



Speech By
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MEMBER FOR NOOSA

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

 **Ms BOLTON** (Noosa—Ind) (8.28 pm): Whether in support of or against this bill, submitters agree that Queensland communities have had enough of crime, with fewer victims a goal that unites all; however, legislation should be evidence based and prioritise short-term relief whilst long-term solutions tackle the contributors to criminal behaviours. This has been raised repeatedly and reiterated in inquiries and reports for years. The government convened expert panel report, which informed these amendments in the previous Adult Crime, Adult Time laws, has been requested for months. It was finally released online, not on the committee site, two weeks after submissions closed and failed to provide the rationale or detail needed. Evidence provided in submissions from frontliners, experts in youth advocacy law and Indigenous services referencing decades of international and national research and the government's own data clearly stipulates this legislation risks increased long-term future crime, victim trauma and more dangerous criminals. This is with increased cost to taxpayers, less safety and laws labelled as political rhetoric over evidence.

The additional Adult Crime, Adult Time offences range from stalking, intimidation and harassment to crimes against children with intellectual disability. These are crimes no-one wants to see. The inclusion of aiding suicide, stupefying in order to commit an indictable offence and several other offences do not meet the stated government metric of those causing serious harm to the community. As their own data confirms, there is little to no evidence of this occurring in the past decade. As evidenced by the recidivism rate of 96 per cent in the first year post detention and 69 per cent in serious repeat offenders, the incarceration of children and youth—or length of—does not stop reoffending. The Australian Childhood Foundation stated—

Everyone deserves to feel safe but when a 14 year old commits a violent act, our first question shouldn't be 'How do we punish them like an adult?' it should be 'What's happened in their life that's brought them here and how do we stop it happening again?'

By age 14 these offenders, some 53 per cent of whom are victims themselves, have, as the Youth Advocacy Centre reiterated, experienced domestic and family violence, homelessness and mental health issues. They have also been found to suffer brain damage from fetal alcohol syndrome, rape, torture and a system that failed them for years. QUT researchers confirmed that youth crime overall is at historic lows, trending down for the past 14 years and a testament to what was working.

Detention costs \$1 million per year per young person, or \$3,600 per day. Let's think about this. As taxpayers, we are paying to see nearly all of those incarcerated—and I go back to the 90-odd per cent—reoffend and return to detention at \$1 million a year. Existing youth detention facilities are operating well above safe capacity at 99.6 per cent, the highest nationally. Prisons are overcrowded, with most at between 130 per cent to 170 per cent capacity. Currently, as reported, aviation fuel is being used to transport prisoners across the state to reduce overcrowding at watch houses. This is to avoid the government being held to the same account they held the previous government to. This is a vicious circle. How many more billions will need to be spent to build more prisons that will not ultimately see a reduction—

Mr DEPUTY SPEAKER (Mr Kempton): Member, just one moment, please. There is way too much noise in the House. Could you take your conversations outside, thank you.

Ms BOLTON: Thank you, Mr Deputy Speaker. I will say that again. How many more billions will need to be spent to build more prisons that will not ultimately see a reduction in crime into the future? Both sides have reported while in government or opposition—and experts across Queensland, Australia and internationally concur—that this legislation, by the government's own admission, contravenes the human rights of young Queenslanders. What is needed is evidence and community-based responses if victim numbers are to be reduced and continue to reduce. If the expert panel found differently, I urge the government to publicly release those details, as the only way we can reduce crimes and victims is through facts. We have been repeatedly told that we cannot police, legislate or politic our way out of this.

Enforcing personal illicit drug possession costs Queenslanders over \$222 million a year. These amendments seek to increase the cost as a result of potentially more incarcerations by reducing drug diversion opportunities for minor offences from three to one. This is another example of post-election wasted taxpayer dollars. Acronyms have changed, with the new IDEDF—illicit drug enforcement and diversion framework—replacing the existing PDDP, police drug diversion program. Those in support praised the clear consequences; however, two-thirds of submitters were opposed. This included the AMA, which described the previous program as an evidence-based, cost-effective approach. The QPS acknowledged the cost saving of drug diversion versus the criminal justice system.

The Australian Institute of Health and Welfare national drug survey showed 70 per cent community support for non-criminal responses—80 per cent where the use is ecstasy and 93 per cent for cannabis. If, as submitted, drug diversion opportunities reflect community expectations, are better informed by evidence, create pathways to improved health and wellbeing, save money and help police focus on more serious crimes, I ask: why the change?

There are more acronyms and wasted costs to recreate what we already have. Basically, the safe night precinct approach has been remodelled into the new designated business and community precinct to target antisocial behaviour. We need these behaviours stamped out; however, it does not require legislative change. As has been requested for years, we need extra boots on the ground. Government, QPS and submitters jointly noted that effective enforcement will rely on effective police discretion. Safeguards are also needed for those with cognitive or communication challenges who may be inadvertently captured. I implore government to ensure the QPS are provided with what they need, including increased overtime provisions, to ensure they are not diverted from other crime hotspots.

There we have it. Overall, instead of evidence and transparent expert advice and taking into account what many inquiries have found, the government is rebranding existing interventions, ignoring what works, increasing the need to build even more prisons and adding to already choking court systems. Anglicare's submission stated that government must commit to greater transparency of data and amendments that are evidence based, with a continued focus on targeted intervention. This includes the 500 or so youths who were identified during the bipartisan youth justice select committee who commit the majority of these crimes and are declared and on the serious repeat offender index. What is occurring there? The reality is that rehabilitation needs to be mandated before the next crime is committed, not after. That is what being held accountable is all about. Relocating these youth to work and education opportunities away from contributors would immediately reduce victim numbers and prevent future offences. Give them a chance at life and reduce the costs to taxpayers. For \$1 million per child per year, surely we can do much better than trying to fit legislation to justify slogans.