Making Queensland Safer (Adult Crime, Adult Time) Amendment Bill 2025

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Submitted by:	Sisters Inside Inc
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Sisters Inside Inc.
ABN 94 859 410 728

P.O. Box 3407
South Brisbane Qld 4101

Ph: (07) 3844 5066
Fax: (07) 3844 2788

Email: admin@sistersinside.com.au
Web: www.sistersinside.com.au

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 Committee Secretary

RE: Opposition to the Making Queensland Safer (Adult Crime, Adult Time) Amendment Bill 2025

We welcome the opportunity to provide a submission to the Justice, Integrity and Community Safety Committee on the Making Queensland Safer (Adult Crime, Adult Time) Amendment Bill 2025.

Sisters Inside is a proudly abolitionist, grassroots organisation led by criminalised and formerly incarcerated women and girls. For more than three decades, we have stood alongside our communities—especially Aboriginal girls and women and Torres Strait Islander girls and women—against the harms inflicted by the carceral system. We write in the strongest possible opposition to the Making Queensland Safer (Adult Crime, Adult Time) Amendment Bill 2025 (the Bill), which constitutes a direct assault on the rights of children in this state.

Our Submission

We have been consistent in our vocal opposition to the Adult Crime, Adult Time legislation, and we assert that these amendments, as well as the original Bill, are not about safety. They are about punishment, political expediency, and abandoning our children—especially Aboriginal children and Torres Strait Islander children—at the altar of so-called community outrage. Let us be clear: this Bill will not make Queensland safer. It will deepen the cycles of violence, trauma, and incarceration that the so called 'youth justice system' purports to interrupt.

An Abandonment of International Human Rights Standards

As noted by the Minister for Youth Justice and Victim Support and Minister for Corrective Services, Hon Laura Gerber, MP, this Bill is a flagrant breach of not just the Human Rights Act 2019 (HR Act), but also Queensland's obligations under international human rights law, including the United Nations Convention on the Rights of the Child (CRC), to which Australia is a signatory. Article 37 of the CRC requires that imprisonment of children be used only as a measure of last resort and for the shortest appropriate period of time. This Bill does the opposite—it imposes harsher penalties, longer imprisonment periods, and mandatory minimums, while stripping away key protections of the Youth Justice Act.

By treating children "as adults" for the purpose of punishment, the Bill violates the most basic principles of youth justice: that children are developmentally different from adults, that their capacity for change is far greater, and that our legal system has a duty of care to protect them.

It is not acceptable that the Minister acknowledges that this legislation is not 'compatible' with human rights obligations while systemically breaching children's human rights. The Statement of Compatibility attempts to justify this by claiming that the situation regarding youth crime in Queensland is "exceptional[1]," yet provides no clear evidence that such a drastic and punitive legal response is either proportionate or effective. Worse, it attempts to override the HR Act by citing vague notions of community safety, a move that sets a dangerous precedent where political expediency trumps the fundamental rights of children.

The document goes on to claim that the legislation does not constitute racial discrimination, despite clearly acknowledging that Aboriginal children and Torres Strait Islander children—who are already targeted and criminalised at vastly disproportionate rates[2]— will bear the brunt of its impact. This denial of racial impact, under the guise of "equal application of the law," wilfully ignores the systemic racism embedded in every stage of the legal system, from policing to sentencing. By refusing to acknowledge the discriminatory effects of this Bill, the Minister is denying the lived reality of First Nations communities and breaching the very principles of equality and non-discrimination enshrined in both domestic and international law.

Discrimination against people with disability in the criminal legal system has been thoroughly documented, including by the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, and the Queensland Disability Reform Framework. Both processes have highlighted how children with disability are disproportionately criminalised and face systemic barriers to justice. Statistics indicate that 44% of children in Queensland's prisons have a disability, and 44% have a 'mental health or behavioural disorder.'[3] Yet, the Statement of Compatibility fails to demonstrate that the government has fulfilled its obligation to protect children with disability from discrimination under this Bill. It makes no mention of how the proposed legislation will impact children with cognitive, psychosocial, or intellectual disability—despite these being among the most vulnerable children targeted by punitive justice policies. That this government's major legislative act appears to be incompatible with fundamental human rights raises serious concerns about who it considers worthy of protection—and who it deems expendable in the name of 'safety'.

In essence, this Bill, and the Statement of Compatibility that accompanies it, institutionalises a form of state-sanctioned harm against children—particularly Aboriginal children and Torres Strait Islander children—under the guise of public safety. It is an abandonment of the state's obligation to uphold the rights, dignity, and futures of the very young people it is meant to protect.

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[1] We suggest that the "Adult Crime, Adult Time" legislation is politically motivated legislation that is being promoted as an appropriate response to a manufactured youth crime crisis that simply does not exist. University of Queensland criminologist, Renee Zahnow has stated that there is "absolutely unanimous" academic consensus that "there's no data to suggest that the rates of youth crime are spiralling out of control in Queensland or indeed anywhere in Australia." Additionally, Queensland Family & Child Commission (2024) data reports that in 2023-24, out of all Queensland children aged 10-17, only 0.6% had a proven criminal offence. Additionally, the same report states that the 'rates of unique young offenders in Queensland have been trending down since 2013-14, albeit with a small increase in rates between 2021-22 and 2022-23. The small group of young people, who face more serious charges and who are admitted to a youth detention centre have the most complex needs.'

[2] According to Youth Justice data, Aboriginal children and Torres Strait Islander children make up 71% of the children in prison, and 69% of the children in unsentenced custody (Youth Justice Pocket Stats Sep 2024). We know from Sisters Inside experience in both the Watchhouse and in children's prison, that the remaining percentage of children comprises a majority of racialised children, from Polynesian and African backgrounds. The racial animus remains constant in the criminal injustice system.

[3] Department of Youth Justice and Victim Support, Youth Justice Pocket Stats Sep 2024, https://www.publications.qld.gov.au/ckan-publications-attachments-prod/resources/18621352-f516-455f-b60b-3ece74738eac/youth-justice-pocket-stats-september-2024.pdf?ETag=9063bde891c6009e1878d012a28b1dde

Criminalising Childhood, Especially for Aboriginal Children

This Bill will disproportionately harm Aboriginal children and Torres Strait Islander children. Aboriginal children are already massively targeted across every stage of the criminal legal system[4]. They are more likely to be targeted by police, refused bail, held on remand, and sentenced to imprisonment. This legislation will dramatically escalate that crisis.

The State, specifically the Liberal National Party, knows this. Yet it presses on—expanding the scope of offences that attract adult penalties and claiming "community concern" justifies a two-tiered legal system where the most marginalised children are sacrificed to score political points.

These are not just statistics. These are our daughters, our sons, our siblings, our babies – our future. They are being condemned to the trauma of indefinite and prolonged incarceration under a system designed to disappear them.

The addition of 20 new criminal offences under the Criminal Code and Drugs Misuse Act 1986 is not a move toward safety or justice—it's a legislative sleight of hand that erases children in law and policy.

By continuing to expand the list of prescribed indictable offences—now including everything from *going armed so as to cause fear*, to *trafficking in dangerous drugs*—we are witnessing a dangerous shift. The distinct category of "youth crime" is being collapsed into a singular, undifferentiated category of "crime." In doing so, children are being legally and rhetorically erased.

This isn't just a symbolic loss. It has material consequences. When the law refuses to acknowledge the age, circumstances, and context of a child who comes before the court, it abandons any commitment to care and support, to trauma-informed responses, to child protection. It paves the way for children to be treated as adults, punished as adults, and forgotten as adults in a system that was never built to hold or heal them.

We must ask: what is gained by adding these offences? And more importantly, what is lost?

These laws do not arise from an evidence-based need. They reflect a political desire to appear tough, even as we abandon nuance and obliterate context. Children who are deeply criminalised—many of them Aboriginal children and Torres Strait Islander children—are not perpetrators of social harm in a vacuum. They are survivors of state harm: poverty, family violence, removals, racism, and systemic neglect.

By expanding the list of indictable offences in this way, the government is writing into law the idea that no matter the age of the accused, no matter the history or harm they have endured, the only response is punishment. Make no mistake: this will increase the number of children held on remand. It will see more children denied bail. It will funnel more children—especially Aboriginal children—into adult-style punishment, under the guise of community safety. But whose community is safer when we legislate away a child's right to be seen, heard, and understood?

This is not justice. It is legislative erasure. It is the creeping normalisation of erasing children. Children must not be disappeared. It must be stopped.

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[4] Department of Youth Justice and Victim Support (2025 p. 19) data indicates that '74% of young people who exit detention are Aboriginal and Torres Strait Islander peoples.'

A Policy of Retribution, Not Restoration

The rhetoric of "Adult Crime, Adult Time" is not based on evidence or logic. It is based on vengeance. It ignores the best available research on child development, trauma, and effective intervention. It ignores the lived experiences of children who cause harm—many of whom have survived state violence, family breakdown, poverty, homelessness, racism, and abuse. Many of these children are also in the care of the state, which means the government is their legal parent—yet instead of support and protection, they are met with punishment and incarceration. The state continues to fail them.

This Bill entrenches punishment as the central response to children in crisis. It strips courts of discretion. It removes transformative justice as a sentencing option and closes the capacity for children to make restitution to their community. It normalises the flawed idea that some 'children are beyond help'—and thus, should be subjected to the full force of a violent, dehumanising system.

Through this Bill, the government reveals its true objective: not to rehabilitate, not to protect, but to punish and control.

Mandatory Sentences and Life Imprisonment for Children Are Inhumane

This Bill allows for life sentences and mandatory minimum non-parole periods for children as young as 10. This is a moral and legal outrage.

Mandatory sentencing laws have long been condemned for their injustice, lack of proportionality, and racially discriminatory impacts. When applied to children, these consequences are amplified. Judges are stripped of discretion. Context is erased. Children are no longer seen as children, but as threats to be locked away.

Life imprisonment for a child is an act of state cruelty. No child should ever be told by the government that they are unworthy of freedom.

The Illusion of Safety and the Truth of Political Opportunism

The central premise of the Bill—that longer and harsher sentences will make communities safer—is not only false, but also dangerously misleading. There is no credible evidence that punitive sentencing reduces so-called 'youth crime.' On the contrary, we know that imprisonment increases the likelihood of recriminalisation, disrupts vital family and community relationships, and inflicts deep and lasting psychological harm—especially on children.

This punitive approach fuels a self-perpetuating cycle in which the system manufactures the very conditions it claims to address. As harsher laws are introduced and more children are arrested, watchhouses and remand centres fill up, which are then used to justify the expansion of prisons. We are already seeing this in real time with prison construction and expansion projects underway at Woodford, Cairns, and Wacol. The carceral system is a beast that must perpetuate itself in order to survive, therefore it expands to accommodate the harm it reproduces, by warehousing the most vulnerable—First Nations children, children with disability, and children in state care—rather than investing in the structural supports that would prevent harm in the first place. This is about control. It is a cycle of punishment and neglect masquerading as public policy.

This is not about safety. This is about fear. About scapegoating children to distract from government failures—failures in housing, education, mental health, and social support. Queensland doesn't have a youth crime

problem—it has a child poverty problem, a child protection problem, a racism problem. This Bill solves none of those problems.

A System Designed to Silence, Not Listen

The Bill claims consultation occurred via an "Expert Legal Panel." This panel did not consult with criminalised children. This panel was not comprised of members of organisations who are led by criminalised people such as ours. This panel did not ask for the insights of families of children in prison.

The people most affected by this Bill were shut out of the conversation, as always. The government consulted its own "experts" and ignored the knowledge held by communities living with the daily consequences of criminalisation.

Restorative Justice Gutted

The removal of restorative justice orders from sentencing options for these children is a clear step away from healing-based approaches. This signals to children and their families that transformation is no longer possible. Instead, the government opts for isolation, retribution, and shame.

This is especially disturbing in light of mounting evidence that restorative practices can reduce recriminalisation, promote accountability, and support victims more meaningfully than carceral responses.

There are real solutions – but this Bill is not one of them

Sisters Inside rejects the legitimacy of this Bill in its entirety. We reject the framing of children as threats. We reject the premise that harsher sentencing equals safety. We reject the colonial, racist, and violent logic that underpins this legislation and policy direction.

Instead, we call for:

- Immediate repeal of all "Adult Crime, Adult Time" provisions
- Mass investment in community-led, culturally appropriate, trauma-informed responses to children in need of support
- Housing, education, health care, and loving support for all children—not cages, not courts

Legislation that threatens to remove children from their families and communities does nothing to address the root causes of poverty or disadvantage. If governments are serious about supporting children and preventing harm, then they must invest in real solutions that work.

We call for a shift away from punitive, carceral responses toward strategies that support families and keep children safe, strong, and connected to culture. This means:

- Investing in poverty reduction – providing families with income support, safe and stable housing, food security, and access to affordable childcare.
- Supporting children to stay in their homes and classrooms – not in residential care or custody, but with family, on Country, and in community.
- Advocating for the expansion of disability health support –for children with disability and neurodivergent children who are often failed by the education and child "protection" systems.

- **Building culturally safe, community-led family supports** – including early intervention, family preservation programs, and peer-led advocacy by Aboriginal and Torres Strait Islander led organisations.
- **Ending harmful removals** – ensuring that family reunification is the default, not a distant dream, and that removal is never used as a shortcut to punishment or compliance.
- **Funding gender-specific, trauma-informed service responses** – to ensure that girls, women, and gender-diverse children receive the support they need in ways that recognise their unique experiences and pathways into the system. On average, over five years, girls make up 19% of all exits from children's prisons in Queensland, and Sisters Inside is the only organisation in Queensland that provides gender-specific, trauma-informed support to criminalised and incarcerated girls through our Yangah Program[5]. For more than three decades, we have walked alongside girls impacted by the criminal legal system—meeting their needs with dignity, care, and respect. Our work is grounded in professional expertise and a deep understanding that gendered violence, poverty, and systemic racism are the real drivers of criminalisation.

We will not accept a future where our children are discarded. We will not stop fighting for their freedom, their futures, and their full humanity.

This Bill is not about justice, fairness or equity. It is violence masquerading as reform. It is a political strategy disguised as law. It is a betrayal of every child who has ever hoped for a second (third, or even a fourth or fifth) chance.

We urge the Queensland Parliament to reject this Bill in its entirety and to commit to real, transformative change that respects the rights of children, restores communities, and ends the pipeline to prison once and for all.

Sisters Inside would welcome the opportunity to provide evidence to the Committee and can be contacted on the details provided on this submission.

Yours sincerely

[redacted]

DEBBIE KILROY OAM
MLB., GD.FMenH., GD.LPrac., BSocWk., FANZSOC

Chief Executive Officer
14 April 2025

[5] The contract for funding of this program ends in September 2025. The *Staying on Track* Funding provides for no gender specific program proposals, therefore does not acknowledge the necessity to provide gender specific service responses to criminalised girls. Therefore, this glaring oversight does not allow Sisters Inside, who has over thirty years expertise in successfully providing these services to girls in the community, to submit an independent submission to continue this work.