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Reference: XX

Committee Secretary
Justice, Integrity and Community Safety Committee
Via email: xxx@qfcc.qld.gov.au

Dear Committee Secretary

I welcome the opportunity to provide a submission on the *Justice Legislation (Strengthening Victims' Rights) Amendment Bill 2026*. The Bill represents a significant step in advancing a trauma-informed justice system.

Historically, Queensland's criminal justice framework treated offences involving Child Exploitation Material (CEM), including possession, distribution, and administration, under general property or indictable categories rather than offences 'against the person'.

As exposed in the Child Death Review Board's (the Board) *In Plain Sight* report, this created a severe systemic distortion, making digital abuse appear 'victimless' or less harmful, despite the lifelong, enduring trauma experienced by child victim-survivors whose images circulate endlessly across online networks.

The Bill represents a significant step forward in how harm arising from child exploitation material is recognised within sentencing processes. While this amendment is significant, I urge the Queensland Government to continue intergovernmental collaboration with Commonwealth and international partners, utilising international intermediaries like Project Arachnid, to build mechanisms that link victim statements to digital image hashes. Such mechanisms could help courts across jurisdictions identify relevant statements and consider the harm experienced by victim-survivors without requiring them to prepare a new statement for each proceeding. Further advancing this reform would reduce the burden of repeated disclosure for victim-survivors and support consistent recognition of harm across jurisdictions.

I also support the introduction of Part 10C, particularly its application to Child Exploitation Material offences. These provisions address a critical gap in cases where individual victims cannot be identified, ensuring that the broader social harm of online exploitation is visible to the court. As identified in the *In Plain Sight* report, offenders possessing and distributing Child Exploitation Material frequently devalue the experience of the victim to justify their conduct. A Community Impact Statement can help sentencing courts understand the wider harm associated with Child Exploitation Material offending, including harm that may be difficult to convey through an individual Victim Impact Statement.

I consider the limitations on cross-examination of a Community Impact Statement's content to be necessary, establishing that a person must not be cross-examined on the content of a Community Impact Statement or attached community submissions unless the court is satisfied the content will materially affect the sentence and cross-examination is in the interests of justice. This protective threshold appropriately balances evidentiary fairness with the need to protect contributors from unnecessary harm or intimidation.

I also strongly support the expansion of statutory definitions to reflect contemporary care and support relationships. The standalone definition of victim will also include a person who suffers harm after witnessing a relevant offence, or because of their close personal relationship with a person harmed or killed by one. Children often experience harm relationally, through exposure to violence, disruption of caregiving environments, and impacts on those on whom they rely for safety and stability. Recognising a broader cohort of affected persons ensures the justice system is better equipped to capture the full scope of harm and supports more holistic, trauma-informed responses. I also welcome the expansion of 'parent' to include approved foster carers and kinship carers, alongside step-parents and grandparents, recognising the central role these carers play in the lives of vulnerable children, particularly those in out-of-home care. Recognising approved foster and kinship carers within the Victim Impact Statement framework better enables those with caregiving responsibility to help a child participate in sentencing proceedings and communicate the impacts of an offence. This is particularly important given the overrepresentation of children in care systems among victim-survivors.

Taken together the reforms in this Bill appropriately acknowledge that harm arising from child sexual abuse and exploitation is ongoing, cumulative, and not confined to a single event. By strengthening the role of Victim Impact Statements and introducing Community Impact Statements, the Bill represents an important shift toward recognising the lived experience of victim-survivors, particularly children.

I consider that the Bill has the potential to form a critical component of Queensland's broader child safeguarding architecture as the system transitions toward a more integrated, prevention-focused model.

Yours sincerely

Luke Twyford

Principal Commissioner

Queensland Family and Child Commission

30 September 2026