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

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Sisters Inside Inc. is an independent community organisation which exists to advocate for the human rights of women in the criminal justice system

Justice, Integrity and Community Safety Committee
By Email: jicsc@parliament.qld.gov.au

Dear Members of the Justice, Integrity and Community Safety Committee

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

Sisters Inside welcomes the opportunity to make this submission. We oppose this Bill in the strongest possible terms.

This Bill is not a child safety Bill. It is not a community safety Bill. It is a punishment Bill. It is a state power Bill. It is a Bill that expands the reach of police, deepens the criminalisation of children, broadens pathways into imprisonment, and entrenches racialised and ableist violence under the language of "safety", "order" and "accountability". The Explanatory Notes[1] make that plain: the Bill expands Adult Crime, Adult Time; narrows drug diversion; and introduces sweeping new police powers through Designated Business and Community Precincts. It also expressly extends Adult Crime, Adult Time to 12 more offences, including riot, and expands the regime to attempts, conspiracies and accessories after the fact.

Sisters Inside is an abolitionist organisation. We do not accept the premise that more policing, more punishment, more exclusion, and more imprisonment make children or communities safer. They do not. They make already harmed children more vulnerable to state violence, deeper system entrenchment, and lifelong criminalisation. This Bill does exactly that.

Our position
Sisters Inside calls for the Bill to be rejected in full.
At minimum, the Committee should recommend the removal of:

- all further expansions of Adult Crime, Adult Time;
- the application of riot provisions and related adult penalties to children;
- the proposed extension of police banning notices to children;
- the proposed expansion of Jack's Law into Designated Business and Community Precincts;
- the proposed power to require name and address in connection with move-on directions;
- the narrowing of drug diversion and the replacement of health responses with fines, police discretion and prosecution pathways;
- all provisions that increase police discretion over disabled, racialised, criminalised and poor children in public space.

[1] 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---Explanatory-notes-ed1e.pdf

This Bill punishes children for the failures of the state
The children targeted by this Bill are not abstract "offenders". They are children. Many are survivors of domestic and family violence, sexual violence, child abuse, neglect, removal, poverty, homelessness, disability-related exclusion, racial profiling, school exclusion, and family policing violence. Many are also children for whom the state has already assumed parental responsibility.

AIHW reporting shows the scale of that overlap. Almost two-thirds of young people under youth justice supervision in 2022–23 had been a part of the child protection system in the previous 10 years, and among those first supervised at age 10, more than 9 in 10 had such an interaction[2].

That matters. It means the state is not merely responding to harm after the fact. The state is deeply implicated in the life pathways of the children it then chooses to police, prosecute and imprison. The state cannot claim to be protecting children while simultaneously functioning as the parent, the investigator, the jailer and the punisher of those same children.

From an abolitionist perspective, that contradiction is the whole story.

This Bill tries to recast children produced through state abandonment and state violence as autonomous perpetrators deserving harsher punishment. It treats criminalisation as a solution to trauma. It treats structural neglect as an individual moral failure. It treats children harmed by every system around them as though they arrived at punishment in a vacuum.

They did not.

Adult Crime, Adult Time is state violence against children
The Bill adds 12 more offences to Adult Crime, Adult Time, including riot, choking in a domestic setting, endangering safety in a vehicle with intent, certain assaults occasioning bodily harm, unlawful stalking and related offences. It also extends the regime to attempts, conspiracies, accessories after the fact, and attempted robbery simpliciter.

The Explanatory Notes are clear about the effect. For children sentenced under these provisions, imprisonment can be increased to adult maximums, in some cases to life imprisonment, with the same 15-year mandatory minimum non-parole period that applies to adults. The Bill also removes access to youth-specific restorative justice orders for these offences.

This is indefensible.

Queensland's own Explanatory Notes acknowledge that the amendments are not compatible with the human rights protected by the *Human Rights Act 2019 (Qld)* and will rely on the existing override declaration in section 175A. Under the *Human Rights Act*, override declarations are intended to be used only in "exceptional circumstances", with examples including war, a state of emergency, or an exceptional crisis threatening public safety, health or order[3]. The routine political decision to punish children more harshly does not meet that threshold. It is not an emergency. It is a policy choice.

[2] https://www.aihw.gov.au/reports/youth-justice/young-people-youth-justice-supervision-2022-23/summary
[3] https://www.legislation.qld.gov.au/view/whole/html/asmade/act-2019-005

It is also directly at odds with the rights recognised in the *Human Rights Act*, including that a child charged with an offence has the right to procedures that take account of their age and the desirability of promoting rehabilitation, and that detained children must be treated in a way appropriate to their age[4].

The government cannot seriously claim to respect children's rights while openly boasting about overriding them.

The expansion to riot offences creates a grave danger for children in custody
One of the most alarming aspects of this Bill is the inclusion of riot offences in Adult Crime, Adult Time where aggravating circumstances apply. In practice, this creates a dangerous pathway for children in detention or prison-like settings to be charged and sentenced as adults for so-called "prison riots".

That concern is not hypothetical. In custodial settings, children are subjected to extreme control, separation, force, deprivation and humiliation. Queensland oversight bodies have continued to document serious concerns in youth prison, including the use of solitary confinement[5]. When children protest conditions, resist mistreatment, act collectively in fear, or respond to violence inside a locked institution, the state routinely reframes that conduct as disorder, threat, gang behaviour or riot.

This Bill gives that state response even sharper teeth.

Children who are already imprisoned in violent conditions may now face exposure to adult penalties for conduct arising in those same institutions. In other words, the state can create the conditions of desperation and then punish children as adults for reacting to them. That is not justice. That is an escalation of institutional violence.

From an abolitionist perspective, the Committee should understand this provision for what it is: a mechanism to convert prison management issues into adult criminal liability for children.

This Bill ignores what is known about children's development
This Bill is also contrary to what is known about children's cognitive development, trauma and decision-making.

The Australian Institute of Family Studies notes that the minimum age of criminal responsibility is meant to divert children away from the youth justice system, and that children who are diverted and given appropriate health and social supports are less likely to be recriminalised than those who are brought into the system. It also notes the continued significance of *doli incapax* for children aged 10 to 14, and that the UN Committee on the Rights of the Child recommended that children of a certain age should not be held criminally responsible, based on increased knowledge about children's development and brain functioning[6].

[4] https://www.legislation.qld.gov.au/view/whole/html/current/act-2019-005
[5] https://www.ombudsman.qld.gov.au/publications/detention-inspection-reports/ydc-inspections-combined-report-2025
[6] https://aifs.gov.au/resources/resource-sheets/minimum-age-criminal-responsibility-australia

AIFS also summarises evidence that trauma can significantly affect children's cognition and development[7].

This matters because the children most likely to be captured by this Bill are not children with stable housing, secure attachment, safe schooling, adequate health care and well-resourced family support. They are disproportionately children living with racism, trauma, neurodivergence, disability, cognitive impairment, poverty and system contact. To answer that with harsher punishment is not evidence-based; it is the rejection of evidence.

The Bill is built on the fiction that children, including traumatised and disabled children, make decisions in the same way as fully resourced adults and therefore should be punished "in the same way". That fiction cannot survive even a basic engagement with child development, trauma science or disability justice.

Children with disability will be harmed
The proposed framework for Designated Business and Community Precincts is especially dangerous for children with disability, including undiagnosed disability, cognitive disability, psychosocial disability, neurodivergence and communication disability.

The Bill extends police power to scan, stop, move on, require name and address, and issue banning notices in designated precincts. It also expands the examples of conduct said to justify banning notices to include abusive or indecent language and explicitly allows police to issue banning notices to children on the basis that their conduct is "equally disruptive" as that of adults.

That framing is profoundly dangerous. Disabled children are routinely misread by police, schools and service systems as defiant, aggressive, anti-social, intoxicated, non-compliant or threatening when they are dysregulated, overwhelmed, confused, frightened, trying to communicate distress, or unable to process directions in the way expected. The Bill invites precisely that misreading and then empowers police to exclude children from public space on that basis.

The problem is compounded by the Bill's reliance on police discretion. Even the Explanatory Notes acknowledge concerns about unequal treatment, administrative power and insufficient safeguards in relation to the drug provisions. Those same concerns apply with even greater force to police contact with disabled children in public space.

A law that gives police more discretion over children with disability is not neutral. It is a law that will be enforced through ableist assumptions.

First Nations children will be targeted hardest
Any serious assessment of this Bill must begin with the reality that the Queensland and Australian youth punishment systems already operate in a racially unequal way.

[7] https://aifs.gov.au/resources/practice-guides/effect-trauma-brain-development-children

AIHW data show that on an average night in the June quarter of 2024, First Nations young people made up 60% of all young people in detention aged 10 and over, and 65% of those aged 10–17 in detention, despite representing just 6.6% of the population aged 10–17[8].

AIHW also found that about 3 in 4 First Nations young people under youth justice supervision in 2022–23 had interacted with child protection in the preceding 10 years, and were 26 times as likely as non-Indigenous young people to be under youth justice supervision and have that child protection interaction[9].

Against that backdrop, it is impossible to pretend this Bill will operate evenly. It will be borne most heavily by Aboriginal and Torres Strait Islander children, especially those living in regional and remote communities, those already on dual orders, and those already heavily policed in public space.

The Designated Business and Community Precinct model is particularly concerning in regional and remote contexts. In many places, a "precinct" may capture the only practical shopping strip, service hub, transport point, or community area available to children and families. A banning notice in that setting is not minor. It can function as exclusion from food, transport, support, contact and community life.

This is not incidental. It is the predictable outcome of racialised policing powers attached to public space.

This Bill shifts children from victims to perpetrators of domestic violence
The inclusion of domestic violence-related offending in Adult Crime, Adult Time is especially disturbing.

Children who use violence in the context of domestic violence are very often children who have themselves lived with coercion, terror, assault and instability. They have learned violence from the adults and systems around them. They are victims and survivors before they are ever labelled offenders.

This Bill assists a wider political move in which children are no longer recognised as victims of domestic and family violence but are instead increasingly framed as aggressors. That is both morally and analytically wrong. It erases the context in which children live. It individualises family violence onto children while leaving adult aggressors, racism, structural poverty, child safety harms and state neglect intact.

A child exposed to domestic violence does not need adult punishment. They need safety, housing, care, trauma support, family support, disability support where relevant, and an end to the violence around them.

The drug provisions are punitive, not therapeutic

[8] https://www.aihw.gov.au/reports/youth-justice/youth-detention-population-in-australia-2024/contents/summary/first-nations-young-people-in-detention
[9] https://www.aihw.gov.au/reports/youth-justice/young-people-youth-justice-supervision-2022-23/summary

The Bill repeals the existing Police Drug Diversion Program and replaces it with a narrower regime that offers only one diversionary opportunity under each pathway, increases reliance on police discretion, introduces penalty infringement notices, and excludes drug utensils from diversion entirely.

For minor drug offences, a person may receive a PIN of three penalty units, currently $500.07, and only one such opportunity is available. For drug utensils, police may issue repeated PINs of two penalty units, currently $333.80, with no diversion pathway at all.

This is not a health response. It is a punishment response dressed up as diversion.

It is also a framework that will hit poor people, criminalised people and children hardest. A one-shot model takes no account of relapse, trauma, unstable housing, poverty, mental distress, cognitive impairment, or the realities of young people cycling through police contact. Even the Bill's own notes acknowledge concerns about administrative discretion, natural justice, lack of legislative clarity about timeframes, and the possibility of unequal treatment.

For children, the position is worse. Adults must be offered diversion for a minor cannabis offence, but police retain discretion for children. Children may receive PINs for minor drug offences, while police are merely required to consider alternatives under section 11 of the *Youth Justice Act*. So even in a regime supposedly aimed at low-level offending, children are left more exposed to police discretion and criminalisation than adults.

That is absurd.

Designated Business and Community Precincts are a surveillance and exclusion regime
The DBCP scheme is a major expansion of police power. The Minister may prescribe precincts by regulation, and within those areas police gain enhanced powers to:

- conduct hand-held scanning under Jack's Law without prior senior officer approval;
- require a person to state their name and address in connection with move-on directions;
- direct people to leave and not return for up to 24 hours;
- issue police banning notices, including to children.

The Bill also removes the current review requirement by the Crime and Corruption Commission for the use of move-on powers. That alone should alarm the Committee. At the same time as police powers expand, scrutiny contracts.

The Explanatory Notes themselves acknowledge that these measures interfere with freedom of movement, privacy, personal liberty and, in relation to name-and-address powers, may raise self-incrimination concerns. Yet the Bill proceeds anyway.

This is how public-space criminalisation works: first a child is scanned, then stopped, then moved on, then identified, then excluded, then breached, then charged. The Bill describes this as early intervention. In practice it is a ladder of escalating police contact that converts public presence into criminal exposure.

For criminalised children, poor children, homeless children, disabled children and First Nations children, public space is often one of the few spaces available to them. The answer to visible poverty, visible distress, visible disability, visible youth presence and visible social abandonment is not police exclusion orders.

"Anti-social behaviour" is an empty category used to criminalise the poor
One of the deepest problems with this Bill is its reliance on vague terms like "anti-social behaviour", "disorderly", "offensive", "abusive", "anxiety", "obstruction" and "disruption". These categories are not neutral. They are historically used against the poor, Aboriginal people, street-present children, sex workers, people who use drugs, mentally distressed people, disabled people and anyone else whose presence unsettles the comfort of the respectable public.

A child being loud, dysregulated, angry, swearing, wandering, refusing police instruction, or existing in a group in a shopping strip can all be translated into "risk". Once translated into risk, police power follows.

That is what this Bill is for.

The Bill is incompatible with so called rehabilitation and child-specific justice
Queensland's *Human Rights Act* protects the right of a child charged with an offence to procedures that take account of their age and the desirability of promoting rehabilitation[10]. This Bill moves in the opposite direction.

It substitutes adult punishment for child-specific justice.
It substitutes police discretion for therapeutic support.
It substitutes exclusion for care.
It substitutes surveillance for investment.
It substitutes state force for community wellbeing.

That is why it is not enough to tinker with the edges. The architecture is wrong.

The Committee should also reject the process
The Explanatory Notes state that no further consultation was undertaken in relation to the remaining amendments in the Bill. That is unacceptable for legislation of this magnitude, especially where it so clearly affects children, disabled people, First Nations communities, people who use drugs, and people living under conditions of criminalisation and poverty.

Communities most affected by these laws are the very communities least meaningfully heard in their design. That is not incidental. It is how punitive lawmaking functions.

What should happen instead
From an abolitionist perspective, the alternative is not "do nothing". The alternative is to stop investing in punishment and invest in children.

That means:

[10] https://www.legislation.qld.gov.au/view/whole/html/current/act-2019-005

- housing children and families;
- ending criminalisation of poverty;
- ending Adult Crime, Adult Time;
- ending the use of solitary confinement, separation and punitive imprisonment practices against children;
- withdrawing police from schools and reducing police contact with children in public space;
- funding community-led, culturally grounded, disability-responsive and trauma-informed supports;
- resourcing Aboriginal and Torres Strait Islander community-controlled and led organisations;
- investing in family support, DFV responses, mental health care, alcohol and other drug support, education support and material assistance;
- creating real non-carceral responses to harm.

The evidence is already clear that diversion and support are more effective than deeper justice-system contact for children[11]. The question is not whether Queensland knows better. The question is whether Queensland is willing to stop sacrificing children to punitive politics.

Conclusion
Sisters Inside opposes this Bill in full.

This Bill is a gross expansion of state violence against children. It deepens the reach of punishment into childhood, public space, disability, poverty, family violence and survival. It disproportionately targets First Nations children. It will criminalise traumatised children, disabled children, poor children and children already harmed by child protection. It is incompatible with children's human rights, and the government knows it.

Children are not made safer by adult sentences.
Children are not made safer by police scanners.
Children are not made safer by banning notices.
Children are not made safer by fines.
Children are not made safer by public humiliation, surveillance and exclusion.

Children are made safer when they are housed, fed, loved, believed, supported, healed and kept out of cages.

Queensland should reject this Bill.

Yours sincerely

[redacted]

[11] https://aifs.gov.au/resources/resource-sheets/minimum-age-criminal-responsibility-australia

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