



Queensland

Youth Justice (Circuit Breaker) Amendment Bill 2026



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2026

A Bill

for

An Act to amend the *Child Safe Organisations Act 2024*, the *Public Guardian Act 2014* and the *Youth Justice Act 1992* for particular purposes

[s 1]

The Parliament of Queensland enacts— 1

Part 1 Preliminary 2

Clause 1 Short title 3

This Act may be cited as the *Youth Justice (Circuit Breaker) Amendment Act 2026*. 4
5

Clause 2 Commencement 6

This Act commences on a day to be fixed by proclamation. 7

Part 2 Amendment of Child Safe Organisations Act 2024 8
9

Clause 3 Act amended 10

This part amends the *Child Safe Organisations Act 2024*. 11

Clause 4 Amendment of sch 1 (Child safe entities) 12

(1) Schedule 1, section 8— 13

insert— 14

(aa) a circuit breaker provider that develops and 15
implements a circuit breaker program under 16
the *Youth Justice Act 1992*, section 282P; 17

(2) Schedule 1, section 8(aa) to (c)— 18

renumber as schedule 1, section 8(b) to (d). 19

20

Clause 5	Amendment of sch 2 (Reporting entities)	1
	Schedule 2, section 8—	2
	<i>insert</i> —	3
	(c) a circuit breaker provider that develops and implements a circuit breaker program under the <i>Youth Justice Act 1992</i> , section 282P.	4 5 6
Part 3	Amendment of Public Guardian Act 2014	7 8
Clause 6	Act amended	9
	This part amends the <i>Public Guardian Act 2014</i> .	10
Clause 7	Amendment of s 51 (Definitions for ch 4)	11
	(1) Section 51—	12
	<i>insert</i> —	13
	<i>circuit breaker site</i> means a circuit breaker site under the <i>Youth Justice Act 1992</i> , section 282Q(1).	14 15 16
	(2) Section 51, definition <i>visitable site</i> —	17
	<i>insert</i> —	18
	(aa) a circuit breaker site where the child is staying; or	19 20
	(3) Section 51, definition <i>visitable site</i> , paragraphs (aa) to (d)—	21
	<i>renumber</i> as paragraphs (b) to (e).	22
Clause 8	Amendment of s 67 (Power of entry—visitable site)	23
	(1) Section 67(5)—	24
	<i>omit, insert</i> —	25

[s 9]

	(5) If the visitable site is a corrective services facility, detention centre or circuit breaker site, it is a reasonable excuse for a person not to comply with a requirement under subsection (1)(f) or (i) if the disclosure of the information could reasonably be expected to prejudice the security or good order of the facility, centre or site.	1 2 3 4 5 6 7
(2)	Section 67(7)— <i>omit, insert—</i>	8 9
	(7) If the visitable site is a detention centre or circuit breaker site, the exercise of power under this section is subject to any direction given by the chief executive (youth justice services) for—	10 11 12 13
	(a) the security and management of detention centres or circuit breaker sites; and	14 15
	(b) the safe custody and wellbeing of children detained in detention centres or residing at circuit breaker sites.	16 17 18
Clause 9	Amendment of s 77 (Matters to which ss 74 and 76 are subject)	19 20
	Section 77(2)— <i>omit, insert—</i>	21 22
	(2) If the visitable site under section 74 or 76 is a detention centre or circuit breaker site, the exercise of power under the section is subject to any direction given by the chief executive (youth justice services) for—	23 24 25 26 27
	(a) the security and management of detention centres or circuit breaker sites; and	28 29
	(b) the safe custody and wellbeing of children detained in detention centres or residing at circuit breaker sites.	30 31 32

Clause 10	Amendment of sch 1 (Dictionary)	1
	Schedule 1—	2
	<i>insert—</i>	3
	<i>circuit breaker site</i> , for chapter 4, see section 51.	4
Part 4	Amendment of Youth Justice Act 1992	5 6
Clause 11	Act amended	7
	This part amends the <i>Youth Justice Act 1992</i> .	8
Clause 12	Insertion of new s 46A	9
	Before section 47—	10
	<i>insert—</i>	11
	46A Definition for part	12
	In this part—	13
	<i>suitability report</i> see section 52AC(1).	14
Clause 13	Insertion of new ss 52AB–52AE	15
	After section 52AA—	16
	<i>insert—</i>	17
	52AB Court may impose circuit breaker condition	18
	(1) A court may, under section 52A(2), impose on a	19
	grant of bail to a child a condition that the child	20
	participate in a circuit breaker program while	21
	released on bail (a <i>circuit breaker condition</i>) if—	22
	(a) the suitability report for the child contains	23
	advice from the chief executive that—	24

[s 13]

- (i) the child is suitable to participate in a circuit breaker program; and 1
2
 - (ii) there is a place available in a circuit breaker program that is appropriate for the child; and 3
4
5
 - (b) the child previously has not been sentenced to a circuit breaker order; and 6
7
 - (c) the court is satisfied, in addition to being satisfied of the matters mentioned in section 52A(2), that imposing the circuit breaker condition is appropriate having regard to the following matters— 8
9
10
11
12
 - (i) the suitability report given to the court under section 52AC(1); 13
14
 - (ii) any other matter the court considers relevant. 15
16
- Note—* 17
- See the *Human Rights Act 2019*, sections 19, 22 and 25 to 28. 18
19
- (2) The court may impose a circuit breaker condition on a child only if the court would have made an order keeping or remanding the child in custody had the court not imposed the condition. 20
21
22
23
 - (3) If bail for a child is subject to a circuit breaker condition, the court— 24
25
 - (a) must impose a condition that the child wear a monitoring device while released on bail; and 26
27
28
 - (b) must consider making an order that the child be detained in custody until the monitoring device is fitted to the child; and 29
30
31
 - (c) must consider making an order that the child be detained in custody until the child starts the journey to a circuit breaker site; and 32
33
34

-
- (d) must impose a condition requiring the child while released on bail—
- (i) to abstain from violation of the law; and
 - (ii) to satisfactorily participate in activities as directed by the chief executive; and
 - (iii) to comply with every reasonable direction of the chief executive; and
 - (iv) to comply with the circuit breaker program; and
 - (v) to reside at the circuit breaker site as decided by the chief executive and not leave without the prior approval of the chief executive; and
- (e) may impose any other condition the court considers necessary to facilitate the participation of the child in the circuit breaker program or the operation of the monitoring device.
- Examples of conditions a court may consider necessary to facilitate the participation of a child in a circuit breaker program or the operation of a monitoring device—*
- a condition that requires the child to attend at a stated place to be transported to a circuit breaker site
 - a condition that requires the child to comply with any direction given to the child by the person who is responsible for the child's transportation to a circuit breaker site that is reasonably necessary for the purpose of transporting the child to the circuit breaker site
 - a condition that requires the child to take stated and other reasonable steps to ensure the monitoring device and any equipment necessary for the operation of the monitoring device are, or remain, in good working order

[s 13]

- (4) For subsection (3)(b) or (c), the child may be detained in custody—
- (a) only for the purpose of fitting the monitoring device or until the child can start the journey to the circuit breaker site; and
 - (b) for the least time that is justified in the circumstances.
- Note—*
- See also part 8B.

52AC Circuit breaker condition—suitability report

- (1) A court, before it imposes on a child a circuit breaker condition, must order the chief executive to give the court a report (a *suitability report*) containing the chief executive’s assessment of the child’s suitability for a circuit breaker condition.
- (2) The suitability report must include—
- (a) the chief executive’s assessment of the suitability of the child for the imposition of a circuit breaker condition on the child; and
 - (b) the reasons the chief executive made the assessment mentioned in paragraph (a); and
 - (c) advice on whether an appropriate circuit breaker program is available on the child’s release on bail.
- (3) The suitability report may also contain any other relevant information that may inform the court of the appropriateness of imposing a circuit breaker condition on the child.
- (4) A regulation may prescribe other matters the chief executive must or may consider in assessing the child’s suitability for a circuit breaker condition.
- (5) If the court makes an order under subsection (1), the chief executive must give the court the

-
- suitability report— 1
- (a) within the period stated by the court in the 2
order under subsection (1); or 3
- (b) if no period has been stated by the court—as 4
soon as practicable after the order is made. 5

**52AD Circuit breaker condition—implementing 6
condition about monitoring device and other 7
conditions 8**

- (1) If the court, under section 52A(2), imposes on a 9
child a circuit breaker condition, including a 10
condition under section 52AB(3)(a) that the child 11
wear a monitoring device and other conditions 12
under section 52AB(3)(e), the chief executive 13
must make all necessary and convenient 14
arrangements to ensure the fulfilment of the 15
conditions. 16
- (2) The chief executive may, for the performance of 17
the chief executive’s function under subsection 18
(1), ask a monitoring device entity to do any of the 19
following— 20
- (a) fit the monitoring device to, or remove the 21
monitoring device from, the child; 22
- (b) remotely monitor the monitoring device; 23
- (c) contact the child, or the circuit breaker 24
provider that operates the circuit breaker site 25
where the child is residing, in relation to an 26
alert or notification from the monitoring 27
device; 28
- (d) give information relating to alerts and 29
notifications from the monitoring device to 30
the chief executive or another monitoring 31
device entity. 32
- (3) A monitoring device entity must comply with a 33
request under subsection (2). 34

[s 13]

- (4) The chief executive (corrective services) may delegate a function requested under subsection (2) to a corrective services officer. 1
2
3
- (5) A monitoring device entity that is an entity prescribed by regulation may delegate a function requested under subsection (2) to— 4
5
6
- (a) an appropriately qualified employee; or 7
- (b) a contractor who contracts with the entity to provide services relating to monitoring devices. 8
9
10
- (6) A court that imposes a circuit breaker condition on a grant of bail under this section can not also impose a monitoring device condition under section 52AA. 11
12
13
14
- (7) If a court imposes on a child a circuit breaker condition in relation to an offence, whether before or after a court under section 52A(2) imposes a condition (the *other condition*) on a grant of bail to the child in relation to another offence, the child is not required to comply with the other condition while the child is subject to the circuit breaker condition. 15
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52AE Circuit breaker condition—variation or revocation of bail 23
24

- (1) This section applies if— 25
- (a) bail for a child is subject to a circuit breaker condition; and 26
27
- (b) the child is not willing to comply with the condition. 28
29
- (2) The child may make an application to the court that granted the bail to vary or revoke the bail. 30
31
- (3) The court must— 32

	(a) vary the bail to rescind the circuit breaker condition; or	1 2
	(b) revoke the bail.	3
	(4) The court may impose a condition, other than a circuit breaker condition, on a variation of the bail under subsection (3).	4 5 6
	(5) This section does not affect the operation of the <i>Bail Act 1980</i> , section 30.	7 8
Clause 14	Amendment of s 67 (Limitation on justices)	9
	Section 67(2)—	10
	<i>omit, insert—</i>	11
	(2) The justices can not make any of the following orders—	12 13
	(a) a circuit breaker order;	14
	(b) a detention order;	15
	(c) a conditional release order.	16
Clause 15	Amendment of s 148C (Admissibility of evidence obtained while participating in particular programs)	17 18
	(1) Section 148C(5), definition <i>youth justice program—</i>	19
	<i>insert—</i>	20
	(ba) a circuit breaker program; or	21
	(2) Section 148C(5), definition <i>youth justice program</i> , paragraphs (ba) and (c)—	22 23
	<i>renumber</i> as paragraphs (c) and (d).	24
Clause 16	Amendment of s 175 (Sentence orders—general)	25
	(1) Section 175(1)—	26
	<i>insert—</i>	27

[s 17]

	(fa) make a circuit breaker order for the child for a period of at least 3 months but not more than 6 months; or	1 2 3
(2)	Section 175(2)— <i>insert</i> —	4 5
	(d) a circuit breaker order.	6
Clause 17	Amendment of s 175A (Sentence orders—significant offences to which adult penalties apply)	7 8
(1)	Section 175A(2)— <i>insert</i> —	9 10
	(aa) make a circuit breaker order for the child for a period of at least 3 months but not more than 6 months; or	11 12 13
(2)	Section 175A(2)(aa) and (b)— <i>renumber</i> as section 175A(2)(b) and (c).	14 15
Clause 18	Insertion of new ss 179A and 179B	16
	After section 179— <i>insert</i> —	17 18
	179A Combination of circuit breaker order and probation order, intensive supervision order or detention order prohibited	19 20 21
	A court may not make, for a single offence—	22
	(a) a circuit breaker order; and	23
	(b) a probation order, intensive supervision order or detention order.	24 25
	179B Combination of circuit breaker order and graffiti removal order	26 27
(1)	This section applies if a court makes—	28

(a)	a circuit breaker order and a graffiti removal order for—	1 2
(i)	a single graffiti offence; or	3
(ii)	multiple offences of which 1 is a graffiti offence; or	4 5
(b)	a circuit breaker order for a child subject to 1 or more existing graffiti removal orders.	6 7
(2)	The graffiti removal order—	8
(a)	if subsection (1)(a) applies—starts at the end of the program period for the circuit breaker order; or	9 10 11
(b)	if subsection (1)(b) applies—is suspended until the end of the program period for the circuit breaker order.	12 13 14
(3)	Any period that, under section 194B(3) or 194D, applies to the graffiti removal order—	15 16
(a)	if subsection (1)(a) applies—starts at the end of the program period for the circuit breaker order; or	17 18 19
(b)	if subsection (1)(b) applies—is extended by the period the child is subject to the circuit breaker order.	20 21 22
Clause 19	Insertion of new s 180B	23
	After section 180A—	24
	<i>insert—</i>	25
	180B Combination of detention order and circuit breaker order	26 27
(1)	Subsection (2) applies if a court makes—	28
(a)	a circuit breaker order for a child subject to a detention order; or	29 30

[s 20]

	(b) a detention order for a child for an offence and a circuit breaker order for the child for another offence.	1 2 3
	(2) The circuit breaker order starts when the child is released from detention under the detention order.	4 5
	(3) Subsection (4) applies if a court makes a detention order for a child subject to a circuit breaker order.	6 7
	(4) The circuit breaker order is suspended until the child is released from detention under the detention order.	8 9 10
	(5) The period for which the circuit breaker order is suspended under subsection (4) is not to be counted as part of the program period for the circuit breaker order.	11 12 13 14
Clause 20	Insertion of new pt 7, div 9A	15
	Part 7—	16
	<i>insert—</i>	17
	Division 9A Circuit breaker orders	18
	206A Definitions for division	19
	In this division—	20
	<i>monitoring device condition</i> see section 206D(1)(d).	21 22
	<i>suitability report</i> see section 206B(a).	23
	206B Circuit breaker order	24
	A court may make a circuit breaker order for a child only if—	25 26
	(a) the court has ordered the chief executive to prepare a report (a <i>suitability report</i>) containing the chief executive's assessment	27 28 29

-
- of the child’s suitability for participation in 1
a circuit breaker program and has received 2
and considered the report; and 3
- (b) the suitability report for the child contains 4
advice from the chief executive that— 5
- (i) the child is suitable to participate in a 6
circuit breaker program; and 7
- (ii) there is a place available in a circuit 8
breaker program that is appropriate for 9
the child; and 10
- (c) the child previously has not been sentenced 11
to a circuit breaker order. 12

206C Contents of suitability report 13

- (1) A suitability report for a child must include— 14
- (a) the chief executive’s assessment of the 15
suitability of the child for a circuit breaker 16
order; and 17
- (b) the reasons the chief executive made the 18
assessment mentioned in paragraph (a); and 19
- (c) advice on whether a circuit breaker program 20
that is appropriate for the child is available. 21
- (2) The suitability report may also contain any other 22
relevant information that may inform the court of 23
the appropriateness of making a circuit breaker 24
order for the child. 25
- (3) The suitability report may be part of a 26
pre-sentence report for the child. 27
- (4) A regulation may prescribe other matters the chief 28
executive must or may consider in assessing the 29
child’s suitability for a circuit breaker order. 30

[s 20]

206D Circuit breaker orders—requirements

- | | |
|---|----|
| | 1 |
| (1) A circuit breaker order made for a child must | 2 |
| require— | 3 |
| (a) that the child report in person to the chief | 4 |
| executive within 1 business day after the | 5 |
| order is made, or any longer period that is | 6 |
| specified in the order, unless— | 7 |
| (i) the child is at a circuit breaker site | 8 |
| because the court previously has | 9 |
| imposed on the child a circuit breaker | 10 |
| condition; or | 11 |
| (ii) the child is subject to a detention order; | 12 |
| and | 13 |
| (b) that the child participate as directed by the | 14 |
| chief executive in a circuit breaker program | 15 |
| for the period of at least 3 months but not | 16 |
| more than 6 months as stated in the order | 17 |
| (the <i>program period</i>); and | 18 |
| (c) that, during the program period for the | 19 |
| order— | 20 |
| (i) the child abstain from violation of the | 21 |
| law; and | 22 |
| (ii) the child satisfactorily participate in | 23 |
| activities as directed by the chief | 24 |
| executive; and | 25 |
| (iii) the child comply with every reasonable | 26 |
| direction of the chief executive; and | 27 |
| (iv) the child comply with the circuit | 28 |
| breaker program; and | 29 |
| (v) the child reside at the circuit breaker | 30 |
| site as decided by the chief executive | 31 |
| and not leave without the prior | 32 |
| approval of the chief executive; and | 33 |

-
- (d) that the child wear a monitoring device 1
during the program period for the order (a 2
monitoring device condition). 3
- (2) A circuit breaker order made for a child may 4
contain requirements that the child comply, 5
during the whole or a part of the period of the 6
order, with conditions the court considers 7
necessary or desirable, including any condition 8
the court considers necessary to facilitate the 9
participation of the child in the circuit breaker 10
program or the operation of the monitoring 11
device. 12
- Examples of conditions a court may consider necessary to 13
facilitate the participation of a child in a circuit breaker 14
program or the operation of a monitoring device— 15*
- a condition that requires the child to attend at a 16
stated place to be transported to a circuit breaker 17
site 18
 - a condition that requires the child to comply with 19
any direction given to the child by the person who is 20
responsible for the child's transportation to a circuit 21
breaker site that is reasonably necessary for the 22
purpose of transporting the child to the circuit 23
breaker site 24
 - a condition that requires the child to take stated and 25
other reasonable steps to ensure the monitoring 26
device and any equipment necessary for the 27
operation of the monitoring device are, or remain, 28
in good working order 29
- Note— 30*
See the *Human Rights Act 2019*, sections 19, 22 and 25 31
to 28. 32
- (3) Subject to section 180B(2), the program period 33
for a circuit breaker program starts when the 34
circuit breaker order is made and ends at the end 35
of the last day of the period of the order. 36
- Note— 37*
See also part 8B. 38
-

[s 20]

206E Monitoring device condition	1
(1) The chief executive must make all necessary and convenient arrangements to ensure the fulfilment of a monitoring device condition on a child.	2 3 4
(2) The chief executive may, for the performance of the chief executive's function under subsection (1), ask a monitoring device entity to do any of the following—	5 6 7 8
(a) fit the monitoring device to, or remove the monitoring device from, the child;	9 10
(b) remotely monitor the monitoring device;	11
(c) contact the child, or the circuit breaker provider that operates the circuit breaker site where the child is residing, in relation to an alert or notification from the monitoring device;	12 13 14 15 16
(d) give information relating to alerts and notifications from the monitoring device to the chief executive or another monitoring device entity.	17 18 19 20
(3) A monitoring device entity must comply with a request under subsection (2).	21 22
(4) The chief executive (corrective services) may delegate a function requested under subsection (2) to a corrective services officer.	23 24 25
(5) A monitoring device entity that is an entity prescribed by regulation may delegate a function requested under subsection (2) to—	26 27 28
(a) an appropriately qualified employee; or	29
(b) a contractor who contracts with the entity to provide services relating to monitoring devices.	30 31 32

-
- 206F Suspension of circuit breaker program** 1
- (1) If, during the program period for a circuit breaker 2
order, a child for good reason is unable to 3
participate in the circuit breaker program the 4
subject of the order, the chief executive may, by 5
written notice given to the child, suspend the 6
child's participation in the program for a stated 7
period. 8
- (2) The period for which the child's participation in 9
the circuit breaker program is suspended is not to 10
be counted as part of the program period for the 11
circuit breaker order. 12

- 206G Period for which bail subject to circuit 13
breaker condition counted towards program 14
period for circuit breaker order 15**
- (1) This section applies to a child if— 16
- (a) bail for the child was subject to a circuit 17
breaker condition in connection with a 18
charge of an offence; and 19
- (b) the court makes a circuit breaker order for 20
the child in relation to the offence. 21
- (2) Any period of time for which the bail for the child 22
was subject to the circuit breaker condition must 23
be counted as part of the program period for the 24
circuit breaker order. 25
- (3) However, any period for which the bail for the 26
child was subject to the circuit breaker condition 27
that is less than 1 day is not to be counted under 28
subsection (2). 29

- Clause 21 Insertion of new s 218A** 30
- After section 218— 31
- insert—* 32

[s 22]

218A Period for which bail subject to circuit breaker condition to be treated as detention on sentence	1
	2
	3
(1) This section applies to a child if—	4
(a) bail for the child was subject to a circuit breaker condition in connection with a charge of an offence; and	5
	6
	7
(b) the child is sentenced to a period of detention for the offence.	8
	9
(2) Any period of time for which the bail for the child is subject to the circuit breaker condition must be counted as part of the period of detention that is served in a detention centre or corrective services facility.	10
	11
	12
	13
	14
(3) However, any period for which the bail for the child is subject to the circuit breaker condition that is less than 1 day is not to be counted under subsection (2).	15
	16
	17
	18
(4) To remove any doubt, it is declared that a period of time for which the child is also held in custody on sentence for another offence is not to be counted for the purposes of subsection (2).	19
	20
	21
	22

Clause 22	Amendment of s 245 (Court’s power on breach of a community based order other than a conditional release order)	23
		24
		25
(1) Section 245(1)—		26
<i>insert—</i>		27
(ca) for a circuit breaker order—extend the period of the order, but not so that the total period of the order is more than 6 months; or		28
		29
		30
(2) Section 245(2), after ‘based order’—		31
<i>insert—</i>		32
, other than a circuit breaker order,		33

-
- (3) Section 245(3), ‘or (c)’— 1
omit, insert— 2
 , (c) or (ca) 3

- Clause 23** **Amendment of s 247 (Variation, discharge and 4
resentence in the interests of justice)** 5
- Section 247— 6
 insert— 7
- (6) However, on an application mentioned in 8
 subsection (1)(b)(ii) in relation to a circuit breaker 9
 order, the court may resentence the child for the 10
 offence for which the order was made to a period 11
 of detention. 12

- Clause 24** **Amendment of s 249 (Matters relevant to making further 13
order)** 14
- Section 249— 15
 insert— 16
- (4) If the community based order is a circuit breaker 17
 order and the court decides to revoke the order 18
 and resentence the child to a period of detention 19
 for the offence for which the order was made, the 20
 court must reduce the period of detention by a 21
 period the court considers just, having regard to 22
 the period the child was subject to the order. 23

- Clause 25** **Insertion of new pt 8B 24**
- After part 8A— 25
 insert— 26
- Part 8B** **Provisions about 27
 circuit breaker 28
 programs 29**

[s 25]

Division 1	Preliminary	1
282N Purpose of part		2
	The purpose of this part is to facilitate circuit breaker conditions or circuit breaker orders by—	3 4
	(a) providing for circuit breaker programs—	5
	(i) to protect the safety of the community; and	6 7
	(ii) to support, rehabilitate or reintegrate into the community children who are on bail for alleged offences or have committed offences; and	8 9 10 11
	(b) prescribing entities as circuit breaker providers—	12 13
	(i) to develop and implement circuit breaker programs; and	14 15
	(ii) to operate places in remote or rural locations for children participating in circuit breaker programs; and	16 17 18
	(iii) to facilitate the operation of circuit breaker programs; and	19 20
	(c) providing for matters relating to monitoring devices that are to be worn by children participating in circuit breaker programs.	21 22 23
Division 2	Circuit breaker providers	24
282O Circuit breaker providers		25
	(1) A regulation may prescribe an entity as a circuit breaker provider.	26 27
	(2) The Minister may recommend to the Governor in Council the making of a regulation under	28 29

subsection (1) only if the Minister is satisfied the entity—	1 2
(a) has appropriate experience or expertise to be a circuit breaker provider; and	3 4
(b) has the ability to deliver a circuit breaker program in accordance with this part; and	5 6
(c) satisfies any other criteria prescribed by regulation for this section.	7 8
Division 3	
Circuit breaker programs administration	9 10
282P Developing and implementing circuit breaker programs	11 12
(1) A circuit breaker provider must develop and implement an intensive residential program with structured activities and strict routines and conditions (a <i>circuit breaker program</i>).	13 14 15 16
(2) A circuit breaker program must provide—	17
(a) intensive and practical support for children, including by giving the children education, training and mentoring; and	18 19 20
(b) access to a rural property where children can gain knowledge, skills and experience; and	21 22
(c) activities and programs to support children to reintegrate into the community.	23 24
<i>Examples of programs for paragraph (c)—</i>	25
• programs for developing communication skills and life skills	26 27
• programs that encourage positive behaviour	28
• programs for developing skills that may support future employment	29 30
(3) A circuit breaker program may provide vocational	31

[s 25]

education and training that enables a child 1
participating in the program to attain a 2
qualification. 3
Example of a qualification— 4
a qualification known as certificate 1 under the 5
Australian Qualifications Framework 6

282Q Circuit breaker sites 7

- (1) A circuit breaker provider must operate a place (a 8
circuit breaker site) in a remote or rural location 9
for the placement of a child in a circuit breaker 10
program. 11
- (2) A regulation must state the name and location of 12
each circuit breaker site. 13
- (3) The circuit breaker provider must provide 14
accommodation, services, facilities and activities 15
necessary for the circuit breaker program at the 16
circuit breaker site. 17

**282R Monitoring circuit breaker programs and 18
circuit breaker sites** 19

- (1) The chief executive must monitor the operation of 20
each circuit breaker program and circuit breaker 21
site. 22
- (2) A circuit breaker provider must allow the chief 23
executive to enter the provider's circuit breaker 24
site for the following purposes— 25
 - (a) monitoring the operation of the provider's 26
circuit breaker program and the circuit 27
breaker site; 28
 - (b) providing support to a child subject to a 29
circuit breaker condition or circuit breaker 30
order in relation to an offence who is 31
residing at the circuit breaker site, including 32
supporting the child to comply with a 33

community based order made for the same 1
offence or another offence. 2

282S Responsibilities of circuit breaker providers 3

- (1) Subject to this Act, a circuit breaker provider is 4
responsible for— 5
- (a) the security and management of the 6
provider’s circuit breaker site; and 7
 - (b) the safety and wellbeing of children 8
participating in the provider’s circuit 9
breaker program. 10
- (2) A circuit breaker provider must at all times 11
supervise a child participating in the provider’s 12
circuit breaker program. 13
- (3) A circuit breaker provider must, for a child 14
participating in the provider’s circuit breaker 15
program— 16
- (a) facilitate access to education appropriate to 17
the child’s age and development; and 18
 - (b) appropriately support the child’s 19
engagement in the education. 20
- (4) Without limiting any other provision of this 21
division, a regulation may prescribe other 22
responsibilities of a circuit breaker provider in 23
relation to the implementation of the provider’s 24
circuit breaker program. 25

282T Recordings in circuit breaker sites 26

- (1) A circuit breaker provider may, for carrying out 27
the provider’s responsibilities under 28
section 282S(1), record images or sounds at the 29
provider’s circuit breaker site. 30
- (2) However, the circuit breaker provider must not 31
record a communication between a child 32

[s 25]

- participating in the provider’s circuit breaker program and any of the following persons— 1
2
- (a) the child’s lawyer; 3
 - (b) an officer of a law enforcement agency; 4
 - (c) the ombudsman; 5
 - (d) a community visitor (child); 6
 - (e) a child advocacy officer; 7
 - (f) the public guardian; 8
 - (g) the human rights commissioner. 9
- (3) Also, the circuit breaker provider must not record a telephone conversation between a child participating in the provider’s circuit breaker program and someone else unless— 10
11
12
13
- (a) the recording of the conversation is made for a purpose, and in accordance with the requirements, prescribed by regulation; and 14
15
16
 - (b) the conversation is not between the child and a person mentioned in subsection (2)(a) to (g). 17
18
19
- (4) Subsections (2) and (3) do not apply to the extent the use is inadvertent, unexpected or incidental to use while acting in the performance of the circuit breaker provider’s duties. 20
21
22
23
- (5) To remove any doubt, it is declared that subsection (1) is a provision authorising the use by a circuit breaker provider of a listening device for the *Invasion of Privacy Act 1971*, section 43(2)(d). 24
25
26
27
28
- (6) In this section— 29
- listening device*** see the *Invasion of Privacy Act 1971*, section 4. 30
31
- telephone conversation*** includes a conversation held using any technology that allows reasonably 32
33

contemporaneous and continuous communication 1
between 2 or more persons. 2

282U Requirements in relation to recordings 3

- (1) The chief executive must make guidelines about 4
the recording of images or sounds at circuit 5
breaker sites under section 282T. 6
- (2) The chief executive may direct a circuit breaker 7
provider to record images or sounds at the 8
provider's circuit breaker site. 9
- (3) The circuit breaker provider must comply with a 10
direction under subsection (2). 11
- (4) A circuit breaker provider must ensure that the 12
following persons are advised that sounds and 13
images at the provider's circuit breaker site may 14
be recorded under section 282T— 15
 - (a) a child subject to a circuit breaker condition 16
or circuit breaker order who is residing at 17
the circuit breaker site; 18
 - (b) an employee or a contractor of the circuit 19
breaker provider at the circuit breaker site; 20
 - (c) a visitor to the circuit breaker site. 21
- (5) A regulation may prescribe— 22
 - (a) the management of access to images or 23
sounds recorded at a circuit breaker site; and 24
 - (b) the restrictions applying to the recording of 25
the images or sounds; and 26
 - (c) the purposes for which the images or sounds 27
may be used; and 28
 - (d) how the images or sounds will be stored; 29
and 30
 - (e) the period for which the images or sounds 31
must or may be kept. 32

[s 25]

Division 4	Children participating in circuit breaker programs	1 2
282V	Where children participate in circuit breaker programs	3 4
(1)	The chief executive must decide the circuit breaker site at which a child subject to a circuit breaker condition imposed on a grant of bail to the child, or subject to a circuit breaker order, is to participate in a circuit breaker program.	5 6 7 8 9
(2)	The chief executive may direct that a child participating in a circuit breaker program at a circuit breaker site be transferred to another circuit breaker site.	10 11 12 13
282W	Child must be given information on entry to circuit breaker site	14 15
(1)	A circuit breaker provider must ensure that, as soon as practicable after a child who is participating in the provider's circuit breaker program first attends the provider's circuit breaker site, the child is given a document containing the following information—	16 17 18 19 20 21
(a)	the rules governing the circuit breaker site;	22
(b)	the child's rights and responsibilities under the youth justice principles;	23 24
(c)	how, and to whom, the child may make a complaint about a matter relating to the circuit breaker program;	25 26 27
(d)	how the child can access legal services during the circuit breaker program;	28 29
(e)	the obligation on an employee or contractor of a circuit breaker provider under	30 31

-
- section 282X to report any harm the child suffers during the circuit breaker program;
- (f) any other information the circuit breaker provider considers appropriate.
- (2) The circuit breaker provider must also ensure the information in the document is orally explained to the child in a way, and to an extent, that is reasonable, having regard to the child's age and ability to understand.

282X Obligation to report harm to children participating in circuit breaker programs

- (1) If a circuit breaker provider, or an employee or contractor of a circuit breaker provider, (each a *reporting entity*) becomes aware, or reasonably suspects, that a child has suffered harm while participating in the provider's circuit breaker program, the reporting entity must, unless the reporting entity has a reasonable excuse, report the harm or suspected harm to the chief executive—
- (a) immediately; and
- (b) if a regulation is in force under subsection (3)—in compliance with the regulation.
- Maximum penalty—20 penalty units.
- (2) It is immaterial how the harm was caused.
- (3) A regulation may prescribe the way the report must be given or the particulars that the report must include.
- (4) It is a reasonable excuse for the reporting entity not to report a matter that reporting the matter might tend to incriminate the reporting entity.
- (5) Subsection (1) does not apply if the reporting entity knows or reasonably considers that the chief executive is aware of the harm or suspected

[s 25]

harm.	1
(6) In this section—	2
<i>harm</i> , to a child, is any detrimental effect of a significant nature in the child’s physical, psychological or emotional wellbeing.	3 4 5
282Y Chief executive may authorise medical treatment	6 7
Despite any other Act or law, the chief executive is authorised to give consent to any medical treatment of a child participating in a circuit breaker program if—	8 9 10 11
(a) the medical treatment requires the consent of a guardian of the child; and	12 13
(b) the chief executive is unable to ascertain the whereabouts of a guardian of the child despite reasonable inquiries; and	14 15 16
(c) it would be detrimental to the child’s health to delay the medical treatment until the guardian’s consent can be obtained.	17 18 19
282Z Ordinary visitor	20
(1) This section does not apply to any of the following persons—	21 22
(a) a community visitor (child);	23
(b) a child advocacy officer;	24
(c) the chief executive.	25
(2) A circuit breaker provider may approve the entry of visitors to the provider’s circuit breaker site either generally or in a particular case.	26 27 28
(3) The circuit breaker provider may refuse entry to the provider’s circuit breaker site to a person if—	29 30

-
- (a) in the circuit breaker provider’s opinion, the person’s presence at the circuit breaker site would prejudice the security or good order of the circuit breaker site; or
- (b) the person does not, on request, give the person’s name, address or proof of identity; or
- (c) the person refuses to comply with a request made under subsection (5).
- (4) Subject to section 282ZC, the circuit breaker provider may require a visit to the circuit breaker site to take place in the presence, or under the supervision, of an employee or contractor of the circuit breaker provider.
- (5) The circuit breaker provider may, on reasonable grounds, ask a visitor to the circuit breaker site to submit anything in the visitor’s possession to a search by an employee or contractor of the circuit breaker provider.
- (6) The circuit breaker provider may give a visitor who has entered the circuit breaker site a direction the provider considers necessary for the security or good order of the site.
- (7) If a visitor refuses to submit to a search requested under subsection (5) or fails to comply with a direction under subsection (6), the circuit breaker provider may ask the visitor to leave the circuit breaker site immediately.
- (8) A police officer or an employee or contractor of the circuit breaker provider may, using force that is reasonable and necessary, remove from the circuit breaker site a visitor who refuses to leave the site immediately when requested to leave.
- (9) However, the employee or contractor may use force that is reasonable and necessary to remove the visitor under subsection (8) only if—

[s 25]

- (a) the employee or contractor has successfully completed targeted physical intervention training; and
- (b) the employee or contractor reasonably believes the visitor will not leave the circuit breaker site unless the employee or contractor uses force as mentioned in subsection (8).

282ZA Chief executive may direct circuit breaker provider to permit entry

- (1) A person refused entry to a circuit breaker site may make a complaint to the chief executive about the refusal.
- (2) The chief executive may direct the circuit breaker provider who operates a circuit breaker site to permit entry of a person to the site.
- (3) The circuit breaker provider must comply with a direction under subsection (2).

282ZB Helping child gain access to lawyer

A circuit breaker provider must ensure that, if a child participating in a circuit breaker provider's circuit breaker program asks the provider or an employee or contractor of the provider for help in gaining access to a lawyer, the child is given the help that is reasonable in the circumstances.

282ZC Protection of lawyer representing child

- (1) A lawyer representing a child participating in a circuit breaker provider's circuit breaker program is entitled to access to the child at all reasonable times.
- (2) The circuit breaker provider or an employee or a contractor of a circuit breaker provider (each a

-
- relevant entity*)— 1
- (a) must allow the lawyer to conduct an 2
interview with the child out of the hearing of 3
any other person; and 4
- (b) must not open, copy, remove or read any 5
correspondence— 6
- (i) from the child to the lawyer; or 7
- (ii) from the lawyer to the child. 8
- (3) Subsection (2)(b) does not prevent the relevant 9
entity from handling the correspondence to the 10
extent necessary to give the child access to the 11
correspondence or, at the child’s request, to store 12
the correspondence in a secure place. 13

282ZD Complaints generally 14

- (1) A child or parent of a child participating in a 15
circuit breaker program may make a complaint 16
about a matter that affects the child. 17
- (2) The chief executive must issue written 18
instructions on how a complaint may be made and 19
dealt with, which may include the direction of the 20
complaint to the chief executive or other 21
appropriate authority. 22
- (3) The chief executive need not deal with a 23
complaint that the chief executive reasonably 24
believes to be trivial or made only to cause 25
annoyance. 26
- (4) The chief executive must tell the child how the 27
complaint will be dealt with. 28

Division 5 Monitoring devices 29

[s 26]

282ZE Information relating to monitoring devices	1
A regulation may prescribe for section 52AD or 206E—	2 3
(a) how information relating to a monitoring device, including information relating to alerts and notifications from the device or a child’s geographical location, may be shared and with whom; and	4 5 6 7 8
(b) the purpose for which the information may be shared; and	9 10
(c) the entity responsible for recording or storing the information; and	11 12
(d) how the information will be recorded or stored.	13 14

Division 6	Training	15
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282ZF Approved targeted physical intervention training	16 17
The chief executive may approve targeted physical intervention training for employees or contractors of a circuit breaker provider who perform functions at the provider’s circuit breaker site.	18 19 20 21 22

Clause 26	Amendment of s 297D (Definitions for division)	23
	Section 297D, definition <i>service provider</i> —	24
	<i>insert</i> —	25
	(c) a circuit breaker provider.	26

Clause 27	Insertion of new pt 11, div 29	27
	Part 11—	28

insert—

**Division 29 Transitional provisions for
Youth Justice (Circuit
Breaker) Amendment Act
2026**

446 Circuit breaker conditions

A court may impose a circuit breaker condition on a grant of bail to a child in connection with a charge for an offence after the commencement whether the offence allegedly happened before or after the commencement.

447 Circuit breaker orders

A court may make a circuit breaker order for a child after the commencement whether the offence or conviction happened before or after the commencement.

Clause 28 Amendment of sch 2 (Regulation-making power)

(1) Schedule 2, item 3, from ‘in’—

omit, insert—

in—

(a) pre-sentence reports; or

(b) suitability reports under section 52AC or 206B.

(2) Schedule 2—

insert—

3A Forms, conditions, requirements, duties, functions and powers relating to circuit breaker conditions.

renumber as items 4 to 16. 1

Clause 29	Amendment of sch 4 (Dictionary)	2
(1)	Schedule 4, definitions <i>community based order</i> and <i>program period</i> —	3 4
	<i>omit.</i>	5
(2)	Schedule 4—	6
	<i>insert</i> —	7
	<i>circuit breaker condition</i> see section 52AB(1).	8
	<i>circuit breaker order</i> means a circuit breaker order made under section 175(1)(fa).	9 10
	<i>circuit breaker program</i> see section 282P(1).	11
	<i>circuit breaker provider</i> means an entity prescribed as a circuit breaker provider under section 282O.	12 13 14
	<i>circuit breaker site</i> see section 282Q(1).	15
	<i>community based order</i> means a restorative justice order, a probation order, a graffiti removal order, a community service order, an intensive supervision order, a circuit breaker order or a conditional release order.	16 17 18 19 20
	<i>monitoring device condition</i> , for part 7, division 9A, see section 206D(1)(d).	21 22
	<i>monitoring device entity</i> means any of the following entities—	23 24
	(a) the commissioner of the police service;	25
	(b) the chief executive (corrective services);	26
	(c) an entity prescribed by regulation for this definition.	27 28
	<i>program period</i> —	29

[s 29]

- | | | |
|-----|---|----|
| (a) | for an intensive supervision order—see | 1 |
| | section 204(1)(a); or | 2 |
| (b) | for a circuit breaker order—see section | 3 |
| | 206D(1)(b); or | 4 |
| (c) | for a conditional release order—see section | 5 |
| | 221(1)(a). | 6 |
| | <i>suitability report</i> — | 7 |
| (a) | for part 5, see section 52AC(1); or | 8 |
| (b) | for part 7, division 9A, see section 206B(a). | 9 |
| | <i>targeted physical intervention training</i> means | 10 |
| | targeted physical intervention training approved | 11 |
| | by the chief executive under section 282ZF. | 12 |
| (3) | Schedule 4, definition <i>detention order</i> , ‘175A(2)(b)’— | 13 |
| | <i>omit, insert</i> — | 14 |
| | 175A(2)(c) | 15 |
| (4) | Schedule 4, definition <i>monitoring device</i> , ‘, the Queensland | 16 |
| | Police Service, or the chief executive (corrective services),’— | 17 |
| | <i>omit, insert</i> — | 18 |
| | or a monitoring device entity | 19 |

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