

Youth Justice (Circuit Breaker) Amendment Bill 2026

Submission No: 042
Submission By: Office of the Victims' Commissioner
Publication: Making the submission and your name public

Office of the Victims' Commissioner

Youth Justice (Circuit Breaker) Amendment Bill 2026

Submission to the Justice, Integrity and
Community Safety Committee

13 July 2026

Commissioner's introduction

The Youth Justice (Circuit Breaker) Amendment Bill 2026 (the Bill) seeks to improve community safety and reduce youth crime by establishing a structured rehabilitation program, Circuit Breaker, that removes youth who have been charged with or have committed offences from the community.

While the Bill makes amendments to several Acts, my submission is focused on the amendments to the *Youth Justice Act 1992*.

The consultation I undertake with victims of crime across Queensland indicates that they welcome initiatives aimed at increasing rehabilitation options and breaking the cycle of crime.

It is critical that the rights of victims remain at the forefront of these reforms. Victims of crime, whether impacted by youth or adult offenders, often face profound and enduring trauma, and legislative reforms should prioritise their needs and rights.

Victims of violent and sexual crime are currently eligible to receive information about youth offenders who are serving detention orders in youth detention centres. However, this entitlement will not extend to victims of youth offenders sentenced to Circuit Breaker orders, as the Bill defines them as community based orders. I encourage the Committee to give further consideration to enabling eligible victims to receive similar information about youth offenders who are sentenced to Circuit Breaker orders as they are entitled to for detention orders.

Finally, ongoing transparent monitoring and evaluation of this new initiative is critical to establishing and maintaining victims of youth crime's confidence that this order will contribute to both their personal safety and the safety of the community.

I thank the Committee for the chance to provide a submission to this inquiry.



Kate Connors

Victims' Commissioner

Note on language

I use the term 'victim' and 'victim-survivor' throughout this submission. I acknowledge some individuals may prefer 'victim' as it emphasises their experience of harm, while 'victim-survivor' acknowledges the ongoing impacts of crime and highlights the strength and resilience of individuals with lived experience. By incorporating both terms, I hope to honour these perspectives. I may also use the term 'victim' when referring to legislation as it is a term commonly used in legal frameworks.

Role of the Victims' Commissioner

The role of the Victims' Commissioner is established under the *Victims' Commissioner and Sexual Violence Review Board Act 2024 (Qld)* (VCSVRB Act). My role is to protect and promote the rights and needs of victims of crime. My statutory functions include:

- Providing information to victims of crime to help them navigate the criminal justice system
- Dealing with complaints under the Charter of Victims' Rights
- Conducting systemic reviews
- Listening to victims to hear about their own, lived experiences
- Advocating for victims' rights by making recommendations and providing advice to government and non-government entities about improvements to policy, practices, procedures and systems to uphold the rights of victims and better meet their needs.
- Monitoring the implementation of recommendations.

Under section 6 of the VCSVRB Act, a victim includes a person who suffers harm because a criminal offence (including domestic violence) is committed against the person. This includes:

- people who have a criminal offence committed against them directly
- family members or dependants of a person who has a criminal offence committed against them
- people who are harmed because they helped another person who had a criminal offence committed against them
- witnesses of crimes.¹

The VCSVRB Act defines harm as including physical, psychological or emotional harm, damage to or loss of property, and financial or economic loss.² This definition recognises the range of impacts that a crime can have on an individual.

Review of the Charter of Victims' Rights

In February 2025, the Office of the Victims' Commissioner (OVC) commenced a systemic review of the Charter of Victims' Rights, pursuant to my functions under section 9(a) of the VCSVRB Act. The review aims to ensure the Charter of Victims' Rights effectively promotes and protects the rights of diverse victims of crime, in line with recommendations by the Women's Safety and Justice Taskforce³ and the Queensland Parliament's Legal Affairs and Safety Committee's Inquiry into support provided to victims of crime.⁴

The review is being informed by engagement with victims of crime, their advocates, family members and professionals who work with victims of crime. I will provide a report to the Minister for Youth Justice and Victim Support and Minister for Corrective Services by December 2026. More information about the review can be found on the OVC's [website](#).

This submission is informed, in part, by the views and experiences shared with the OVC thus far, as well as the victims who have provided feedback or made complaints to the OVC.

Victims' Commissioner's submission on the Bill

On Thursday, 25 June 2026, the Hon Laura Gerber MP, Minister for Youth Justice and Victim Support and Minister for Corrective Services, introduced the Youth Justice (Circuit Breaker) Amendment Bill 2026.

The Bill seeks to improve community safety and reduce youth crime by developing a structured rehabilitation program, Circuit Breaker, for offending youth. It forms a key component of the Making Queensland Safer Plan, which aims to hold offenders accountable, reduce reoffending, provide greater support for victims, and deliver early intervention and rehabilitation for at-risk youth.

The Bill proposes to amend:

- the *Youth Justice Act 1992* (YJA) to introduce a 'Circuit Breaker' order as a bail condition and standalone sentence order, to provide courts with a new tool to respond to serious youth offending. Circuit Breaker is intended to provide youth offenders with a 'last stop before detention' by providing a program that prioritises support, rehabilitation and reintegration.
- the *Child Safe Organisations Act 2024* to prescribe Circuit Breaker providers as child safe entities and reporting entities
- the *Public Guardian Act 2014* to prescribe Circuit Breaker sites as visitable sites so that the public guardian and community visitor (child) functions apply to Circuit Breaker sites.

This submission is focused on the implications of the Circuit Breaker program relating to the amendments to the YJA.

A key objective of the Circuit Breaker program is to remove offending youth from the community and place them at rural/remote locations where they will receive round the clock supervision. The program involves structured activities, routines, practical learning and skills development.

Breaking the cycle of crime

The Circuit Breaker program is intended to provide youth offenders with a 'last stop before detention' by prioritising intervention, rehabilitation and reintegration for youth offenders.

This intention is consistent with the well-established sentencing principles of rehabilitation and general deterrence.⁵ Victims and communities impacted by youth crime have shared with the OVC the impact that young people's offending has had on their lives and sense of safety, including in their own homes and in their community.

Victims of youth crime also share with me that they want to see a greater focus on understanding what works to prevent crime and rehabilitate offenders. The focus of the proposed Circuit Breaker program on structured routines, therapeutic support, skills development and reintegration will give courts a new type of order to respond to serious youth offenders with a set of interventions that are not currently available in the community. This is particularly the case for offenders on bail. Recent community debate has shown victims of crime are concerned that current bail programs are not sufficient to prevent reoffending amongst this group of offenders.

Further, as noted in previous submissions by the OVC to this Committee, sentencing remarks from the Childrens Court of Queensland consistently reveal that many young offenders are also victims of crime who have been subjected to criminal neglect, cruelty and violence which has in turn contributed to the young offender's own trajectory into criminality. Victims of youth crime have shared with me their concern after listening to sentencing submissions outlining a young offender's victimisation that is apparent that all too often it appears there has been no accountability for the adults that have offended against the young offender. These missed opportunities for earlier intervention in the cycle of crime are a source of frustration for victims of youth crime. I note that the Queensland Government is considering its response to the recommendations of the Child Safety Commission of Inquiry. As part of the implementation of the recommendations of that Inquiry it is critical that children's rights as victims of crime are recognised and upheld. Breaking the cycle of crime at this even earlier stage has the potential to benefit both the young offender and broader community safety.

Access to information

Under the Charter of Victims' Rights, victims and their family members or dependants have the right to be informed of the outcome of a criminal proceeding against the accused, including the sentence imposed and the outcome of an appeal. Victims, their

family and dependents also have the right to be informed about the outcome of a bail application made by the accused and any arrangements made for the release of the accused, including any special bail conditions imposed that may affect the victim's safety or welfare.⁶ Section 282A of the YJA requires the chief executive to keep a register of persons who are eligible to receive information about a child who is serving a period of detention in a detention centre for a violent offence or a sexual offence. Eligible victims and immediate family members are automatically added to the Victims' Register—Youth Offenders, unless they opt out.

Victims who are impacted by both youth and adult crime have shared with the OVC the value of receiving up to date information about sentences, appeals, and bail decisions. It can be very distressing for victims who are not kept informed. My office frequently receives complaints from victims who have not received this information, despite it being their Charter right.

As the Bill stipulates that Circuit Breaker orders are community based orders for the purpose of the YJA⁷, victims of violent youth offenders sentenced to Circuit Breaker orders will not be eligible for the Victims' Register, and thus they will not be kept informed about the period of the youth offender's order, if they are transferred to another location, or if they abscond from the facility.

I note that notwithstanding this, where a youth offender is subsequently sentenced to a detention order, the time spent participating in a Circuit Breaker program prior to sentencing may be counted towards the period of the detention order. This operates effectively as 'remand credit' despite the young person technically remaining on bail during this period.

I also note that it is anticipated that a court may make a Circuit Breaker order in combination with a detention order for a different offence, with the Circuit Breaker order being automatically suspended until the offender is released from detention.⁸

These aspects of the Bill may cause confusion and frustration for victims who would like to be eligible to receive information about the whereabouts of the offender, and the timing of their release into the community.

I would urge the Committee to consider recommending in its report to Parliament on its inquiry into this Bill that consideration be given to expanding the eligibility of the Victims' Register to include victims of violent youth offenders who are sentenced to Circuit Breaker orders. This would allow such victims to receive information about variations to the order, and if the offender relocates, exits or absconds from the program.

Access to sentencing remarks

Transparency is essential to enable an assessment of the effectiveness of the Circuit Breaker program, impacting community confidence and sense of safety.

Sentencing remarks are an important public record which form part of a victim-survivor's experience with the criminal justice process, as 'victims often perceive that the length of a sentence reflects the way the court viewed the seriousness of the crime and the impact of the criminal act upon them'.⁹ It is also an important mechanism to enable victims who have made a Victim Impact Statement to see how the information they have provided has been considered during sentencing.

There are several barriers to victim-survivors attending court for a sentencing hearing, and when they do, they do not always understand or hear the reasons for the sentence outcome.¹⁰

Pursuant to the Recording of Evidence Regulation 2018, victims of personal offences who are the subject of a criminal proceeding in the Supreme Court or the District Court are entitled to one free copy of an existing transcription or an audio recording of a proceeding. However, this requires victims to know about this entitlement and make the request.

There is no provision for victims of personal offences whose matters have been dealt with in the Magistrates Court to obtain free recordings. While the Supreme Court Library publishes Supreme and District Court sentencing remarks, it rarely publishes Magistrates Court sentencing remarks. This means that very few sentencing remarks dealing with offences that are dealt with summarily in the Childrens Court are published.

The Committee could consider recommending in its report to Parliament on its inquiry into this Bill that consideration should also be given to amending the Recording of Evidence Regulation 2018 so that a free copy of the sentencing remarks would be made available free to victims of crime, including victims of youth offences proposed in this Bill, to be added to the Circuit Breaker framework, regardless of which court the matter was heard in.

Improved access to sentencing remarks would also assist the Queensland community to understand how offenders have been held accountable through the Circuit Breaker reforms. Providing improved access to sentencing remarks by the media, for example, will provide greater judicial accountability and enhance community confidence. The Committee could further consider recommending in its report to Parliament on its inquiry into this Bill that the Minister for Youth Justice and Victim Support and the Attorney General and Minister for Justice and Minister for Integrity could explore options

with the Chief Justice, Chief Judge and Chief Magistrate of Queensland to facilitate the increased timely publication of sentencing remarks of all Queensland Courts to enhance judicial accountability, and the visibility and awareness of sentencing outcomes for victims and the community.

Monitoring and Evaluation

I welcome the Government exploring new initiatives to break the cycle of crime and prevent victimisation. However, I note that there is wide discretion granted to both the Chief Executive in determining suitability and for the Court in determining the appropriateness of these orders. The form and design of the circuit breaker programs themselves are also yet to be determined. In these circumstances, I consider it important that the Government commit to independent and transparent monitoring and evaluation of the circuit breaker sentencing initiative and that this include open and continuing dialogue with victims of crime and the broader community about recidivism rates of young offenders who begin or complete a circuit breaker order on bail or on sentence.

Endnotes

¹ *Victims' Commissioner and Sexual Violence Review Board Act 2024* (Qld) ('VCSVRB Act') s 6.

² VCSVRB Act s 6.

³ Women's Safety and Justice Taskforce. *Hear her voice: Women and girls' experiences across the criminal justice system* (Report 2 Vol 1, 2021) 14

<<https://www.publications.qld.gov.au/dataset/womens-safety-and-justice-taskforce/resource/5b70727a-cc0e-4e08-8eda-e1434e6e0814>>.

⁴ Legal Affairs and Safety Committee, *Inquiry into support provided to victims of crime* (Report No. 48 to 57th Parliament, 2023) vi <<https://nla.gov.au/nla.obj-3199897380/view>>.

⁵ *Penalties and Sentences Act 1992* (Qld) 9(1); *Youth Justice Act 1992* (Qld) 150(3)(a).

⁶ VCSVRB Act sch 1.

⁷ Youth Justice (Circuit Breaker) Amendment Bill 2026, Cl 29

⁸ Youth Justice (Circuit Breaker) Amendment Bill 2026, Cl 19

⁹ Sam Garkawe, 'The role of the victim during criminal court proceedings' (1994) 17(2) *University of New South Wales Law Journal* 595, 602 as cited in: Queensland Sentencing Advisory Council, *Sentencing of Sexual Assault and Rape: The Ripple Effect* (Final Report, 2024) 520 <https://www.sentencingcouncil.qld.gov.au/__data/assets/pdf_file/0009/818604/Sentencing-of-Sexual-Assault-and-Rape-Final-Report.pdf>.

¹⁰ Queensland Sentencing Advisory Council, *Sentencing of Sexual Assault and Rape: The Ripple Effect* (Final Report, 2024) 520 <https://www.sentencingcouncil.qld.gov.au/__data/assets/pdf_file/0009/818604/Sentencing-of-Sexual-Assault-and-Rape-Final-Report.pdf>.