



Are We Safe Yet? Experiments with “Adult Crime, Adult Time” in Queensland, Australia

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Abstract

When the new “Adult Crime, Adult Time” laws were passed in Queensland, Australia, lawyers and scholars predicted they would not have the desired deterrent effect. However, in the year following the legal changes, there was a significant reduction in the number of children proceeded against by police, particularly for break and enter and motor vehicle-related offences. We consider why the Adult Crime, Adult Time amendments to the *Youth Justice Act 1992* (Qld) were “successful” in reducing offending by children when other legislative amendments have not had the same effect. We also consider the broader consequences of the legal changes for children who continue to offend, and the “contagion effect” the Queensland laws have had on other youth justice systems.

Keywords: Youth crime; sentencing; crime statistics; punitive populism.

Introduction

Populist initiatives often promote the “adultification” of “young offenders” (Pratt, 2007, p. 104). A proportion of the public believes that children are treated too leniently by the courts and that, for serious offences, the focus of the youth justice system should be on punishment rather than rehabilitation (Case & Bateman, 2020). Changes to youth justice legislation tend to happen as a knee-jerk reaction to highly publicised cases (Colvin & Simpson, 2025, p. 145; Corrado et al., 2006). Criminalised children are dehumanised and reified to the point where legal responses ignore the realities of their lives, and “victims’ rights” are instead prioritised (Case, 2023; Pratt, 2007; Scraton, 2008).

Deterrent sentencing relies on the assumption that individuals assess the risks before they commit crimes (Crofts et al., 2023). Yet, research on the effectiveness of deterrence in sentencing remains inconclusive (Berger & Scheidegger, 2022; Loeffler, 2022; Tonry, 2008). Some studies have shown that harsher penalties do deter adult offenders (Hansen, 2015; Kessler & Levitt, 1999), but others have shown negligible or even inverse effects (Gormley et al., 2022; Petrich et al., 2021). For children, an association between harsh penalties and deterrence has not been established (Corrado et al., 2006, p. 545; Lovett & Xue, 2025). What we know of children’s neurobiology and motivations for offending suggest that children are less likely than adults to carefully assess risks (Giedd, 2008). Children who offend often act on impulse under the influence of peers (Farrington, 2015, p. 321; Ragan et al., 2023). Many criminalised children have disabilities, such as attention deficit hyperactivity disorder (ADHD), foetal alcohol spectrum disorder (FASD), and other neurological conditions that influence their behaviours (Corrado et al., 2006; McVilly et al., 2023). Those who are very young or suffer from impairments may not know that their behaviour is criminal, and they may be genuinely unaware of the possible consequences of their actions (Ashworth, 2019). On this basis, we might reason that deterrent sentencing is not likely to be effective in preventing children’s offending.



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Studies that have examined the impact of harsher penalties, such as lengthy custodial sentences, on children have mostly found that they have no effect on the volume or seriousness of “youth crime” (Chambliss, 2011; Loughran, 2015; Smith et al., 2002). Despite this, governments remain willing to experiment with deterrent sentencing in youth justice, responding to calls from the “punitive public” for a “tough on youth crime” approach (see further Bottoms, 1995, pp. 39–40; Pratt, 2007, pp. 9–10). A current example of this is the Queensland government’s “Adult Crime, Adult Time” (ACAT) laws.

Elected on the back of its tough on youth crime agenda, the Queensland government’s *Making Queensland Safer Act 2024* (Qld) (*Making Queensland Safer Act*) was passed in the context of rising moral panic about youth crime in Queensland. The Act empowered children’s court judges to impose longer and more serious penalties (“adult time”) on children who commit certain offences (“adult crimes”), including unlawful use of a motor vehicle, break and enter, and robbery. The balance of opinion amongst scholars and advocates before the laws were passed was that the ACAT laws would not reduce children’s offending (Brennan, 2025; Robbie, 2024). However, we found that recorded offending amongst children did in fact substantially decrease in the first year of the laws’ operation.

In this paper, we outline the legislative amendments that were made before and after the election as the major parties vied to convince the public of their “tough on crime” credentials. We present statistical information on children’s offending before and after the various legislative changes, and we reflect on why the ACAT laws were apparently “successful” in reducing offending amongst children. We also discuss some of the broader consequences of the laws, including their impacts on criminalised children, and the “contagion effect” that the laws have had on other governments around the country.

“Tough on Youth Crime” in Queensland, Australia

Youth crime has been in steady decline for many years in Australia. In 2014/15, 85,442 children were proceeded against by police, and children comprised 21% of the total offender population, whereas in 2024/25, only 44,583 children were proceeded against by police in Australia, and children comprised 13% of the total offender population (Australian Bureau of Statistics [ABS], 2016, 2026). In Australia, youth justice is dealt with at state and territory level. In Queensland, where this research was conducted, the number of “child offenders”¹ has declined in recent years despite a growing population. The Queensland Government Statistician’s Office (QGSO, 2025) reports that in the 9 years between 2014/15 and 2023/24, there was a 30% decrease in the number of police contacts with children (p. 48). In 2014/15, there were 13,117 unique child offenders in Queensland, equating to a rate of 2724 per 100,000 children, whereas in 2023/24, there were 10,967 unique child offenders, equating to a rate of 1897 per 100,000 children (QGSO, 2025).²

In 2019, the Queensland government made a formal commitment to “changing the story” for children who interact with the youth justice system (Queensland Department of Youth Justice, 2019). A large-scale inquiry conducted by a former police commissioner in 2018 proposed “four pillars” for youth justice reform: intervene early, keep children out of court, keep children out of custody, and reduce reoffending (Atkinson, 2018). These four pillars laid the foundation for the government’s 2019–2023 Youth Justice Strategy. The government announced a reform package that included investments in early intervention, flexible schooling, and diversion options (Queensland Government, 2018). Changes were made to the *Youth Justice Act 1992* (Qld) (*Youth Justice Act*) to provide greater access to bail for children and to ensure children on remand were processed by the courts as quickly as possible.³

However, by 2020/21, the mood had shifted dramatically, and a punitive turn in youth justice policy was unexpectedly taken. There was no evidence of a “youth crime crisis”, given children’s offending was in decline. Two factors seem to have contributed to the moral panic that emerged at the time. First, a small number of tragic incidents involving offending by children were highly publicised by the media (Walsh, 2025). In one such case, a “drug affected teenager” who was on bail and driving a stolen car struck and killed a pregnant woman and her partner walking their dogs. At around the same time, community concern about motor vehicle theft was increasingly being voiced on social media. There was considerable fear in the community because children were breaking into homes to steal car keys (Walsh, 2025). Police and court data confirmed that, whilst overall youth crime was decreasing, the number of children charged with motor vehicle and break and enter offences was increasing (Queensland Sentencing Advisory Council [QSAC], 2020). By way of illustration, in Queensland in 2012/13, 3155 children were charged with unlawful use of a motor vehicle, compared with 6566 in 2021/22 (QGSO, 2023; see also Morgan & Dodd, 2025).

The then Labor government responded by making several amendments to the *Youth Justice Act* aimed at taking a “tough on crime” approach. The first suite of amendments, in 2020, changed the bail provisions to place an emphasis on community safety.⁴ Police and courts were required to deny bail to children if they were satisfied there was an unacceptable risk that the child would commit an offence that endangered the community, and it was not practicable to mitigate that risk by imposing

bail conditions.⁵ In 2021, the government went further, introducing a presumption against bail for children charged with certain offences who were already on bail or awaiting a court appearance for a previous indictable offence.⁶

This did not silence the opposition, or the punitive public, so further amendments were made in 2023.⁷ The government introduced a “serious repeat offender” regime which gave courts the power to declare a child to be a serious repeat offender. When sentencing such children, the court is required to have primary regard to the need to protect the community and the impact of the offence on public safety.⁸ The government also introduced an offence of breach of bail for children.⁹ It was acknowledged that these amendments breached the *Human Rights Act 2019* (Qld) so the amendment Act stated that the new sections had effect “despite being incompatible with human rights”.¹⁰ In the lead-up to the 2024 election, the conservative Liberal-National opposition committed to removing the principle of detention as a last resort from the *Youth Justice Act*. Not to be outdone, the Labor government hurriedly made the change itself in August 2024,¹¹ despite advocates’ expressed concern that this was in blatant contravention of the United Nations Convention on the Rights of the Child (Australian Human Rights Commission, 2024).¹²

The October 2024 Queensland state election was fought and won on the back of the opposition’s “tough on youth crime” platform. Billboards announcing their ACAT policy were erected next to major roads all over the state and were the backdrop for all opposition media appearances. After it was elected, the new government wasted no time passing its *Making Queensland Safer Act* which empowered children’s courts to impose longer probation orders and longer custodial sentences, including life imprisonment, for children who committed an ACAT offence.¹³ Six of the original 13 ACAT offences were associated with motor vehicle theft and break and enter, including unlawful use of a motor vehicle, dangerous operation of a motor vehicle, unlawful entry of a motor vehicle, robbery, and entering premises with intent to commit an indictable offence.¹⁴

ACAT was the headline policy, but other significant amendments to the *Youth Justice Act* were made at the same time. In particular, the sentencing principles for children were altered. When sentencing a child, the court must now have “primary regard” to any impact of the offence on a victim.¹⁵ The court “must not” have regard to the principle that a detention order should be a last resort for children or the principle that a sentence that allows the child to stay in the community is preferable.¹⁶ In addition, once a child in detention turns 18, they must now be transferred to an adult prison within 30 days, when previously they would likely have been permitted to serve out the remainder of their sentence in the youth detention centre.¹⁷

Since the original *Making Queensland Safer* legislation was introduced, the list of ACAT offences has increased to 45, including some additional motor vehicle-related offences.¹⁸ Other amendments to the *Youth Justice Act* have been made as well, for example, children’s opportunity to be offered a drug diversion warning by police instead of being proceeded against for a minor drugs offence was removed, and police banning notices can now be issued to children.¹⁹

“Adult Crime, Adult Time” Around the World: What Is It, and Does It Work?

This is not the first time “Adult Crime, Adult Time” has been used as a tagline for punitive youth justice policies. In the United States (US), the phrase has been used to refer to laws that allow children to be transferred to adult criminal courts if they are accused of committing certain serious or violent offences (Miller & Applegate, 2014; Waters, 2004). Similar laws exist elsewhere; indeed, in Queensland, children accused of murder and manslaughter must be tried in the Supreme Court.²⁰ In the United Kingdom, children may, and in some cases must, be transferred to the Crown Court for trial or sentencing if they are accused of certain serious or violent offences,²¹ although this is relatively rare (Youth Justice Board, 2023). The US laws are much broader.

Loughran et al. (2009) report that in the 1990s, “virtually every” US state imposed laws that empowered courts to transfer young people who had committed serious crimes from the juvenile court jurisdiction to the adult court jurisdiction (p. 700). As is often the case with punitive youth justice laws, this occurred in response to “perceptions of leniency” and “related perceptions of increased public safety risks” (Loughran et al., 2009, p. 700). These laws received public support in the US (Myers, 2003), but evaluations concluded that “community protection may actually be reduced over the long term by transferring juveniles to criminal court” (Redding, 2003, pp. 134–135). Transferred children have higher rates of recidivism (Lanza-Kaduce et al., 2005; Loughran et al., 2015; Myers, 2003, p. 189). They also tend to be rearrested more quickly after release, and on more serious charges (Lanza-Kaduce et al., 2005, pp. 71–72; Taylor-Thompson, 2014). While longer periods of incarceration may have a short-term incapacitation effect, this is “offset by further criminal behaviour” committed after their release (Myers, 2003, p. 189). Large-scale longitudinal studies and meta-analyses have concluded that “transfer laws have little or no general deterrent effect” (Loughran et al., 2015; Redding, 2010) and “may even increase” juvenile crime (Zane et al., 2016, p. 915).

Under Queensland's ACAT laws, children are still tried and sentenced in the Childrens Court, but the court is empowered to impose the same penalty that would apply to an adult. Research on similar legislative schemes has consistently found that harsher sentences do not result in less crime or lower recidivism rates for children (Corrado et al., 2006; Koehler et al., 2013; Smith et al., 2002). In Canada, Corrado et al. (2006) found that there was "little evidence of a pervasive deterrent impact of custodial sentences" amongst children charged with serious and violent offences (p. 559). Based on interviews with more than 500 incarcerated young people, they concluded that, for the "overwhelming" majority, neither lengthy detention sentences nor "punitive adult dispositions" acted as a deterrent even though most of the young people "disliked their custodial experiences" (Corrado et al., 2006, p. 558).

A 2002 meta-analysis conducted by Smith et al. for the Canadian government found there was "absolutely no cogent empirical or theoretical rationale for criminal justice sanctions to suppress criminal behaviour" (p. 20). They reviewed 117 studies and found that the type of sanction imposed did not produce decreases in recidivism. They concluded that incarceration "should not be used with the expectation of reducing criminal behaviour" in adults or children (Smith et al., 2002, pp. 18–19). Similarly, a European meta-analysis found that penalties focusing on deterrence or supervision had higher recidivism rates than programs delivering cognitive behavioural programs for young people aged under 25 years (Koehler et al., 2013). Programs that were delivered in the community were found to reduce recidivism, particularly when they were targeted at high-risk offenders, while deterrence and supervision-based interventions resulted in increased recidivism (Koehler et al., 2013, pp. 30, 35). Closer to home, in New South Wales, McGrath (2009) interviewed 193 young people after the conclusion of their sentencing hearing and found that believing that the sentence would "cause a big or very big problem in their lives" was not associated with reduced reoffending (p. 38). On this basis, McGrath concluded that more severe punishments do not have a deterrent effect (2009, p. 42).

Children's stage of brain development, and their lack of emotional and cognitive maturity, may explain why harsher penalties tend not to result in reductions in "youth crime" (Giedd, 2008). Children are more likely to engage in risk-taking behaviour and often fail to appreciate the potential seriousness of long-term consequences (Steinberg, 2007). While they can perceive risk, they may not weigh it as heavily as an adult would, making them less deterred by the possibility of a harsh sentence (Taylor-Thompson, 2014, p. 177). Corrado et al. (2006) concluded that most children do not plan their offending, let alone consider the possible consequences. Seventy-two percent of the young people they interviewed said they did not plan the offence that led to their incarceration, and 60% said they *never* planned their offending (Corrado et al., 2006, p. 555). When asked what sentence would deter them, 27% said no sentence would deter them (Corrado et al., 2006, p. 558).

It is well known that youth justice intervention makes children more likely to be re-criminalised (McAra & McVie, 2007; Petrosino et al., 2019). This is often explained by the stigmatising effects of criminal law involvement (McGrath, 2009; Smith & Paternoster, 1990). Potential pathways out of crime will seem limited if children are constantly re-criminalised, and they may take on a criminal identity as a result (Bernburg & Krohn, 2003; Farrington, 1977). Based on international research, the UN Committee on the Rights of the Child affirms the importance of early intervention and diversion, and recognises that the criminal justice system "cause[s] harm to children, limiting their chances of becoming responsible adults" (United Nations Committee on the Rights of the Child [UNCRC], 2019, p. 2). The key finding of longitudinal studies on youth offending is that, for most children, the best approach is "minimal intervention and maximum diversion" (McAra & McVie, 2007, p. 337; see also Bernburg & Krohn, 2003; Petrosino et al., 2010). Most children will age out of offending, and the less justice-related intervention they receive, the more likely they are to successfully exit the system and become productive citizens (Bernburg & Krohn, 2003; Lambie & Randell, 2013). For those who are "persistent offenders", incarceration does not lead to desistance but finding a pathway out of crime does (Farrington, 2015; Lipsey, 2009; Smith, 2021).

First Year of ACAT in Queensland: What Do the Statistics Tell Us?

We began, therefore, with the hypothesis that the punitive turn taken in Queensland — first by the previous government and then through the ACAT laws — would not result in a reduction in youth crime. This is because the weight of international evidence suggests that the mere threat of a harsher penalty has limited influence over children's decision-making related to offending.

To test this hypothesis, we undertook a statistical analysis of the total offence numbers,²² finalised charges,²³ and sentencing outcomes²⁴ for children, as well as the number of children held in watchhouses, in the 5 years from 2021 to 2025, by month, to determine whether there were any trends associated with the legislative changes.²⁵ We then compared the number of children who were proceeded against for ACAT offences 12 months before and 12 months after the ACAT laws were introduced.

Our analysis focused on four key legislative change points between 2021 and 2025:

1. May 2021: *Youth Justice and Other Legislation Amendment Act 2021* (Qld) introduced the show cause provision (presumption against bail).
2. March 2023: *Strengthening Community Safety Act 2023* (Qld) introduced the “serious repeat offender” regime and the offence of breach of bail.
3. August 2024: *Queensland Community Safety Act 2024* (Qld) removed detention as a last resort as a sentencing principle for children.
4. December 2024: *Making Queensland Safer Act* introduced the ACAT laws.

Given that publicly available data were reported only as aggregated monthly counts, analyses were conducted at the monthly population level rather than at the individual level. The four legislative reforms represented distinct policy interventions implemented during the study period and therefore provided natural comparison points for examining changes in offending patterns over time. For each intervention, predefined comparison windows immediately before and after implementation were used to evaluate short-term changes while reducing the influence of longer-term temporal variation. Relative change was calculated by comparing the mean monthly counts observed before and after each legislative change and expressing the difference as a percentage of the pre-legislation mean.

Statistical significance was assessed using Welch's two-sample *t*-test to compare monthly counts between the pre- and post-amendment periods. Seasonality was explored as a supplementary analysis using Kruskal-Wallis tests comparing monthly and seasonal distributions of the available outcomes. No statistically significant monthly or seasonal variation was identified, suggesting that seasonality was unlikely to explain the observed changes following the legislative reforms.

We were not able to examine trends relating to Aboriginal and/or Torres Strait Islander children as the publicly available data does not provide a breakdown according to Indigenous status. This is an important limitation of this analysis and should be the subject of future research.

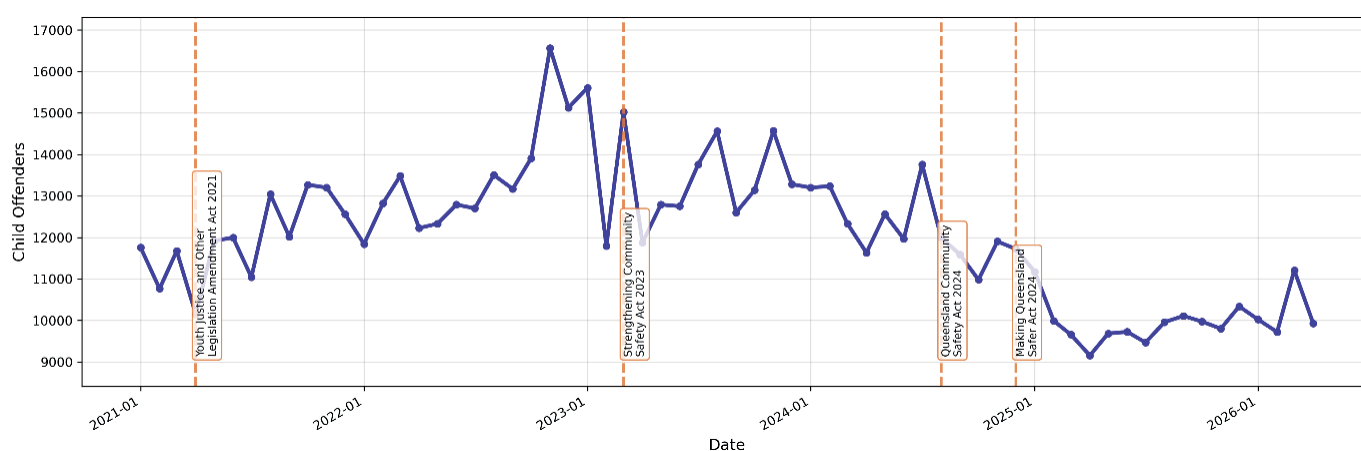
Children's Offence Numbers: Overall

We found no statistically significant changes in the number of children processed by police after any of the legislative change points between 2021 and 2024 (pre-ACAT). As shown in Figure 1, child offence numbers fluctuated considerably between 2021 and 2024, displaying an erratic pattern month to month, with a slight downward trend across 2023 to 2024.

However, there was a significant downward trend in overall offending in 2025 (post-ACAT) ($p = 0.010$). In the 12 months after the introduction of the ACAT laws, the number of children's offences decreased by 19%.²⁶ Furthermore, the number of “unique child offenders” fell by 9% between 2023/24 and 2024/25.²⁷

Figure 1

Child Offence Numbers 2021–2025, Calculated Monthly, With Key Legislative Changes Marked



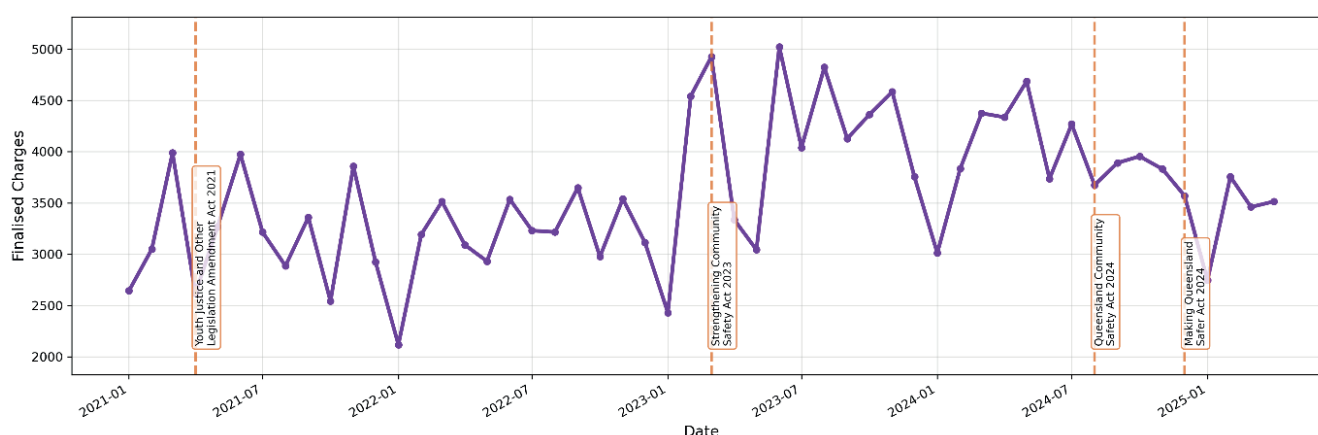
Finalised Charges and Sentencing Outcomes

Figure 2 shows the number of finalised charges in the Childrens Courts between 2021 and 2025 (inclusive). The number of finalised charges varied widely from month to month and year to year, with no clear trends evident. There was no indication that the legislative changes had any influence on the number of finalised charges in the Childrens Courts.

Following the introduction of the ACAT laws in December 2024, there was a small decline in finalised charges in the Childrens Courts. Using a 5-month window before and after December 2024, we found that finalised charges decreased from a monthly mean of 3865.0 to 3409.8, representing a decline of 11.8%. This decline was not statistically significant, and it cannot be concluded that it was associated with the ACAT laws. Rather, this decline is consistent with the general decline in finalised charges across several years. Of course, we would not expect to see an immediate reduction in finalised charges post-ACAT because it can take several weeks or even months for offences, particularly indictable offences, to proceed through the courts to finalisation.²⁸

Figure 2

Finalised Charges in the Childrens Courts 2021–2025, Calculated Monthly, With Key Legislative Changes Marked



There were some notable changes in children's sentencing outcomes following the December 2024 legislation. Within the immediate 5-month period following the introduction of the ACAT laws, good behaviour bonds decreased by 33.1% ($p = 0.009$), and community service orders decreased by 24.7% ($p = 0.138$). The raw number of detention orders remained constant but, as a proportion of all penalty types, detention orders increased by 5.9%. Again, these results should be interpreted with caution, given the length of time it takes for matters to proceed through the courts.

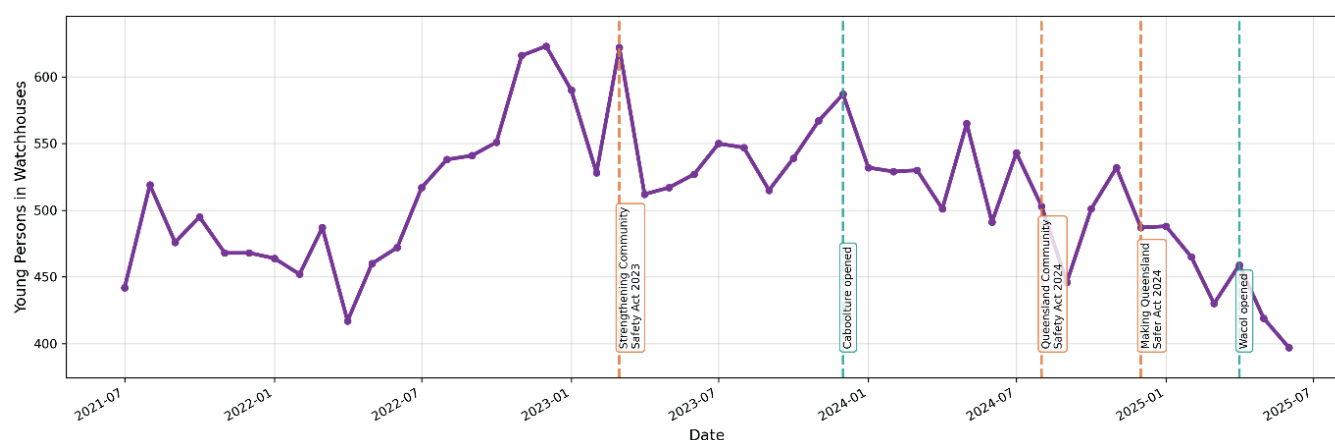
Children Held in Watchhouses

A significant increase in the number of children held in watchhouses was observed between 2021 and 2023. In 2020/21, an average of 76 children were held in court-ordered custody in watchhouses each month. In 2021/22, an average of 468 children were held in watchhouses each month.²⁹ Monthly watchhouse counts peaked at 623 in December 2022 and remained elevated throughout much of 2022 and 2023, before trending downwards from 2024 onwards (see Figure 3). In the 5 months following December 2024, the average number of watchhouse admissions for children per month was approximately 452, compared with approximately 505 in the 5 months immediately preceding the ACAT laws, continuing the downward movement already evident earlier in 2024. The persistence of the downward trend in 2025 is at least partly explained by the opening of a new 76-bed youth remand facility in March 2025 (Queensland Government, 2025).³⁰ However, the decline in watchhouse admissions did not match the decline in offending. For example, in the first 5 months after the introduction of the ACAT laws, watchhouse admissions decreased by 8.8%, whereas the number of children proceeded against by police decreased by 14.7%.

The length of children's stays in watchhouses also increased dramatically between 2020/21 and 2023/24. In 2020/21, only 15 children's stays in a watchhouse exceeded 7 days; in 2023/24, that figure was 706 (Childrens Court of Queensland, 2025). In 2024/25, 275 watchhouse admissions exceeded 7 days' stay, representing a marked decrease on the year before (Childrens Court of Queensland, 2026).

Figure 3

Children Held in Police Watchhouses, Calculated Monthly From July 2021 to June 2025, With Key Legislative Changes and Facility Openings Marked



ACAT Offences: 12 Months Pre- and Post-Change

It is noted above that children's offence numbers reduced overall following the introduction of the ACAT laws. For certain ACAT offences, the reduction in children's offence numbers was even more significant.

Table 1 shows that between 2024 and 2025, there was a 36% reduction in the number of children proceeded against by police for the offence of unlawful entry of a dwelling with intent to commit an indictable offence, and a 30% reduction in the number of children proceeded against by police for unlawful use of a motor vehicle. The decrease in the offence numbers for robbery and stealing from or entering a motor vehicle with intent were also substantial: there was a 24% and 22% reduction in the number of children proceeded against by police for those offences, respectively. Notably, the number of children proceeded against for dangerous operation of a motor vehicle, also an ACAT offence, did not significantly decrease: there was only a 15% reduction between 2024 and 2025. The most serious of the ACAT offences, murder and manslaughter, also showed no change. Three children were proceeded against for murder in both 2024 and 2025 and no children were proceeded against for manslaughter in either year.

Table 1

Number of Children Processed by Police for Select Adult Crime, Adult Time Offences in the Year Pre-ACAT (2024) and the Year Post-ACAT (2025)

QPS recorded offences	2024 total	2025 total	% change
UUMV	6106	4253	-30.3
Unlawful entry with intent (dwelling)	5799	3725	-35.8
Vehicle: steal from/enter with intent	1680	1308	-22.1
Robbery	1269	971	-23.5
Dangerous operation of a motor vehicle	393	335	-14.8

Comparing the 5 months before and after the introduction of the ACAT laws, the number of children proceeded against for unlawful use of a motor vehicle declined by 20.9% ($p = 0.018$) and the number of children proceeded against for unlawful entry of a dwelling with intent declined by 31.7% ($p = 0.014$). These reductions were not replicated uniformly across the other ACAT offences.

By way of comparison, we also calculated the number of children processed by police for the offence of shop stealing, which is not an ACAT offence, in the years pre- and post-change. We found no significant change in the number of children processed by police for shop stealing between 2024 ($n = 7791$) and 2025 ($n = 6663$; a 14.5% reduction). Similarly, no significant change was observed in the 5 months before and after the introduction of the ACAT laws, with shop stealing declining by 12.1% ($p = 0.151$).

Therefore, the key findings of our statistical analysis were:

- There was no statistically significant change in children's offending after the legislative amendments passed by the previous Labor government (pre-ACAT).
- The legislative amendments passed by the previous Labor government (pre-ACAT) were associated with a significant increase in the number of children admitted to watchhouses.
- After the introduction of the ACAT laws, there was a significant decrease in the number of children proceeded against by police for unlawful entry of a dwelling with intent and unlawful use of a motor vehicle.
- There was a steady, but non-significant, decrease in the number of children's admissions to watchhouses from early 2024 onwards.

Discussion

There is commonsense appeal to the notion of "Adult Crime, Adult Time". The populist perspective is that young offenders are treated too leniently by the courts, and that harsher penalties will result in a reduction in offending (Ashworth, 2019; Corrado et al., 2006; Myers, 2003; Pratt, 2007). However, public perceptions about youth crime are often inaccurate. The public may believe there is a "youth crime crisis" even though offence rates are falling (Cavadino & Dignan, 2012, p. 46; Pratt, 2007, p. 17). Also, they tend to adopt a "rational choice" theory of crime when actually, children often do not plan their offending and are influenced by factors other than possible sanctions (Corrado et al., 2006, pp. 556–557; Myers, 2003, pp. 174, 187).

While most international research has found that changes to sentencing laws do not have a deterrent effect on children, our findings were mixed. We found that changes to bail laws and sentencing principles did not lead to reductions in children's offences; however, they did result in significantly more children being held in police watchhouses. Somewhat unexpectedly, we found that children's offences did decline after the introduction of the ACAT laws, particularly for offences related to motor vehicle theft. Of course, the results of this research reflect only the first year of the ACAT changes, and longer-term evaluation will be important to determine whether the observed effects are sustained.

Pre-ACAT Changes to Bail Laws and Sentencing Principles: Children in Watchhouses

In the lead-up to the state election in 2024, there was a punitive arms race in youth justice law. The former Labor government introduced a presumption against bail for "recidivist youth offenders", expanded the offence of breach of bail to children, and amended the sentencing principles for children, including removing the principle of detention as a last resort. Our statistical analysis suggests that those amendments did not have any impact on children's offence numbers, finalised charges, or sentencing outcomes. However, the changes to the bail laws were associated with a dramatic increase in the number of children being held in police watchhouses. This was predictable: if fewer children are released on bail, a greater number will be held in custody. Since there was no commensurate increase in the number of detention centre beds, very high numbers of children were held in watchhouses for extended periods of time while they waited for a bed to become available (QPS, 2025, pp. 7–8).

Watchhouses are not intended to accommodate anyone for more than 24 hours — they are holding cells, meant only for people waiting to appear before a court or waiting to be transferred to a corrective services facility (QPS, 2025, p. 6). Watchhouse cells have no amenities, provide no privacy and do not allow for education, visits, exercise or out of cell time; in practice, they are a form of solitary confinement (Walsh, 2026). They are inappropriate places to hold children for any length of time, let alone for days or weeks. Significant hardship was caused to the many accused children who were held in these "poor" conditions (QPS, 2025, pp. 12, 22; Walsh, 2026); however, we found no evidence that the legislative changes had any deterrent effect.

Post-ACAT Reductions in Offending

Advocates and scholars assumed that the ACAT laws would not reduce children's offending, but they expressed deep concern for the children who would be caught up in the laws' punitive net (Law Council of Australia, 2025; Robbie, 2024). They anticipated that more children, particularly Aboriginal and/or Torres Strait Islander children, would be sentenced to detention for longer periods of time, and that fewer would have the benefit of a community-based sanction (Brennan, 2025). Case law has confirmed that this is occurring (*R v SEV*, 2026 [56]; see also *WLT v Director of Public Prosecutions*, 2025). Furthermore, our statistical analysis revealed a notable decrease in the number of children being sentenced to good behaviour bonds and

community service orders after the ACAT laws were passed. This is consistent with concerns that the reforms would shift sentencing practices away from community-based sanctions and towards more punitive responses. However, these results are preliminary only: given the period of time it takes for matters to progress to finalisation in the courts, it is too early to determine whether these results are reflective of a real or lasting change in sentencing practices.

The most important finding of this research was that the number of children proceeded against for certain offences significantly decreased post-ACAT. A comparison between the number of children proceeded against by police in the year before and the year after the legislative changes showed substantial reductions for ACAT offences, particularly unlawful entry of a dwelling with intent and unlawful use of a motor vehicle. We cannot be sure that the effect was causal. There may have been other reasons for the decrease in recorded offending. There may have been changes to police practices, operational priorities, offence recording, or offence detection. However, one possible explanation is that the ACAT laws did have a deterrent effect on some children in relation to certain types of offending. The question is, why?

The answer may lie in the deterrence literature. While most studies have concluded that punitive laws and harsh penalties do not deter children from crime, they have also found that celerity *can* act as a deterrent (Loughran et al., 2015, pp. 4–5; Nagin & Pogarsky, 2001). Certainty of apprehension has been found to be more effective as a deterrent than the severity of the penalty for both adults and children (Crofts et al., 2023).

It could be that children's knowledge about the ACAT laws increased their sense of certainty of apprehension. As Ashworth (2019) observes, deterrence relies on fear, so a severe sentence can only have a deterrent effect if people know about it and understand its effect. Most often, people will not know about or appreciate the likely effect of changes to sentencing laws, but what if the amendments are “well publicised among those likely to consider committing the offence” (Ashworth, 2019, p. 569)? Most children in Queensland would have been aware of the ACAT laws. The ACAT slogan was well publicised across all forms of media and displayed on billboards across the state for months. The language was simple, if not simplistic, so most children would have understood the laws' likely effect. It is possible that the “sloganization” (Pratt, 2007, p. 22) of these legal changes effectively increased children's perceived certainty of apprehension. Knowing that the government was “cracking down” on “young offenders” may have made children feel more vulnerable to detection, creating a deterrent effect (see further Redding, 2003, p. 130–132).

Of course, not all children were deterred, and it is likely that certain children are more deterrable than others (Loughran et al., 2012, p. 19). Research with adult offenders has shown that those with “fewer stakes in conformity” are less likely to be deterred by “increased risk and cost” because such individuals have less to lose (Sherman et al., 1992). Likewise, children who already feel disenfranchised or stigmatised may remain undeterred by “criminal justice tactics” (Ashworth, 2019, p. 572; Vignaendra et al., 2011, p. 451). One study in the US found that children with “fewer conventional and prosocial attachments” were less likely to engage in reflective decision-making before engaging in criminal offending (Paternoster & Pogarsky, 2009, p. 118; see also Loughran, 2012, p. 19; Redding, 2003, p. 136). Another Australian study found that children who say they do not care what the adults in their lives think of them are more likely to express an intention to reoffend (Vignaendra et al., 2011, pp. 446, 449). For certain children, the perceived rewards of crime — including peer approval, status, and belonging — will seem more important than a possible adverse consequence (Ashworth, 2019, p. 572–573; Loughran et al., 2012, p. 19). Children who act on impulse may not consider the consequences of their actions at all (Farrington, 2015). For others, offending can have an addictive quality, particularly motor vehicle offending because it can provide a “rush” that has a “mood-modifying effect” (Kellett & Gross, 2006, p. 49).

Children who continue to offend are likely to be the “persistent offenders”. Pratt (2007) considers this to be a “reified” concept (p. 111); however, official statistics across jurisdictions consistently show that a relatively small number of children are responsible for a significant proportion of total offences (Bernburg & Krohn, 2003; Moffitt, 1993). In Queensland, 18% of child “offenders” are responsible for almost 50% of proven offences (Childrens Court of Queensland, 2025, p. 4). These children are vulnerable to persistent recriminalisation for a range of reasons, including disability, parental incarceration, homelessness, abuse, and trauma (Farrington, 2007; Moffitt, 2015). Children from more privileged backgrounds, who are not already marginalised or stigmatised and are not affected by disability, are more likely to experience crime as a “choice”. They may be deterred from offending by the ACAT messaging, while more vulnerable children remain criminalised.

ACAT's Adverse Consequences: The Social and Human Costs

Offence numbers may have decreased, at least in the short term, but ACAT approaches are associated with significant social and human costs that tend not to be weighed in the analysis.

First, “tough on crime” “bidding wars” often lead to “dramatic increases in imprisonment rates” (Pratt, 2007, p. 23; see also Case, 2025, p. 382) and it is the most vulnerable children who will be caught in the punitive net of these laws. Incarceration is known to be harmful to children, especially when they spend long periods of time in isolation (Walsh, 2026). Children’s emotional and developmental needs cannot be met in a carceral environment, and they often experience a deterioration in their mental health and behaviour (Ackerman et al., 2024; Dmitrieva et al., 2012; Fagan & Kupchik, 2011; Lambie & Randell, 2013; Loughran et al., 2009). Incarceration deprives children of family and community contact and reduces their exposure to positive peers (Ackerman et al., 2024). Very few studies have shown that detention can have any positive effects on children (Gillman et al., 2021).

From a legal policy perspective, detaining children is counterproductive because it increases their likelihood of recriminalisation (Gatti et al., 2009; Vignaendra et al., 2011). Children who spend extensive periods in custody may no longer consider “prison life” to represent a threat, making them even less deterred by the prospect of a sentence of incarceration (Gormley et al., 2022, p. 25). Research has indicated that “lower risk” children have better outcomes with less intervention, whereas “higher risk” children require intensive therapeutic approaches (Wilson & Hoge, 2013). Programs that focus on behaviour and attitudinal change seem to be most effective in reducing recidivism, along with family treatment and keeping children in school (Kimbrell et al., 2023; Koehler et al., 2013; Lipsey, 2009; Schwalbe et al., 2012). Meanwhile, keeping children in detention is very expensive. It costs an average of \$3635 per day to keep children incarcerated in a detention centre in Australia, but only \$424 a day to deliver community-based supervision (Productivity Commission, 2026).

Second, dehumanising child “offenders”, and labelling them as “out of control” and “terrorising” the community, can legitimise the maltreatment of vulnerable children (Pratt, 2007, pp. 106, 110). Punitive approaches can become normalised, which can in turn lead to their proliferation. Since Queensland’s ACAT laws were introduced, other Australian states have adopted similar laws. In December 2025, the Victorian parliament passed its Adult Time for Violent Crime laws. These laws adopt a similar approach to that in the US: children aged 14 and over who commit certain crimes must be tried in adult courts, rather than children’s courts, and can receive adult penalties.³¹ The Victorian legislation also removed from the *Youth Justice Act 2024* (Vic) the principle that a custodial sentence should be “imposed as a last resort and for the minimum period appropriate and necessary”, and the principle that “efforts to support rehabilitation and positive development are the most effective ways to reduce reoffending”. Detention as a last resort has also been removed from the Northern Territory *Youth Justice Act 2005* (NT).³² In South Australia in 2025, a presumption against bail for “repeat offenders” was introduced, courts were empowered to declare a child to be a “recidivist young offender”, and sentencing principles were amended to emphasise the “need to protect the safety of the community”.³³ These examples suggest that punitive youth justice approaches are contagious. Laws that would previously have been criticised for breaching children’s fundamental human rights or lacking an evidence base achieve unearned legitimacy when “popular commonsense” is prioritised over “expert knowledge” (Pratt, 2007, p. 35).

Conclusion

Slogans like “Adult Crime, Adult Time” appeal to the punitive public. They are simple, transparent, and commonsensical. They are also factually inaccurate. Offences like unlawful use of a motor vehicle and robbery are not “adult crimes”. These offences are statistically more likely to be committed by children.³⁴ Furthermore, the assumptions such slogans rest on — that “prison works” and harsh sentences will deter “young criminals” — are unfounded (Ackerman et al., 2024; Loughran et al., 2009, p. 5; Pratt, 2007, p. 15).

The punitive arms race that political parties in Queensland engaged in between 2021 and 2024 had no effect on offence numbers or sentencing outcomes. Far from increasing faith in the youth justice system, knee-jerk reactions to isolated incidents seemed only to fuel public distrust by confirming that the law needed fixing. The opposition and the seemingly insatiable public continued to call for more and harsher changes after each amendment.

The ACAT laws seem to have resulted in reductions in offending by some children for certain offences, particularly unlawful entry of a dwelling with intent and unlawful use of a motor vehicle. However, we have argued that it was not the laws themselves that reduced offending, but the powerful ACAT messaging. We consider that the ACAT media campaign may have increased some children’s perceived certainty of apprehension, creating a deterrent effect.

But at what cost? If more children are imprisoned, and less have the benefit of a community-based sentence, there will be detrimental effects on children’s development and their prospects for future employment and reintegration in the community. The result could be an increase in the number of children who are “persistent offenders”. The social and economic costs of increased youth detention cannot be justified, given that community-based, therapeutic interventions have proven to be more effective at addressing the causes of crime (Ashworth, 2019, p. 578). We agree with Crofts et al. (2023) that “it is unfair to

impose punishment on vulnerable children with the aim of deterring others” (p. 193). What is needed is an evidence-based approach that can be sold to the public with confidence, one that will successfully reduce crime in both the short and long term and protect the safety of children as well as the community. Sadly, this may need to be distilled into a simple, catchy, alliterative slogan if the support of the public is to be secured.

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¹ This is how children who are proceeded against by police are referred to in crime statistics. We acknowledge that not all children proceeded against by police committed the offences they were accused of. Also, in a general sense, we object to the use of the term “offender” in relation to any child.

² Note: we have used the figure prior to the passing of the Adult Crime, Adult Time laws in December 2024. By 2024/25, the child offender number had reduced further to 10,056 and the rate had reduced to 1723 per 100,000 children (QGSO, 2026, p. 46).

³ *Youth Justice and Other Legislation Amendment Act 2019* (Qld).

⁴ *Community Services Industry (Portable Long Service Leave) Act 2020* (Qld), Explanatory Note, 3-4.

⁵ New s 48AAA *Youth Justice Act 1992* (Qld) (*Youth Justice Act*), amended by *Community Services Industry (Portable Long Service Leave) Act 2020* (Qld) s 159.

⁶ Such children are required to “show cause why the child’s detention in custody is not justified”. New s 48AF *Youth Justice Act*, amended by *Youth Justice and Other Legislation Amendment Act 2021* (Qld) s 24. The same Act expanded police powers to use hand-held scanners to scan for knives in certain areas (designated “Safe Night Precincts”), allowed electronic monitoring to be added as a bail condition for children aged 16 and 17 years, and amended the first Youth Justice Principle to state that the community should be protected from “recidivist high-risk offenders”.

⁷ *Strengthening Community Safety Act 2023* (Qld) s 21.

⁸ New s 150A *Youth Justice Act*.

⁹ *Bail Act 1980* (Qld) s 29, amended by *Strengthening Community Safety Act 2023* (Qld) s 5. Children had not been prosecuted for breach of bail since a 1988 amendment to the *Bail Act 1980* (Qld): see *Bail Act and Other Acts Amendment Act 1988* (Qld).

¹⁰ This is permissible using the “override power” in s 43(1) of the *Human Rights Act 2019* (Qld).

¹¹ *Youth Justice Act*, Schedule 1, Charter of Youth Justice Principles item 18, amended by *Queensland Community Safety Act 2024* (Qld) s 131.

¹² UNCRC art 37(b) states that “The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time”.

¹³ New s 175A(2) *Youth Justice Act*, amended by *Making Queensland Safer Act 2024* (Qld) (*Making Queensland Safer Act*) s 19. This Act also amended the *Youth Justice Act* to make the entirety of a child’s criminal history, including cautions, restorative justice agreements, and contraventions of orders, admissible to a sentencing court.

¹⁴ Others included murder, manslaughter, and other offences involving serious assaults: *Youth Justice Act* s 175A.

¹⁵ New s 150(1AB) *Youth Justice Act*, amended by *Making Queensland Safer Act* s 15.

¹⁶ New s 150(1AA) *Youth Justice Act*, amended by *Making Queensland Safer Act* s 15.

¹⁷ New s 276C *Youth Justice Act*, amended by *Making Queensland Safer Act* s 33. Previously, there was an overriding principle in the Act that persons who are 18 years and 6 months should not be detained in youth detention centres: s 276Y.

¹⁸ For example, stealing a vehicle, and damaging an emergency services vehicle when operating a motor vehicle (added 2025: *Making Queensland Safer (Adult Crime, Adult Time) Amendment Act 2025* (Qld)) and endangering the safety of a person in a vehicle with intent (added 2026: *Expanding Adult Crime, Adult Time and Taking a Strong Stance on Drugs and Anti-Social Behaviour Amendment Act 2026* (Qld)).

¹⁹ New s 11(1)(d) *Youth Justice Act* s 11(1)(d); new s 602C *Police Powers and Responsibilities Act 2000* (Qld).

²⁰ *Youth Justice Act* s 99, Schedule 4 “supreme court offence”.

²¹ *Crime and Disorder Act 1998* (UK) s 51A; *Sentencing Act 2020* (UK) ss 16, 16A.

²² “Total offence numbers” is the number of children processed by police.

²³ “Finalised charges” is the number of charges that have been finalised by adjudication by a court. Finalisation can involve a guilty finding and sentence, discharge, or withdrawal of the charge (Childrens Court of Queensland, 2025, p. 15).

²⁴ We used the figures for most serious penalty. “Most serious penalty” is the most serious penalty a child receives for a single finalisation. Where children receive multiple penalties, only the most serious penalty is counted (Childrens Court of Queensland, 2025, p. 15).

²⁵ Court-based data (finalised charges, sentencing outcomes, and watchhouse admissions) were obtained from Childrens Court annual reports. Police data (offence numbers) were obtained from QPS reported data, which is available online: <https://www.police.qld.gov.au/maps-and-statistics>.

²⁶ The total number of children’s offences in 2024 was 146,880, and this fell to 118,973 in 2025.

²⁷ The number of unique child offenders in 2023/24 was 11,022, and 10,056 in 2024/25 (QPS, 2026, p. 46).

²⁸ The average time between charge and finalisation by a court is 112 days for the magistrates’ division of the Childrens Court and 291 days for the Childrens Court of Queensland (Childrens Court of Queensland, 2026, p. 32).

²⁹ Note that we cannot be certain that these figures are directly comparable. The method of counting and reporting changed between 2020/21 and 2021/22 and QPS would not release comparable figures to us when we requested it.

³⁰ The decline in watchhouse admissions began after the repurposing of the Caboolture watchhouse for children in December 2023.

³¹ *Justice Legislation Amendment (Community Safety) Act 2025* (Vic).

³² *Youth Justice Legislation Amendment Act 2025* (NT).

³³ *Statutes Amendment (Recidivist Young Offenders) Act 2025* (SA).

³⁴ For example, in January 2024, for unlawful use of motor vehicle, the number of total offenders was 1954, 686 of whom were children; for robbery, the number of total offenders was 195, 129 of whom were children (QPS, 2026).

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