

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

**Submission No:** 169

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**Submission on proposed Expanding Adult Crime, Adult Time and Taking a Strong Stance on Drugs and Anti-Social Behaviour Amendment Bill 2026. (Introduced to Queensland Parliament by MP Laura Gerber.)**

**Background:** MP Marty Hunt, the member for Nicklin and Parliamentary Chair of the Justice, Integrity and Community Safety, is currently examining legislation with an aim to expand police powers. I understand that this Bill from the Queensland Government is aimed at making the community feel safer. This Bill is also focused on misdemeanour reforms centred within business and commercial precincts and in CBD areas. No-one wants threatening or violent behaviours in our streets and a 24-hour cool down period for disorderly conduct or time in the watchhouse for violence is reasonable. **Existing laws, under the *Police Powers and Responsibilities Act 2000 (Qld)*, are entirely sufficient to deliver these measures. Further, ACAT reforms create an administrative burden of time and costs that wastes vital policing resources, needed for more urgent and serious crimes in the wider community.**

Police already have sufficient powers to make their presence felt and to move people on, which is welcome. However, bans restricting access to human resources within the CBD, due to *disorderly or offensive* conduct, or 'antisocial' behaviour for prolonged periods of up to one month, and the proposed designation of *criminal offence*, for non-compliance, categorises the thin edge of a wedge of human rights infringements. **Prolonged bans impact upon the right of access to essential support services: this poses health and safety risks. Criminalising breaches of antisocial behaviour is top-heavy, it poses concerning social outcomes and increased financial hardship.**

ACAT legislation targets young people: that is, somebody's son or somebody's daughter. We all want our children and families to reach their full potential, to contribute to society with meaningful employment, achieve financial stability and to live happy, fulfilled lives. **Drug addiction and psychological dependency should not be criminalised. ACAT drug laws will significantly increase criminalisation of minors, causing damage to educational aspirations and future employment prospects.** This Bill also has the potential to negatively impact upon a wide range of people including those with intellectual or mental health challenges, the increasingly homeless population and those who are not financially stable. **Most Australians are fair-minded and socially tolerant and so should our laws be.** We recognise that we are all part of the community and everyone has the potential for social good.

**For the following reasons, I strongly object to this proposed Bill:**

- **Lack of due process in the Submission Timeline: The submission period limited community input to less than 3 full working days.** Notification was sent by email from the office of MP Marty Hunt at 2.04 pm on Friday 13<sup>th</sup> March, advising that the closing date was 10 am on Wednesday 18<sup>th</sup> March. It takes significant time for members of the public to peruse legislation and to put in a submission. To state in the email that *Your Voice Matters* and then rush this community submission period is to deny process. Within this very limited submission timeframe, I have only briefly covered some of the relevant issues.
- **Antisocial and misdemeanour behaviour bans and fines: A wide range of misdemeanour behaviours, including *abusive language*, constitutes laws of *offensive, disorderly or antisocial* behaviour, leaving this interpretation open to police.** Potential for arbitrary or discretionary over-policing is a concern. Most Australians are socially tolerant and ignore public use of bad language, which may not be particularly obvious to those who use it. These bans can also impact unfairly and harshly in practice. **Is an exhausted homeless person sleeping in the relative safety of a *designated precinct* considered *disorderly*? The current penalties of fines are disproportionate and will cause increased social harm and financial hardship.**
- **Antisocial Behaviour Amendments that encompass behaviours as a 'criminal offence'.** There are valid concerns regarding the proposal to classify breaches of *disorderly or offensive* behaviours as criminal offences, in addition to *threatening or violent* behaviours. A 24-hour cool down period or time in the watchhouse for persistent disorderly behaviour, threats of violence or actual violence, is reasonable. **Those measures are already available to police, under the *Police Powers and Responsibilities Act 2000 (Qld)*.** However, legislation that classifies breach of disorderly, offensive or antisocial behaviour in a public place as proposed 'criminal offences,' poses serious social and financial impacts, especially for homeless or marginalised persons and those with mental health concerns. **Mental Health Impacts:** The mental health of marginalised persons will be placed at greater risk. Imagine a young homeless person, within the CBD, being summonsed with a *criminal offence* charge as well as a maximum fine of 40 penalty units, amounting to \$6,667, **for breach of a ban that prevents essential access to resources**, including toilet facilities, health, hygiene, counselling and support services. **THAT is extreme, as are the financially crippling fines!**

- **Social Impacts of a Prolonged Ban from the DBCP: Prolonged restrictions of access to resources within CBD areas, beyond 24 hours.** The proposal to restrict persons from access to CBD areas where essential resources and services are available, for more than 24 hours, is unjust, unreasonable and carries profound risks. Denial of access to health and support services *for the prolonged period of up to one month* poses serious health and safety risks. Further, it particularly impacts those experiencing homelessness. **Restricting access to Centrelink, banks, medical, rehab and job centres, the use of computers at libraries, counselling and community care, including free food, blankets and clothing, laundry, showers and toilet facilities, carries risks to physical and mental health and safety. Bans will, of necessity, be breached! In view of social justice outcomes, this is a concerning infringement of human rights and an erosion of civil liberties.**
- **Public Protest: On a State-wide basis, expansion of police powers poses concerns for citizens' democratic rights and civil liberties.** To designate contravened 'disorderly or offensive' behaviours as a *criminal offence*, poses concerns of discretionary and arbitrary policing at public protests, as has also become topical in recent news and media reports. **It begs the question: Are we suddenly living in China or Russia?** Citizens in Australia have the democratic right of public protest and the right to communicate social opposition and dissent toward government actions or ideologies. The right to express opinion is a core principle of democratic values and civil liberties. Undemocratic legislation and excessive policing impacts upon these rights and liberties and it gives Queensland the reputation of a Police State.
- **Impact of Proposed Amendment of *additional offences* in Penalties and Sentences. Example: A maximum of LIFE IMPRISONMENT if a child '*destroys or starts to destroy a building*'. Who drafts such laws in 2026! Is a child's life less important than a *building*? ACAT legislation is repressive and regressive.** Even for adults, the proscribed increased Penalties and Sentences in the tranche are excessive and reduce likelihood of rehabilitation. Under these Draconian ACAT laws, children of 10-14 years can be subjected to sentences that are beyond their lived experiences and that may constitute their entire lifetimes, from the point of remand. **Where is the possibility of rehabilitation?** Children may spend their entire pre-teen and teen years in detention. **The longer a child remains in detention the greater the likelihood of increased recidivism. Detention should only be used as a last resort for children. This Bill provides no recourse for children to experience positive social outcomes that are essential for every child's growth and development. Increasing penalties and sentences reduces the likelihood of rehabilitation and the potential for children to contribute social good and meaningful work to the community in the future.**
- **Adult Crime Adult Time Legislation: If a higher crime rate of more serious crimes was the desired outcome of ACAT legislation, it could legitimately claim success. The entire concept that ACAT legislation is based on is as flawed as its claims of crime prevention. Neither is ACAT legislation the cure. Harsher sentencing and social stigmatisation of children does not make society safer. ACAT legislation is harsh, repressive and cruel. The long-term outcome of ACAT is that children learn how to become hardened criminals, not good citizens. Just as it takes a village to raise children into happy, confident adults, through positive mentorship, this formational time is also the most vulnerable for inculcation of negative attitudes and conditions. Proposals in this Bill seek *additional offences* yet, this will do NOTHING to result in successful rehabilitation. Harsher laws and stigmatisation spark anger, resentment and further crime. The indelible stamp of ACAT laws condemns children to longer sentences and increased risks of recidivism.**

**Community Alternatives to Juvenile Detention:** The removal of a child from their family and siblings, their home and family pets, in itself, is a cause of profound grief and depression for a child and should be avoided as a last resort. Proposed *additional offences* compound upon the existing excessive penalties. Children as young as 10–14 years of age are impressionable. Early teenage years are an especially vulnerable time. The 'justice' system carries risks for their physical safety and for psychological traumatising. Policies must aim to keep children OUT of that system and to redress child poverty and exclusion that are directly linked to crime. Redirection of sentencing from juvenile detention towards community alternatives is paramount. **Longer sentences and time in detention increases subsequent reoffending and hardened forms of crime. It also reduces the likelihood of successful rehabilitation, as is well documented. Damaging children does not result in better social outcomes. Once in the system, a child's mental health and their future are indelibly marred and further crime is likely. Legislators should be required to consult child welfare professionals and frame youth justice policies and laws within those recommendations.**

**Greater investment in youth rehabilitation would be the real ‘game-changer’:** Increased funding for free youth programs would help redress disadvantage and promote social inclusion. Improvements in mental health and social stability result in positive attitudes and the prevention of crime and rehabilitation. **Politicians have a vital role and responsibility in making a positive difference through funding free community programs for successful rehabilitation of young offenders. ALL children are stakeholders in the future of society, not just children who have stable backgrounds of family care and financial advantage.**

- **Justice System Impacts on First Nations Australians.** For the past several decades, the State has failed to deliver on the **Recommendations of the Royal Inquiry into Deaths in Custody**, which constitutes decades-old, legislative neglect. One such Recommendation was to reform targeting and excessive policing of young First Nations Australians. It is beyond time that State Government shifted the focus toward adopting these Recommendations. **Closing the Gap Report: Only four of the nineteen national targets for the Closing the Gap Report are in progress. One such target is the prevention of over-representation of First Nations adults and youths in the justice system.** Urgent funding is vital to ensure Closing the Gap targets are met, including community-led alternatives to policing and specific programs to redress markers of poverty that are linked to crime. ***Programs that recognise and validate Indigenous culture and that are fully controlled by Indigenous elders are also a key measure of crime prevention for First Nations young people.*** Every child, regardless of background, identity or culture, should be valued and protected under the law. When children’s actions come under scrutiny, redirection into positive, supportive outlets is vital.
- **Monitoring Devices:** On the topic of youth justice, in this submission, please also note compelling issues of concern with regard to the ***Youth Justice Monitoring Devices Bill 2025***. Monitors placed on children cause social stigmatisation and increase antisocial behaviours and crime in three ways: attracting friendships with other vulnerable children from disturbed backgrounds and, by the same token, this social stigmatisation is more likely to deter healthy functional relationships with children who could have a more positive influence. Thirdly, punitive treatment and social stigmatisation has lasting negative impacts on children’s mental health and self-esteem. None of which outcomes will result in positive behavioural outcomes. Visible monitors mark children as social outcasts and deter their reintegration into the safety of a more positive and inclusive community environment. **Until an invisible monitor is available, monitoring devices should not be used.**
- **Expansion of laws relating to drugs: Drug addiction and psychological dependency should not be criminalised.** People who are homeless are at most at risk of personal drug use to cope with the pressures of constantly living in fear for their safety. Use of cannabis or other minor drugs should not be criminalised. Commonly, addiction arises from prescribed medications, previously used as pain relief or for insomnia. The (legal) recreational use of cigarettes and alcohol and (illegal) drug use has adverse side-effects, as with, potentially, any other forms of self-medication. Criminalising personal use of drugs does not help people to transition away from their use. (Nor does exclusion from access to rehab facilities in the CBD after ‘offensive behaviours’.) More (voluntary) rehab centres are essential to recovery, not criminalisation of personal drug use. **ACAT drug laws will significantly increase criminalisation of minors with potential impacts on their education and future employment prospects. To be effective, State Government should fund drug and alcohol education programs in primary and high schools, including education on the harm caused by cigarettes. (Life Education Vans and Lions anti-smoking videos.) Intercepting importations of hard drugs and the removal of these drugs from the market is where police anti-drug work is needed most.**
- **Policing Serious Crimes as opposed to Policing Misdemeanours:** The proposed *Antisocial Behaviour Amendments* bring increased costs of policing and maintaining the criminal justice system. The redirection of police resources from serious crime to antisocial behaviours and drug use, creates an administrative burden and reduces benefit to the wider community. As it is, the Courts are overburdened. Ongoing, unsustainable costs of policing misdemeanours translate to an added financial cost to the taxpayers, as well as increased social costs. When legislation redirects police from serious crimes to misdemeanours, it causes greater social harms and increased rates of serious crime. **This Bill carries additional administrative burdens in policing and overburdens the Courts in a process that is increasingly costly and unsustainable: this is a waste of taxpayer funds. Funding of police resources is better managed in reducing serious crime NOT on maintaining performance targets or quotas, used as indicators of a ‘strong stance’ on crime.**

**Conclusion: The brief timeline of only 3 full working days provided for the submission process reduces community input.** This timeline is dismissive, especially when the submission process is promoted using the slogan: *Your Voice Matters*. Most people have existing commitments and would not be able respond adequately, within this timeframe.

**The legislation includes a wide range of misdemeanour behaviours that constitute *offensive, disorderly or antisocial* behaviour, including *abusive* language.** Potential for arbitrary or discretionary over-policing is a concern. **Is an exhausted homeless person sleeping in the relative safety of a *designated precinct* considered *disorderly*?**

**Antisocial behaviour as a 'criminal offence' poses serious social concerns and financially crippling impacts, especially for homeless or marginalised persons and for those with mental health concerns. My example: a *criminal charge* and a crippling fine of \$6,667, for breach of a ban that prevents access to essential health and support services.** Of course bans will, of necessity, be breached! 'Offenders' also need proximity of public toilets, all of which are in the CBD area, or they risk causing further offence! **Police already have ample and sufficient measures of 24 hour move-on and watchhouse orders, under the *Police Powers and Responsibilities Act 2000* (Qld).** The proposed expanded powers go far above and beyond necessary policing and law enforcement.

**There are profound social impacts for breach of bans for *the prolonged period of up to one month* from CBD areas.** Bans beyond 24 hours especially impact those experiencing homelessness. Banning persons from access to essential support services in the CBD poses serious risks to health and safety and represents infringements of human rights. **The penalties of fines that can be imposed are disproportionate and will cause social harm and financial hardship.**

**On a state-wide level, the proposed Bill provides police with an expansion of arbitrary powers at public protests.** This represents potential infringements of citizens' democratic rights and stifling of civil liberties in Queensland.

**ACAT laws are flawed: Harsher sentencing and social stigmatisation of children does not make society safer in Queensland.** More time in detention increases reoffending, reduces the likelihood of successful rehabilitation and the potential for children to contribute to society in the future. ACAT laws are repressive, regressive and cruel. **Children as young as 10-14 are subjected to sentences that are beyond their lived experiences and that may constitute their entire lifetimes. Detention should only be a last resort for children. Legislators should be required to consult child welfare professionals and frame youth justice policies and laws within those recommendations.**

**First Nations justice matters!** This Bill fails to fulfil the important balance of the justice system in delivering equity to ALL sectors of the community, including the many Queenslanders currently experiencing homelessness, marginalised persons and First Nations Australians. ***Programs that recognise and validate Indigenous culture and that are fully controlled by Indigenous elders are also a key measure of crime prevention for First Nations young people.***

**Drug addiction and psychological dependency should not be criminalised. ACAT drug laws will significantly increase criminalisation of minors, causing damage to educational aspirations and future employment prospects.** Queensland Government can more effectively reduce drug use through education in primary and high schools. Police work is needed to intercept imports of hard drugs and to remove these drugs from the market.

**Increased administrative burdens and costs from policing misdemeanours and maintaining an over-burdened justice system reduces police time and resources for dealing with serious crimes.** This process comes at the expense of unsustainable costs to taxpayers and significant social costs, which do not serve the wider community.

**I strongly oppose this Bill for the inevitable causation of harm to youths and their families, to marginalised and homeless individuals and to First Nations persons, well beyond the tenure of politicians currently in government. An expansion of police powers and ACAT legislation will cause more harm than good, including long term results.**

**In a nutshell, this Bill can only result in higher levels of criminalisation and reoffending. These laws reduce the potential for youths in the justice system to be successfully rehabilitated and to contribute to society. Jail time increases subsequent reoffending with hardened and more serious forms of crime. Adult sentences and conditions, damage and scar young minds, cause serious harm to children's mental health and physical safety. This does not prevent crime or make society safer. Detention should be a last resort. Legislators should be required to consult child welfare professionals and frame youth justice laws within those recommendations and to take action on previously identified social justice targets and recommendations.**

**What sort of world are we aiming for if we irreparably damage children, all of whom are community stakeholders in a shared future?**