



# QUEENSLAND LABOR OPPOSITION

## REVIEW OF THE CHARTER OF VICTIMS' RIGHTS – STAGE ONE

The Queensland Labor Opposition thanks the Office of the Victims' Commissioner for the opportunity to make a submission to stage one of the review of the Charter of Victims' Rights (the Charter). This review represents an important milestone in Queensland's ongoing commitment to supporting victims of crime and ensuring their rights are both protected and promoted.

Every victim of crime deserves to be heard, supported, and treated with dignity. Behind every crime statistic is a real person – a parent, a sibling, a child, or a friend – whose life has been forever changed by an act of violence or violation. These victims and victim-survivors matter, and their safety, wellbeing and long-term recovery must be recognised both during and after their involvement with the criminal justice system.

The Charter is a solemn promise to every victim of violent crime that they will be treated with courtesy, compassion, and respect. It recognises that victims and victim-survivors have fundamental rights that must be protected and upheld at every stage of the criminal justice process.

Supporting victims and their rights requires more than just acknowledging their trauma – it requires concrete action through a holistic, trauma-informed approach across government, in collaboration with community organisations, law enforcement and the justice system.

The former Queensland Labor Government appointed the state's inaugural Victims' Commissioner, which strengthened and developed the Charter of Victims' Rights into its current form. While significant progress has been made in recognising and protecting victims' rights, the Queensland Labor Opposition acknowledge there is always more work to be done to ensure every victim receives the support, dignity, and justice they deserve.

This review provides an important opportunity to ensure the Charter remains aligned with community expectations and is further shaped by the voices and lived experiences of victims and victim-survivors.

### **PURPOSE OF THE CHARTER AND RIGHTS WITHIN ITS SCOPE**

The Charter serves as Queensland's legislated commitment to victims and victim-survivors, establishing enforceable rights and providing authoritative guidance for how government agencies and funded service providers must treat victims of violent crime.

Its fundamental purpose is to affirm and protect victims' rights across three key areas: the appropriate treatment of victims and victim-survivors, their rights within the criminal justice system, and their rights to accessing certain information post-sentencing.

As both a foundational commitment and a guiding framework, the Charter's purpose must remain clear, contemporary, and meaningful to all who interact with it. The review might consider whether the Charter's purpose is explicitly expressed in ways that effectively guide decision-making and practice across all entities with obligations under the Charter, and whether it adequately aligns with the evolving understandings of victims' needs, rights, and community expectations.

### **THE NEEDS AND EXPERIENCES OF VICTIMS, AND HOW THE CHARTER OPERATES**

Victims' experiences span from the immediate aftermath of crime, through investigation and prosecution, to sentencing and beyond. Their needs evolve from immediate crisis support and safety concerns to their long-term recovery and healing.

For some victims and victim-survivors, making an initial disclosure can be deeply distressing. For others, repeated administrative and procedural steps required throughout the justice process can

compound their trauma. The review should comprehensively examine how victims and victim-survivors experience each stage of this journey, including at which system touchpoints they are informed of their Charter rights, when and how they feel most supported, and where they encounter difficulties or do not feel their rights are upheld.

Every victim-survivor's journey is unique, and each experience deserves to be heard and understood on its own terms. Careful consideration must be given to how the Charter serves diverse victim groups, recognising that while all victim and victim-survivors share common needs for dignity, respect and support, different circumstances may require tailored responses.

Child victims can have developmental vulnerabilities requiring age-appropriate communication and appropriate parental or guardian involvement. Victims with particular backgrounds or characteristics – including First Nations people, people living with disability, people with culturally and linguistically diverse backgrounds, older people and LGBTQIA+ people – each bring their own histories, needs and perspectives, and can require support at different stages and in different ways.

The Queensland Sentencing Advisory Council's report, *Sentencing of Sexual Assault and Rape - The Ripple Effect*, identified that victims of sexual violence often face concerns of privacy and secondary victimisation, alongside complex court processes that may require repeated engagement with traumatic details.

Victims and victim-survivors of domestic and family violence navigate ongoing risk and safety considerations, including barriers to leaving violent situations, the pattern-based nature of coercive control that can affect their engagement with the justice system, and the complex relationships with offenders who may remain involved in their lives long-term.

The review should seek the experiences and insights of victims and victims-survivors from each of these cohorts to identify needs that are not currently being met, areas where victims and victim-survivors consistently report difficulties, and whether the Charter's scope or operation could be enhanced.

This includes examining how Charter rights are upheld during police investigations, court proceedings, sentencing and post-sentencing; whether there is consistency in how different entities fulfill their Charter obligations; and how the Charter operates across Queensland's diverse geography.

The review should also consider any under-representation in the participation and engagement with the Charter by any identifiable cohorts of victims, to understand driving factors and identify barriers in the Charter's operation and accessibility that may not be identified otherwise.

## **CONCLUSION**

Every victim and victim-survivor deserves our unwavering commitment to their safety, dignity, and recovery – not just as a matter of policy, but as a matter of fundamental human compassion and justice.

The Queensland Labor Opposition appreciates the opportunity to contribute to this stage of the review and looks forward to supporting the continued enhancements of victims' rights and experiences in Queensland.

Together, we can build a Queensland where every victim of crime knows their rights, feels supported, and can begin the journey toward healing and recovery with the full backing of their community and their government.

**SUBMITTED ON BEHALF OF THE QUEENSLAND LABOR OPPOSITION**