



Review of the Queensland Charter of Victims' Rights

Submission to the Office of
the Victims' Commissioner

17 October 2025

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About Knowmore

Our service

Knowmore legal service (Knowmore) is a nation-wide, free and independent community legal centre providing legal information, advice, representation and referrals, education and systemic advocacy for victims and survivors of child abuse. Our vision is a community that is accountable to survivors and free of child abuse. Our aim is to facilitate access to justice for victims and survivors of child abuse and to work with survivors and their supporters to stop child abuse.

From 2013 to 2018, our service assisted people who were engaging with or considering engaging with the Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission). From 1 July 2018, Knowmore has delivered legal support services to assist survivors of institutional child sexual abuse to access their redress options, including under the National Redress Scheme (NRS). Knowmore also delivers financial counselling services to people participating in the NRS, and works with other services in the NRS support network to support and build their capability. Since 2022, Knowmore has also been assisting survivors who experienced child sexual abuse in non-institutional settings, and providing legal and financial counselling support to people engaging with the Territories Stolen Generations Redress Scheme (Territories Redress Scheme).

Knowmore uses a multidisciplinary model to provide trauma-informed, client-centred and culturally safe legal assistance to clients. Knowmore has offices in Sydney, Melbourne, Brisbane, Perth, Adelaide and Darwin. Our service model brings together lawyers, social workers and counsellors, Aboriginal and Torres Strait Islander engagement advisors and financial counsellors to provide coordinated support to clients.

Knowmore is funded by the Commonwealth Government, represented by the Departments of Attorney-General and Social Services and the National Indigenous Australians Agency.

Our clients

In our Royal Commission-related work, from July 2013 to the end of March 2018, Knowmore assisted 8,954 individual clients. The majority of those clients were survivors of institutional child sexual abuse. Almost a quarter (24%) of the clients assisted during our Royal Commission work identified as Aboriginal and/or Torres Strait Islander peoples.

Since the commencement of the National Redress Scheme for survivors of institutional child sexual abuse on 1 July 2018 to 31 August 2025, Knowmore has received 225,942 calls to its 1800 telephone line and has completed intake processes for, and has assisted or is currently assisting, 23,247 clients. Almost 2 in 5 clients (37.5%) identify as Aboriginal and/or Torres Strait Islander peoples. About 1 in 10 clients (10%) are classified as priority clients due to advanced age and/or immediate and serious health concerns including terminal cancer or other life-limiting illness.

Our clients in Queensland

Knowmore has a significant client base in Queensland – 26% per cent of our clients reside in the state. We therefore have a strong interest in ensuring that the rights of victims and survivors of child abuse in Queensland are recognised and respected, that victims and survivors are supported to understand and exercise their rights, and that victims and survivors have access to effective remedies for breaches of their rights.

Knowmore's submission

This submission outlines Knowmore's overall position on the Charter of Victims' Rights and details our comments in relation to the key issues identified for Stage 1 of the review.

Our reflections and recommendations are informed by our extensive experience supporting victims and survivors of child sexual abuse in Queensland, the views of people with lived experience, as well as the findings of relevant state and federal inquiries. As such, we have prioritised the consultation questions that reflect the focus of our service.

Knowmore's overall approach to the review

Knowmore welcomes the independent review of Queensland's Charter of Victims' Rights (the Charter). The review provides an important opportunity to ensure that the Charter meaningfully addresses the needs of victims and survivors and is effective in recognising and protecting their rights. As a community legal centre dedicated to supporting victims and survivors of child sexual abuse to access justice, we have valuable insights about the role of victims' rights in improving legal outcomes for victims and survivors.

Far too many victims and survivors of child sexual abuse have been silenced, excluded and harmed by legal systems. As a result, many victims and survivors feel that these systems are retraumatising, unsafe, and weighted against them. These feelings are often reiterated by poor legal outcomes.

When legal systems fail victims and survivors, it can have devastating impacts on their ability to seek justice and begin their healing journey.¹ Further, when legal systems fail to hold perpetrators of child sexual abuse to account, it can have dire consequences for the safety of other children.

Knowmore strongly supports improving Queensland's Charter of Victims' Rights as we believe the Charter can play a crucial role in addressing these

¹ Royal Commission into Institutional Responses to Child Sexual Abuse, *Final report: volume 3, impacts*, December 2017, pp 184–185, <www.childabuseroyalcommission.gov.au/impacts>.

experiences and ensuring that legal processes are survivor-focused, trauma-informed and cause no further harm.

In our view, strengthening the Charter and ensuring that the rights of victims and survivors are legally enforceable will have important benefits for victims and survivors and the wider Queensland community. For example, by appropriately empowering and supporting victims and survivors to be able to safely report child sexual abuse to police and to better engage with the criminal legal process, they are more likely to receive improved justice outcomes. This may encourage other victims and survivors to come forward and lead to the identification and prosecution of more perpetrators, in turn protecting further children from abuse.

The Charter also plays an important role in creating awareness and driving cultural change within government agencies and prescribed entities engaging with victims and survivors, including police and other justice agencies, and can lead to positive changes in their practices, policies and internal decision-making processes that impact victims and survivors.

The need for legally enforceable victims' rights

While we acknowledge that the enforceability of the Charter will be considered in detail during Stage 2 of the review, we consider it important to highlight at the outset the need for the rights of victims and survivors to be legally enforceable. It is difficult to reflect on the effectiveness of the Charter without acknowledging that any rights recognised in the Charter are significantly weakened while ever they remain unenforceable.

In our view, it is essential that the rights of victims and survivors are adequately recognised and are legally enforceable, under both the Charter and Queensland's *Human Rights Act 2019*. This is consistent with recommendations of Queensland's Women's Safety and Justice Taskforce, which found that the current Charter 'lacks visibility and consequence' and as a result, can lead to protections and safeguards for victims and survivors being overlooked.²

² Women's Safety and Justice Taskforce, *Hear her voice – Report 2 – Volume 1: Women and girls' experiences across the criminal justice system*, 2022, pp 133-139, <www.publications.qld.gov.au/ckan-publications-attachments-prod/resources/5b70727a-cc0e-4e08-8eda-e1434e6e0814/wsjt-hear-her-voice-report-2-volume-1.pdf?ETag=e7ff438db3d61317be5d683ce05e7023>.

While we believe it is nevertheless important to strengthen the existing Charter, the Charter will continue to lack meaning and effectiveness for victims and survivors until their rights are legally enforceable and they are provided with effective remedies when their rights are breached.

The need for a nationally consistent approach to victims' rights

In addition to strengthening Queensland's Charter, Knowmore supports the recommendation of the Australian Law Reform Commission that the Standing Council of Attorneys-General should commission an appropriately funded national review of victims' charters to identify and consolidate a key set of rights for victims and survivors of sexual violence.³

We have long held the view that victims and survivors of child sexual abuse should have the same legal rights and protections, irrespective of where they live. It is incumbent upon all Australian governments to work together to ensure that no victims and survivors are left behind, and that legal frameworks and systems responding to their experiences and needs are nationally consistent.

We urge the Queensland Attorney-General to work with their counterparts in other Australian jurisdictions to instigate a national review in 2026.

Knowmore's approach to this submission

The remainder of our submission reflects on the experiences of our clients and other victims and survivors and makes several recommendations to improve the Charter and its implementation. Our submission covers:

1. The experiences and needs of victims and survivors of child sexual abuse – including their common experiences of legal systems, their recent experiences of Queensland's criminal legal system, and their overall justice needs.
2. The Charter's purpose – including reflections on how the Charter's purpose can be improved to address these experiences and needs.
3. The need to strengthen existing rights within the Charter (Table 1).
4. The need to recognise additional rights within the Charter (Table 2).

³ Australian Law Reform Commission, *Safe, Informed, Supported: Reforming Justice Responses to Sexual Violence* (ALRC Report 143), January 2025, pp 201–202, recommendation 8, <www.alrc.gov.au/wp-content/uploads/2025/02/JRSV-Final-Report-Book-for-Web-final-20250211.pdf>.

We have not sought to respond to every question in the detailed consultation paper but have instead prioritised questions that reflect the focus of our service and the particular needs of victims and survivors of child sexual abuse.

The experiences and needs of victims and survivors of child abuse

This section of our submission focuses on common experiences among victims and survivors of child sexual abuse engaging with legal systems, recent experiences of victims and survivors in Queensland's criminal legal system, and the justice needs of victims and survivors.

Experiences of legal systems

Knowmore reflected on the common experiences of victims and survivors of child sexual abuse when engaging with legal systems in our submission to the Australian Law Reform Commission.⁴ For example, we stated:

"Many victims and survivors of child sexual abuse achieve life-changing outcomes through the legal system. However, many are also let down by legal processes that are not survivor-focused – processes that are inaccessible, retraumatising and culturally unsafe. Many victims and survivors never receive justice for the abuse perpetrated against them as children and many feel that the legal system only exacerbated the harm."

In recent years, there have been numerous inquiries and reports that have shed light on the experiences of victims and survivors of child sexual abuse within the context of our legal systems. Key findings relevant to the present review include:

⁴ Knowmore, *Submission to the Australian Law Reform Commission: Inquiry into justice responses to sexual violence*, 7 June 2024, p 12, <knowmore.org.au/resource/submission-to-the-australian-law-reform-commission-on-justice-responses-to-sexual-violence/>.

- Despite the harrowing rates of child sexual abuse within Australian society,⁵ many victims and survivors will never tell anyone anything about their experiences. A recent study found that almost half of all victims and survivors have never disclosed (45.2%), demonstrating the ‘supreme difficulty’ they face in engaging with legal systems.⁶
- For those who do disclose, the Royal Commission found that it takes 23.9 years on average for them to tell another person that they have experienced child sexual abuse.⁷ It may take even longer before they are ready to report to the police, and many will never report.
- Victims and survivors who do report to the police often do so for their own safety and wellbeing and to protect others from experiencing abuse.⁸ Despite this, they often do not receive a fair or just outcome.⁹
- When compared with other crimes, sexual violence matters have lower reporting rates, higher attrition rates, lower charging and prosecution rates, fewer guilty pleas and fewer convictions.¹⁰
- Victims and survivors often have negative experiences of the criminal legal system, with many reporting that they were not believed or were made to feel at fault, were not treated with enough care, did not

⁵ According to the Australian Child Maltreatment Study, the national prevalence of child sexual abuse in Australia is 28.5% (more than 1 in 4), with girls being twice as likely to experience child sexual abuse as boys. See Australian Child Maltreatment Study, *The prevalence and impact of child maltreatment in Australia: Findings from the Australian Child Maltreatment Study: 2023 Brief Report*, p 17, <www.acms.au/resources/the-prevalence-and-impact-of-child-maltreatment-in-australia-findings-from-the-australian-child-maltreatment-study-2023-brief-report/>.

⁶ Ben Mathews et al, ‘Disclosure and non-disclosure of childhood sexual abuse in Australia: Results from a national survey’, *Child Abuse & Neglect*, Volume 160, February 2025, p 7 and 9, <www.sciencedirect.com/science/article/pii/S0145213424005763?via%3Dihub>.

⁷ Royal Commission into Institutional Responses to Child Sexual Abuse, *Final Report, Volume 4: Identifying and disclosing child sexual abuse*, December 2017, p 9, <www.childabuseroyalcommission.gov.au/sites/default/files/final_report_-_volume_4_identifying_and_disclosing_child_sexual_abuse.pdf>.

⁸ Australian Law Reform Commission, *Safe, Informed, Supported: Reforming Justice Responses to Sexual Violence*, p 98.

⁹ Australian Law Reform Commission, *Safe, Informed, Supported: Reforming Justice Responses to Sexual Violence*, pp 97–99.

¹⁰ See Royal Commission into Institutional Responses to Child Sexual Abuse, *Criminal justice report: Executive summary and Parts I and II*, August 2017, p 9, <www.childabuseroyalcommission.gov.au/sites/default/files/file-list/final_report_-_criminal_justice_report_-_executive_summary_and_parts_i_to_ii.pdf>.

receive enough information or support, and did not have agency, choice or a voice throughout the process.¹¹

In our experience, these problems are compounded by a lack of free, independent, and trauma-informed legal assistance and wraparound support. In our view, victims and survivors must have access to specialist assistance throughout their engagement with justice processes, including the criminal legal system, to help them to navigate the process, understand their rights and advocate for their rights to be upheld.¹²

Recent experiences of Queensland's criminal legal system

Knowmore recognises the courage of victims and survivors who speak out about their experiences of abuse and how legal systems responded to their needs.

We are aware of media coverage of the recent experiences of Alliyah,¹³ a victim and survivor of child sexual abuse in Queensland. Alliyah's story reflects the experiences of many of our clients who were left to navigate Queensland's criminal legal system alone. In particular, the following themes of Alliyah's story resonate with those of our clients:

- **Myths and misconceptions about sexual offending continue to prejudice legal responses**, including to disclosures or complaints of child abuse. Reflecting on Alliyah's case, a Queensland police detective suggested that when women act inappropriately towards children, it is "more likely to be explained as other things as opposed to predatory behaviour."
- **Victims and survivors do not have access to meaningful information or trauma-informed assistance** to navigate complex legal processes and understand their rights. Alliyah recalls being told

¹¹ Australian Law Reform Commission, *Safe, Informed, Supported: Reforming Justice Responses to Sexual Violence*, pp 99–100.

¹² For further discussion, see Knowmore, *Submission to the Legal Affairs and Safety Committee's inquiry into support provided to victims of crime*, 12 April 2023, pp 8–10, <www.knowmore.org.au/wp-content/uploads/2023/06/submission-inquiry-into-support-provided-to-victims-of-crime-qld.pdf>.

¹³ Julian Fell, Georgina Piper and Teresa Tan, *A Secret Lived in Plain Sight*, ABC News, 20 September 2025, accessed 16 October 2025, <<https://www.abc.net.au/news/2025-09-20/a-secret-lived-in-plain-sight/105708692>>.

little by police about what to expect, having no idea how the legal system works, and drawing on what they'd learnt from "watching Law and Order."

- **Criminal legal processes can have significant impacts on victims and survivors' wellbeing.** Alliyah described spending days in bed, feeling physically sick, barely eating and being emotionally distressed. They described the experience as "more traumatic than the actual trauma."
- **Victims and survivors are often excluded from key legal decisions and processes.** In Alliyah's case, they were not informed about key moments in the criminal trial and missed the opportunity to hear the charges against the offender be read out, which was particularly important to them. Alliyah also described waiting in a court room for three hours for another court appearance, before being told that the proceedings already took place without them, while they were standing in line to be screened by security. As a child, Alliyah was also excluded from decisions relating to whether to investigate complaints made about the abuse they were experiencing.
- **Court hearings can be particularly distressing for both children and adult survivors of child abuse.** During a hearing, Alliyah recalls having their "eyes screwed shut, hyperventilating, as years of trauma are reeled off to the packed courtroom".
- **Victims and survivors may feel conflicted about what "justice" means to them.** Alliyah described a feeling of guilt towards the offender.

From our experience assisting victims and survivors of child sexual abuse, we wish to share the following additional insights about how Queensland's criminal legal system currently responds to victims and survivors:

- **Most victims and survivors we speak to are not aware of the existence of Queensland's Charter of Victims' Rights** or their individual rights when engaging with the criminal legal system.
- **There are significant gaps in Queensland's support system for victims and survivors of child abuse engaging with the criminal legal process.** The existing service system is saturated and there are long wait times. In addition, some services do not accept referrals because they are already at capacity.

- **Requests made by victims and survivors to be interviewed by a police officer of a particular gender are often not accommodated,** even where the victim and survivor has contacted a police station ahead of time to make this request. This can dissuade victims and survivors from reporting the abuse to police or compromise their sense of trust and safety when they do disclose.
- **Some Queensland police officers are hesitant to take statements and commence investigations into past experiences of child sexual abuse.** Some victims and survivors have been discouraged from reporting and there is a perception that police make assumptions about the importance or utility of investigating these reports. For some victims and survivors, reporting their abuse to police can be an important part of their justice and healing journey.
- **Victims and survivors have been denied information relating to the identity of the perpetrator of abuse,** despite making formal requests for this information. There is a perception that the rights of perpetrators are prioritised over those of victims and survivors.
- **There appears to be limited awareness among the Queensland Police Service of the Victims of Crime Financial Assistance Scheme.** In order for some victims and survivors to access financial assistance under the Victims of Crime Financial Assistance Scheme, they are required to report their abuse to police. However, some police officers engaging with victims and survivors do not seem to appreciate this, and in some instances, even appear to discourage them from reporting.

These experiences demonstrate how victims and survivors can be excluded and harmed by legal responses that treat them as an auxiliary to the very processes that purport to offer them “justice”. These experiences may be particularly exacerbated for people experiencing intersectional marginalisation, including Aboriginal and/or Torres Strait Islander survivors, survivors living with disability, as well as children and young people.

In our view, legal responses must be underpinned by respect for the rights of victims and survivors, including their right to access an effective remedy for harms committed against them, their right to be heard and participate

in decisions that affect their lives, and their right to engage in a process that does not cause further harm.¹⁴

The 'justice needs' of victims and survivors

Following an extensive nationwide inquiry into the response of justice systems to sexual violence, the Australian Law Reform Commission highlighted the importance of the following core 'justice needs' of victims and survivors:

- having information and communication
- being able to participate, make choices, and have a voice
- feeling validated and recognised
- having the person responsible for sexual violence be accountable, and for the criminal legal system to be accountable as well
- feeling and being safe – including when reporting sexual violence, in the community and in the workplace, within justice processes, and after justice system processes conclude.¹⁵

Knowmore supports these justice needs being prioritised in legal responses to sexual violence and believes that in Queensland, the Charter can play a critical role in ensuring that these needs are being met. However, this is only achievable if victims' rights are truly prioritised and respected by all agencies engaging with victims and survivors, if victims and survivors have access to meaningful support to understand and advocate for their rights to be upheld, and if their rights are legally enforceable.

¹⁴ For further discussion, see Knowmore, *Submission to the independent review of Queensland's Human Rights Act*, 26 June 2024, <www.knowmore.org.au/wp-content/uploads/2024/06/submission-independent-review-human-rights-act-qld.pdf>.

¹⁵ Australian Law Reform Commission, *Safe, Informed, Supported: Reforming Justice Responses to Sexual Violence*, p 85.

Perspective of a person with lived experience

“We currently have a list of narrow, unenforceable rights that so few of us know about. Any Charter must be enforceable by an independent body with resources to resolve complaints expeditiously and in a survivor-led, trauma-informed way. Even then, without a commensurate lift in funding for independent legal support, Charter rights risk being valuable predominately to wealthy, educated survivors and a dust-gathering shelf ornament for others.”

Reflections on the Charter’s purpose

Perspective of a person with lived experience on the purpose and scope of the Charter

“A Charter must not assume prison is all we, survivor-victims, ever want. Right now, the Charter is too heavily focused on servicing carceral processes. What will this Charter do for the nine in ten of us who don’t report? Healing may also involve truth telling, autonomy over what should happen to us and the person who did harm, support to relocate, therapies and redress or payment support. These can be supported simultaneously to criminal legal pathways. We need options and we should have a right to fully know them as early as possible.”

Strengthening the legislated purposes of the Charter

Knowmore considers that the current legislated purposes of the Charter¹⁶ do not reflect the experiences and needs of victims and survivors in Queensland. For example, the legislated purposes fail to adequately:

- acknowledge the significant barriers faced by victims and survivors when seeking to engage with legal processes

¹⁶ As stated in section 42 of the *Victims’ Commissioner and Sexual Violence Review Board Act 2024* (Qld).

- emphasise the important role the Charter can play in recognising and protecting the rights of victims and survivors and ensuring that legal responses are rights-based and trauma-informed
- recognise the role of victims' rights in achieving positive legal outcomes such as the successful identification and prosecution of an offender, which in turn is likely to contribute to increased community awareness and safety.

In our view, consideration should be given to improving the legislated purposes of the Charter to clarify why it is important to recognise, respect and uphold the rights of victims and survivors. This will help to ensure that government agencies and other prescribed entities have a clear and shared understanding from the outset of the important role that victims' rights play in improving legal responses and systems. This shared understanding may also help to encourage government agencies and other prescribed entities to respect and comply with Charter rights.

Responding to the specific needs of victims and survivors

Knowmore supports the inclusion of preambular language in the Charter to address the unique experiences and needs of particular groups of victims and survivors, including, children and young people, Aboriginal and/or Torres Strait Islander peoples, people with disability, and victims and survivors of child sexual abuse. While all victims and survivors may have some shared experiences, it is important that government agencies and other prescribed entities acknowledge and respond directly to the specific needs of particular groups of victims and survivors.

Further, consideration should be given to the benefits of articulating specific rights addressing the unique needs of these groups of victims and survivors. We provide further comment on this below, in relation to the rights of children and young people engaging in legal processes (pages 29–30).

Finally, consideration should also be given to clarifying the scope of the Charter and victims' rights beyond Queensland's criminal legal system. At present, it is unclear which, if any, additional legal contexts Charter rights apply to. This is a significant issue given many victims and survivors will never engage with the criminal legal system and may choose other avenues to seek justice and recognition, for example through civil, redress

and/or restorative justice pathways. In many instances, government agencies and other prescribed entities also have an important role to play in these processes and consideration must be given to the role of the Charter in recognising and protecting the rights of victims and survivors who choose these justice pathways.

Strengthening existing rights within the Charter

Table 1: Knowmore's position on strengthening existing rights¹⁷

Consultation question	Existing right	Knowmore's position and reflections
Question 14	Right to be treated with courtesy, compassion, dignity and respect, taking into account the victim's needs	• Knowmore supports strengthening this right to ensure that it is meaningful and enforceable for all victims and survivors. • Knowmore supports an amendment to require justice agencies to take into account, refrain from discriminating on the basis of, and be responsive to, the particular needs of groups who are disproportionately reflected in sexual violence statistics, consistent with a recommendation of the ALRC.¹⁸ • We further support the inclusion of a non-exhaustive list of groups of victims and survivors whose particular needs must be taken into account, including: Aboriginal and/or Torres Strait

¹⁷ The rights listed in this table are referred to in the detailed paper for Stage 1 of the consultation. See Office of the Victims' Commissioner, *Review of the Queensland Charter of Victims' Rights: Detailed Paper*, consultation questions 14-27, <www.victimscommissioner.qld.gov.au/data/assets/pdf_file/0006/849021/Charter_review_stage_1_detailed_paper.pdf>.

¹⁸ Australian Law Reform Commission, *Safe, Informed, Supported: Reforming Justice Responses to Sexual Violence*, pp 201-202, recommendation 8.

Consultation question	Existing right	Knowmore's position and reflections
		Islander peoples; people with disability; children and young people and victims and survivors of child sexual abuse. ¹⁹
Question 15	Right to have personal information protected	• Many of our clients have experienced having their personal information disclosed without their consent. • Knowmore supports this right being strengthened to ensure that it covers any personal information that may lead to a person being identified as a victim and survivor, including online information and email addresses. • We also support a prohibition on disclosing a victim's personal information without their consent, as well as a requirement to consult with victims and survivors where disclosure may be required by law.
Questions 16–19	Right to be informed, at the earliest practicable opportunity, about services and remedies available to the victim	• Knowmore strongly supports strengthening this existing right, in recognition of the essential role that access to support services and remedies can play in influencing legal outcomes for victims and survivors and contributing to their healing journey. • In particular, we support the proposal to clarify that victims and survivors have a right not only to be informed about, but to

¹⁹ In our view, including a non-exhaustive list of groups of survivors who are disproportionately reflected in sexual violence statistics and are likely to have specific needs will help to ensure that these considerations are prioritised by government agencies and other prescribed entities engaging with victims and survivors. We also acknowledge that victims and survivors may identify with several groups and have intersectional experiences and needs that should be taken into account.

Consultation question	Existing right	Knowmore's position and reflections
		access, these services and remedies. In the case of services, we support a further right to be offered a referral to appropriate services, consistent with the model in England and Wales.²⁰ • In addition, we support the Charter providing examples of particular services, such as health, counselling, legal, financial counselling and culturally appropriate services. • However, we also consider that in order for these rights to be truly meaningful for survivors, the Queensland Government must ensure that these services and remedies are accessible, appropriate and adequately funded. • It is also important to consider whether the Charter should recognise that specific agencies, such as police and other frontline responders, have particular obligations to ensure that victims and survivors are provided with this information (and referrals) from the outset of their justice and healing journey.
Questions 20–22	Right to be informed about the progress of the investigation, major decisions about the prosecution, court	• Knowmore strongly supports strengthening the existing right to be provided with information about investigatory, prosecutorial and associated processes in the criminal legal system, particularly given that many victims and survivors feel silenced

²⁰ Consideration should also be given to the ACT model, specifically section 15 of the *Victims of Crime Act 1994 (ACT)*, noting that victims and survivors have a right to choose whether a referral is made and to which services.

Consultation question	Existing right	Knowmore's position and reflections
	proceedings, the outcome of bail applications, the trial process and the victims' role as a witness Recognising a right to be informed about decisions prior to them being finalised	and excluded by these processes. This is also consistent with the principle that justice processes should do no further harm.²¹ • We strongly support the inclusion of a right to be informed about decisions prior to them being finalised, and to be consulted about certain key decisions. In our view, this is consistent with the right of victims and survivors to participate in decisions that impact them.
Question 23	Right to be protected from unnecessary contact with, or violence or intimidation by, the accused (including witnesses, family members and supporters of the accused) during a court proceeding	• Knowmore strongly support strengthening this right to minimise the risk of harm and further trauma to victims and survivors. • Consistent with this right, we support appropriate special measures being accessible to all victims and survivors of child sexual abuse, including child and adult victims, throughout their engagement with the criminal legal process. This may include access to witness intermediaries, the ability to give pre-recorded evidence, the ability to attend hearings virtually, and to have access to safe waiting rooms.

²¹ Emilie Garcia-Dolnik, Laura Klein, and Sophie Loiselle, *Harm, Justice, and Healing: The Case for a National Framework of Restorative Justice for Sexual Violence*, 24 May 2024, pp 19–20, <<https://www.alrc.gov.au/wp-content/uploads/2024/07/114.-E-Garcia-Dolnik-L-Klein-and-S-Loiselle.pdf>>.

Consultation question	Existing right	Knowmore's position and reflections
		• However, we also acknowledge the need to offer victims and survivors choice,²² and that for some, contact with an accused may be an important part of their justice and healing journey. For example, for victims and survivors who want to ensure that the person who harmed them understands the consequences and impacts of their offending.
Question 24	Right to make a victim impact statement	• Knowmore strongly supports strengthening the right to make a victim impact statement. • In particular, we support the proposals to include specific references to: a right to be provided with information about victim impact statements; a right to be provided with assistance for the preparation of a statement; and the right to flexible arrangements for giving statements. • As stated above, for these rights to be truly meaningful for victims and survivors, the Queensland Government must ensure that such assistance and arrangements are accessible, appropriate and adequately funded to meet their needs.
Question 25	Right to have property held by the State	• Knowmore supports strengthening and clarifying the scope of this existing right, to ensure that it is meaningful for victims and

²² For further discussion on the principle of choice, see Blue Knot, *Trauma-informed services*, accessed 16 October 2025, <www.professionals.blueknot.org.au/resources/trauma-informed-services/>.

Consultation question	Existing right	Knowmore's position and reflections
	returned as soon as possible	survivors and that they are able to understand their rights and successfully advocate for their property to be returned to them.
Question 26	Right to make a complaint	• Knowmore supports strengthening this right, recognising that rights lack meaning without access to appropriate and transparent complaints pathways and remedies. • We acknowledge that many victims and survivors are not aware of their right to make a complaint or the process for doing so. • We support an amendment to the Charter, consistent with the approach in Victoria, which requires relevant agencies to operate accessible and transparent systems to receive and resolve complaints, and offer fair and reasonable remedies. • We also support clarification around which agencies have particular responsibilities to inform victims of their right to make a complaint and when this information should be provided.
Question 27	Rights of eligible persons	• Knowmore supports eligible victims and survivors being informed about their right to be registered on either the adult or youth victim register. Consistent with a trauma-informed approach, we support their right to choose whether or not to be registered. We also support further clarification as to which agencies have particular responsibilities to inform victims and survivors of the victims' registers.

Recognising additional rights within the Charter

Table 2: Knowmore's position on the proposed new rights²³

Consultation question	Proposed new right	Knowmore's position and reflections
Question 28	Right to be told about the Charter – positive obligation on agencies to provide information to victims about their Charter rights and their right to make a complaint under the Charter	• Knowmore strongly supports the inclusion of this right. • We support consideration of the ACT model.²⁴ • We note the interaction of this right with the right to be provided with information about support services, and the critical role legal and support services play in assisting victims and survivors to understand their rights, to advocate for them to be upheld, and to make a complaint when they are breached.
Question 29	Rights for conduct of matters – right for the criminal justice process to be free from unreasonable delay and for inconvenience to the victim to be minimised	• Knowmore strongly supports the inclusion of this right. • We acknowledge the significant impact that delays in legal proceedings can have on the wellbeing of victims and survivors and their ability to begin their healing journey. • In relation to minimising inconvenience, it is essential that victims and survivors are adequately supported throughout criminal legal processes, and that vulnerable witnesses,

²³ The rights listed in this table are referred to in the detailed paper for Stage 1 of the consultation. See Office of the Victims' Commissioner, *Review of the Queensland Charter of Victims' Rights: Detailed Paper*, consultation questions 28–43.

²⁴ See *Victims of Crime Act 1994* (ACT), s 18C.

Consultation question	Proposed new right	Knowmore's position and reflections
		including children and adult victims and survivors of child abuse, have access to special measures appropriate to their needs.
Question 30	Rights for conduct of matters -right to be protected from repeated victimisation, intimidation or retaliation	• Knowmore strongly supports the inclusion of this right. • We recommend that particular consideration be given to the experiences and needs of victims and survivors of child abuse, given their increased vulnerability to these forms of harm. • Consideration should be given to protecting the physical and psychological safety of victims and survivors, as well as protecting survivors from harmful legal tactics that are employed by offenders and powerful institutions to silence and retaliate against them (for example, threats to sue the victim and survivor for defamation and other forms of systems abuse).
Question 31	Right to understand and be understood	• Knowmore strongly supports the inclusion of this right. • We welcome recognition in the detailed consultation paper that child victims, victims with disability and adult victims of child sexual abuse may experience heightened vulnerability when engaging with criminal legal processes. We recommend that the legislative provision specifically identify groups such as these and require government agencies and other prescribed entities to consider and be responsive to their unique needs. • Consideration should also be given to the interaction of this right with the need for victims and survivors to have access to legal

Consultation question	Proposed new right	Knowmore's position and reflections
		and support services, supported decision-making, reasonable adjustments, witness intermediaries, and other special measures. ²⁵
Question 32	Right to interpreters or translators	• Knowmore strongly supports the inclusion of this right. • We recommend that the provision specifically recognise the needs of Aboriginal and/or Torres Strait Islander survivors and survivors with disability given their overrepresentation among victims and survivors of sexual violence. • We also recommend that the provision expressly refer to communication supports more broadly, including augmentative and assistive technologies, Auslan interpreters, as well as easy read materials.
Question 33	Right to request interview by person of a particular gender – including the right to have this request accommodated where possible	• Knowmore strongly supports the inclusion of this right. • We recognise that victims and survivors of child sexual abuse face significant barriers to disclosure and reporting. • Police and other justice agencies must engage with victims and survivors in a way that prioritises their trust and safety, including cultural safety. • In our experience supporting thousands of victims and survivors to disclose abuse, many for the first time, the gender of the staff

²⁵ For example, see Royal Commission into Institutional Responses to Child Sexual Abuse, *Criminal justice report: Executive summary and Parts I and II*, pp 76–77.

Consultation question	Proposed new right	Knowmore's position and reflections
		member they speak with can be critical to their willingness to disclose and further engage with our service. We have seen the benefits over many years of respecting their right to choose the gender of the relevant staff member in this regard. • We do not view geographic location, on its own, to be a reasonable basis for refusing to accommodate a person's preferences. Police and other justice agencies must take steps to ensure that, wherever possible, the right of victims and survivors living in regional, rural and remote areas to choose the gender of the relevant staff member is respected.
Question 34	Right to access reimbursement, compensation or financial assistance	• Knowmore strongly supports the inclusion of this right. • We recognise the right of victims and survivors to an effective remedy and the importance of redress, compensation and financial assistance processes.
Question 35	Right to be protected from adverse employment actions	• Knowmore supports the inclusion of this proposed right.
Question 36	Right to receive a victim recognition statement or request a victim recognition meeting	• Knowmore strongly supports the inclusion of this right. • We recognise the importance of providing victims and survivors with choice in respect of their justice and healing needs. • We have extensive experience supporting victims and survivors to receive recognition, for example through the National Redress

Consultation question	Proposed new right	Knowmore's position and reflections
		Scheme, the Territories Stolen Generations Redress Scheme, and state-based victims' compensation schemes. From this experience, we have seen that recognition and apology processes can be a crucial part of a person's justice and healing journey, provided that they are delivered in a survivor-focused, trauma-informed and culturally safe manner. We particularly wish to emphasise the need for recognition processes to be timely, acknowledging that delays can cause considerable distress for victims and survivors.
Questions 37–39	Right to review – including whether the Charter should reflect the ODPP's right to review policy, whether the Charter should recognise a right to review police investigative decisions, and whether the Charter should contain a right to request the ODPP to consider an appeal	• Knowmore strongly supports the inclusion of these rights, in recognition of the right of victims and survivors to participate in decisions that impact them. • We support the inclusion of review rights in relation to key ODPP and police decisions, in line with recommendation 18 of the Australian Law Reform Commission and recommendation 50 of the Queensland's Women's Safety and Justice Taskforce. • In particular, these rights should contain the following elements: – the right to be provided with reasons – the right to a review of the decision and – the right to be informed of the right to seek reasons and a review.

Consultation question	Proposed new right	Knowmore's position and reflections
		Internal review policies within the ODPP and the Queensland Police Service must be clear, robust, transparent and easily accessible to survivors.
Question 40 & 41	Right to alternative justice pathways – such as restorative justice pathways	- Knowmore strongly supports these rights being articulated in the Charter and recognises that, under the right conditions, these processes can have a profound impact on a survivor's journey to redress, justice and healing. - We note the interaction of this right with the proposed right to victim recognition, and the importance of victims and survivors having access to legal advice and support to navigate these options and to ensure that their decision to participate in an alternative justice process is based on informed consent.
Question 42	Rights outside the criminal justice process – specific rights outside the criminal justice process, noting that the Charter applies to Queensland government agencies and funded non-government agencies	- Knowmore supports articulating victims' rights outside the criminal legal process, given that many victims and survivors of sexual violence will never receive a criminal justice response. - This is consistent with trauma-informed principles, which recognise the importance of survivors having choice in their justice and healing journey. - It also recognises and may help to address the barriers survivors experience in seeking justice and healing through other pathways, such as redress and compensation pathways.

Further rights that should be recognised in the Charter

In addition to the proposed new rights outlined in the detailed consultation paper, we strongly support inclusion of the following further rights for victims and survivors:

- **Respectful engagement with child victims** – we support inclusion of a specific right governing how government agencies and prescribed entities engage with children who are primary victims. Consideration should be given to section 14D of the *Victims of Crime Act 1994* (ACT), which requires that justice agencies consider the child's views, wishes and circumstances before engaging with their parent or guardian, and that they engage with a child in a way that is appropriate for a person of the child's age.
- **Victims' representatives** – we strongly support the recognition of the right of victims and survivors to be supported by a victims' representative and recommend that consideration be given to the ACT model.²⁶
- **Requirement to be responsive to the needs of particular groups of victims and survivors** – we support the recommendation of the Australian Law Reform Commission that victims' charters should require justice agencies to take into account, refrain from discriminating on the basis of, and be responsive to, the particular needs of groups who are disproportionately reflected in sexual violence statistics.²⁷ As stated above, we support the needs and rights of victims and survivors of sexual violence, including Aboriginal and/or Torres Strait Islander peoples, people with disability, children and young people, and victims and survivors of child sexual abuse being expressly articulated in the Charter.

The model adopted in the European Union may provide a useful example of how the needs and rights of particular groups of victims and survivors have been recognised in other jurisdictions. For example, the European Union has adopted a Victims' Rights Directive which outlines minimum standards for all victims of crime, as well as specific additional rules for

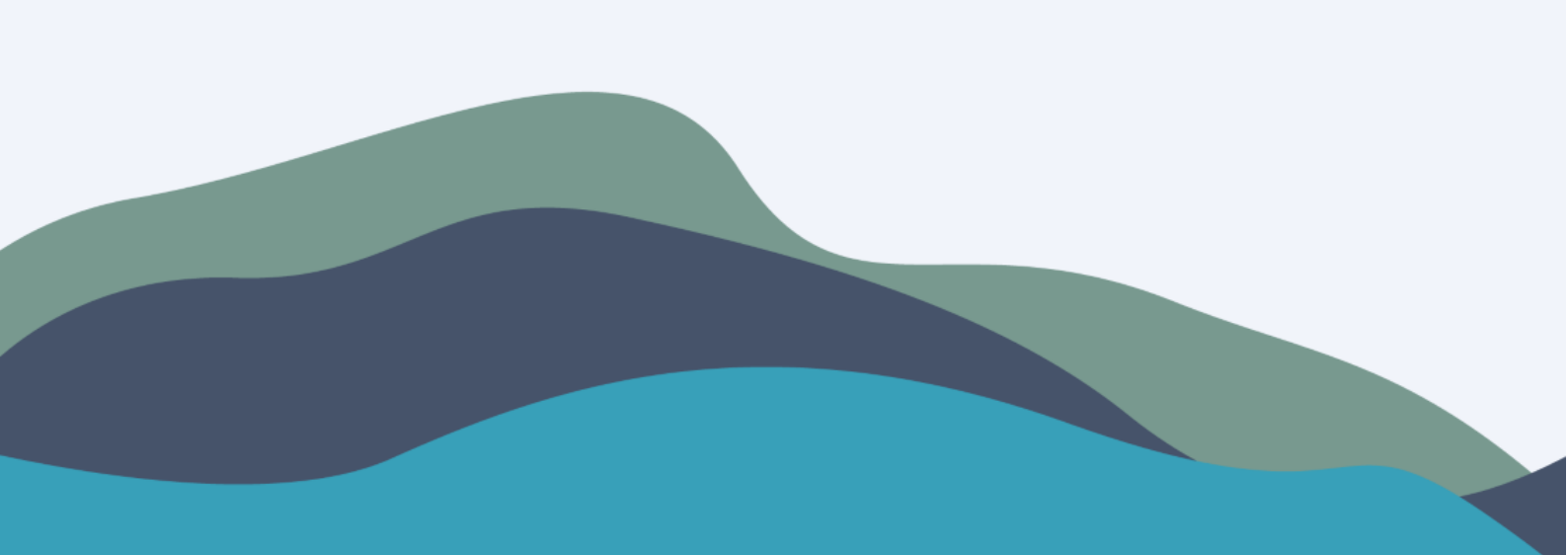
²⁶ See *Victims of Crime Act 1994* (ACT), section 18B, <<https://www.legislation.act.gov.au/a/1994-83>>.

²⁷ See Australian Law Reform Commission, *Safe, Informed, Supported* report, recommendation 8.

responding to victims of particular crimes, including rules for child victims of sexual exploitation.²⁸ These rules require, among other things, that:

- governments shall take the necessary measures to ensure that a child is provided with assistance and support as soon as the competent authorities have reasonable grounds for believing that a child might have been subject to abuse
- governments take the necessary measures to ensure that assistance and support are provided to child victims before, during and for an appropriate time after the conclusion of criminal proceedings in order to enable them to exercise their rights, and that this assistance is provided following an individual assessment of the special circumstances of each child victim, taking due account of the child's views, needs and concerns
- professionals likely to come into contact with child victims of sexual abuse and sexual exploitation should be adequately trained to identify and deal with such victims
- child victims of sexual abuse should be given access to legal assistance and representation, including for the purpose of claiming compensation.

²⁸ See Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combatting the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA, <<https://eur-lex.europa.eu/eli/dir/2011/93/oj/eng>>, for example articles 18, 19 and 20 and paragraph 32.



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