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Ms Kate Connors
Victims' Commissioner
Office of the Victims' Commissioner

Via email:

Dear Commissioner Connors

The Queensland Family and Child Commission (the Commission) welcomes the opportunity to provide a submission to Stage 2 of the review of the *Charter of Victims' Rights* (the Charter).

The Commission is Queensland's statutory authority responsible for promoting the safety, wellbeing and rights of children and young people, identifying systemic issues affecting children and families. The Commission also has regulatory functions under the *Child Safe Organisations Act 2024* (Qld) (the CSO Act), implementing Child Safe Standards (the Standards) and the Reportable Conduct Scheme.

The Commission holds responsibility for maintaining and reporting on the Queensland Child Death Register, which records the deaths of all children and young people in Queensland under the age of 18 years. The Commission also hosts the Queensland Child Death Review Board (the Board), which undertakes independent system reviews following the death of a child known to the child protection system in the 12-months before their death.

Through these functions, the Commission has visibility of how multiple systems respond to children and families following serious harm. These insights highlight the importance of rights frameworks that are both accessible and enforceable, particularly for children and young people who often experience significant power imbalances within institutional systems. Recent testimony in the Child Safety Commission of Inquiry hearings has spotlighted the escalating cumulative harm that occurs when complaints go unheard.

Similarly to victims in the criminal justice system, children and young people in care have a Charter of Rights. A charter in isolation does not uphold or enforce rights; it requires participation from community and government to commit, and to embed practices that lead to rights-based outcomes.

The Commission's submission will respond to each of the themes in Chapters 2 to 6 of the Consultation Paper.

Chapter 2: Awareness and Understanding of the Charter

Awareness and understanding of the Charter is a critical determinant of whether rights are realised in practice. The discussion paper enclosed in this consultation identifies low awareness and understanding of the Charter among victims, prescribed entities and the broader community.

The Commission's experience implementing the CSO Act provides relevant insights into the practical challenges associated with translating statutory frameworks into meaningful change in practice.

Under the CSO Act, the Commission is responsible for monitoring and reporting on the operation of the Child Safe Organisations system, including compliance with the Standards and the administration of the Reportable Conduct Scheme.

The Commission's regulatory approach has focused on working cooperatively with organisations to support their understanding of the new legislative requirements, consistent with a graduated model of regulation. This approach recognises that the best outcomes for children and young people occur when organisations understand their obligations, have capability to meet them, and are held accountable when risks are not appropriately managed.

The implementation of the Standards has demonstrated that sustained awareness-raising and capability building are essential for legislative safeguarding frameworks to translate into consistent organisational practice. Awareness of the Standards has been strengthened through targeted communication initiatives, including the Commission's *Raising the Standard* campaign, alongside the development of practical implementation resources and ongoing sector engagement.

These resources include¹ Child Safe Standard Guidelines, a Quick Reference Guide to the Standards, a Self-Assessment Tool, explainer videos on each Standard, and a suite of supporting factsheets. The Commission has also engaged extensively with relevant sectors and convened roundtable discussions with sector leaders to establish communities of practice.

The Commission considers that a similarly structured and sustained approach could strengthen awareness and understanding of the Charter of Victims' Rights.

In particular, awareness initiatives should prioritise frontline personnel who interact directly with victims, including staff within policing, justice, health and victim support services. Embedding victims' rights within organisational training, professional development programs and operational guidance would support greater consistency in how the Charter is understood and applied across agencies.

Chapter 3: Accessibility of the Charter

In November 2025, the Board delivered the *In Plain Sight* report² – a systemic review into institutional and cross-system responses to child sexual abuse, commissioned by the Queensland Government. Using the offending of Ashley Paul Griffith as a case study, the

¹ Queensland Family and Child Commission | Publications: <https://www.qfcc.qld.gov.au/about-us/publications>

² Child Death Review Board. 2025, *In Plain Sight – Review into System Responses to Child Sexual Abuse*

review examined systemic responses over a 20-year period spanning early childhood education and care, state and federal policing, and the Working with Children Check system.

In Plain Sight represents the most comprehensive examination of Australia's safeguarding architecture since the *Royal Commission into Institutional Responses to Child Sexual Abuse* almost a decade ago. Its central finding is that individuals who harm children often operate openly within communities – visible to institutions and systems – but are not recognised or acted upon. The report identifies structural limitations across safeguarding, accountability and redress frameworks that impede effective protection and long-term healing for victim-survivors.

The review found that victim-survivors encounter structural and procedural barriers when navigating justice, support and redress systems. These barriers include complex eligibility criteria, fragmented service delivery, and systems that place procedural burdens on victims at times of acute vulnerability.

Operational Recommendation 12 of the report specifically calls for improved access to trauma-informed specialist services and for reduced procedural barriers for victim-survivors. The Board has recommended:

The Queensland Government undertake a review of its current investment in sexual abuse counselling and support services, and establish a centrally coordinated, dedicated funding allocation specifically for responding to child sexual abuse. This funding should ensure:

- *Trauma counselling is available to children and parents at the point of disclosure and throughout court processes.*
- *Adolescent mental health support is accessible for children as they transition into adolescence.*
- *Adult survivors of child sexual abuse have access to ongoing therapy and support across their life-course in acknowledgement that the impacts of abuse may re-emerge at key life stages.*
- *Eligibility criteria and service coverage are equitable, removing postcode, age, or relational barriers that currently limit access.*
- *Investment is strategically coordinated across agencies to create a seamless, statewide network of trauma-informed services, replacing the current fragmented patchwork.*

This approach will embed lifelong, consistent support for victim-survivors and their families, and strengthen Queensland's overall child safeguarding framework.

The findings of *In Plain Sight* demonstrate that accessibility extends beyond the format or language of a rights framework. Accessibility also relates to whether systems are designed in ways that enable victim-survivors to understand, navigate and exercise their rights in practice.

For children and young people in particular, accessibility requires rights frameworks to be designed in ways that reflect their developmental needs, communication preferences, and lived experiences. Child sexual abuse victim-survivors often interact with multiple systems – including policing, courts, health services and victim support services – over extended periods. Where rights frameworks are difficult to understand, poorly integrated across

systems, or not communicated in child-centred ways, the practical ability of children and young people to exercise those rights is significantly diminished.

The Commission therefore considers that improving accessibility of the Charter should include a stronger focus on child-centred design and participation. The needs and perspectives of children and young people as victim-survivors should inform the design and communication of rights frameworks within the justice system.

Ensuring that rights frameworks are accessible to children and young people – including through child-friendly formats, developmentally appropriate communication, and trauma-informed engagement – will support more meaningful participation of children and young people within the criminal justice system and strengthen the realisation of their rights in practice.

Children's rights within the Charter

Children and young people have distinct needs and vulnerabilities as victims of crime and harm. Their developmental stage, dependence on adults and limited agency within justice processes mean they often experience systems differently from adults.

Engaging children, young people and victim-survivors in the design and development of any proposed Charter of Victims' Rights for children is critical. *In Plain Sight* makes a recommendation for the Queensland Government to establish an Expert Panel for this purpose:

That the Queensland Government establish an Expert Advisory Panel to inform the development, implementation, and ongoing evaluation of the long-term Child Safeguarding Strategy. The panel should include young people, victim-survivors, parents, researchers and experts. These members should:

- *be actively involved in shaping strategy priorities, policies, and programs*
- *provide insights on emerging risks, reporting pathways, and effective prevention and intervention approaches*
- *operate with appropriate safeguards, support, and recognition of participants' wellbeing*
- *ensure lived experience informs decision making at all stages, creating a child- and victim-survivor-centred approach*
- *contribute to the evaluation of the strategy's effectiveness, providing feedback on its relevance, accessibility, and impact from the perspective of young people and victim-survivors.*

Engaging this panel will ensure that Queensland's child safeguarding system is authentic, accountable, and responsive to the needs and realities of those it is designed to protect.

A Children's Charter could complement the broader Charter by ensuring that the specific experiences and needs of children and young people as victims are clearly recognised. Critically, the development of such a charter should involve co-design with children and young people, ensuring the framework reflects their perspectives and experiences.

The Commission supports the development of child and youth-friendly materials to assist children and young people to understand their rights, the supports available to them and the processes they may encounter within justice and service systems.

Child Safe Standards as an alternative

One of the questions raised in the Consultation Paper was whether the Standards sufficiently recognise the needs of children and protect their interests.

The Standards aim to prevent harm and promote organisational safeguarding of children, focused on organisational governance and prevention of abuse within institutions. The Charter operates in a different policy context, focusing on how systems respond once harm has occurred. For this reason, the Standards cannot substitute for explicit recognition of children's rights within victims' rights frameworks, such as the Charter.

Chapters 4 and 5: Enforceability and Accountability

The Commission's previous work examining complaints and incident management systems in the child safety context highlights several systemic challenges that are relevant to the enforceability of victims' rights frameworks.

Evidence presented in the Commission's submission³ to the Child Safety Commission of Inquiry indicates that complaints mechanisms can fail to operate effectively for children and young people due to structural power imbalances, limited agency and barriers to accessing complaints processes. These factors mean that, even where rights frameworks exist, children may face significant challenges in exercising those rights or seeking redress when they are not upheld.

The Commission's submission also emphasised that complaints systems must be designed to account for the particular vulnerabilities of children, including their reliance on adults and institutions to advocate on their behalf. Without accessible, child-centred mechanisms and independent oversight, rights frameworks risk becoming symbolic rather than enforceable in practice.

These insights highlight the importance of ensuring that the Charter is supported by clear, accessible and consistent complaints pathways across government entities. Strong accountability mechanisms are critical to ensuring that victims' rights are realised in practice, including transparent reporting, oversight and clear expectations for agencies responding to complaints.

The Commission also notes that improved reporting and data collection would support greater accountability. For example, disaggregating complaints and compliance data for children and young people would provide important insights into how effectively the Charter operates for younger victims and would help to identify areas where further reforms may be required.

Chapter 6: Innovative Approaches to Supporting Victims

Innovative approaches such as victim advocates, victim navigators and specialist support services can improve victims' experiences navigating complex justice and service systems.

³ Queensland Family and Child Commission. July 2025, *Submission on complaints and incident systems* | <https://www.qfcc.qld.gov.au/sites/default/files/2025-07/child-safety-commission-of-inquiry-complaints.pdf>

The Commission notes the importance of specialised trauma-informed supports for victims of child sexual abuse, including those recommended in the *In Plain Sight* report. Strengthening access to specialised supports can play a critical role in enabling victims to exercise their rights and engage with justice processes.

In September 2025, the Queensland Government announced funding for a new Victim Advocates Service for Queenslanders impacted by crime, which is being designed with input from victims, victim support groups and stakeholders. Supports for children and young people, particularly in relation to sexual offending, should be a priority within the development and implementation of this program.

Conclusion

The Commission welcomes the review of the Charter of Victims' Rights and supports efforts to strengthen the awareness, accessibility, enforceability and accountability of victims' rights in Queensland.

In particular, the Commission encourages consideration of how the Charter can better recognise and respond to the specific needs of children and young people as victims of crime and harm, including through child-centred approaches to communication, participation and support within justice and service systems.

If you would like to discuss this matter further, please don't hesitate to contact me directly on xxxx xxx xxx or via email at xxxxx@qfcc.qld.gov.au.

Yours sincerely

Luke Twyford

Principal Commissioner

Queensland Family and Child Commission

March 2026