

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

**Submission No:** 155

**Submission By:** Queensland Council of Social Service

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

*Submitted via upload to web platform*

Dear Committee Members

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

Thank you for the opportunity to provide feedback in relation to the above.

### **About QCOSS**

Queensland Council of Social Service (QCOSS) is Queensland's peak body for the social service sector. Our vision is to achieve equality, opportunity, and wellbeing for all Queenslanders.

### **QCOSS' position**

QCOSS does not support passage of the Bill. Informed by community service sector views, we maintain our concerns regarding the *Adult Crime, Adult Time* sentencing framework ('the ACAT Framework'). We also hold concerns on the proposed repeal of the Police Drug Diversion Program, ('the PDDP') to be replaced by the new Illicit Drug Enforcement and Diversion Framework ('the IDEDF'); and the expansion of police powers in connection with declared Designated Business and Community Precincts ('DBCPs').

This submission is informed by ongoing research and engagement with community service professionals, including consultation that was undertaken specifically in relation to the Bill. Queensland's community service organisations have a deep understanding of the challenges faced by their communities and have expertise on the supports that are needed to meet their communities' needs.

QCOSS welcomes recent investment in the community sector, particularly in relation to community services who work with children and young people involved or at risk of involvement in the youth justice system. We urge the Government to continue working with the community service sector to identify additional opportunities for expanded investment, particularly with Aboriginal and Torres Strait Islander Community Controlled Organisations, in line with Queensland's commitments under the National Closing the Gap Agreement.

Investment in culturally safe, trauma informed, therapeutic and community led supports has the power to affect transformative change, whereas punitive measures do not make the community safer and have the potential to criminalise trauma as well as perpetuate and compound immense harm.

### **Disproportionate impact upon Aboriginal and Torres Strait Islander Peoples and people with disability**



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The criminal justice system has a disproportionate impact upon Aboriginal and Torres Strait Islander Peoples and people with disability.

Of the children and young people incarcerated in youth detention in Queensland in the 2024-25 financial year, nearly 70 per cent identified as Aboriginal and/or Torres Strait Islander.<sup>1</sup> On an average day, of the people incarcerated in the adult prison system in the 2024-2025 financial year, nearly 40 per cent identified as Aboriginal and/or Torres Strait Islander.<sup>2</sup> The Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability outlined people with disability are also "...disproportionately represented in criminal justice settings, across all stages, from police contact and arrest, through to court processes and correctional settings."<sup>3</sup>

In considering significant amendments to criminal laws, it is important to prioritise the participation, leadership and self-determination of both Aboriginal and Torres Strait Islander Peoples and people with disability.

### Expansion of the ACAT Framework

In responding to the Bill, we refer the Committee to our two previous submissions, which responded to the initial introduction of the ACAT Framework,<sup>4</sup> and the first expansion of those laws.<sup>5</sup> The concerns we raised in those submissions remain relevant. Led by community sector feedback, we have previously highlighted:

- Concerns regarding the disproportionate impact the ACAT Framework will have on Aboriginal and Torres Strait Islander children, children with disability, and culturally and linguistically diverse children.
- The need to treat children differently from adults in the criminal justice system.
- Concerns regarding the additional strain the ACAT Framework will place on an already stretched youth justice system.
- The need to prioritise funding for culturally safe, trauma informed, therapeutic and community led supports that address the underlying drivers of youth crime.
- The need for the youth justice system to operate such that community safety is improved, the needs of victims are met, and the rights of children respected, protected and fulfilled.

In assessing the impacts of the ACAT Framework, it is important to consider the longer-term impacts of punitive approaches to youth justice. Evidence has shown the younger a child is when they are first sentenced, the more likely they will be to return to youth justice supervision again during childhood. Of the children ages 10 to 12 years who receive a supervised sentence, 94 per cent will return to youth justice supervision at some point.<sup>6</sup>

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<sup>1</sup> Australian Government. (2026). Report on Government Services 2026, Part F, Section 17: Youth justice services, Table 17A.9.

<https://www.pc.gov.au/ongoing/report-on-government-services/community-services/youth-justice/>

<sup>2</sup> Australian Government. (2026). Report on Government Services 2026, Part C, Section 8: Corrective Services, Table 8A.4.

<https://www.pc.gov.au/ongoing/report-on-government-services/justice/corrective-services/>

<sup>3</sup> Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability. (2023). Final Report, Volume 8, Criminal justice and people with disability, pp 3-4.

<https://disability.royalcommission.gov.au/publications/final-report-volume-8-criminal-justice-and-people-disability>

<sup>4</sup> Queensland Council of Social Service. Submission No. 77 to the Justice, Integrity and Community Safety Committee, Queensland Parliament. *Inquiry into Making Queensland Safer Bill 2024 (Qld)* (3 December 2024).

<https://documents.parliament.qld.gov.au/com/JICSC-CD82/IMQSB2024-B002/submissions/00000077.pdf>

<sup>5</sup> Queensland Council of Social Service. Submission No. 26 to the Justice, Integrity and Community Safety Committee, Queensland Parliament. *Inquiry into Making Queensland Safer (Adult Crime, Adult Time) Amendment Bill 2025 (Qld)* (15 April 2025).

<https://documents.parliament.qld.gov.au/com/JICSC-CD82/MQSACATAB2-9E30/submissions/00000026.pdf>

<sup>6</sup> Walsh T, Beilby J, Lim P, Cornwell L. (2023). Safety through support: building safer communities by supporting vulnerable children in Queensland's youth justice system, p 14.

<https://espace.library.uq.edu.au/view/UQ:55d7b70>

The Child Death Review Board provided a detailed exploration of contact two boys had with the youth justice system prior to their deaths, including periods of incarceration. The report outlined “Despite the youth justice system existing to try and help young people address the disadvantage and circumstances that contribute to offending, the system appeared ineffective at achieving improvements in safety and wellbeing for either boy. Arguably, their experiences in detention served to cause further trauma, disconnection, and hopelessness.”<sup>7</sup>

Community services have shared additional concerns specific to the expansion of the ACAT Framework in the Bill, including the following:

- There are concerns regarding expansions to the ACAT Framework proposed by the Bill, such as the application of general attempts and conspiracy to commit, and accessories after the fact to any Adult Crime, Adult Time offence. This represents a significant net-widening of the ACAT Framework.
- Some of the new offences proposed to be added to the ACAT Framework are overly broad, including assault occasioning bodily harm in certain circumstances.
- A number of the proposed offences relate to domestic and family violence (‘DFV’) behaviour. A large proportion of children involved with the youth justice system have experienced or been impacted by DFV.<sup>8</sup> A therapeutic service system response would be more effective in these circumstances.
- Sector feedback has also outlined that overly punitive approaches to children involved in the justice system fail to address situations where young people are experiencing exploitation and are engaging in behaviours due to the coercive control of others.

QCOSS does not support the ACAT framework, however, should the Bill be passed QCOSS supports the inclusion of additional measures to provide safeguards or points of refinement in the application of the ACAT Framework. For example, previous Inquiries regarding the ACAT Framework have received feedback regarding concerns that restorative justice processes under the YJA will not be available for Adult Crime, Adult Time offences. Many submissions have also previously urged for a statutory requirement for independent review of the operation and impacts of the ACAT Framework.

### **Introduction of the IDEDF**

Feedback from community service stakeholders has raised significant concerns with the proposed repeal of the PDDP and the introduction of the new IDEDF. Of particular note, QCOSS understands there is an independent review underway in relation to the PDDP.<sup>9</sup>

Sector feedback has outlined general concerns regarding the overly punitive nature of the proposed IDEDF and emphasised the need to prioritise health responses. Feedback also noted that reducing opportunities for diversion will be particularly harmful for people experiencing chronic substance dependence.

In the specific context of children, QCOSS appreciates that police will maintain discretion to engage a wide range of diversionary options. However, we are concerned that decision makers will be influenced by the policy signals sent by the Bill in relation to drug enforcement.

<sup>7</sup> State of Queensland. (2023). Child Death Review Board Annual Report 2022-23. Child Death Review Board, p 22. <https://www.gfcc.qld.gov.au/sites/default/files/2024-08/Child%20Death%20Review%20Board%20Annual%20Report%202022-2023.pdf>

<sup>8</sup> For example, 70 per cent of children in youth justice custody during the Queensland youth justice census in 2024 had experienced or been impacted by domestic and family violence. Many in the sector believe this figure may be an underestimation. [https://www.publications.qld.gov.au/ckan-publications-attachments-prod/resources/a6c6dbcf-b18f-413c-a2fb-9cd1b7bc4c84/yj\\_census\\_summary\\_custody\\_2018-2024.pdf?ETag=5bbf485bdae5a619f572ac92d294030b](https://www.publications.qld.gov.au/ckan-publications-attachments-prod/resources/a6c6dbcf-b18f-413c-a2fb-9cd1b7bc4c84/yj_census_summary_custody_2018-2024.pdf?ETag=5bbf485bdae5a619f572ac92d294030b)

<sup>9</sup> University of Queensland. *Independent Research and Evaluation of the Police Drug Diversion Program (PDDP) (2024-2026)*, (accessed 13 March 2026). <https://about.uq.edu.au/experts/project/64289>

The Queensland Network of Alcohol and Other Drug Agencies outline in their position paper *Systemic Responses: Criminal Justice* that "...in the majority of circumstances, increased investment in programs and policies which aim to divert away from the justice system entirely are more effective at reducing crime and improving community safety."<sup>10</sup> They further explain that "drug policies rooted in the logic of prohibition are both ineffective and counterproductive; they fail to reduce use or harms while simultaneously producing a range of negative unintended consequences. Comparatively, policing and criminal justice approaches rooted in the logic of health and harm reduction reduce the adverse health, social, and economic consequences associated with drug use and drug markets, while simultaneously reducing costs and burdens incurred by law enforcement and criminal justice systems."<sup>11</sup>

In recent years, the Women's Safety and Justice Taskforce *Hear Her Voice Report Two*,<sup>12</sup> and the Queensland Productivity Commission *Inquiry into imprisonment and recidivism*,<sup>13</sup> both outlined the need to strengthen and expand drug diversion frameworks. The proposal contained in the Bill is moving in the wrong direction.

Sector concerns were also raised in relation to the impacts of proposed Penalty Infringement Notices on people experiencing disadvantage and economic insecurity.

Community sector views emphasised a need to expand diversionary frameworks, rather than limit or reduce them, and expand access to therapeutic supports and harm reduction services across the board. Feedback outlined a particular need to expand investment in services who can provide tailored support to children who are engaging with alcohol and other drugs.

### **Introduction of DBCPs and associated expanded police powers**

QCOSS has received feedback outlining general concerns regarding the introduction of DBCPs and associated expanded police powers in those locations. The explanatory notes to the Bill outline that under the framework proposed by the Bill, the "...Minister may prescribe a DBCP by regulation to designate areas where there is a need to enhance public safety or public amenity, reduce anti-social behaviour, or reduce or prevent disruption of businesses." Member feedback has highlighted concerns on the impacts of these laws.

Feedback included concerns regarding the nature and language of the Bill and supporting materials, noting that some behaviour and conduct connected to disability can become criminalised where punitive responses are prioritised. Feedback also raised concerns that banning notices could apply to children,<sup>14</sup> whereas currently banning notices are only applicable to adults.<sup>15</sup> Additional concerns have been raised that requirements to notify a parent or guardian where a child has received a banning notice will only apply where practicable.<sup>16</sup>

Questions also arose regarding the expansion of banning notices in situations where people may need to maintain access to key services and amenities, particularly in regional, remote and rural areas. In this context, we acknowledge that the explanatory notes outline the following:

"The Bill provides examples of what constitutes a reasonable excuse for a person to contravene a police banning notice under section 602Q of the PPRA. This will support respondents to lawfully return to a banned area for the purpose of accessing government services and essential services, such as grocery stores, petrol stations, public transport and

<sup>10</sup> Queensland Network of Alcohol and Other Drug Agencies. (2025). *Systemic Responses: Criminal Justice*, p 2. [https://qnada.org.au/wp-content/uploads/2025/06/Dra\\_20250601\\_Criminal-Justice-Position-Paper\\_NH.pdf](https://qnada.org.au/wp-content/uploads/2025/06/Dra_20250601_Criminal-Justice-Position-Paper_NH.pdf)

<sup>11</sup> Ibid.

<sup>12</sup> Women's Safety and Justice Taskforce. (2022). *Hear Her Voice, Report Two, Volume Two*, pp 458-467. <https://www.publications.qld.gov.au/dataset/womens-safety-and-justice-taskforce>

<sup>13</sup> Queensland Productivity Commission. (2019). *Inquiry into imprisonment and recidivism final report*, p lvi <https://www.treasury.qld.gov.au/files/Imprisonment-Volume-1-final-report.pdf>

<sup>14</sup> Expanding Adult Crime, Adult Time and Taking a Strong Stance on Drugs and Anti-social Behaviour Amendment Bill 2026 (Qld), clause 29.

<sup>15</sup> Police Powers and Responsibilities Act 200 (Qld) s 602C(1)

<sup>16</sup> Expanding Adult Crime, Adult Time and Taking a Strong Stance on Drugs and Anti-social Behaviour Amendment Bill 2026 (Qld), clause 29.

medical services. The excuse will apply in the above circumstances where it is necessary and impractical for the person to undertake the task outside of the banned area. The Bill also clarifies a person can lawfully enter a banned area for the purpose of complying with their bail, probation or parole conditions or complying with other requirements to present to a court or tribunal.”<sup>17</sup>

It is unclear, however, how this mechanism will be communicated to impacted individuals; how their ability to return to the area for particular reasons will be managed; and whether the risk of breaching a banning notice will result in disengagement from important services and amenities.

QCOSS additionally notes the Bill proposes to:

“...provide police officers with powers to conduct hand held scanning in DBCPs without the current requirement to obtain prior approval from a senior police officer. This will remove the current obligation that hand held scanning can only be authorised in public places, that are not relevant places, for 12 hours, and where the authorising officer is satisfied the use of hand held scanners is likely to be effective to detect or deter the commission of an offence involving the possession or use of a knife or other weapon.”<sup>18</sup>

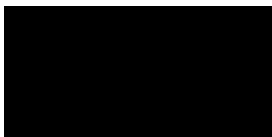
In relation to this aspect of the Bill, we refer the Committee to our most recent submission regarding police powers to conduct hand held scanning operations without a warrant.<sup>19</sup> In that submission, QCOSS noted that we appreciate the intent to detect the unlawful possession of knives in public places. However, we also outlined that the expanded operation of these laws was always intended for independent review, which should still take place. We outlined our concerns on the potential negative impacts of scanning operations, including negative impacts upon children; and raised concerns about the removal of safeguards that were previously in place. Our concerns on this issue remain, and we note our concern on the further removal of existing safeguards.

## Conclusion

QCOSS welcomes recent investment in the community sector, particularly in relation to community services who work with children and young people involved or at risk of involvement in the youth justice system. Investment in culturally safe, trauma informed, therapeutic and community led supports has the power to affect transformative change. The Bill, however, applies punitive approaches to circumstances where a health or support service system response would be more effective. QCOSS values the fundamental need for all people to feel safe in their communities, but the Bill will not achieve this intended outcome. We urge the Committee to recommend against passing the Bill.

Thank you again for the opportunity to provide our submission.

Yours sincerely



Aimee McVeigh  
Chief Executive Officer

<sup>17</sup> State of Queensland. (2026). Expanding Adult Crime, Adult Time and Taking a Strong Stance on Drugs and Anti-Social Behaviour Amendment Bill 2026 (Qld), Explanatory Notes, p 8.

<sup>18</sup> State of Queensland. (2026). Expanding Adult Crime, Adult Time and Taking a Strong Stance on Drugs and Anti-Social Behaviour Amendment Bill 2026 (Qld), Explanatory Notes, p 6.

<sup>19</sup> Queensland Council of Social Service. Submission No. 11 to the Justice, Integrity and Community Safety Committee, Queensland Parliament. *Inquiry into Police Powers and Responsibilities (Making Jack's Law Permanent) and Other Legislation Amendment Bill 2025 (Qld)* (15 April 2025).

<https://documents.parliament.qld.gov.au/com/JICSC-CD82/PPRMJLPOLA-2568/submissions/00000011.pdf>