

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

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To the Committee Secretary of The Justice, Integrity and Community Safety Committee

Deadly Inspiring Youth Doing Good (DIYDG) welcomes the opportunity to comment on the **Expanding Adult Crime, Adult Time and Taking a Strong Stance on Drugs and Anti-Social Behaviour Amendment Bill 2026**.

DIYDG is an Aboriginal and Torres Strait Islander youth organisation founded by young people to ensure our voices are heard where decisions about us are made. We exist to elevate youth leadership and create environments where young people can thrive. Our community is full of strong, capable, and collective minded young leaders who contribute positively to their families, schools, workplaces, and communities.

We also work with young people who face significant barriers (including trauma, poverty, racism, disability, and housing instability) and whose lives are shaped by circumstances outside their control. Our approach is strengths-based and culturally integrous, recognising the potential of every young person while providing the support required to navigate complex systems.

Community safety is essential. However, as we have outlined in our previous submissions, this bill risks disproportionately impacting Aboriginal and Torres Strait Islander children who are already significantly overrepresented in the youth justice system. Effective policy must hold two truths at once: keep communities safe and uphold the rights of young people by responding to children in developmentally appropriate, culturally safe ways that address the structural drivers of harm.

Summary of Key Concerns

1) Riot offences

Under the Bill, disturbances involving groups of 12 or more young people may meet the legal threshold for a riot offence. Rioting is a tool of the powerless and is known as the 'language of the unheard'. Many of our young people feel powerless and lack the understanding of how to navigate systems to be heard. Young people often respond collectively in emotionally charged situations, which creates a real risk that children could be charged with riot and exposed to adult penalties, even when their behaviour arises from trauma, crisis, or community conflict rather than organised criminal intent. This may be especially relevant in youth detention settings and remote/rural communities; therefore, we ask the government to exclude these situations.

2) Vehicle offences requiring intent

New provisions that hinge on proving "intent" (including those carrying life imprisonment) are problematic when applied to children. Child and adolescent development (especially in the context of trauma, disability, or neurodevelopmental impairment) limits capacity to foresee consequences and regulate impulses. Applying adult intent standards to children risks criminalising immaturity, not deliberate harm.

3) Enhanced Police Powers

In many regional and urban communities, public spaces are the only places available for young people to have social connection. For Aboriginal and Torres Strait Islander young people, police searches are not experienced as neutral or routine. Being stopped, searched, or scanned in public spaces can be deeply de-humanising and re-enforce being treated as a problem rather than as a young person deserving of dignity and care. These interactions undermine trust, strain relationships between police and community, and contribute to feelings of exclusion and lack of belonging in places that should be safe and shared. We request safeguards to ensure a reduced risk of over-policing Aboriginal and Torres Strait Islander young people and the criminalisation of behaviour more appropriately addressed through youth work, diversion, and family-centred support.

Recommendations

DIYDG recommends the Committee:

- Limit use of move-on or exclusion powers for children; require notification of a parent/carer or recognised support person and referral pathways to youth and family services.
- Exclude riot offences involving children where the conduct occurs in youth detention, community crises, or non-organised group situations arising primarily from distress, trauma, or lack of crisis responses.
- Require courts to consider developmental capacity, trauma, and disability when intent-based offences involve children.
- Require independent monitoring and public reporting on the impacts of expanded Adult Crime, Adult Time provisions, with data disaggregated by age, Aboriginal and Torres Strait Islander status, gender, and disability. We would like public information on when adult time has been given to a child and for what specific crimes.
- Conduct an independent evaluation to assess outcomes, unintended impacts, and cost-effectiveness compared with diversion, family support, and community-led programs.
- Introduce explicit non-discrimination and anti-profiling safeguards; require body-worn camera activation and incident recording for all police interactions with children.
- Require public reporting of the use of scanners, disaggregated by age, Aboriginal and Torres Strait Islander status, location, and whether a weapon or prohibited item was detected.
- Establish community oversight (including Aboriginal Community Controlled Organisations) to review impacts and guide local diversion and engagement responses.

Community safety and the wellbeing of children are not competing goals. Policies that rely primarily on punitive responses risk entrenching the very conditions that drive youth offending. A developmentally appropriate, trauma-informed, and culturally integrous approach, co-designed with Aboriginal and Torres Strait Islander communities will deliver safer outcomes for young people, families, and the wider community.

Yours sincerely,

Merrissa Nona & Stacey Ketchell CEO & Chairperson of Deadly Inspiring Youth Doing Good Aboriginal and Torres Strait Islander Corporation.