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Sisters Inside Inc. is an independent community organisation which exists to advocate for the human rights of women in the criminal justice system

Dear Commissioner

Re: Review of the Charter of Victims' Rights

About Sisters Inside

Sisters Inside is an independent, Aboriginal led, community organisation that advocates for the human rights of criminalised women and girls in Queensland. Established in 1992 and led by women with lived experience of imprisonment, the organisation works alongside women and girls in prisons, watch houses, and the community to address the intersecting systems of racial gendered violence, poverty, and state control that drive criminalisation.

For more than three decades, Sisters Inside has delivered individual advocacy, peer support, legal and social services, and systemic policy advocacy. Its work is grounded in the belief that true safety and justice cannot be achieved through punishment or incarceration, but through care, community, and freedom.

Executive Summary

Sisters Inside welcomes the opportunity to contribute to the Review of the Queensland Charter of Victims' Rights. The organisation submits that the current Charter does not adequately reflect the realities or needs of criminalised women and girls, many of whom are victims of violence long before they are ever charged with a crime.

The Charter remains too narrow, procedural, and state centred. It primarily serves to regulate the conduct of prescribed persons rather than to uphold the human rights, safety, and dignity of victims in any meaningful way. It reflects a carceral, rather than community-based, conception of justice, one that privileges the perspectives of institutions over those of the people they harm.

For criminalised women and girls, victimisation exists on a continuum of violence, including gendered, racial, and state violence. The systems that purport to protect victims are often the same systems that cause harm: police, prisons, courts, family policing¹, and punitive welfare structures. Aboriginal and Torres Strait Islander women are particularly affected, experiencing both interpersonal and institutional violence as a result of ongoing colonisation.

The Charter must move beyond a narrow, offence-based framework. It should recognise harm in all its forms - physical, emotional, social, cultural, and systemic, and extend rights and protections to those harmed by state institutions themselves.

Sisters Inside calls for a Charter that:

- Acknowledges the continuum of violence, including state violence.
- Embeds trauma-informed, culturally safe, and lived-experience-led responses.

¹ We use this term as a replacement for the "child welfare" system

- Establishes clear mechanisms for state accountability when harm occurs in custody or through government action; and
- Decouples victims' rights from carceral systems by ensuring independent, community-controlled pathways for support and redress.

A Charter that reflects genuine community expectations must centre the voices of those most marginalised and criminalised, those whose experiences of harm have too often been erased by the very institutions that claim to protect them.

Responses to Consultation Questions

1. Victims' Needs

Sisters Inside works with women and girls whose lives reveal how violence, poverty, and state control intersect — most have survived harm long before the state chose to criminalise them. Their experiences demonstrate that the distinction between “victim” and “offender” is artificial. The criminal legal system routinely punishes those it has already failed to protect.

For these women and girls, victimisation is part of a lifelong continuum of gendered, racial, and state violence, including child removal, poverty, homelessness, sexual abuse, and police brutality. Safety cannot be reduced to policing or incarceration. True safety arises from housing, financial independence, culturally safe healthcare, and community-based supports free from surveillance.

Criminalised women need wrap-around, trauma-informed, peer-led, and culturally grounded support, not punitive services tied to court compliance. Healing is collective, grounded in sisterhood, culture, and community, not isolation or forced “rehabilitation.”

Systems must recognise that criminalised women are victims too. Their rights to safety, respect, and self-determination must be upheld through lived-experience-led and community-controlled responses, rather than through carceral intervention.

2. Purposes of the Charter

Sisters Inside submits that the current purposes outlined in section 42 of the *Victims' Commissioner and Sexual Violence Review Board Act 2024 (Qld)* are too narrow and state centred. The Charter reduces victims' rights to procedural conduct, failing to reflect the realities of structural violence.

The Charter should:

1. Acknowledge the continuum of violence, including state-inflicted harm.
2. Centre healing and restoration, not punishment.
3. Mandate state accountability for institutional violence and neglect.
4. Guarantee access to information and advocacy for victims in prisons, watch houses, and other state institutions.
5. Promote lived-experience leadership in all policy and program design.

A Charter that reflects community expectations must recognise that the state itself is a source of harm, and that all victims, including those criminalised, are entitled to safety and justice.

3. Introductory / Preambular Language

Sisters Inside supports the inclusion of introductory language, provided it truthfully represents the realities of victims' lives. Any preamble must recognise that victimisation is rooted in structural and systemic inequality, poverty, racism, colonisation, and incarceration, and must affirm the state's responsibility to prevent harm, including state violence.

Suggested preambular text:

“This Charter recognises that all people have the right to live free from racism, violence, harm, and discrimination, and that many victims experience overlapping forms of marginalisation.

The Charter acknowledges that harm can arise not only from individual acts but also from systemic and institutional neglect and harm, and affirms the right of all victims, including those who are criminalised or in custody, to safety, dignity, and support.

The Charter recognises that community safety is achieved through care, connection, and justice grounded in healing, not punishment.”

4–5. Scope and Definition of Victim

The Charter’s definition of “victim” must be expanded beyond “violent offences” to reflect the full spectrum of harm, including systemic and state-inflicted harm.

Redefining Harm

Harm should include physical, psychological, economic, cultural, and social injury or loss caused by government institutions.

Recognising Criminalised Victims

Victims who have been criminalised, incarcerated, or harmed by the state must be recognised within the Charter. Their experiences, such as abuse in custody, police violence, or loss of children due to incarceration, are legitimate forms of victimisation.

Proposed Definitions

- *Victim*: Any person who experiences harm by the actions or omissions of the state.
- *Harm*: Physical, psychological, emotional, economic, social, or cultural injury or loss, including harm caused by institutional or systemic violence.

6. Family Member and Dependant

Current definitions are too narrow and reflect colonial concepts of family. The Charter should recognise family through cultural, social, and community ties, including chosen kin, extended networks, and people bound by care or belonging.

Proposed Definitions

- *Family Member*: Includes persons regarded as family through cultural, social, or community relationships, whether or not biologically related.
- *Dependant*: Includes those reliant on a person’s care, presence, or cultural role, not merely income.

This approach aligns with Aboriginal and Torres Strait Islander understandings of kinship and acknowledges community-based forms of care.

7. Rights of Eligible Persons

Linking victims’ rights to carceral registers under the *Corrective Services Act* and *Youth Justice Act* embeds a punitive logic that equates justice with imprisonment. This approach excludes criminalised victims and retraumatises those required to engage with correctional authorities.

Victims’ rights should be administered independently of prisons and children’s prison systems. Sisters Inside calls for community-controlled mechanisms for information and support, ensuring that care and safety are not dependent on continued punishment of another person.

8–10. Definition of Government Entities

The current definition of “government entity” is inadequate. It excludes or ambiguously covers key institutions, such as the Crime and Corruption Commission, Queensland Ombudsman, and Queensland Corrective Services, which exercise significant power over victims.

Sisters Inside recommends that:

- The Charter apply to all entities exercising public functions, including oversight and integrity bodies, police, and correctional services;
- The state be explicitly accountable when harm occurs in its custody or through its agents; and
- The Victims’ Commissioner have authority to investigate and compel responses from any public body.

11. Definition of Non-Government Entity

The current definition privileges mainstream, government-funded NGOs while excluding community-controlled and lived-experience-led organisations. The phrase “as its primary function” should be removed, as it marginalises holistic, multi-service organisations that provide critical support to victims, particularly in regional and First Nations communities.

Proposed Definition

“Non-government entity” means any organisation, service, or network - funded or unfunded - that provides support, advocacy, or assistance to victims of harm, including community-controlled, lived-experience-led, or peer-support organisations.

Victims’ rights should not depend on bureaucratic classifications or funding streams.

Conclusion

Sisters Inside submits that the Charter of Victims’ Rights must move beyond a procedural framework to one grounded in care, justice, and accountability. It must recognise that the state itself can perpetrate violence, and that the rights of criminalised women and girls, many of whom are both victims and survivors, are central to any genuine vision of justice.

To reflect community expectations, the Charter must:

- Recognise structural and state violence as forms of victimisation.
- Extend rights to all victims, including those criminalised or in custody.
- Embed community-led, trauma-informed, and culturally grounded responses; and
- Ensure independent oversight and accountability mechanisms across all government entities.

Only a Charter that begins with the lived realities of the most marginalised can deliver justice worthy of the name.

Yours sincerely



DEBBIE KILROY OAM
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Chief Executive Officer

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