

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

Submission No: 113

Submission By: Shane Cuthbert

Publication: Making the submission and your name public

Submission to the Justice, Integrity and Community Safety Committee

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

Queensland Parliament – Committee inquiry (introduced 3 March 2026)

Submitted by: Shane Craig Cuthbert

17 March 2026

Executive summary

I oppose the Bill's expansion of the 'Adult Crime, Adult Time' (ACAT) sentencing scheme. As a former child offender who has turned my life around, I know tougher penalties do not, by themselves, create rehabilitation or reduce reoffending. The system data available to date indicates that the ACAT scheme has been applied predominantly to property offences and that detention remains a minority outcome, supporting the view that political slogans can overstate real-world impact.

I support safer communities and accountable responses to harm. My submission focuses on practical, measurable alternatives that reduce crime by closing the 'after-hours gap' and expanding diversion capacity. These alternatives are set out in my publicly available Cairns Plan (Annexure A).

On the drugs component (IDEDF replacing PDDP), I request the committee closely examine whether moving toward a PIN / SPER model and tighter eligibility increases net-widening and disadvantage without expanding treatment capacity. On the precinct component (DBCPs), I support targeted, evidence-led place-based responses but recommend strong safeguards to prevent overreach ('precinct creep') and to ensure any enforcement uplift is paired with diversion 'off-ramps' (transport + place of safety).

About the Author

I am a Cairns-based community advocate and youth justice reform contributor with lived experience of the justice system. I have made previous submissions to Queensland parliamentary inquiries and publish practical, place-based policy proposals for Cairns and Far

North Queensland, including models for a 24/7 Youth Hub and diversion-first responses to public disorder and intoxication (see Annexure A: Cairns Plan).

1. Inquiry context and key dates

The Bill was introduced on 3 March 2026 and referred to the Justice, Integrity and Community Safety Committee for detailed consideration. The Committee's inquiry page states submissions close at 10:00am on Wednesday, 18 March 2026, with a public briefing and hearing scheduled for Friday, 27 March 2026, and the report due Friday, 17 April 2026.

2. Adult Crime, Adult Time (ACAT)

I oppose further expansion of ACAT. The Bill's statement of compatibility acknowledges the Bill is not compatible with human rights protected by the Human Rights Act 2019, and relies on an override declaration in s 175A. In my view, routinely expanding an override risks hollowing out the purpose of human rights scrutiny by treating incompatibility as a political option rather than an exceptional last resort.

The Committee should also test the claim that expanding ACAT will materially reduce crime. The Children's Court of Queensland Annual Report 2024–25 reports that from the commencement of s 175A in December 2024 to 30 June 2025, the courts dealt with 2,535 matters under s 175A (primarily burglary and theft). The report also shows that detention was 12.5% of convictions (with probation 40.9% and conditional release orders 9.4%). The report notes it is too early to assess whether the legislation reduced finalised charges and that reductions in some measures occurred prior to commencement.

These figures reinforce my concern that ACAT is, in practice, more of a 'message' policy than a proven crime-reduction strategy. Expanding the list of offences may change maximum penalty settings on paper, but does not automatically create supervision, after-hours services, education re-engagement, mental health and AOD care, or stable housing—the drivers that actually reduce reoffending.

2.1 Evidence and stakeholder views

Queensland Law Society (QLS) has raised concerns about ACAT-style reforms and emphasised that children are developmentally different and that evidence-based responses are required. The Committee should give weight to stakeholder evidence and system data when considering whether further expansion will produce measurable benefits.

2.2 Recommendations on ACAT

- Do not pass the ACAT expansion components of the Bill.
- If any expansion proceeds, require publication of a transparent evidence base (expected number of additional matters per offence category; expected detention impact; resourcing impacts).
- Commit to an independent evaluation with public reporting on outcomes (reoffending, victimisation, detention rates, remand, and regional impacts) within 12–18 months.

3. Drugs: IDEDF replacing PDDP – clarify impacts and avoid net-widening

The Bill repeals the Police Drug Diversion Program (PDDP) and introduces an Illicit Drug Enforcement and Diversion Framework (IDEDF). The explanatory materials indicate a dual-pathway model: a minor cannabis offence pathway (possession \leq 50 grams) and a minor drug offence pathway where police may issue a penalty infringement notice (PIN) with an option to elect diversion.

The Committee should closely examine whether the IDEDF design increases net-widening and financial harm—particularly if a PIN election window is missed or where people with addiction and complex needs are excluded from diversion—without corresponding investment in treatment and wraparound supports. A diversion framework is only meaningful if diversion is accessible, timely, and linked to real services.

3.1 Recommendations on IDEDF

- Publish clear operational guidance and eligibility criteria (including how ‘personal use’ and ‘multiple drugs’ will be assessed) and require reporting on decisions.
- Ensure diversion is linked to available treatment capacity and that regional areas (including FNQ) have access to culturally safe, practical pathways.
- Avoid designs that shift vulnerable people into SPER/enforcement cycles when the underlying issue is addiction; build in safeguards and review mechanisms.

4. Designated Business and Community Precincts (DBCPs)

The Bill introduces DBCPs, which can be prescribed by regulation, and provides for expanded police powers within those precincts (including enhanced move-on directions, police banning notices and scanner-related powers, as described in the explanatory materials). I support targeted measures in genuine hotspot areas where there is a demonstrable problem and a clear plan for safety.

However, DBCPs raise real ‘overreach’ risks: a regulatory power to prescribe ‘an area of the State’ could enable precinct creep from CBD cores into outer suburbs and multiple business centres

without sufficient evidence, public consultation, or safeguards. If DBCPs are used as a broad 'banishment' tool without 'off-ramps', it risks displacing vulnerable people rather than reducing harm.

4.1 Recommendations on DBCPs

- Limit the maximum geographic size and require published maps and reasons for any DBCP declaration.
- Require meaningful public consultation and local government consultation before declaration and renewal.
- Make DBCP declarations conditional on the existence of diversion 'off-ramps' (transport + place of safety + co-response) so enforcement does not become mere displacement.
- Shorten the first statutory review timeframe (e.g., 12–18 months) with public reporting on outcomes and disproportionality impacts.

5. Practical alternatives: Cairns Plan solutions that reduce crime

Across all parts of the Bill, the missing ingredient is operational capacity. Enforcement-led reforms will have limited effect unless they are paired with real alternatives to the street and real diversion pathways—especially after hours. My Cairns Plan sets out a practical package of proposals designed as one system: safer streets bring people back; activity is the best crime prevention; and youth and homelessness plans create real alternatives at the exact hours when problems peak.

Two Cairns Plan proposals are directly applicable to this Bill: (1) a 24/7 Youth Hub with after-hours outreach and transport to cut youth crime when services shut; and (2) a diversion-first response to public disorder with Public Place Safety Officers, co-response, a transfer vehicle, and a Place of Safety.

Conclusion

Queensland communities deserve safer streets. In my view, expanding ACAT is unlikely to deliver the real-world outcomes implied by political messaging, and it is concerning to normalise human-rights incompatibility via override. If government wants measurable crime reduction, it should invest in practical diversion and after-hours capacity—like the models set out in Annexure A—while applying strong safeguards to any precinct-based powers.

Regards,

Shane Cuthbert LLB, BSc(PSYC)

References

1. Queensland Parliament, Justice, Integrity and Community Safety Committee inquiry page – call for submissions, deadline and timeline (accessed March 2026).
2. Children’s Court of Queensland Annual Report 2024–25 – s 175A matters and sentencing outcomes.
3. Queensland Law Society submission on Making Queensland Safer (Adult Crime, Adult Time) Amendment Bill 2025.
4. Expanding Adult Crime, Adult Time and Taking a Strong Stance on Drugs and Anti-Social Behaviour Amendment Bill 2026 – Explanatory Notes and Statement of Compatibility.
5. Shane Cuthbert, ‘Cairns Plan’ (publicly published proposals).

Annexure A – Cairns Plan operational proposals

A copy of the Cairns Plan can be found in FULL here; <https://shanecuthbert.com/cairns-plan/>

(relevant extracts)

This annexure summarises the relevant parts of the Cairns Plan as a practical, place-based implementation framework that reduces offending and disorder by closing service gaps and providing diversion pathways in the hours problems peak.

A1. Youth crime: 24/7 Youth Hub + after-hours outreach and transport

The Cairns Plan proposes establishing a 24/7 Youth Hub supported by after-hours street outreach and transport. The rationale is that late-night service gaps leave disengaged young people with the street as the default option, increasing the likelihood of break-ins, vehicle theft and disorder. A hub model provides a supervised 'safe place' with wraparound supports and clear expectations, and outreach/transport ensures the service reaches young people in hotspots rather than waiting for them to self-present.

A2. Public disorder/intoxication: diversion-first public safety model

The Cairns Plan proposes a diversion-first response to public disorder that removes risk fast without defaulting to criminalisation. It proposes a Queensland-authorized Public Place Safety Officer model, teamed with social workers/AOD clinicians (co-response), supported by a transfer vehicle to move intoxicated/disorderly persons to a Place of Safety, diversion services, or hospital where clinically indicated.

A3. Why this annexure matters for DBCPs

If DBCPs are declared, enforcement should be conditional on 'off-ramps' to prevent displacement. The Cairns Plan proposals provide those off-ramps (transport + place of safety + co-response) and should be treated as essential enabling infrastructure for any precinct-based policing approach.