

Inquiry into the Charter of Victims' Rights



QUEENSLANDERS WITH DISABILITY NETWORK
NOTHING ABOUT US WITHOUT US

Queensland Office of the Victims' Commissioner

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About Queenslanders with Disability Network (QDN)

Queenslanders with Disability Network (QDN) is a state-wide, not-for-profit organisation led by and for people with diverse disability and we are focused on advancing disability rights, inclusion and systemic advocacy in Queensland. QDN is the Executive Peak Body for people with disability in Queensland, providing overarching leadership and coordination across disability peak and representative organisations funded by Queensland Government. QDN operates a state-wide network of over 3,000 members and supporters all over Queensland. Guided by our motto “nothing about us without us,”

QDN ensures that people with lived experience of disability are central to shaping policies, services and supports. Our vibrant and dynamic membership is made up of people with diverse disability who are at the centre of everything we do. QDN as an organisation is in a unique position of representing people with a diverse range of disability.

QDN’s work is underpinned by a commitment to inclusion, co-design, collaboration, and innovation and is guided by the pillars of inform, connect, lead and influence. By partnering with communities, service providers, businesses, and government, QDN fosters systemic solutions that empower individuals, amplify the voices of people with disability, and create sustainable, inclusive systems of support, working toward a more equitable and inclusive Queensland.

Through a powerful and engaged network of individuals and 32 Peer Support Groups, QDN informs, leads and influences change on issues impacting the disability community. QDN’s extensive body of work includes connecting people through peer support groups, supporting future leaders through the Emerging Leaders Program, and influencing government policies and programs through targeted advocacy. QDN’s initiatives are co-designed and co-delivered with people with disability. QDN engages with diverse communities, including Aboriginal and Torres Strait Islander peoples, Culturally and Linguistically Diverse groups, and rural and remote populations across Queensland. We believe that Queenslanders with disability need to be empowered

active and valued citizens, and fully included in the economic, social, civic and cultural life of Queensland.

Introduction

QDN acknowledges the Queensland Office of the Victims' Commissioner for its review of the Charter of Victims' Rights.

In Australia, there are approximately 4.4 million people who identify as having a disability. This equates to 18 per cent of the Australian population, or more than 1 in 6 people (Disability Royal Commission 2025). The number of people with disability is also expected to rise due to Australia's aging population as there is a strong correlation between an increase in age and decline in health (Australian Institute of Health and Welfare 2024).

People with disability are at greater risk of experiencing violence than people without disability (Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability 2021).

However, the risk of violent crimes is even worse for women with disability. For example, for women aged 18 and over:

- One in 25 women with disability have experienced sexual violence in the last 2 years, compared to 1 in 40 women without disability.
- 5.8% of women with disability have experienced physical violence in the last 2 years, compared to 4.2% of those without disability.
- 15% of women with psychosocial disability have experienced physical violence, compared with 3.0% of those with sensory or speech disability and 5.4% of those with physical disability.
- Women with psychosocial disability are 6.1% more likely to have experienced partner violence compared with other women with or without disability (Australian Institute of Health and Welfare 2024).

In addition, people with disability often face multiple barriers making complaints about services and service providers, particularly in cases of violence, neglect and abuse.

These barriers include lack of experience in asserting their rights as consumers, fear of retribution, negative experiences with complaints systems (including not being believed) and difficulty in communicating what happened (Australian Government 2025)

The Disability Royal Commission identified barriers for people who are victims of disability coming forward to the police. Many victims with disability faced lack of trust in their story which led to a loss of trust in coming forward (Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability 2023). Similar concerns were also identified within the Voices of Queenslanders 2025 Report which surveys people with disability across a wide range of social indicators including safety, rights and justice (Chapman 2025).

People with disability are aware they have rights on paper, but in practice people feel these rights are not enforced which creates a lack of belief that those rights are accessible. As one participant in the Voices of Queenslanders 2025 Report noted about their right to healthcare:

“I believe my right to access healthcare is well-protected. However, in practice, healthcare (services and support) around neurodiversity is inaccessible, even if the right to access it is protected.” (Chapman 2025).

Another participant when discussing the challenge of aligning their goals with services like the NDIS noted:

“My right to independence and meeting my goals is not fully supported by services like NDIS, which continue to overlook my goals in favour of more external help, rather than providing the modifications that would truly empower me.” (Chapman 2025).

While these examples are not strictly related to the judicial system and the Charter of Victims' Rights, they do provide a glimpse of how people with disability are aware they have rights, but the enforcement of those rights can be inconsistent. These additional barriers to accessing rights can make it harder for a person with disability to achieve a positive outcome.

Given people with disability are more likely to be victims of crime, there is a need for more alignment between the justice system and people with disability who are victims of crime. Updating the Charter of Victims' Rights is an opportunity to recognise the gaps that exist for people with disability when they seek to access justice and introduce strategies and policies to assist the removal of those barriers. In particular, the lack of supports for victims and the accessibility barriers that exist when attempting to seek justice.

QDN has reviewed the issues paper for this inquiry and will now provide feedback on each of the main sections identified.

Recognition and respect

People with disability who are victims of crime can find it difficult to receive the recognition and respect that is required to access justice. Due to lack of appropriate supports, people with disability who are victims of crime can sometimes feel that they are not given the same degree of trust when they attempt to obtain justice. This was highlighted in the Disability Royal Commission and the Voices of Queenslanders 2025 Report.

The majority of people with disability (72.4%) noted in the Voices of Queenslanders 2025 Report that their rights were protected (Chapman 2025). However, people who identified as having a psychosocial disability were least likely to feel their rights were protected at 40% (Chapman 2025), suggesting that people with disabilities can have different experiences with feeling protected and exercising their rights in the legal system. This can potentially lead to a lack of participation in the justice system because of the reduced belief that people working within the legal justice system will treat complaints with respect.

“This lack of reliable communication access makes it harder to navigate the important services and compromises my rights and safety, as I cannot fully participate or understand what is happening in critical situations.” (Chapman 2025).

Communication is a major factor in how a person with disability who is a victim of crime interacts with the justice system. Rather than simply being a relationship between the victim seeking to make a complaint and a legal representative there is a need for a larger support network which can include families and carers as well as other required supports such as peer support networks.

QDN has worked to build peer support networks across Queensland, with 32 peer groups currently live. These groups offer opportunities for people with disability to share their experiences with people with disability in their areas. QDN recognises that without even some of these supports, it can be far more difficult for a victim of crime who has a disability to communicate what has happened, as was noted by a participant in the Voices of Queenslanders report:

“Having intellectual disability makes it very very hard to even know when my safety, rights and access to justice a problem is. I am fully reliant on trustworthy people to help me.” (Chapman 2025).

Without this network of trustworthy people, there is a greater risk for a person with disability to lack the necessary support if they want to seek justice. Being able to access the right supports and have access to their own supports during the reporting process, (e.g. when filling out a victim impact statement), is a key step forward and must be considered as part of improvements to the current Charter of Victims’ Rights.

Support, advice, advocacy

People with disability highlighted a major gap between having rights on paper and seeing them happen in practice (Chapman 2025). Therefore, people with disability found it difficult to seek justice because it took too much time, energy and money (Chapman 2025). In particular, the accessibility of support, advice and advocacy was noted as being a considerable challenge.

Currently access to appropriate support services for people with disability who have been victims of crime is limited and in some cases is not available. For example, It has been noted that for people who are Deaf and hard of hearing, the lack of access to Auslan interpreters in some situations was a major barrier to their safety, rights and access to justice (Chapman 2025). Other people with disability have faced barriers due to documentation not being in accessible multi-modal formats. The Charter also needs to be available in formats that are accessible for people who are visually impaired and may require aids to assist in reading text. Without this access it is harder for victims to report the crime they have been a victim of. As one participant in the 2025 Voices of Queenslanders Report put it:

“Actually, accessing justice or being safe isn’t always easy. Systems like the police, courts, or complaint bodies can still feel intimidating, slow, or not accessible – especially if you have communication needs, need support to make a report, or if services don’t take your concerns seriously.” (Chapman 2025).

Until the Charter recognises the need for support services for people with disability and the importance of providing an explanation of what the Charter is and how it can assist people with disability, people with disability will continue to face barriers to accessing justice.

Information and updates

Currently there is no set body or agency that is required to provide updates to victims, or any legislation stating when these updates should be provided throughout the legal process. For people with disability, the lack of updates and support can be challenging and exhausting, not just for the victim but for their wider network of carers and supports.

QDN strongly believes in the importance of co-design, allowing people with disability to have a say in all matters that impact them. The provision of information and updates during legal proceedings should be in accessible formats with availability of a support person if required.

A recommendation of the Voices of Queenslanders 2025 Report related to improved integration between disability supports, justice and health systems (Chapman 2025). The issues paper for this inquiry raises the question of whether the charter needs to be applicable across all levels of government. The engagement of a person with a disability who requires support if they are going through the legal system will require the same level of support across other functions of government. Having information available for victims with disability across government that is accessible, easy to understand, and highlights their rights for different types of complaints is vital.

It is also vital for a person with disability to have the option of a network of support during this process. This will assist in providing the relevant information to the person with disability who has made a complaint.

Safety

Protecting the safety of people with disability who are victims is important. However, the Charter as it currently exists focuses on the victim and the victim alone. Because a person with disability may require support from their carer and family members if they are seeking justice, focus should be expanded to include people who are involved in the support network of the person with disability.

Understanding what a person with disability requires to protect themselves during the legal process is key to providing safeguards from potential harm and repercussions if their complaint involves an entity they have dealt with extensively.

The role of support networks such as peer and informal supports are essential in providing additional safeguards a person may need when navigating the justice system.

Help to recover – Victim Impact Statements

Once a trial is concluded and sentencing is about to take place procedures such as the victim impact statement will also require the same consideration of adequate supports

and communication for a person with disability. Having to retell the experience of being a victim of crime is often a traumatic experience. Therefore, the fact that victim impact statements are often used as consideration for sentencing can add to the burden of victims.

As has been highlighted throughout this submission, it is important that people with disability who have been victims of crime have the option to provide a victim statement with appropriate support from their key network.

Accessing the justice system has many procedural and administrative barriers and undertaking a victim impact statement may fall within this category. A recommendation of the Voices of Queenslanders 2025 Report suggested:

“Make justice systems by training legal and complaint bodies to respond to diverse disability needs and removing procedural barriers”. (Chapman 2025)

The Charter must acknowledge that the process needs to be flexible enough to respond to diverse disability needs.

Incorporating alternative communication methods, assistance from disability advocates support persons or carers, and the use of appropriate tools will ensure the process is accessible and victims are able to provide the most detailed and accurate victim impact statement possible.

Complaints

QDN notes that a second issues paper focused on complaints will be released in early 2026 which will allow for greater feedback.

For feedback on the current issues paper, QDN recommends making it easier to understand how complaints can be made for people with disability across different agencies and bodies in Government. Having the right material and supports available

across all complaint processes in accessible formats with the option of a support person for people with disability accessing the justice system is integral to the implementation of the Charter.

Recommendations

1. The Charter of Victims' Rights should be expanded across all government services.
2. Incorporate co-design by people with disability into the Charter to ensure people with disability are represented and can make decisions on what information they receive.
3. Incorporate carers and other support persons into the Charter so that they provide support and assistance to people with disability.
4. Incorporate documents and supports that are accessible for all people with disability. For example, screen magnification and screen reader friendly versions, easy read versions, Auslan interpreters and supported decision making tools.
5. Ensure that the Charter explicitly states when updates are provided to victims.
6. Staff should receive disability training to learn how to better support victims with complex and diverse needs e.g. alternative communication methods.
7. The Charter of Victims' Rights should include a right for victims to request a review if they think a decision made by police or prosecutors is unfair.
8. The Charter should explicitly state that feedback and complaint mechanisms are simple, clear and accessible.
9. The Charter should provide support and resources to help victims with their recovery.

Conclusion

QDN envisions a society where, information, and advice services empower people with disability to lead independent, fulfilling lives with dignity and opportunity. In a truly inclusive society, every individual would have access to the tools, resources, and supports needed to make informed choices, develop capabilities, and engage meaningfully in their communities. Achieving this vision requires a commitment to core principles that together form a comprehensive, sustainable framework. QDN's approach emphasises accessibility, person-centred planning, workforce development, cross-sector collaboration, sustainable funding, and diversity as key pillars.

Through active inclusion of people with disability in decision-making processes, QDN ensures individuals with lived experience shape the services and policies that affect their lives. When people with disability are part of the conversation, resulting services are more relevant and practical. QDN's advocacy prioritises co-design and engagement, allowing individuals to contribute their insights, experiences, and expertise to improve the Charter of Victims' Rights and make it truly empowering.

QDN commends the work of the Queenslanders Office of the Victims' Commissioner and looks forward to continuing to engage in this work.

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