

AASW Submission: Review of the Queensland Charter of Victims' Rights

JULY 22

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## About the Australian Association of Social Workers

The Australian Association of Social Workers (AASW) is the national professional body representing more than 17,000 social workers throughout Australia. The AASW works to promote the profession of social work including setting the benchmark for professional education and practice in social work, while also advocating on matters of human rights to advance social justice.

## Acknowledgements

This submission has been informed by feedback from AASW members. The AASW thanks members who contributed their expertise and lived practice insights through the consultation process.

The Australian Association of Social Workers (AASW) acknowledges the Traditional Owners of Country throughout Australia. This submission was written across Dja Dja Wurrung and Wurundjeri Country. We pay our deep respect to Elders past, present and emerging, and recognise their continuing connection to land, water and community.

For further information or questions relating to this submission, please contact:

**Author(s) of the Submission**

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## Executive Summary

The Australian Association of Social Workers (AASW) welcomes the opportunity to provide feedback to the Queensland Office of the Victims' Commissioner as part of the Review of the Charter of Victims' Rights. Social workers play a vital role in supporting victims of crime, including survivors of institutional child abuse, domestic and sexual violence, and other forms of trauma. Through member consultation, AASW has identified significant barriers to accessibility, timeliness, and trauma-informed practice in Queensland's current approach to victim support. Our members emphasise that the Charter must reflect the diversity of victim experiences and ensure real-world enforceability of rights across all stages of justice engagement.

## Recommendations.

The AASW recommends:

1. Guarantee access to funded trauma counselling as a clearly stated entitlement within the Charter, with a list of approved trauma-informed providers.
2. Simplify and streamline the application process through a downloadable, fillable form and transparent step-by-step guidance for victims and support workers.
3. Broaden eligibility criteria to include victims without a charge or conviction, recognising evidence-based thresholds consistent with NSW practice.
4. Include victims of modern slavery within the scope of the Charter and Queensland's victim support framework, aligning with the NSW Victims Support Scheme, which explicitly recognises and provides assistance to victims of modern slavery offences.
5. Introduce defined service standards for processing timeframes to ensure timely access to support, particularly critical during post-release reintegration.
6. Establish dedicated community-based victim assistance agencies in Queensland to improve rights awareness, navigation, and advocacy (modelled on Victoria's approach).
7. Strengthen accountability through clear reporting and oversight mechanisms that are victim-centred and non-retraumatising.
8. Review intersections between incarceration, trauma, and victim support to address the significant post-release service gap for previously incarcerated victims.
9. Ensure Charter language, processes, and provider frameworks reflect trauma-informed, culturally safe, and inclusive practice for all victims and communities.
10. Accredited Mental Health Social Workers (AMHSWs) are already recognised as approved counsellors within the scheme; however, their role should be strengthened within Queensland's victim support framework. AMHSWs hold specialist qualifications and accreditation through the Australian Association of Social Workers, equipping them to deliver evidence-based psychological interventions and holistic, trauma-informed care. Enhancing their inclusion would improve access to trauma counselling and recovery services, ensuring victims receive integrated and therapeutic support grounded in psychosocial practice.

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## Context for this submission

The Australian Association of Social Workers (AASW) welcomes the opportunity to provide a submission to the Queensland Office of the Victims' Commissioner Review of the Charter of Victims' Rights. Social workers are key professionals supporting victims of crime across Queensland, providing specialist, trauma-informed, and recovery-oriented services that align closely with the Charter's intent.

Social workers operate at the intersection of the individual and society, addressing both the personal impacts of crime and the broader social, cultural, and systemic contexts that shape a person's experience of harm and recovery. Social work practice is grounded in a commitment to human rights, social justice, and self-determination, principles that are foundational to the effective implementation of the Charter.

In Queensland, social workers, including Accredited Mental Health Social Workers (AMHSWs), play a critical role within government and community-based victim support programs such as Victim Assist Queensland and the Queensland Health Victim Support Service. AMHSWs are specialists with advanced clinical training in mental health and trauma, enabling them to provide a wide range of therapeutic interventions including counselling, Eye Movement Desensitisation and Reprocessing (EMDR), psychoeducation, crisis support, advocacy, and other evidence-based therapies. Across jurisdictions, AMHSWs are often the professionals who deliver these essential supports to victims, making them critical to the effective delivery of victim support services in Queensland.

Social workers are frequently the first point of contact for victims seeking help, providing:

11. Individual assessment and case management to stabilise safety and wellbeing
12. Crisis support and advocacy when engaging with police or legal systems
13. Assistance to apply for financial assistance through Victim Assist Queensland
14. Safety planning, counselling referrals, and coordination of multidisciplinary supports
15. Education for families, carers, and professionals supporting victims.

The involvement of social workers, and particularly AMHSWs, ensures that victims are supported holistically, recognising the psychological, social, and material dimensions of harm. They assist victims in navigating complex systems, including police, courts, health, housing, and Centrelink, and facilitate access to both immediate and long-term assistance.

Social workers also play an essential role in identifying systemic barriers within the Charter's operation. Insights from practice highlight where victims may fall through gaps, particularly people with a disability, Aboriginal and Torres Strait Islander peoples, those with complex trauma histories, and individuals exiting custody.

Embedding social work, and specifically AMHSWs, within Queensland's victim support systems supports a trauma-informed, rights-based approach that promotes recovery, accountability, and community safety. Their tertiary qualifications, specialist training, and professional standards ensure victims receive ethical, evidence-based support that upholds dignity, autonomy, and the right to justice.

A strengthened Charter must explicitly recognise the critical contributions of social workers and AMHSWs and embed their role in the delivery, monitoring, and continuous improvement of victim support services. This includes ensuring that Queensland's victim support programs are adequately funded and supported to deliver sustainable, high-quality, and inclusive services to all victims of crime.

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## Our submission

### Theme 1: Purpose and Scope

Members emphasised that the Charter's purpose must go beyond symbolic recognition of victims' rights to create practical, enforceable protections. The AASW supports a Charter that promotes trauma-informed, victim-centred practice and ensures consistency across jurisdictions.

As one member stated: "Knowing that people can access counselling for trauma and knowing up front what is involved in the application rather than finding out only at the end, makes a big difference."

The Charter should clearly articulate its role in both justice and recovery pathways, recognising that victimisation often intersects with systemic disadvantage, poverty, and incarceration.

Recommendation(s):

The Charter must go beyond symbolic recognition of victims' rights to establish practical, enforceable protections that promote trauma-informed, victim-centred practice and ensure consistency across jurisdictions. It must also clearly articulate its role in both justice and recovery pathways, recognising the intersections between victimisation, systemic disadvantage, poverty, and incarceration.

a.

### Theme 2: Application and Obligations

In contrast to Queensland, New South Wales has expanded the scope of its victims support legislation to include victims of modern slavery under the Modern Slavery Act 2018 (NSW). This inclusion recognises the distinct and often hidden forms of victimisation associated with human trafficking, servitude, and forced labour. The AASW recommends that Queensland's Charter and associated legislative frameworks similarly recognise victims of modern slavery, ensuring they are entitled to the same rights, counselling supports, and protections as other categories of crime victims.

Feedback highlighted widespread confusion about who has rights under the Charter and which entities hold obligations to uphold them. The AASW recommends that all prescribed persons, including government and non-government service providers, have

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clearly defined responsibilities.

One practitioner explained: “If the client's not in NSW, for example, they're in Queensland – I do not bother because the process is so much more complicated, so much more onerous for the client.”

The Charter should explicitly define responsibilities for coordination, referral, and communication between agencies, ensuring victims are not 'bounced' between systems.

**Recommendation(s):**

Queensland must expand the scope of its victims’ support legislation to recognise victims of modern slavery, ensuring they are entitled to the same rights, counselling supports, and protections as other victims of crime. The Charter and associated frameworks must also clearly define the responsibilities of all prescribed persons, including government and non-government service providers, to ensure effective coordination, referral, and communication between agencies so victims are not ‘bounced’ between systems.

### Theme 3: Operation in Practice and Awareness

Members reported low awareness of the Charter and its rights, both among victims and within support services, including a lack of knowledge of the Charter amongst social workers, AMHSW and social services organisations . Knowledge gaps hinder timely access to assistance and perpetuate mistrust in systems and exacerbate difficulties in accessing services.

As one member observed: “There are so many times that people get bounced around between the criminal law stream and the civil law stream. It makes a really big difference when people are given that information up front.”

AASW recommends state-funded community education, professional training, and plain-language resources to increase awareness of the Charter and associated supports.

Recommendation(s):

Queensland must establish a transparent, independent, and trauma-informed complaints process with clear timelines and reporting obligations to replace the current unclear and inaccessible mechanisms. This process must be accessible to incarcerated and recently released individuals and be designed to drive systemic improvement in victims' support and outcomes.

## Theme 4: Enforceability and Complaints

The Charter's current complaint mechanisms lack clarity and accessibility. Members noted few victims know how or where to raise concerns.

AASW supports the introduction of a transparent, independent complaints process with defined timelines and reporting obligations. The process should be trauma-informed, accessible to incarcerated or recently released individuals, and capable of driving systemic improvement.

As one participant reflected: "People can get an outcome in a matter of months [in NSW]. If they can't get timely support in the community, we're not able to set them up for success and often they do return to incarceration."

Recommendation(s):

Accessibility should be the primary focus of reform, with Queensland drawing on the transparent, timely, and community-based models used in New South Wales and Victoria. The AASW recommends co-designing reforms with victims, social workers, and community organisations to ensure accessibility is embedded at every stage of the process.

b.

## Theme 5: Accountability and Accessibility

Accessibility emerged as the most pressing barrier to rights realisation in Queensland. Members contrasted Queensland's complex and opaque system with NSW's transparent and timely model and Victoria's community-based support structure.

"In NSW, there's heaps of information available online... It's accessible, it's timely, and what happens after the form's completed seems to be quite straightforward."

AASW recommends co-designing reforms with victims, social workers, and community organisations to ensure accessibility is embedded in every process step.

Recommendation(s):

Accessibility should be the primary focus of reform, with Queensland drawing on the transparent, timely, and community-based models used in New South Wales and Victoria. The AASW recommends co-designing reforms with victims, social workers, and community organisations to ensure accessibility is embedded at every stage of the process

c.

## Theme 6: Innovation and Further Inquiry

Members strongly supported learning from NSW and Victoria's models to improve accessibility, timeliness, and trauma-informed care. They highlighted the value of establishing specialist navigation services and clear counselling entitlements.

The AASW also urges further inquiry into the intersection between trauma, incarceration, and access to victims' supports – noting that post-release access to counselling can stabilise reintegration and reduce recidivism.

Future innovation should prioritise trauma competence, cross-sector collaboration, and evaluation of victim outcomes.

Recommendation(s):

Queensland should draw on the models established in New South Wales and Victoria to improve accessibility, timeliness, and trauma-informed care, including the establishment of specialist navigation services and clear counselling entitlements. Further inquiry should examine the intersection between trauma, incarceration, and access to victims' supports, with future innovation prioritising trauma competence, cross-sector collaboration, and evaluation of victim outcomes.

d.

## Conclusion

The AASW appreciates the opportunity to contribute to this important review. Social workers and AMHSW's witness daily the impact of systemic barriers on victims' recovery and engagement with justice. We urge the Queensland Government to use this review to deliver a Charter that is accessible, enforceable, and trauma-informed, ensuring victims' rights are upheld in both policy and practice. AASW members have highlighted the need for a reformed Charter that ensures timely, victim-centered responses that ensures that victims are receiving culturally safe, person-centered, transparent, and efficient responses.





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