

15 October 2025

The Acting Victims Commissioner
Queensland Victims Commission
GPO Box 149
BRISBANE QLD 4001

Email: vcpolicy@victimscommissioner.qld.gov.au

Dear Acting Victims Commissioner,

RE: Submission to the Review of the Charter of Victims' Rights

Thank you for the opportunity to input into the Review of the Charter of Victim's Rights in Queensland.

About the Red Rose Foundation

The Red Rose Foundation is a registered national charity dedicated to preventing domestic and family violence-related deaths, with a focus on supporting women survivors of non-fatal strangulation within a domestic violence relationship: one of the best predictors of the subsequent homicide of victims, with the risk of becoming a homicide victim increasing by 800%. We address systemic gaps through education, research, advocacy, and provide tailored therapeutic support to victim-survivors of non-fatal strangulation through Australia's first and only Strangulation Trauma Centre based in Queensland, guided by evidence-based, trauma-informed and culturally safe practices.

Red Rose Foundation Response:

This submission responds to the Queensland Victims Commissioner's invitation to share experiences and recommendations to improve the Charter of Victims' Rights, focusing on victim recognition, rights, and support in contexts of domestic and family violence.

We offer the following key points for consideration based on our specialist work, engagement with victim-survivors across Queensland and partnerships with international organisations, particularly in the United States, the United Kingdom

and New Zealand, in relation to victims' rights, and have used the suggested framework to organise our response as follows:

1. Experiences and suggestions for change relating to victim recognition and participation, including clarifying the definition of victims and ensuring access to rights and supports during investigations and justice processes, especially for those affected by Domestic and Family Violence (DFV) and non-fatal strangulation.
2. Experiences and suggestions for change relating to the recognition and rights of children as victims of domestic and family violence in their own right, including those bereaved by DFV-related deaths, to ensure they receive appropriate, trauma-informed support.
3. Any other matters relevant to the Terms of Reference, including the need for systemic recognition of suicide and unexplained deaths in DFV contexts, and legislative or policy reforms to strengthen the presumption of victim status and improve community safety and victim outcomes.

1. **Clarification of Victims' Status Prior to Criminality Being Established**

It is essential that the Charter explicitly recognises and communicates clearly to both victims and statutory agencies that victims include those impacted by criminal conduct, where criminality has not been established. Currently, too many victims of domestic and family violence, especially in cases involving suspected suicide, unexplained, or accidental death with a history of DFV, are denied their rights because the criminal nature of the incident is prematurely discounted. This exclusion denies victims their rights and delays access to support and protection, exacerbating trauma, compounding harm, and hindering or even preventing criminal justice outcomes.

Building on the above, we recommend that families bereaved by suicide or unexplained deaths with a known history of domestic and family violence be provided with victim support. The State Coroner's Guidelines specifically state that deaths where homicide is "suspected or cannot be excluded", are considered suspicious and police must investigate accordingly. This includes all unnatural deaths or deaths where another person's involvement is unclear. The guidelines further recommend that, unless there is strong evidence that neither the actions nor inaction of a third party contributed to the death, the matter should be treated as suspicious and investigated thoroughly¹. Further, the Queensland State Coroner's Guidelines 2013, Chapter 8 (Findings), state directly on the presumption of suicide: "*Suicide is never to be presumed; there should be a presumption against suicide.*" which further clarifies that a finding of suicide can only be made where there is clear evidence that the deceased intended to engage in the act causing their death and intended to die as a

¹ <https://queenslandlawhandbook.org.au/the-queensland-law-handbook/your-rights-and-responsibilities/coronial-matters/when-a-death-is-reportable-to-the-coroner/>

result.² Given the well-documented coercive and complex dynamics of DFV, this approach aligns with frameworks to rule out rather than rule in, suicide.

Recent research in the UK has uncovered the large and under-recognised scale of suspected suicides following domestic violence, which now outnumbers domestic homicides. Investigations into these deaths often suffer from superficial police inquiry, failure to consider domestic violence as a contributing factor, and premature closure based on assumptions of natural or self-inflicted death without sufficient scrutiny. Therefore, maintaining a presumption of homicide in DFV-related suicides and unexplained deaths until disproven, per current guidelines, could foster more rigorous investigations leading to improved criminal justice outcomes, safer communities and enhanced outcomes for victims of criminal conduct.

2. **Recognition of Children as Victims of Domestic and Family Violence**

Children exposed to domestic and family violence must be recognised as victims in their own right under the Charter, not solely as witnesses or secondary parties. Child victim-survivors of DFV meet the definition of victim in the Victims' Commissioner and Sexual Violence Review Board Act 2024, in particular Part 2, Interpretation, Section 6(b): "A person who suffers harm because they are a family member or dependant of someone harmed or killed by a criminal offense.". Where harm is considered to be where "*the person suffers physical, psychological or emotional harm; or bodily injury, grief, distress or trauma*"

Further, decades of research evidence the harm of DFV on children, including The Australian Institute of Family Studies (AIFS) which found that children who witness or experience DFV face elevated risks of trauma, emotional dysregulation, anxiety, depression, behavioural problems, and impaired cognitive development. This research, along with others with parallel findings, is noted in the Queensland Government's Child Safety Practice Manual³.

Recognising children as primary victims reflects contemporary evidence and supports the provision of specialised, trauma-informed support to meet their unique needs.

3. **Children Bereaved by Domestic and Family Violence as Primary Victims**

Following on from the above, Children who lose one or both parents due to DFV-related deaths endure the most devastating crime of a lifetime. Such children deserve the highest form of victim support to facilitate healing and transition towards a new and safe normal. The Charter should explicitly remove terminology such as "secondary victims" in relation to these children, affirming their status as primary victims entitled to comprehensive victims support services and recognition, bringing this terminology into line with legislation.

² https://www.coronerscourt.qld.gov.au/__data/assets/pdf_file/0006/779658/osc-state-coroners-guidelines-chapter-8.pdf

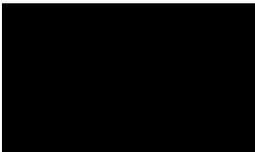
³ https://cspm.csyw.qld.gov.au/practice-kits/domestic-and-family-violence/impact-of-domestic-violence-on-children#Impact_of_domestic_violence_on_children

Conclusion

We urge the Commission to incorporate these critical perspectives to strengthen victim rights frameworks in Queensland. Recognising and responding robustly to these factors will significantly drive DFV prevention, protection, and enhance support for all victim-survivors.

Should you require any further information or wish to discuss this submission, please do not hesitate to contact me.

Yours sincerely,



Lucy Lord
CEO Red Rose Foundation

APPENDIX A: About the Red Rose Foundation

The Red Rose Foundation Australia is a national charity dedicated to improving responses to high-risk, high-harm domestic and family violence, with a particular focus on preventing fatal domestic abuse. The charity pioneered Australia's first Strangulation Trauma Centre, delivering specialist, trauma-informed support and advocacy for survivors of non-fatal strangulation, a service unique in Australia and among the first of its kind globally. We provide training, education, awareness-raising, and research, as well as long-term support for women who have experienced non-fatal strangulation (NFS)

As part of our work to improve responses to victim-survivor of NFS, we established the Australian Strangulation Prevention Institute and partnered with the Training Institute for Strangulation Prevention USA to further advance research and training on non-lethal strangulation in Australia. Through this partnership we have joined the International Alliance of Strangulation Educators and Researchers which includes Dr Jacquelyn Campbell who has led the way with research and education on high-risk domestic violence. The Red Rose Foundation has also partnered with Central Queensland University to conduct groundbreaking research into the health impacts and long-term consequences of non-lethal strangulation for victims.

Our Board of Directors brings together sector management and legal professionals, violence prevention consultants, and researchers with extensive experience and expertise in domestic, family, and sexual violence. Direct client services are delivered by a small team of highly qualified counsellors. We are supported by our Patron, Her Excellency the Honourable Dr Jeannette Young AC PSM, Governor of Queensland, and guided by our First Nations Advisory Committee, who provide invaluable direction on the issues that matter most to First Nations women experiencing domestic and family violence.

The Red Rose Foundation maintains strategic partnerships with a wide range of government agencies, non-government organisations, and academic institutions, including services specialising in domestic, family, and sexual violence counselling and crisis support, refuges, family support, and child protection. We adopt an intersectional, trauma-informed, and feminist approach in all aspects of our work, guided by the voices of those with lived experience of high-risk, high-harm domestic and family violence.

This submission has been informed by our experience of supporting hundreds of women victim-survivors of non-fatal strangulation within an intimate partner relationship, consultation with national and international experts, and ongoing engagement with the latest research and best practice in DFV response.