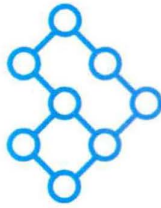


Expanding Adult Time, Adult Crime and Taking a Strong Stance on Drugs and Anti-Social Behaviour Amendment Bill 2026

Submission No: 179

Submission By: Hub Community Legal

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HUB
Community
Legal

19 March 2026

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

By email: JICSC@parliament.qld.gov.au

Dear Committee,

**RE: EXPANDING ADULT CRIME, ADULT TIME AND TAKING A STRONG STANCE ON DRUGS
AND ANTI-SOCIAL BEHAVIOUR AMENDMENT BILL 2026**

Thank you for the opportunity to provide a submission in response to the parliamentary committee inquiry into this Bill.

About us at Hub Community Legal

We are a community legal centre located in Inala. Whilst we are primarily a generalist legal centre, we have operated a specific youth legal service since 2006. Our youth legal service represents children and young people across a broad range of areas including criminal law and youth justice matters. We have relevant and practical experience with those who will be most effected by the legislative changes being proposed.

EXPANDING ADULT CRIME, ADULT TIME OFFENCES

There is no clearly identifiable rationale for the designation of these additional offences as '*Adult Crimes*'. Most of the additional 12 proposed offences are not offences that are often committed by children.

Number of children and young people in custody

Queensland locks up more children than any other State or Territory. On an average night 300 children are locked up in a Queensland youth justice detention centre.¹ By contrast NSW locks up an average of 229 children per night and Victoria only 148 children per night.

¹ AIHW (Australian Institute of Health and Welfare) (2025) [Youth detention population in Australia 2025](#), AIHW, Australian Government, accessed 18 March 2026.

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EMPOWERING THE COMMUNITIES OF INALA AND SURROUNDING AREAS

Costs of expanding the Adult Crime regime

An increase in the maximum penalties for offences committed by children will inevitably increase the number of children in detention and more children who will be transferred to adult jails on their 18th birthday for offences committed as a child. It will also increase the number of children subject to other youth justice orders.

Every dollar that is spent on keeping a child in custody is a dollar that could be used to prevent crime, or to provide rehabilitation services or other services including those that support victims. We know that locking children up does not reduce crime in the longer term.

The Human Rights Act

The override declaration of the Human Rights Act is expressed to apply only where there are exceptional circumstances. Given that the majority of the offences included in this Bill are rarely committed by children there does not appear to be any exceptional circumstances to justify this Bill.

The 12 new additions to the list of Adult Crime Offences

Some of the proposed offences require individual consideration as follows:

Indecent treatment of a child under 12 years

Children and adolescents are learning to deal with sexual feelings. It is normal for them to be curious, to explore and to test boundaries. It is also to be expected that sometimes some children will make mistakes that constitute less serious offences of indecent treatment that are very childish in nature. Examples are the boy on a grade 7 school camp who engages in a game of using a tea towel to flick another child in the genitals or a child who shares and giggles about an indecent film or picture with a younger child without having any sexual motive.

A small number of children do commit more serious offences. The children we have represented with this offence have usually been sexually abused themselves and replicate their own abuse on a younger child or have a complex history of family dysfunction, disability or other complex need. Interventions to prevent re-offending should be the paramount consideration.

Children should never be considered in the same way as an adult who deliberately seeks out a child for their own sexual gratification.

Assault Occasioning Bodily harm (in company, pretending to be armed, being armed or publishing on social media)

Assault occasioning bodily harm offences includes a vast range of offences, some very serious and some less so. It captures any type of injury from bruising or a small cut or scratch to more serious injuries. Children are more likely to commit 'in company' type offences as they are often in groups with other young people. Children often act impulsively without thinking through the consequences.

It is submitted that this offence captures behaviour that is very common, occurs regularly in schools and is often dealt with without the imposition of criminal sanctions. For example, where a child who feels they have been bullied, gathers 2 friends and initiates a physical altercation which results in the other child being injured with a small cut or bruising. The child who has caused the injury commits an offence and is 'in company'. This is the type of offence which should not be categorised as an "Adult Crime".

Where the injury or the circumstances are more serious the Children's Court already has sufficient scope within the existing sentencing options to provide a suitable penalty without the need to designate this type of offending as an *Adult Crime*.

Offences of choking, suffocation or strangulation in a domestic setting

The proliferation of pornography and online content that depicts this type of conduct and the exposure by children to domestic violence within their own homes seems to be the driving factors for these offences.



Children copy what they see. More needs to be done to protect children from the damaging effects of online content and their exposure to domestic violence.

We have struggled to find appropriate services to assist children who have been exposed to, or are direct victims of domestic violence. There are very few services that assist youth. Adult men's behaviour programs are not suitable for teenage boys as it exposes them to entrenched adult behaviour. Hub Community Legal regularly represents children in both youth justice and domestic violence matters. We are frustrated by the lack of services for children where the causes and consequences of domestic violence can be addressed.

ILLICIT DRUG ENFORCEMENT AND DIVERSION FRAMEWORK

It is agreed that the current drug diversion program could be improved, particularly in relation to some of the practical aspects of the way the program is delivered. We support initiatives to divert minor drug offenders away from criminal sanctions. We are concerned that the imposition of fines has a disproportionate effect on people without the means to pay them. We regularly see adults who have experienced a rough period of time in their life where fines were incurred (possibly when as a child or when homeless) and are still paying it off many years later and become stuck in a cycle of poverty and hopelessness.

The amount of a fine for an adult should not be the same as for a child offender. Children do not usually have the financial capacity to pay for a fine.

The provision of a fine fails to address the health aspect of drug use or to link individuals with support services for assistance.

Summary

It is submitted that continually making amendments to the youth justice laws does not encourage confidence in the legal system. Laws made in relation to children need to be evidence based. Affording children their human rights should always be a priority. There is no evidence that harsher penalties for child offenders make communities safer.

Addressing the causes of crime and providing social and therapeutic supports should be the priority. We have noticed that strong youth support services make a difference to the young people that we work with. Further investment in the prevention of crime and in services that support children and families is what will make our community safer.

We are opposed to this Bill.

Please don't hesitate to contact me should you have any questions.

Yours faithfully,



Carolyn Juratowitch
Principal Lawyer
HUB Community Legal