

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

**Submission No:** 56  
**Submitted by:** The Royal Australian and New Zealand College of Psychiatrists  
**Publication:**  
**Attachments:** See attachment  
**Submitter Comments:**

29 April 2025

Justice, Integrity and Community Safety Committee Secretariat  
Parliament House  
Cnr George and Alice Streets  
BRISBANE QLD 4000

By email to: [JICSC@parliament.qld.gov.au](mailto:JICSC@parliament.qld.gov.au)

To the Justice, Integrity and Community Safety Committee Secretariat

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

The Royal Australian and New Zealand College of Psychiatrists (Queensland Branch) would like to thank you for the opportunity to provide feedback to the draft *Making Queensland Safer (Adult Crime, Adult Time) Amendment Bill 2025* ('the Bill').

Thank you for the extension of time to submit a response.

The Bill proposes to amend section 175A of the *Youth Justice Act 1992* to introduce 'adult crime, adult time' for an additional 20 criminal offences under the *Criminal Code and Drugs Misuse Act 1986* including sexual assault, rape, murder, kidnapping, attempted robbery and drug offences.

The RANZCP Queensland Branch does **not** support this proposed Bill and cautions that:

- children aged 10 to 13 in the youth justice system are physically and neurodevelopmentally vulnerable and require a different response to behavioural issues than older children
- most children in the youth justice system have significant additional neurodevelopmental delays
- children aged 10 to 13 years old in juvenile detention also have higher rates of pre-existing psycho-social trauma which requires support, stability and care, not incarceration
- the harms from incarcerating very young children are severe and long lasting
- harms come from remand as well as custodial sentences – and most young people in custodial settings are not serving a sentence
- harms are caused by the criminal justice system even when there is no incarceration: a criminal record is a very large burden for a child to bear, with lifelong consequences.

*Current scientific understanding of child development and human rights standards*

The proposed amendment to section 175A of the *Youth Justice Act 1992* would see children as young as 10 incarcerated and held criminally liable for a range of serious crimes. This is at odds with the current scientific understanding of the developing brain.

Furthermore, legal and human rights experts warn that these changes will put more children in custody, disproportionately affect First Nations people, and that children and adolescents exposed to the youth justice system have poor health profiles and higher rates of recidivism.

[1]

The medical evidence is that early adolescence represents a phase of increased impulsivity and sensation-seeking behaviour, and a heightened vulnerability to peer influence. As the prefrontal cortex of the brain is still developing, children under 14 years of age have a compromised capacity to plan, foresee consequences or control impulses.

While the prefrontal cortex develops gradually during the period of adolescence, it is in fact not fully developed until 25. In contrast to the frontal lobe's slow-paced development, the amygdala (which is the part of the brain responsible for reward and emotional processing) develops more quickly, and this imbalance is thought to be a major factor accounting for increased risk-taking behaviour in adolescence.

Accordingly, the RANZCP supports raising the age of criminal responsibility. In its [submission](#) in November 2020 to the Council of Attorneys-General Age of Criminal Responsibility Working Group Review, the RANZCP endorsed raising the minimum age of criminal responsibility to 14 years of age for all federal, state and territory criminal offences in Australia.

#### *Improvements to youth justice systems, early intervention and therapeutic interventions*

The RANZCP Queensland Branch endorses 'The Four Pillars' for youth justice approaches, set out in the Atkinson Report: intervene early, keep children out of court, keep children out of custody and reduce re-offending, and lends support for programs which have these objectives.

The RANZCP Queensland Branch emphasises the need for child and youth justice strategies, programs and infrastructure that encourages young people to rehabilitate, and wherever possible divert them away from detention and the youth justice system.

Young people in the justice system need early intervention to effectively treat mental health conditions, reduce chances of illness-driven offending and recidivism, and build more functional pathways to schooling or employment.

Investment in the mental health workforce is also critical. The Queensland Branch advocates that the state government should develop workforce modelling to meet the growing demands for child and adolescent psychiatrists in rural, remote and metropolitan areas.

The Queensland Government should also identify and develop appropriate models of care for high-risk child and adolescent populations, especially the most vulnerable children in the Queensland child protection and justice system.

The RANZCP is [committed](#) to raising the age of criminal responsibility, in line with best evidence-based psychiatric and neurodevelopmental consensus on youth justice. Our ongoing advocacy aims to ensure that young people are given the mental health and social support that they need rather than being funnelled into the justice system.

**The RANZCP Queensland Branch urges the Queensland Government to:**

- **raise the age of criminal responsibility to 14 years of age, commensurate with current neuroscientific understanding of the developing children's brain**
- **prioritise the mental health of children detained in the justice system**
- **identify and develop appropriate models of care for child and adolescent populations at high-risk of interacting with the criminal justice system**
- **develop workforce modelling to meet the growing demands for child and adolescent psychiatrists in rural, regional and remote areas of Queensland**
- **engage in dialogue with health and medical stakeholders on this important issue.**

[REDACTED]

Yours sincerely

[REDACTED]

Professor Brett Emmerson AM  
**Chair, RANZCP Queensland Branch Committee**

[1] Kinner, S et al. Rates, causes, and risk factors for death among justice involved young people in Australia: a retrospective, population-based data linkage study. *Lancet Public Health* (2025) 10: e274–84.