

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

Submission No: 148

Submission By: Gladstone Region Autistic & Neurodivergent Network Inc.

Publication: Making the submission and your name public

Submission - Expanding Adult Crime, Adult Time & Taking a Strong Stance on Drugs & Anti-Social Behaviour Amendment Bill 2026 (Qld)

Submission to: Justice, Integrity and Community Safety Committee (Queensland Parliament)

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

From: Gladstone Region Autistic & Neurodivergent Network Inc. - GRANN

Date: 18 March 2026

Contact details:

- Email: info@grann.com.au
- Phone: [REDACTED]
- Postal address: [REDACTED]

Executive summary

This Bill should not be progressed in its current form.

1. **This is an omnibus “bundle” that reduces scrutiny and forces false trade-offs.** It collapses three distinct limbs into one political package (youth justice, drugs/IDEDF, precinct powers/DBCPS), forcing three separate evidence bases, rights analyses, and safeguard architectures into one vote. [S1; S3]
2. **Human rights incompatibility is conceded, then normalised.** The Statement of Compatibility admits the Bill (at least in part) is not compatible with the *Human Rights Act 2019* (Qld). That admission must be the starting point for scrutiny, not a footnote. [S2 p1, p9; S4]
3. **The same unsafe architecture repeats across all limbs: easy coercion, hard correction.** This increases irreversible error risk, especially for cohorts the Statement already acknowledges as disproportionately impacted. [S2; S3]
4. **The drugs limb is infringement-first in practice.** It replaces a diversion-to-health interface with “ticketing + escalation” mechanics (PIN service, narrow elections, enforcement plumbing), predictably amplifying poverty and disability and increasing repeat system contact. [S3; S4]

5. **The precinct limb expands coercive powers while weakening review.** The change map pairs expanded exclusion mechanisms with omission of a review safeguard (PPRA s 49). That is a predictable recipe for uncorrected error. [S3 cl 23, p18: “Omission of s 49 (Review)”]
6. **Commencement is split to enable staged rollout of discretion-heavy machinery.** Youth justice commences on assent, while drugs and DBCP regimes commence by proclamation, reducing scrutiny at the switch-on point. [S3 cl 2(1)–(2), p8]

Primary recommendation: Split the Bill into three separate Bills (youth justice, drugs, precinct powers). If Government refuses, the Committee should still run limb-separated hearings, evidence tables, findings, and human rights analysis. [S1; S2]

Grounds of challenge (legal framing)

The legal risks below rest on the same mechanisms summarised above (for source pinpoints, see the Executive summary).

1. **Improper bundling / procedural fairness:** One Bill combines three distinct limbs, structurally reducing scrutiny and limb-by-limb assessment.
 2. **Human rights incompatibility (conceded):** The Statement of Compatibility concedes incompatibility with the *Human Rights Act 2019* (Qld), requiring rigorous necessity and proportionality justification.
 3. **Disproportionate impact / indirect discrimination:** Escalation and exclusion pathways predictably impact vulnerable cohorts unequally (including disability, poverty, and housing insecurity).
 4. **Review and correction gaps (procedural fairness):** Weak or inaccessible review creates a one-way valve: easy enforcement, hard correction.
 5. **Unreasonableness / disproportionality:** Rights-limiting expansions are not supported by sufficiently granular evidence or demonstrated consideration of less restrictive alternatives.
 6. **Privacy interference (insufficient safeguards):** Information-sharing and enforcement plumbing engage privacy rights without hardwired limits (purpose, recipients, retention/deletion, audit, correction).
-

About me (standing and perspective)

I am a Queensland resident and a person with disability.

I am making this submission because discretion-heavy, compliance-heavy systems routinely misidentify risk and misallocate blame, particularly for vulnerable cohorts.

In practice, systems do not harm people through slogans. They harm people through default settings:

- notice and election mechanics
- eligibility gates
- deadlines
- information sharing
- enforcement escalation
- weak or inaccessible review rights

When a Bill expands coercive or disclosure defaults, Parliament should require matching error-correction safeguards.

This submission proceeds on a systems-design premise: harm in legal systems is primarily produced through default pathways (escalation, exclusion, and data-sharing), not isolated decisions.

Integrity tests (applied to every limb)

To keep this submission practical rather than rhetorical, I apply three integrity tests.

- **Auditable:** use and outcomes must be measurable and publicly reported
- **Correctable:** errors must be fixable quickly through accessible review
- **Symmetric:** the ease of enforcement must be matched by equally enforceable correction rights

Where this Bill fails these tests, it fails the “safe architecture” standard.

Recommendations (summary)

A) Whole-of-bill (process integrity)

1. **Split the Bill into three separate Bills** (youth justice, drugs, precinct powers).
2. If the Bill is not split, the Committee should still require:
 - separate public hearings per limb
 - separate evidence tables per limb
 - separate findings and recommendations per limb
 - separate human rights analysis per limb

B) Human rights (minimum standard for any rights-limiting Bill)

1. Treat the incompatibility admission as the starting point. Require a necessity and proportionality case that is **limb-by-limb, numbers-forward**, and explicit about alternatives rejected and safeguards adopted. [S2]
2. If any limb proceeds, insert **enforceable statutory safeguards and reporting duties**, not aspirational statements.

C) Youth justice limb (Adult Crime, Adult Time expansion)

1. Do not expand the adult-penalty regime further unless the Government provides testable data (definitions, base rates, demographics, displacement effects, remand/detention impacts, and properly measured reoffending). [S1; S2]
2. Remove **Criminal Code s 359E (unlawful stalking, intimidation, harassment or abuse)** from the expansion list, or insert safeguards specifically designed to address retaliatory/tactical complaints and misidentification risk. [S2; S3]

D) Drugs limb (IDEDF)

1. Reject an infringement-first model that uses **Penalty Infringement Notices + SPER-style escalation** as the default interface for personal-use possession. [S3; S4]
2. Prefer a health-first model. The clearest option is decriminalisation of personal possession and use (paired with service delivery and harm reduction), while keeping supply/trafficking offences criminal.
 - See **Appendix: “QLD Drug Decriminalization Policy Proposal: Simple Principles + Implementable Model”**.
3. If the Committee will not recommend decriminalisation in this Bill, the minimum amendments required are:
 - remove escalation machinery as a default consequence pathway for personal-use possession
 - create supported and accessible election processes
 - insert statutory protections for vulnerability and service-access barriers
 - hardwire strict privacy safeguards (purpose limits, recipients, retention, deletion, audit, correction)
 - require public reporting of outcomes and disproportionality

E) Precinct powers limb (DBCPs)

1. Do not expand precinct exclusion powers while removing review safeguards. [S3]
2. If DBCPs proceed, require **statutory (not administrative) reporting and safeguards**:
 - publication of the evidence basis for declaring a DBCP
 - independent evaluation before renewal

- **statutory reporting of:**
 - exclusion and banning notice volumes (by type, location, duration)
 - review rates and outcomes
 - timeframes for review resolution
 - revocations/variations following error
 - demographic breakdown (including disability where recorded; and First Nations status where recorded)
 - accessible review and complaint mechanisms that actually correct errors
-

1) Process and governance: bundling is structurally coercive

The Government frames the Bill as strengthening community safety in “three strong and decisive ways”. That confirms this is a single combined political argument, not three separable policy reforms. [S1]

Bundling is structurally coercive because it:

- reduces scrutiny (parliamentary time and stakeholder capacity do not triple because the Bill does)
- forces false trade-offs (support one limb, accept unrelated expansions in another)
- muddies accountability (failures become harder to attribute to a specific mechanism)
- prevents clean human rights analysis (each limb limits different rights through different mechanisms)

Committee remedy: Recommend splitting the Bill. If splitting is refused, the Committee should still run its inquiry and structure its report as if these were three separate Bills.

2) Human rights: the incompatibility admission must drive scrutiny

The Statement of Compatibility contains an explicit admission that the Bill (at least in part) is not compatible with the *Human Rights Act 2019* (Qld). [S2] The Statement of Compatibility does not provide sufficiently granular, limb-by-limb proportionality analysis against each engaged right.

Human rights engaged (explicit mapping)

This Bill engages multiple rights under the *Human Rights Act 2019* (Qld), across all three limbs.

- **Liberty and security of the person:** engaged by expanded pathways to detention or coercive enforcement (youth justice limb; also escalation consequences under the drugs limb).
- **Freedom of movement:** engaged by precinct exclusion, move-on and banning mechanisms (DBCP limb).
- **Privacy and reputation:** engaged by information-sharing, recording, and enforcement “plumbing” that expands circulation of sensitive personal data (drugs limb; also DBCP operational systems).
- **Equality before the law / non-discrimination:** engaged because the Bill’s default pathways predictably impact vulnerable cohorts disproportionately (disability, poverty, housing insecurity; and First Nations peoples) across enforcement, elections, exclusions, and review access (all limbs).
- **Rights of children:** engaged by expanding adult-penalty architecture and related coercive consequences applied to children (youth justice limb).
- **Cultural rights (particularly for First Nations peoples):** engaged because enforcement and exclusion powers predictably concentrate on First Nations communities and can disrupt community connection, presence in public space, and cultural practice (DBCP limb; also enforcement patterns under the drugs limb).

Once incompatibility is conceded, the burden shifts. Each limb must be justified against each engaged right with a limb-specific necessity and proportionality analysis, supported by disaggregated evidence and matched by enforceable safeguards (not aspirational statements). A rights-limiting Bill must be justified with:

- limb-by-limb necessity and proportionality
- transparent data and evaluation plans
- explicit consideration of less restrictive alternatives
- statutory safeguards that prevent predictable error and discrimination

If the Government cannot meet that standard, the Committee should recommend the Bill not proceed.

3) Youth justice limb: Adult Crime, Adult Time expansion (Youth Justice Act 1992)

3.1 This is a structural widening, not a minor amendment

This Bill widens the adult-penalty regime by:

- expanding the s 175A offence list, and
- extending adult penalties to attempts, conspiracy, and accessory-after-the-fact conduct. [S3]

Widening mechanisms expand edge cases, expand discretionary decision points, and increase the probability of irreversible error.

3.2 Stalking inclusion (s 359E) creates foreseeable misidentification risk

Including s 359E **unlawful stalking, intimidation, harassment or abuse** increases the risk of:

- retaliatory or tactical complaints
- context stripping (fragmentary evidence presented as the whole truth)
- “priority inversion” (the person seeking protection becomes the person punished)

If Government insists on including s 359E, the Committee should require safeguards designed specifically for misidentification risk, not general assurances.

3.3 Headline claims must be made testable

If Government relies on a headline statistic to justify rights limitation, the Committee should require disclosure sufficient to test it:

- definitions (what counts as “proven”)
- base rates and denominators
- demographic and geographic breakdown
- displacement effects (charging/plea practice changes vs harm reduction)
- downstream impacts (remand, detention days, breach rates, properly measured reoffending)

Without this, the rights-limiting justification is not evidence-based. [S1; S2]

4) Drugs limb: IDEDF (repeal PDDP, replace with infringement-first architecture)

4.1 This is “ticketing + escalation” with a narrow off-ramp

The Bill builds an interface where “minor drug offences” are tied to a Penalty Infringement Notice, short election windows, strict eligibility, and enforcement plumbing. [S3; S4]

That is an enforcement-first default.

A fine-based design predictably acts as a poverty amplifier:

- fine → enforcement action → instability → increased system contact

4.2 Why infringement-first design predictably harms vulnerable cohorts

An infringement-first system does not operate equally across the population. It predictably harms people with:

- unstable housing and no stable address
- disability-related executive function and communication barriers
- poverty and inability to pay
- dependency and crisis instability

In those contexts, “non-compliance” is often not defiance. It is a predictable service-access failure.

Lived-impact scenario

For a person with cognitive/executive functioning impairment (including disability), an infringement-first “PIN + election” model can produce harm without any single dramatic failure:

1. A person is issued a Penalty Infringement Notice (PIN) for a minor personal-use drug offence.
2. The PIN provides an “election” pathway, but it is time-limited and process-heavy (multiple steps, forms, deadlines).
3. The person intends to respond, but cannot reliably sequence tasks, track deadlines, or complete multi-step admin under stress (especially with unstable housing, limited phone/data access, or no fixed address).
4. The election window expires. The person does not “refuse” compliance. The system treats non-response as non-compliance.
5. The PIN escalates into enforcement action. Costs increase. Consequences accumulate.
6. The person becomes more system-visible and more frequently subject to enforcement contact, not because risk increased, but because the default pathway is escalation.
7. The net effect is predictable: fine-based escalation functions as a poverty and disability amplifier, drawing the same vulnerable cohorts into deeper system contact.

Key point: This is not about intentions. It is about default settings: easy enforcement, hard navigation, hard correction.

4.3 Privacy and information sharing must be treated as a primary rights issue

The Statement acknowledges privacy is engaged due to personal information sharing and acknowledges disproportionate impacts on vulnerable cohorts. [S2]

Once disproportionate impact risk is admitted, the Committee should require enforceable safeguards:

- strict statutory purpose limitation (no secondary use)
- strict recipient limitation (who can receive data)
- retention limits and mandatory deletion
- independent auditing and public reporting
- accessible correction and complaint pathways that produce corrective action

4.4 A more evidence-based, rights-compatible alternative exists

A defensible alternative architecture is:

- decriminalise personal possession and use (remove criminal penalties)
- keep supply/trafficking offences criminal
- shift the default interface to health and service connection
- hardwire harm reduction and service availability
- publish metrics and outcomes
- impose strict privacy constraints
- create independent oversight

Even if the Committee does not recommend decriminalisation in this Bill, the minimum design rule is still clear:

Do not build a personal-use possession response around infringement escalation machinery.

5) Precinct powers limb: Designated Business and Community Precincts (DBCPs)

5.1 Expanded exclusion powers + removal of review is the wrong direction

The Bill creates DBCPs by regulation and expands move-on, exclusion and banning pathways within them. [S3; S4]

The change map also identifies removal of a review provision for move-on directions (PPRA s 49 omitted). [S3]

Expanding coercive powers while weakening review increases error probability and reduces error correction.

5.2 “Necessary task” exceptions are not a safeguard without enforceability

The Bill includes “necessary task” examples (medical, food, banking, public transport, government services, court obligations, support services, welfare, etc.). [S3; S4]

This is effectively an admission that the precinct exclusion/banning framework can otherwise block ordinary life activities.

In real life, the safeguard fails if:

- it depends on frontline discretion
- the person must prove necessity in the moment
- disability affects communication or processing

Lived-impact scenario

For a person with cognitive/executive functioning impairment (including disability), expanded precinct exclusion powers can block ordinary life through a predictable sequence:

1. A person relies on a small set of essential places to function: pharmacy, food access, public transport, banking, government services, medical appointments.
2. Some or all of those places fall within a declared precinct.
3. The person is given a move-on direction, exclusion, or banning notice within the precinct.
4. The law may contemplate “necessary task” exceptions, but the exception is only usable if the person can understand the notice, communicate clearly under stress, and assert necessity in real time.
5. The person cannot reliably do that (processing delay, shutdown under pressure, communication impairment, trauma response).
6. They avoid the precinct to avoid breach or conflict.
7. Avoidance blocks access to essentials. The person misses services, transport, medication, food, or appointments. Instability increases.
8. Review is theoretically available, but if review is slow, inaccessible, or discretionary, the practical reality is a one-way valve: exclusion is immediate; correction is delayed or unattainable.

Key point: No single step must be abusive for serious harm to occur. The harm is structurally produced when exclusion is easy and correction is hard.

5.3 Minimum correction architecture the Committee should require (precinct limb)

If DBCPs proceed, the Committee should require amendments that make precinct exclusion powers **auditable and correctable**:

1. **Written reasons at the point of issue** for every “do not return” direction and banning notice (grounds relied on, duration, brief record of the person’s explanation).
2. **Fast review pathway** with short statutory timeframes, duty to give reasons, and a disability-accessible process.
3. **Revocation/variation notification duty:** if a decision is revoked/varied on review, the State must notify all relevant recipients/systems within a defined timeframe.
4. **Confirmation right:** the person must be able to obtain written confirmation that revocation/variation has been processed and communicated.
5. **Annual public reporting** on volumes, reasons categories, review outcomes, and disproportionality indicators where recorded.

Without these, precinct powers will operate as a one-way valve: easy exclusion, hard correction.

Questions the Committee must answer in its report

1. Why is this one Bill, and why was it not split into three Bills given three distinct regimes are being changed simultaneously? [S1; S2]
 2. What exact evidence justifies rights limitation limb-by-limb, and what less restrictive alternatives were rejected? [S2]
 3. What safeguards will prevent misidentification harms in stalking-related matters if adult-penalty machinery is expanded? [S2; S3]
 4. How will the Committee prevent infringement enforcement escalation from acting as a poverty and disability amplifier under the drugs limb? [S3; S4]
 5. What are the enforceable privacy and information-sharing limits (who, what, why, retention, deletion, audit, correction)? [S2; S3]
 6. Why remove review safeguards while expanding precinct exclusion powers, and what replaces the removed review mechanism in practical, accessible terms? [S3]
-

Closing

Queensland can choose safety without choosing rights regression.

If Government wants the Committee to accept rights-limiting law, it must accept the burden of proof. That burden is not met by bundling, slogans, or headline statistics.

If the Bill proceeds (minimum safeguards)

If the Committee will not recommend that the Bill be split or not proceed, the minimum requirements if enacted should include:

- **enforceable statutory safeguards** (not guidelines)
- **independent review within 12–24 months** of commencement (with public reporting)
- **sunset clauses for high-risk powers**, unless Parliament affirmatively renews them after evaluation

This submission asks for one thing: **If the State expands its power to exclude, penalise, and surveil, it must equally expand the public’s power to challenge, correct, and scrutinise those decisions.**

References (URLs)

Accessed: 18 Mar 2026

[S1] Hansard (3 Mar 2026) (PDF):

https://documents.parliament.qld.gov.au/events/han/2026/2026_03_03_DAILY.pdf

[S2] Statement of Compatibility (PDF):

<https://documents.parliament.qld.gov.au/bills/2026/4277/Expanding-Adult-Crime,-Adult-Time-and-Taking-a-Strong-Stance-on-Drugs-and-Anti-Social-Behaviour-Amendment-Bill-2026---Statement-of-Compatibility-f97f.pdf>

[S3] Bill (PDF): <https://documents.parliament.qld.gov.au/bills/2026/4277/Expanding-Adult-Crime,-Adult-Time-and-Taking-a-Strong-Stance-on-Drugs-and-Anti-Social-Behaviour-Amendment-Bill-2026-4b09.pdf>