The United Nations Convention on the Rights of the Child states that detention of a child shall be used only as a measure of last resort. Detention is a last resort when children are sentenced in most Australian states and territories but in Queensland this principle is under threat. Evidence suggests that children should be treated differently to adults as detaining children and removing them from their families, educational institutions and friendship groups marginalises them from their communities and may reduce their chances of rehabilitation.

However, some believe that scrapping the principle of detention as a last resort will lead to a greater range of sentencing options being available and will make the streets safer.