diversion reduces reoffending and increases engagement with treatment, while punitive drug responses do neither. Removing diversion will not reduce drug use; it will only force the courts into harsher sentencing even when they know it is counterproductive. If the goal is safer communities, we must invest in what works. Stable housing, family support, culturally led programs, disability assessment and support, mental health care, and evidence based diversion. We must recognise that children who commit serious offences are children whose development has been profoundly disrupted by trauma. Treating them as adults will not undo that trauma. It will compound it. These amendments are not compatible with human rights, with evidence, or with the basic principles of youth justice. They will not make Queensland safer. They will only make our system harsher, more expensive, and more damaging to the very children who most need our support. I urge the Committee to reject these reforms and pursue approaches grounded in evidence, compassion, and genuine community safety.