

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

Submission No: 141

Submission By: YFS Legal

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Committee Secretary
Justice, Integrity and Community Safety Committee
Parliament House
George Street
Brisbane Qld 4000

Online submission

Dear Committee,

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

YFS Legal welcomes the opportunity to provide this submission in response to the *Expanding Adult Crime, Adult Time and Taking a Strong Stance on Drugs and Anti-Social Behaviour Amendment Bill 2026* (the Bill).

YFS Legal is a community legal centre based in Logan, providing advice, representation and duty lawyer services to young people and vulnerable adults, including children and young people involved in the youth justice system. Our advocacy is informed by direct practice experience, meaningful engagement with Aboriginal and Torres Strait Islander communities, and collaboration across the youth justice, health and community sectors.

YFS Legal is deeply concerned that the Bill represents a further escalation of punitive, enforcement-led responses that have repeatedly been shown to entrench, rather than reduce, contact with the criminal justice system, particularly for children and young people experiencing structural disadvantage.

This submission focuses on three core areas of concern:

1. The continued expansion of *Adult Crime, Adult Time* to additional offences;
2. The repeal of the Police Drug Diversion Program and narrowing of diversion pathways; and
3. The introduction of Designated Business and Community Precincts and expanded police powers.

Across all three reform components, YFS Legal is concerned about:

- Significant and acknowledged breaches of human rights;
- The disproportionate and compounding impact on Aboriginal and Torres Strait Islander young people; and
- The expansion of police discretion and enforcement powers in ways that increase net-widening and criminalisation.

1. Overarching Concerns

1.1 Escalation of Punitive Youth Justice Policy

The Bill must be understood in the context of successive legislative amendments that have progressively eroded long-standing youth justice principles, including detention as a measure of last resort, the primacy of rehabilitation and reintegration, and recognition of children's developmental immaturity.

The cumulative effect of these reforms is a youth justice framework increasingly oriented towards punishment, denunciation and deterrence approaches that are inconsistent with evidence, international human rights standards, and the lived realities of children in the system.

2. Expansion of Adult Crime, Adult Time

2.1 Expansion to 12 Additional Offences

The Bill expands *Adult Crime, Adult Time* to include a further 12 offences, as well as attempt, conspiracy and accessory offences. This represents a significant broadening of a regime that already departs from foundational youth justice principles.

Children convicted of these offences will be exposed to adult maximum penalties, including life imprisonment, mandatory minimum non-parole periods, and longer and more frequent periods of detention.

YFS Legal calls for the release of the Expert Evidence Panel report and recommendations in relation to the proposed inclusion of these additional offences subject of this Bill.

As acknowledged in the Statement of Compatibility, these amendments are not compatible with the *Human Rights Act 2019* (Qld).

2.2 Breaches of Children's Rights

The expansion of *Adult Crime, Adult Time* further limits: the right of children to have their best interests treated as a primary consideration (s 26(2)); the right to liberty and security of person (s 29); the right to humane treatment when deprived of liberty (s 30); and protection from cruel, inhuman or degrading treatment (s 17).

The Statement of Compatibility openly acknowledges that the best interests of the child, guided by the United Nations Convention on the Rights of the Child and the Beijing Rules, are not upheld by the proposed amendments. This explicit concession that the Bill is inconsistent with international youth justice standards and incompatible with human rights underscores a continuing departure from fundamental protections owed to children in the justice system.

Mandatory adult sentencing frameworks fundamentally undermine judicial capacity to impose developmentally appropriate, proportionate sentences.

2.3 Disproportionate Impact on Aboriginal and Torres Strait Islander Children

The Government concedes that Aboriginal and Torres Strait Islander children will be disproportionately impacted by these reforms due to their over-representation in the youth justice system.

YFS Legal reiterates that formal equality does not equate to substantive equality. Laws that apply “equally” in form can still operate discriminatorily in practice where structural disadvantage is ignored. The Bill fails to incorporate any meaningful safeguards to prevent further entrenchment of racial disproportionality.

3. Illicit Drug Enforcement and Diversion Framework

3.1 Repeal of the Police Drug Diversion Program

The repeal of the Police Drug Diversion Program (PDDP) and its replacement with a more restrictive framework represents a significant regression in health-based responses to low-level drug use. Diversion is now limited to first-time and “low risk” offenders, narrow eligibility pathways, and increased reliance on police discretion.

3.2 Risks of Net-Widening and Criminalisation

The introduction of Penalty Infringement Notices (PINs) for minor drug offences raises serious concerns about the criminalisation of poverty through fine-based enforcement, escalation to State Penalties and Enforcement Registry (SPER) for vulnerable individuals, and reduced access to meaningful diversion for children. Children and young people experiencing homelessness, disability, trauma or cognitive impairment are particularly vulnerable to non-compliance and secondary criminalisation.

3.3 Disproportionate Impacts on Aboriginal and Torres Strait Islander Young People

It is our experience that discretionary policing frameworks disproportionately impact Aboriginal and Torres Strait Islander people. Narrowing diversion while expanding police discretion is likely to increase, not reduce, racial disproportionality in drug enforcement.

4. Designated Business and Community Precincts

4.1 Expansion of Police Powers

The Bill introduces a framework for Designated Business and Community Precincts, within which police may: conduct handheld scanning without senior approval; issue enhanced move-on directions; and impose police banning notices, including on children. These powers significantly limit freedom of movement, privacy, and liberty and security of the person.

4.2 Children and Exclusionary Policing

The extension of banning notices to children is particularly concerning. Exclusion from public spaces disrupts access to education, services and community, increases the likelihood of breach-based offending, and operates as a de facto punishment without judicial oversight.

Increasing handheld scanner powers in public spaces increases police interactions with public space users. YFS Legal has seen firsthand numerous instances where police are overreaching in their powers with respect to handheld scanners. Vulnerable persons who are “lawfully” stopped for the purpose of a wand check have been led to believe they must comply with all police directions during these interactions, often leading to searches of persons/property that would otherwise be unlawful. Beyond the absence of judicial oversight, it is concerning that individuals may have no meaningful opportunity to consult a legal

representative when interacting with police, particularly where no other safeguards exist within this framework. Removing senior approval, is a step that furthers the removal of accountability.

For Aboriginal and Torres Strait Islander young people, such exclusion echoes historical patterns of surveillance, displacement and control.

5. Human Rights and Override Declarations

YFS Legal is deeply concerned by the Government's continued reliance on override declarations under the *Human Rights Act 2019* (Qld) in relation to youth justice legislation.

Normalising rights overrides in the context of children:

- Undermines the integrity of the *Human Rights Act 2019* (Qld);
- Sets a dangerous precedent for future erosion of rights; and
- Signals a departure from Queensland's commitment to rights-based governance.

6. Recommendations

YFS Legal recommends that the Queensland Government:

1. Remove the additional offences from the Adult Crime, Adult Time framework and halt further expansion.
2. Restore detention as a measure of last resort as a central youth justice principle.
3. Reinstate and strengthen drug diversion, ensuring multiple opportunities and child-specific safeguards.
4. Limit police discretion in drug and public order enforcement through clearer statutory thresholds.
5. Senior police officer authorisation in relation to the use of handheld scanners in designated business and community precincts.
6. Exclude children from police banning notices and geographic exclusion regimes.
7. Invest in culturally safe, community-led responses, particularly Aboriginal and Torres Strait Islander-led programs.
8. Undertake an independent human rights review of the Bill prior to commencement, with findings tabled in Parliament.

7. Conclusion

YFS Legal does not support the Bill in its current form. The proposed reforms compound existing harms, expand punitive responses, and further erode the rights of children and young people, particularly Aboriginal and Torres Strait Islander children.

Community safety is best achieved through early intervention, diversion, rehabilitation and culturally safe support, not through escalating punishment and expanded police powers.

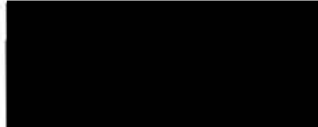
YFS Legal urges the Queensland Government to reconsider this legislative trajectory and to work collaboratively with communities, practitioners and young people to develop responses that are evidence-based, rights-respecting and genuinely preventative.

Yours faithfully



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