



COMMUNITY SAFETY AND LEGAL AFFAIRS COMMITTEE

Members present:

Mr PS Russo MP—Chair
Mr MA Boothman MP
Mr SSJ Andrew MP (virtual)
Ms JM Bush MP
Mr JE Hunt MP (virtual)
Mr JM Krause MP (virtual)

Staff present:

Ms M Westcott—Committee Secretary
Mr R Pelenyi—Assistant Committee Secretary

PUBLIC HEARING—INQUIRY INTO THE VICTIMS' COMMISSIONER AND SEXUAL VIOLENCE REVIEW BOARD BILL 2024

TRANSCRIPT OF PROCEEDINGS

Monday, 25 March 2024

Brisbane

MONDAY, 25 MARCH 2024

The committee met at 9.02 am.

CHAIR: Good morning. I declare open the public hearing for the committee's inquiry into the Victims' Commissioner and Sexual Violence Review Board Bill 2024. My name is Peter Russo, member for Toohey and chair of the committee. I would like to respectfully acknowledge the traditional custodians of the lands on which we meet today and pay our respects to elders past and present. We are very fortunate to live in a country with two of the oldest continuing cultures in Aboriginal and Torres Strait Islander peoples whose lands, winds and waters we all share. With me here today are Mark Boothman, member for Theodore and deputy chair; Stephen Andrew, member for Mirani, via teleconference; Jonty Bush, member for Cooper; Jason Hunt, who will join us shortly by either video or teleconference; and Jon Krause, member for Scenic Rim.

This hearing is a proceeding of the Queensland parliament and is subject to the parliament's standing rules and orders. Only the committee and invited witnesses may participate in proceedings. Witnesses are not required to give evidence under oath or affirmation, but I remind witnesses that intentionally misleading the committee is a serious offence. I also remind members of the public that they may be excluded from the hearing at the discretion of the committee. These proceedings are being recorded and broadcast live on the parliament's website. Media may be present and are subject to the committee's media rules and my direction at all times. You may be filmed or photographed during the proceedings and images may also appear on the parliament's website or social media pages.

IYER, Ms Kalpalata, Research and Advocacy Manager, Multicultural Australia

CHAIR: I welcome the representative from Multicultural Australia. Good morning, and thank you for joining us. I invite you to make a brief opening statement, after which committee members will have some questions for you.

Ms Iyer: Good morning. Thank you for the opportunity to provide a submission to this important inquiry and also for the invitation to give evidence at this public hearing today. Multicultural Australia is a for-purpose organisation and settlement provider with a very strong, connected and physical presence across metropolitan and regional Queensland. Our clients and communities are at the heart of everything that we do and we are very passionate about providing care and services in person-centred and compassionate ways. We have been providing services in Queensland for the past 25 years and our journey over these 25 years has been driven by an unwavering commitment to create welcome and inclusion and to foster belonging for all in Queensland. We achieve this through a range of services such as direct client service delivery, community development, advocacy and cultural capability as well as community events for the wider community and working with people, organisations, business and government. We are very proud of the work that we do and we hope to connect people across Queensland.

We support our clients and communities through a range of services, as I mentioned, including refugee and humanitarian support programs, settlement services, employment as well as youth services programs. Through these programs we support our clients and communities across a range of settlement needs and settlement stresses which could include domestic and family violence as well as other forms of violence that our communities may be subject to. Multicultural Australia is very committed and very keen and we have engaged consistently and early in the reform process with the domestic and family violence reform process; the sexual violence reform process, including with the Women's Safety and Justice Taskforce; the legislative reform leading to the coercive control legislation; the Queensland Police Service through their domestic and family violence advisory group; the reforms around the Queensland Sentencing Advisory Council; and the Queensland domestic and family violence perpetrator strategy. Our intention with this widespread engagement is to provide a voice for the diverse communities that we work with and to provide an understanding of their experiences and how they progress through the system at different places.

We also engaged in the reform process around the serious vilification and hate crimes legislation in Queensland as one of the strong voices leading up to that reform in Queensland. Our engagement on these matters is through deep engagement with our communities—the multicultural communities in Queensland. We try to understand what their experiences are and try to provide a voice into the reform

process and our intention with the submission to this bill and our appearance here today is to raise awareness of the experiences of diverse multicultural communities across Queensland, including the newly arrived migrant and refugee communities. We seek to highlight their diverse needs and experiences, including their experiences as victims of crimes. Our intention and our hope is that this bill is reviewed through the lens of their experiences in considering how the processes might be shaped to improve services to different communities and victim-survivors from diverse communities, especially those who face significant barriers in their access to support and justice.

We welcome and note that the bill will lead to the establishment of a Victims' Commissioner to promote and protect victims' rights. We work on the charter of rights for affected victims as well as the Sexual Violence Review Board to identify and review systematic issues in relation to the reporting, investigation and prosecution of sexual offences. We are hopeful that these measures will ensure greater protections for the rights of victims, ensuring that their voices are heard appropriately and that there are systematic improvements to the needs of victims of crime.

We particularly welcome that the Victims' Commissioner might have regard to the vulnerability of victims of sexual violence or domestic violence, especially victims who may have characteristics that may make them particularly vulnerable to harm—women, children, people with disability and victims from culturally and linguistically diverse backgrounds. Our intention, as I mentioned earlier, is to really bring attention to the experiences of marginalised communities in this review. We hope that through this reform process there will be a greater awareness of their needs and greater investment in ensuring supports for victim-survivors as well as building public confidence in our system for our diverse communities. We are committed to staying engaged with this process and I again thank you for the opportunity to appear today. I am happy to answer any questions. Thank you.

Mr BOOTHMAN: Thank you for appearing before the committee. With the stigma of these types of crimes in different multicultural groups and settings, a lot of these issues are obviously seen as taboo and a lot of people will not talk about them. What methods do you think could be implemented to counter that to allow information to be brought forward?

Ms Iyer: Stigma is a really significant concern across a range of issues—sexual violence definitely but curiously also for crimes of racial vilification and the serious harms suffered through that. There is a lot of stigma. It stems from a range of reasons—being a victim of a crime or being isolated for a particular aspect of your identity such as maybe race or being a woman. A couple of options that we have is supporting people in understanding legislation and that there is support available. We have multiple different approaches to preventing stigma. One is understanding that, as a survivor, there is nothing about you personally as an individual and helping people understand that there are supports and rights available for victims. If we have settlement programs, for example, there is that one-on-one support. We also do a lot of community engagement. We work with communities. When, for instance, there is a legislative change or reform processes happening, we try and engage with communities to build awareness around that.

We are really looking forward to working with communities around the coercive control legislation as well as around the serious vilification legislation changes and, hopefully, the new anti-discrimination legislation. We seek to not only engage directly with communities on this work but also engage our programs and services, for example, working with young people or working with community associations and community groups. We bring that awareness that there are rights available to people who may have been subject to crime, so building that awareness, capacity and strength. There is a lot of uncertainty and fear associated with these processes, so people do not seek to engage. There is also a fear probably with police and justice systems that people may have overlaid with their experiences perhaps overseas, so we are trying to dispel some of those misconceptions and build support on the ground.

Mr BOOTHMAN: Do you feel that there should be more information readily available in different languages so that people can clearly understand it? What would you like to see go further to break the ice?

Ms Iyer: Yes, definitely to break barriers. We appreciate that language support is important, especially when there are systematic interactions, but there also needs to be accessibility in other forms, even if it is simple engagement through organisations where we know there are either multicultural communities or other forms of associated vulnerabilities. If there is awareness through those organisations that would probably be a key point of entry, because we know that community groups and members of diverse communities will engage where there are relationships of trust. Even before we invest in language and resources et cetera, we need to show that people are going into those places and information is readily available at those sources and those points where people go such as faith communities, non-government organisations, community centres et cetera. If that

program of information and support is made available as a first step, the language supports, the accessibility needs et cetera can come in around those. If there is a particular group or a particular need identified in a region, then those supports can be built in and more targeted.

Mr BOOTHMAN: Thank you.

Ms BUSH: Thank you for coming along and for your submission. Obviously this bill is looking to do a few different things: it is appointing the Victims' Commissioner and establishing the Charter of Victims' Rights and the Sexual Violence Review Board. I have read your submission and concur with you that victims are not homogeneous, that they have different needs and that there is a real issue around invisibility of some marginalised groups. You have touched on it in your submission, but I am keen for you to expand on it, if you can. How do we enshrine in legislation that multicultural and vulnerable communities are heard and engaged?

Ms Iyer: We think the option for the systemic review through the commissioner is a significant start. There needs to be awareness that victims' rights are embedded in legislation—a statement of intent up-front that this support is readily available across communities. In the progress of the legislation we are seeing or not seeing victim-survivors who usually do not engage, so ensuring that there is a systemic focus on that to show that they are focused on the vulnerabilities associated with certain communities and certain hard-to-reach groups could be the first step. Then having the review process embedded into the act would help to highlight that, as well as being able to see the public statements and reports and track those. Because it is a new piece we see this as a really welcome move. We see there are opportunities available here. If an ongoing review could be embedded into the act, we would welcome that.

Mr KRAUSE: I want to touch on one of the points you raised in your submission about lack of trust in the criminal justice system by refugees and migrants from diverse cultural and linguistic backgrounds. I understand the point that you are making. I think also the point you are making is that that may be continued or perpetuated even with the introduction of this bill and the Victims' Commissioner and the Sexual Violence Review Board. Is the point that you are making not that the issues of trust will get worse through these provisions but that other things need to be done to improve the trust aspect in those communities? Having a full-time Victims' Commissioner I would have thought would not be a negative, but perhaps it may not be enough just of itself to overcome those trust issues. Could you let me know what your thinking is there with that part of your submission?

Ms Iyer: I agree. It is not that it is a negative. It is definitely a positive and we welcome that. On the issue of trust, as you alluded to, we do need other actions as well when it comes to building that trust. That comes with, as I mentioned, an awareness of the changes that will be brought about through this process and the fact that the commissioner will have the opportunity to provide a systemic review. In working with other non-governmental organisations or other trusted community associations, if there is awareness that people are not engaging or if there are certain barriers to that, we hope that through the Victims' Commissioner role there is that engagement. It is definitely not a negative. We are really keen to welcome this as a positive, but we want to work with the commissioner and the review process to find other ways to provide support. This is just one of many different tools to build support in communities.

Mr KRAUSE: Can you give the committee any examples of particular communities where actions have been taken by the police or by other parts of the justice system to improve that engagement and trust and where there has been a positive improvement as you see it?

Ms Iyer: Definitely. I will give the example of settlement in Toowoomba. It is becoming a significant humanitarian settlement location. It is probably mirroring Brisbane settlement numbers. There has been engagement through our organisation and direct links with the Police Service. It is almost like an on-arrival welcome that happens. We have a range of settlement support programs which includes everything from support on arrival to life skills sessions where people learn different aspects of living in Australia.

The Queensland Police Service have a significant link early into some of those life skills and support programs where connections are built with the community and community organisations but also individuals within community so they understand, 'This is the Police Service, and the police in Australia are here to support you and protect you.' There is that engagement. That is seen as one of the positive examples of engagement as well. There are probably other examples. There is significant interest within the community to take up roles within, for example, the Police Service or the criminal justice system. It is a two-way engagement process. It is early engagement—early in settlement. Those are significant opportunities where we can have that one-on-one link.

The issue is when people who have been settled here slightly longer are not really linked with community services or with their neighbourhood centres, for example, where there might not be those opportunities. There might still be some of those issues of trust there where there is not that link. Through our programs we try to build connections over a longer period of time. Even if people are not engaged with immediate services, we try to work with other community centres and neighbourhood hubs et cetera to provide services where people can drop in and have those connections—probably even one on one. It is not direct case management services but people can check in and link in. Those are the sites where information is readily available and people can trust those places or people within those centres. That is one area as well.

CHAIR: Steve?

Mr ANDREW: No, thanks, Chair. That covers me on that one.

Ms BUSH: I was concerned when we were talking about making sure that there are opportunities to reflect the diversity of Queenslanders in the composition of the Sexual Violence Review Board. Section 69(5)(c) states that the minister must ensure 'the board's membership reflects the social, cultural and linguistic diversity of the Queensland community'. I am presuming you support that. I just want to hear that that is correct and whether you are satisfied with the wording and the intention of that section?

Ms Iyer: Yes, definitely. We are satisfied. We welcome that. We appreciate that these measures are incremental over time. We really seek visibility. We welcome approaches across a range of reform processes and if we could bring all of these processes together. That is our intention with this particular review bill, the serious vilification, the coercive legislation and also the perpetrator strategy—bringing all of the reform processes together and understanding that there are diverse experiences that victim-survivors have. This is an explicit acknowledgement that we do welcome that.

It is about how the process is publicised in community, how people are part of this process and how they feel empowered over time to be members of the board through their activities. Leadership is another key aspect. We are trying to build that momentum and leadership through youth networks, women's groups et cetera for people to step into these spaces.

Ms BUSH: This is a bit out of the scope of the bill, but it goes to your point around invisibility of people within the system. I am aware that police are rolling out the unconscious bias training and some of the other training. Are you seeing that being rolled out in communities?

Ms Iyer: Definitely. Multicultural Australia does a lot of that cultural capability training. There has been engagement with police around the training piece as well within our organisation. A lot of our work is with mainstream services around that engagement and building that capacity to ensure that the invisibility that we mentioned is addressed. We are run by client services within this network working with diverse communities, but we are really keen that the voice of communities comes directly from them. We work with communities to build that leadership. We are investing significantly in youth leadership—young leaders and women leaders—to speak about their experiences but also to aspire to those positions in time so that they are on the boards et cetera and they are bringing that change.

Ms BUSH: Does MAQ—I am off on a bit of a tangent now—work with police? There are things that go on in communities sometimes that can be harmful and there is a narrative that can be harmful for some of your clients, particularly around crime, and that can be incorrect in many cases. What work are you doing with police in working with communities in that space to bring together that inclusion and harmony?

Ms Iyer: It is through the training piece at the moment. I cannot speak specifically to activities across the organisation directly with police, but it is bringing awareness around some of the crime issues and the reporting around that. Our engagement is with community members and with police. As a recent example, there was a youth justice round table held last week. One of the key issues of concern is how the reporting around it happens. It affects communities both ways because community members are also victim-survivors or people who have experienced crime and violence themselves. There is that inherent trauma that may be associated with their prior refugee journey as well and then that is overlaid with the trauma of horrific crime. Those are aspects that we try to bring attention to through diverse sources. Our engagement with police is through the training process, through leadership, for example, with the Police Multicultural Advisory Group on domestic and family violence. There is engagement at deeper levels but also working directly with communities and providing that interface between mainstream services, police and communities.

Ms BUSH: My final question is: have you had an opportunity to engage with the Office of the Interim Victims' Commissioner yet?

Ms Iyer: I will have to take that on notice.

Ms BUSH: That is okay. You do not need to take it on notice. I was just wondering if you had and whether you had any feedback. I do not expect you to do any work and come back to us on it.

Mr BOOTHMAN: The bill does not actually legislate a review process. I want to hear your comments, especially in relation to my original question about multicultural groups and dealing with that. Do you think that needs to be done?

Ms Iyer: Yes. That is not included in our submission, but usually we do seek that review process. It is asking for something very specific. We are talking about embedding a systemic review process. For us to understand if there are significant groups with vulnerabilities who are not finding that support through this process, is there a review process that could potentially be included?

CHAIR: That brings to a conclusion this part of the hearing. Thank you for your written submission and thank you for coming along today.

Ms Iyer: Thank you for the opportunity.

ADNAMS, Ms Kate, Senior Lawyer, LawRight

AHMED, Ms Famin, Volunteer Lawyer, LawRight

CHAIR: I now welcome representatives from LawRight. Good morning and thank you for joining us. I invite you to make an opening statement.

Ms Adnams: Thank you for the opportunity to speak at this public hearing for the inquiry into the Victims' Commissioner and Sexual Violence Review Board Bill. I am a senior lawyer at LawRight's Community and Health Justice Partnerships Program, which includes our homelessness law and multicultural law services. I have worked in the team at LawRight for five years and since October 2023 have led our Stable Futures for Young Queenslanders program providing specialist legal services to children and young people aged 12 to 26 to prevent and respond to an experience of homelessness or violence. I am joined at today's hearing by my colleague Famin Ahmed, who is a volunteer lawyer at our service and played an integral part in preparing our submission in response to this bill.

Homelessness Law is Queensland's free specialist legal service for people experiencing or at risk of homelessness. Established in 2002, Homelessness Law's integrated holistic legal supports prevent and end homelessness by resolving legal issues connected to a person's housing, money and experience of violence. We have a focus on key priority cohorts including women and their families with an experience of violence and children and young people, many of whom have also experienced domestic and sexual violence.

Adopting a best practice trauma-informed service delivery model, we embed lawyers in frontline community and health agencies in Brisbane and in Cairns. We work closely with social workers, domestic and family violence workers, sexual assault counsellors, financial counsellors and medical professionals to provide holistic support to victim-survivors. Since we began this program to assist victim-survivors we have supported over 300 people to access over \$1.3 million of financial assistance in addition to assisting them to resolve other legals connected to their experience of violence—things like economic abuse, tenancies and fines.

With that background, LawRight commends the overall purpose of the bill but provides feedback and will focus on its potential impact for people experiencing violence who are at risk of homelessness. Our submission both provides feedback on how particular aspects of the bill may be improved in terms of drafting and also provides rules for how parts of the bill should be implemented operationally. To speak in more detail about the submission, Famin will take over.

Ms Ahmed: Our written submission is quite detailed so we will not waste the committee's time by repeating it all. Overall, in terms of a high-level overview, our submission deals with the language used to describe victim-survivors of violence; the experience of victim-survivors beyond the criminal justice system and incorporating that into the ambit of the board and the commission; strengthening the effectiveness of the Charter of Victims' Rights; and the access-to-information regime. Of course, we are happy to answer questions about any of those topics in more detail. What we do want to detail in our opening statement is our focus on the access-to-information regime in the bill. Our submission on this issue relates to the overarching consideration that it is really integral to protect the trust between victim-survivors and support services—non-government support services in particular like LawRight—so that they feel comfortable disclosing information about their experience of violence to support services. Ultimately, that allows services like LawRight to provide the best assistance they can provide.

With that importance of trust in mind, we talk in our submission about the fact that as the bill is currently drafted there is actually a risk that perpetrators could access information about victim-survivors from the board or the commissioner or other entities that the board or commissioner share information with. They could do that through issuing a subpoena, for example, that is targeted at any of those entities. We submit that measures should be put in place to make sure that we mitigate the risk of that occurring. Examples of how that could be done include adding the sexual assault counselling privilege to parts of the bill as an exception where other exceptions are already added but that particular exception is currently missing; or we could remove the ability of the board or the commission to disclose information in response to a court order, which has been done in other example pieces of legislation.

Also related to the access-to-information regime we note that the regime as it stands applies to prescribed entities. The definition of 'prescribed entities' is quite unclear as it relates to non-government services. That is defined as entities funded by the Commonwealth or the state that provide services to victims as their primary function. That clearly applies to quite a few support services, but with respect there are other support services that fall into a grey area. For example, for LawRight it is not our only, Brisbane

primary or advertised function that we deal with victim-survivors of violence, but that is a high proportion of our clients. It is quite unclear as to whether those provisions are intended to apply to organisations like LawRight.

Thirdly, at the moment the access-to-information regime applies equally to government and non-government service providers such that non-government service providers could be required to provide client information to the board or the commissioner without our client's consent. We submit that non-government entities like LawRight should only be required to share information about clients with client consent so that, again, we preserve that trustful relationship between clients and non-government service providers. There is a number of ways we suggest that could be done including looking at incorporating wording into our standing client consent forms and for communications of the commissioner and the board to be public facing so it is quite clear what that information is being used for and so there is that overall trust in terms of how that information is being used. That is all the detail we will talk about in our opening statement but, of course, we are happy to answer any further questions.

Mr BOOTHMAN: In your submission you mention making complaints anonymously to the commissioner when dealing with issues within the community. Could you elaborate what benefit that would have and how that would actually help situations?

Ms Ahmed: At the moment it is not possible to make complaints anonymously. If you look at how victims' commissioners have been established in other jurisdictions in Australia and also overseas, there is a benefit where certain victim-survivors do not want to have to be dragged through another process. They are not interested in that. That desire of theirs should be protected and respected in order to protect their agency. They might have gone through a bunch of other processes and feel they have been stripped of that agency, so it is important to protect that agency. They might not necessarily want to be contacted again; they might not want to go through an extensive process again, but they might still want to put on the record that a particular experience has happened. They might want the desire to put that experience on the record with the view that that might help the commission or the board understand the broader community issues. That might trigger them to investigate how that particular experience could be representative of a broader experience without having to specifically, as an individual, be dragged through that inquiry.

Ms Adnams: It is also the experience of many of our clients that they do not necessarily wish to go through complaints processes themselves, but they care a lot about their community. I think the ability to make anonymous complaints gives a victim-survivor the opportunity to provide information to the board that can then be used statistically to create programs that support future victim-survivors or prevent harm against people again.

Ms Ahmed: I think that is quite clear in a lot of LawRight's experiences. Often we contact clients to ask for their consent to share their de-identified story in submissions—law reform submissions or advertising LawRight services—and they are really keen for their story to be used for the greater good to help other people who might be in a similar situation but not in such a way that they are named. It is consistent with our experience doing that.

CHAIR: It would also help if the board were able to make recommendations about investigations that are conducted if someone has struggled to feel they are being heard.

Ms Ahmed: Exactly.

Ms Adnams: Absolutely. Particularly with many of our young clients—and by young clients I mean 18- to 25-year-olds—they often want to move on with their lives, but they are really happy to say, 'This is my experience. This is what went wrong in the investigation of the offence for me.' If those things can be ironed out for the next person I think they would be really happy to hear that that data is being collected.

CHAIR: Having that anonymity would assist them in the process of moving on with their life.

Mr BOOTHMAN: It has worked very well for Crime Stoppers over the years.

Ms Adnams: Absolutely.

Mr ANDREW: In the submission you say 'clear and transparent guidance should be published in relation to how the commission and board can use personal or other identifying information'. You are looking to instil that public trust so that people can understand what the situation is. Could you expand on that, please?

Ms Ahmed: Certainly. As lawyers it is very easy for us to go through the bill and distil exactly how the information is intended to be used. However, a general member of the public, particularly someone who has experienced violence and may be vulnerable in other ways, is not necessarily going

to go to the bill to figure out exactly how their information is going to be used. In terms of a public trust piece, we think it is very important for there to be clear public communications, for example, on a website that are in very simplified language telling victim-survivors how their information is going to be used, and that comes back to the overall empowerment piece as well in terms of information and privacy.

In this day and age it is very common for all of us to just sign away our rights in terms of how our information is being used. Where possible and particularly for victim-survivors who have potentially dealt with a system in which they already feel like they have been stripped of their agency, we think as many measures should be implemented as possible so they actually know where their information is going. It might be that a large proportion of victim-survivors are not particularly fussed or they do not really care. Based on our experience, there is definitely a proportion of clients who are very concerned about how their information is going to be used, especially if they have a general distrust of the system.

We think anything that can be done to simplify that language in terms of public-facing communications about how that information is being used will be helpful for victim-survivors, establishing trust in institutions like the commission and the board directly if they are looking at those institutions online. They can then feel like those institutions are actually out there to help them and they can trust how that information is being used but also help the middleman—service providers like LawRight—use those public-facing communications to understand how they can then pass on that communication piece to their clients. Again, as lawyers in LawRight, we can do that by going to the bill. However, there are plenty of frontline community service providers that do not comprise lawyers and it would be quite hard for them to understand or know where to look to understand how that information is being used. They need some clear guidance on how they can frame that for their clients.

Ms Adnams: I will add quickly that a lot of our clients talk about this feeling of losing agency in dealing with services. By making it really clear how information might be used, it actually gives clients the opportunity to make an informed choice about their engagements with the board or with the commissioner. I think a really important part of their recovery from an experience of violence is actually having some agency and some choice again in what happens with their lives.

Mr ANDREW: It is very important going forward, otherwise the engagement level and the way things are across advocacy groups and everything else will fade away. Thank you.

Mr HUNT: Thank you for your submission. I take on board every syllable that you have uttered around transparency and the need for protection of victim-survivors. Do you accept there might be a tension between the need for that anonymity and the ability of the commission to solve problems or investigate things? Do you think there is a tension between that which might be difficult to resolve?

Ms Ahmed: Are you referring to the anonymity in terms of being able to make complaints?

Mr HUNT: Yes.

Ms Ahmed: We see that the option to make an anonymous complaint would just be a supplement. It is basically an add-on. If you do not have an option to make an anonymous complaint, you have a proportion of people who are still willing to make a complaint, to put their name on the record et cetera and you might be missing out on a proportion of people. By then adding an option to complain anonymously, you are not necessarily taking away from any of the cohort that were already willing to make a complaint by putting their name on it. You are then adding a new cohort of people who otherwise may not have been interested in making a complaint at all. We just see it as expanding the pool of victim-survivors who are then engaging with the commission rather than subtracting or creating any tension in that way.

Mr HUNT: Your view is that it would not impact on the efficacy of investigating complaints?

Ms Ahmed: In terms of individuals being able to make complaints, yes, that is our view. Our view is that if you are making a complaint anonymously you are not doing that with the view that that particular complaint will be addressed and investigated as an individual with reference to you. All it is doing is adding an extra touchpoint for the commission to understand what types of issues are playing out in the community. That will be basically an add-on option. We expect that the majority of clients who make complaints will want to do that with the view that they are putting their name on the record, they want this complaint to be specifically investigated with reference to them and they want that process to be completed with reference to them. Does that make sense?

Mr HUNT: It does. Thank you very much; that is a good answer.

CHAIR: When you are dealing with people who do not wish their personal details to be made available there is always the opportunity, is there not, for people within the organisation to speak to those people and if their submission was of such a nature they may then change their mind and come forward? It is really a communication thing. I take on board the importance of that initial step and the person being able to say, 'I wish to withhold my name.'

Ms Ahmed: Absolutely. We also expect that as time progresses and potentially these institutions gain more of the public's trust it might be that more victim-survivors are willing to put their names to complaints because they can see that something is actually being done about it. In terms of its infancy, we think it is only of benefit to expand the pool of people who are going to be engaging.

Mr KRAUSE: Thank you for your very good submissions here today. I just wanted to ask about the victims' charter and the submission that you make in relation to the charter and perhaps it being framed in stronger terms. In your view, what would be the key things to be changed or reviewed in the victims' charter to make it stronger?

Ms Ahmed: I think it is quite well documented that the victims' charter as it currently stands is not very effective. There are not many practical outcomes that can come from it if a victim is using the charter to complain about something that has not been abided by. That has been well documented, for example, in the *Hear her voice* report, which is where these reforms stem from in the first place. I think the government has suggested that it recognises that and it recognises that the charter has to be reviewed. Based on LawRight's experience, LawRight barely engages with the charter for that reason because there are basically no practical outcomes that can come from it. It is barely even considered in the range of options when we are discussing options with clients because you just cannot achieve anything from it. Previously you could potentially consider things under the victims' charter. Now we are more likely to just consider what can be done under the Human Rights Act, which does have slightly more clear outcomes and ways that you can take that process forward.

In terms of what should be done, we think in terms of strengthening practical outcomes that can come from it. We also recognise that it is not the purpose of this particular bill to substantively change the charter. We do submit that more measures should be put in place in this bill to ensure that the charter is reviewed later on, particularly having regard to the fact that with the election later this year it is not clear whether the current government, which has expressed an interest in reviewing the charter, will be the same government that is in power once the commission is well implemented. Inserting a provision into the bill to require the review of that charter at some point later in time once the commission has got to its feet could be beneficial. That is similar to what was done with the Human Rights Act. It was actually put into the Human Rights Act that this has been implemented now, but what we are legislating is the need to have a review of this act in a year's time. Inserting something like that into this bill would safeguard the need for that review to happen at some point to strengthen the charter.

Ms Adnams: I think also the lack of practical outcomes that can come from a victim's charter complaint really is a big barrier to why people would make a complaint, particularly with our clients who might be homeless or fleeing DV or experiencing sexual violence. They are not in a situation where they necessarily want to tell their story or make a complaint again if there is not going to be any fruitful outcome from that. In practice, when we are having these conversations with people that there is a victims' charter and they could make a complaint under it, they ask, 'What is the purpose of doing that?' If there is nothing that can come from it, then it is not going to be an avenue. We would be more likely then to make complaints directly to the bodies involved in terms of what that person is aggrieved by. If it is the QPS or a hospital and how they have been treated there, we might make a complaint directly to that organisation or we would look under the Human Rights Act to make a complaint, because then at least that person would have the opportunity of going through the QHRC and there being potentially some outcome or response. The victims' charter does not really offer that, so it is not a practical option for many people. It just adds to the level of stress or the systems they have to engage in.

Mr KRAUSE: To come back to my question, it would be basically the lack of practical outcomes and the potential for (indistinct) that would be the key things to be changed?

Ms Ahmed: Yes, exactly.

Mr KRAUSE: In relation to the release of information—forgive me if someone else asked this or a similar question—would there ever be a circumstance where you would see it to be inappropriate for an entity to be obliged to provide information where a victim has not consented to that release, particularly in relation to a court order—well, in general, but I will get on to the court ordered stuff?

Ms Ahmed: What we really want to home in on for this topic is the difference between non-government service providers and government service providers. In terms of government service providers, we think it is impractical to be seeking consent from clients. If you think of the Queensland Brisbane

Police Service or health service providers, in terms of the volume of clients who are going through those services it is just not practical to seek consent. In terms of non-government service providers like LawRight, we cannot envisage a situation where it would be so important to know the particular identifying information of a particular story such that we need to provide that information to the commission or the board where that client really does not want to consent to that information being provided. We are happy to explore scenarios where you think that might be necessary, but we think that in terms of preserving that trustful relationship there are ways for us to convey the overall issues that are coming up and the issues that may be even coming up in that particular circumstance or that particular situation without identifying the personal elements or the personal identifying features of that story.

Mr KRAUSE: In relation to the victims' commissioner or the review board being required to disclose information in response to a court order, I understand you have submitted that that should be removed.

Ms Ahmed: Yes.

Mr KRAUSE: This is a little bit similar, I suppose, to the question that the member for Caloundra asked. Do you see there may be some tension potentially between the administration of justice in the courts in terms that you are raising about the release of that information if that pathway to release is blocked off?

Ms Ahmed: Yes, there is definitely a tension there. Of course, in drafting bills our job is to weigh up all the different tensions and figure out what is the best outcome. As we referred to in our submission, there are other legislative contexts where that option to release information in response to a court order has been completely removed, so it is not unprecedented. That has been done in the context of hospital and health boards. In that context, probably the same tensions were weighed up to figure out what is the best outcome here. In evaluating how to resolve that tension you need to think about practically what we are getting out of both sides.

What we have seen at LawRight and in the domestic violence space is that it is quite common for perpetrators to use subpoenas as an additional tool to continue abusing their victim-survivor by trying to obtain information about that victim-survivor. In terms of how often we have seen that play out and the stifling effect that can have for victim-survivors and the trust they have in service providers and the additional trauma they have to go through as a result of that process, we think in this particular situation, because of the likelihood of that coming up again and this being an additional point of trauma, on balance it is important to treat the commission and the board as a black box where they then cannot pass on that information in response to court orders, because even the risk of that happening is in itself potentially traumatic. If there was a particular reason that the board or a court needed to access that information, there is no reason they could not go directly to the service provider to obtain that information rather than the commission or board they have obtained that information from. The commission or board is essentially the second institution that is getting access to that information and the court would then be the third point of contact. There is no reason that the court cannot short-pass and get the middleman out of the picture and still issue a subpoena to the service provider, so that access to justice point is still there.

Ms Adnams: I think also it would undermine the functions of the board if there is a circumstance where a perpetrator of violence can subpoena the board for information. If that becomes public knowledge you are going to struggle to get further victims to come forward to give the board information, and service providers will be equally hesitant then to provide the information to the board. For the practicality of it being a useful mechanism, there needs to be some barriers and safety measures in place to prevent it being abused by perpetrators in the situation that Famin was talking about.

Ms BUSH: Jon has gone in a very similar direction to what I was curious about as well, which was the access-to-information regime. Thank you; your response to his question has helped me understand. I think there are three areas of the bill in which requests for information can be made: section 29 for the Victims' Commissioner; section 51 for the charter; and then there is another section in here for the sexual review board. If we look at section 29, there is stuff in there that provides service providers with an out—that is, if the matter is subject to LPP or would harm someone you can reasonably refuse that request and, as you say, then work with the commission, because it is really about the systemic issues they are trying to harvest.

Ms Ahmed: Yes.

Ms BUSH: I think what I heard you say then is that your issue is more around locking the commission and the review board down so there cannot be a court order made to then extract that information out of those entities?

Ms Ahmed: Exactly.

Ms BUSH: I understand.

Ms Adnams: Absolutely. Currently as it stands, because sexual assault counselling privilege is not within those things, you can see—and maybe it is a remote likelihood—the potential for something that is subject to the privilege to be made to the board that then is subpoenaed in a court order, that flow-on effect. If you just, as we are saying, lock down the board and add in that sexual assault counselling privilege, you kind of prevent that.

Ms BUSH: We had a response from the department on the submission, so I will have a look at that. You are also talking about including sexual assault privilege into one of those kinds of carve-outs.

Ms Ahmed: Yes. Going to the carve-outs that already exist in the bill, I think the fact is that there are already carve-outs like legal professional privilege and child safety et cetera that already recognise some of the tensions that are at play and the importance of still carving out areas where we think it is important to restrict the information that can then on-pass. We are just asking for sexual assault privilege to be added to that same kind of category.

Ms BUSH: And then something to strengthen the commission's ability to refuse to hand documents over to a court order?

Ms Ahmed: Exactly.

Ms BUSH: What are your views on the information requests made under the charter? Obviously notwithstanding your comments about charter complaints, and I accept that, a charter complaint could be made against a prescribed entity itself, not just a government agency. You are not talking about being able to refuse the provision of documents because it would be incriminatory to the organisation?

Ms Ahmed: No.

Ms BUSH: Okay. I think I have got it. Thank you.

CHAIR: That brings to a conclusion this part of the hearing. Thank you for your written submission and for your attendance today.

ROYES, Ms Michelle, Director, Clinical Governance, DVConnect

ZONNEVELD, Ms Kayla, Coordinator, Marketing, Fundraising and Communications, DVConnect

CHAIR: I welcome representatives from DVConnect. Would you like to introduce yourselves before we get to your statement?

Ms Royes: I am Michelle Royes, the Director of Clinical Governance at DVConnect. With me today was supposed to be Rhea Mohenoa, the Director of Client Services, but unfortunately her daughter was stung by a bee so she is not here.

Ms Zonneveld: I am Kayla Zonneveld, the marketing, fundraising and communications coordinator at DVConnect.

CHAIR: I invite you to make an opening statement.

Ms Royes: I would like to begin by acknowledging the traditional custodians of the land on which we meet, the Turrbal and Yagara peoples, and I pay my respects to elders past, present and emerging. I would also like to acknowledge those with lived experience as a victim of crime, including domestic, family and sexual assault. As I said, I was to be a witness today alongside Rhea, who unfortunately cannot be here. Due to the late notice of this change and because of the quality of what she prepared, I am actually going to read most of what she did create for today.

We have had the good fortune of having our voices heard at this committee several times. We welcome the new members to the committee. It is always good to have the opportunity to have a say here. We appreciate these opportunities to put forward our considerations on behalf of the thousands of individuals with whom we work with our services. We are here today representing DVConnect as the statewide crisis response service for domestic, family and sexual violence as well as the statewide helpline for victims of crime. In Rhea's portfolio specifically, she is responsible for our victims of crime and sexual assault services.

To be sure that you know what we do, I will go through it. We provide the 24-hour Queensland-wide helpline for victims of violent crime called VictimConnect. We have different branding for this service than we do for DVConnect. That is for people who have experienced crime in Queensland. They can call us any time, day or night, to talk to one of our skilled practitioners. VictimConnect also provides specialist victim counselling where people can access several sessions of trauma informed counselling with the same highly qualified counsellor. There is also part of our service which offers practical support to victims of crime. In the last financial year, this service alone worked with over 5,500 people.

Under the VictimConnect banner we also run the after-hours component of a pilot that is being trialled in Queensland called Victims of Crime Community Response. This is to provide immediate practical and emotional support to people who have experienced a violent crime in Queensland and is in three trial locations. Alongside Victim Assist Queensland, which runs the daytime component of it, in a few short months we have been able to provide to people in the hours following a violent crime the means to replace damaged items so that they can be safe again, like repairing doors or completing forensic cleans. We have also been able to place people somewhere safe for the night when it is unsafe for them to return home. We have paid for food and clothing and provided emotional support.

Beyond that we run the sexual assault helpline, a 365-day phone line for anyone in Queensland to call who has experienced or has concerns about a family or friend who has experienced sexual violence. We provide information, guidance and on-the-spot counselling on this phone line. We find that many of our calls are people in their first step in reaching out for help, and that is whether the crime happened in the last couple of hours or years ago. Alongside this we also provide the Forensic Support Line. That is an additional intensive sexual assault counselling and case management offering for people who have had their sexual assault cases impacted as identified in the inquiry into the management of forensic DNA in Queensland.

We do a suite of things that intersect strongly with the Victims' Commissioner work and the Sexual Violence Review Board work. All of those services are funded by the Department of Justice and Attorney-General. Outside of that, Rhea also oversees the specialist counsellors responsible for 1800RESPECT, the 24-hour national domestic and family violence, sexual assault and workplace sexual harassment helpline.

We also are across the other two major programs in Queensland which I am sure you are aware of. The statewide crisis response service for people impacted by domestic and family violence provides practical support and pathways for women and children escaping violence. This is perhaps our most

known service. In the 2022-23 financial year we provided over 8,000 nights of safe accommodation for people. At DVConnect we also work with men who either are using violence or are victims of domestic and family violence. With an increase of 38 per cent of new clients for us in our last year, we are seeing increased demand as men who are using violence are reaching out for help as well as men who have experienced violence in their interpersonal relationships or families.

Today we bring not only our professional expertise and research in these areas but also the voices of thousands of people whom we work with every day in Queensland. These people are diverse: over 77 per cent of the people whom we work with in Queensland are from regional Queensland, over eight per cent of our callers to VictimConnect identified as having a disability, and six per cent were Aboriginal and Torres Strait Islander people. When we speak, we speak for a real diverse cohort.

Looking specifically at the bill today, we are very excited to see this tabled. We have been calling for a Victims' Commissioner for quite a long time. Since it was suggested in the Women's Safety and Justice Taskforce report, we have been keen to see the Sexual Violence Review Board also stood up as part of this. While these things being tabled are critical to ensure victim-survivors experience a better criminal justice system, there are a few critical elements that we really would like to see addressed.

First and most significant, and as the Hon. Leanne Linard outlined in her introduction to this bill, the Victims' Commissioner will have specific regard to vulnerable cohorts—that being people who have experienced domestic, family or sexual violence and Aboriginal and Torres Strait Islander victims of crime. As an organisation that runs multiple services that work with people impacted by many types of violent crime, we know that providing a tailored and dedicated response to specific cohorts requires dedicated resourcing. Due to these vulnerabilities and barriers that these cohorts experience, these populations are often silenced and do not have access to the resources to make sure their rights are met. Therefore, we think it is critical that a deputy commissioner or similar role is also stood up as part of the Victims' Commission, as outlined in recommendation 18 of the Women's Safety and Justice Taskforce report 2, with a clear focus on victims of domestic, family and sexual violence and First Nations victim-survivors. This is fundamental, and we note that it has been called for in a number of submissions to this bill.

Second, we see that the Sexual Violence Review Board addresses individual matters as well as systemic issues. This is for many reasons, not least the justice that should be given to victim-survivors of sexual violence to have their matters managed appropriately but also because systemic issues are often not understood without exploring individual matters. The Women's Safety and Justice Taskforce report, the A Call for Change report and many others would not have been required if each individual case of complaint by a victim-survivor was properly examined and responded to. This investment in considering individual responses will ensure greater effectiveness of the board and its remit.

Third, to ensure diversity of the voice on the Sexual Violence Review Board, we called for a fifth NGO member in our submission—that being someone who has experience in providing support to a specialist Aboriginal and Torres Strait Islander agency. However, after reading some of the other submissions, we now see that a sixth representative should also be considered—that being one who has experience in working with people who have a disability. These two cohorts are both noted in many repeated studies, evaluations and inquiries as being significantly over-represented in experiencing sexual violence and experiencing systemic barriers in seeking help and justice. We see it as appropriate to have more NGO representation on the board than the government and that diversity of this core of the system will ensure that government responses fit the community need.

One of the reasons we think this is so important is that every day we make decisions that have long-term and significant impacts when we do not have the right lens. An example is Parliament House in Canberra. Parliament House has wide hallways and a number of accessibility options but it has very thick carpet. That thick carpet makes it very difficult to have access if you have mobility issues. If a person with the right lens and dedicated focus had been on the designing committee, we would not have had thick carpet. We would have had another flooring. That would have meant that accessibility would have improved exponentially with minimal or almost no impact to anybody else. No-one walks into a room and says, 'I wish we had thick flooring here.' We think to have some people around the table at decision-making times bringing those lenses can really have exponential positive impacts on the systemic barriers that these cohorts experience at this point.

Beyond this, we ask for a stronger focus on domestic and family violence and trauma informed skills and awareness. We ask that it is legislated that civil domestic violence checks are run at employment and annually for all employees of the Victims' Commissioner and the Victims' Commissioner themselves, alongside criminal history checks. People who use domestic and family violence are in all communities, including roles such as working for a commission. We know that people who use domestic and family violence use systems to get information and maintain power and control.

We have seen people using domestic and family violence who work for the government, who work in policing, who work at high levels of corporations. Given the range and scope of information that these collective roles will be able to have access to, which does enable them to do their job effectively, it will be critical that this information is only accessed for the purposes intended. Therefore, we think that full oversight of a person's domestic violence history and current history will be critical to ensure that victim-survivors are protected.

Finally, given the prevalence and pervasiveness of domestic and family violence and the importance of providing trauma informed culturally appropriate responses, we think all Victims' Commissioner personnel including the Victims' Commissioner themselves should undergo annual comprehensive domestic and family violence training and cultural safety training and that this is legislated. Why do we think this needs to be included in legislation? Because then it has to happen. Without an external audit process for government agencies such as these, there is no other mechanism to ensure that such professional development occurs.

Finally, our submission suggests some broader requirements in the annual reporting cycle of the commission. Without authority to enforce a lot of action, information is the most powerful tool the commissioner has. Therefore, it has to be used to a maximum, and making it publicly available and reported on will be important in that. Thank you.

Mr BOOTHMAN: You have pretty much answered most of my questions. I was going through your conclusion and looking at the issues you have highlighted. I asked a previous group a question about a review process put into the legislation itself. What are your thoughts on that? Should there be a legislative review process in the legislation to see how the legislation is working and find potential changes that need to be done in the future?

Ms Royes: We did put in our submission that we do think a review will be required. One of the struggles we see is that, when we implement a new system to respond to an issue, we do not fully understand the impacts of that. We consider a review at five years would be appropriate.

Ms BUSH: Thank you for your submission, both written and in person. I think you have done a great job of covering off at short notice all of those topics. You have raised some great thoughts and observations in your response. There are a couple I want to talk about. You mentioned the expanded victims' charter and how that might impact on resourcing. Is that because of the expanded definitions of 'victim' and 'harm' under section 6? Is that what you mean? It looks like it is expanding in some ways 'property'. Is that what you are getting at? Can you talk a bit about that?

Ms Royes: Yes. That is one of our concerns. You have a right to access support and help if you experience any type of crime. One of our worries is resourcing and time being dedicated to more vulnerable cohorts and the intent behind some of the real drivers, the people who have been the real voice to stand up a Victims' Commissioner, and they have been people in the domestic and family violence and sexual violence realms. Therefore, with the expansion of what the commissioner can address, we are concerned about it diluting the powerfulness for those particular cohorts. I think this has been a really tenuous debate, because we do see people have very real outcomes—negative impacts—from property crime, arson et cetera. As to the inclusion of those in our current resourcing, we already struggle to see the people that fit under the current victims of crime charter, and that is statewide. We are the main provider of counselling and case management support to those cohorts. We already know that financial assistance applications take too long to be processed, so unless we acknowledge that we will need to add more resourcing to address that and we are just going to spread the service too thin to provide support to a much broader cohort of people. We do have concerns. One of the ways to address that would be by having a deputy commissioner who has a dedicated focus to ensure that is not lost.

Ms BUSH: It is clause 6 and then at proposed subsection (7) around expanding it to include 'the person's property is taken, destroyed or damaged' as the major change there, or 'suffers financial or economic loss'. Our committee has made recommendations to expand it, but that is not lost on me that then you are eroding some of the resources which are finite. So you are talking about putting a deputy commissioner in, which is the Women's Safety and Justice Taskforce recommendation, to make sure it has that laser-like focus on it?

Ms Royes: Yes. Trauma is not comparative.

Ms BUSH: I understand.

Ms Royes: The support that you need when you experience crime is not a comparative competition; however, the vulnerabilities and barriers you have when you experience some types of crime because of the way they impact on you and the way the community considers them are more

challenging and therefore do need a laser-like focus, like you said, on them. We see the role of the deputy commissioner providing that and having the other elements of the training and the expanded Sexual Violence Review Board members can help to ensure we have that loud voice and resourcing to focus on those types of crimes.

Ms BUSH: You have also commented on the information-sharing regime. LawRight, which gave evidence earlier, gave some good evidence around making sure we are locking down those entities around the systemic abuse of DV and pulling information out. That is similar to your submission; is that correct?

Ms Royes: That is correct. Information is really power in this case, and the commissioner cannot do his or her work unless he has access to information and that that information is easily accessed and examined, but that does pose a huge threat to people who may be experiencing domestic and family violence and/or any type of interpersonal violence from a person who may be working with the commission or who may influence the commissioner as the broader agency. Therefore, it is really important that we have some oversight of those people to help ensure it is not misused, because we know that it happens easily.

Ms BUSH: It would help us as a committee to understand that, as part of your service provision, you obviously need to be transparent and up-front with your clients around where the information they give you could end up.

Ms Royes: Yes.

Ms BUSH: The concern may be that you would need to share with them that your information may end up being requested by these entities?

Ms Royes: This actually is an ongoing issue for us. Even as we very much called for better information-sharing legislation that has been in place for several years, the challenge, particularly in our work, when we are working with people who use domestic and family violence services is that they need to connect with the system, they need to connect with us and we need to be able to have open and transparent conversations to help them stop using violence. Women will not stop dying until people stop killing them. People are not going to stop killing them until they address their use of violence and abuse. That will not happen without services and support. Therefore, they need to connect with the system around services and support.

When we tell them about the information sharing, it can be a limiter; however, the benefits of this are too important for that alone to be a reason why we do not. It just needs to be really well managed because, if we end up with a *Courier-Mail* front-page situation, people will turn away from the supports they are using. People will find safer ways to manage their own information and that will be by not engaging with services and systems at all, and we know that that will not be effective or safe in the long run. Therefore, if we are going to have really broad information sharing or information access for the Victims' Commissioner, which we do see, it is a bit legal. We are not legal experts. Getting into some of that nitty-gritty of what is quite appropriate and what is not quite appropriate does go a bit outside of our scope, but the guts of it is that we know that he or she needs to have the access to that information to make good decisions. We need to be really cautious with how that information is managed, what happens after they have assessed it, how long it is kept for and who within that agency has access to it.

Ms BUSH: Part of supporting you is, from what I am hearing, making sure in this bill we give sufficient reasons to refuse handing over information for service providers and then some kind of protections for the Victims' Commissioner and the sexual assault review board to make sure they are not compelled to give over information—private and personal information—through a court order for a DV order or parenting order or custody or property matter?

Ms Royes: Yes, absolutely.

Ms BUSH: Thank you for your submission. It is really good.

Mr BOOTHMAN: A previous submitter from Multicultural Australia emphasised the stigma around sexual violence in the family place or in their community, and obviously for certain multicultural groups it can be very difficult to get this information out there. Have you any suggestions of what could be done on government levels or through advertising to break that stigma, to break that ice? Obviously you are at the coalface on the issue, so I am curious to hear from you.

Ms Royes: Information and community conversation are really important. We find that, when the community feels enabled to have a conversation around something, things change. It would be the use of social media, it would be the use of targeted promotion and looking at local networks—really doing place-based localised responses is most effective when talking about these issues, because you

do have to use language and framing that makes it appropriate for the community that you are talking to. I think that that would be a critical part of the Victims' Commissioner's work in making people aware of their roles. In services like ours, we try to do some targeted communications to distinct cohorts to help the conversation.

Mr BOOTHMAN: In Australia we are becoming more and more a multicultural nation and there are more ethnic groups coming here. I was out in the electorate of Inala recently. I live down the Gold Coast which hosts a very different demographic; there are lots of South Africans and New Zealanders et cetera. However, seeing different multicultural groups as you go through different areas, getting the information out there and into the different languages is obviously going to be very difficult. As part of any review period, would you deem that appropriate to see how effectively we are getting into these community groups? Would you want to see something like that as part of the review?

Ms Royes: I think it would be important to break up by demographics and location who is connecting, where the complaints are coming from, if there is an education component and you are collecting outcomes around that to make sure we are appropriately targeting people who are impacted by violent crime and that they are aware. One of our major concerns is even though people with a disability and First Nations people are massively represented cohorts in sexual violence they are significantly under-reported, and some of that under-reporting is due to the fact that the system does not respond well to their needs but also that the information and resources we have out there are not fit for purpose. People do not connect with services and systems that do not work for them. I do think demographic data and I do think information. We know that these populations experience increased levels of violence, so therefore we should be seeing disproportionate amounts of them having contact with the Victims' Commissioner. We cannot say Queensland has a three per cent Aboriginal and Torres Strait Islander population and think that that will correlate to the number of victims that might connect with the commissioner. We would want to see more because we know the experience of violence is greater in some of those communities because of all of the systemic barriers that they experience. Yes, I think that it would be important to truly understand the reach and the remit of the Victims' Commissioner.

Mr ANDREW: It is great to hear that. Those are very true words. It is a hard one to nail down, and all these different groups are affected disproportionately. I hope they can get it out there because that is so important. Thank you.

Ms BUSH: LawRight raised the issue of language and preferred to see the term 'victim-survivor' being used throughout the legislation rather than 'victim'. What are your views on that?

Ms Royes: It is really important in the way that we as a community talk about the term 'victim-survivor'. That is really important. In our experience, victim-survivors generally are not reviewing legislation and they generally are not getting into the way that we use terminologies and lots of government papers, so we do not see that as being a major issue but would support it if it was.

Ms BUSH: Understood.

Mr ANDREW: This is a long shot and I do not expect you to know this answer, but LawRight said—and I did not get to ask them a question—that there was a disparity between the Queensland legislation and the South Australian legislation. Are you aware of any of that?

Ms Royes: I am but probably not enough to speak to it.

Mr ANDREW: Okay.

Ms BUSH: In your submission, you talked about quarantining some of the committee or the council appointments to NGOs. Can you talk a little bit about that? I think the way it is drafted it is up to the minister to make the appointment of up to six council members, and they obviously have to have the requisite skills and experience. I think what you were getting at was making sure that NGOs have representation?

Ms Royes: Yes. We did ask for an increased diversity in the type of NGO representation and numbers, and we think that that will provide a more appropriate consideration of voices in the review than equal membership of government and non-government agencies.

Ms BUSH: Are you satisfied with the provisions around ensuring we have First Nations representation and that of the culturally and linguistically diverse, referencing that trying to expand and capture that diversity of Queensland matters?

Ms Royes: Yes. We gave major consideration to the challenges of hosting a board and numbers on it and then the representation of that. We did call for someone who is experienced in working with Aboriginal and Torres Strait Islander people as well as one of the other members being Aboriginal or a

Torres Strait Islander. That is because of the importance of addressing that lens and that cohort because of the violence that they have experienced through systems and barriers and therefore making sure that that is really important to the Sexual Violence Review Board's work.

Ms BUSH: I think it is about confidence as well for the sector in having that representation so that they can brief up and know that contextually what they are sharing is understood. Is that right?

Ms Royes: Yes. It is really hard to be the only voice in the room and to have the onus of, 'I am the only voice in the room,' because it is important to have that amount of diversity. Queensland is a very large state and we are really the only state that, when it comes to working with our First Nations people, balances the two population groups of Torres Strait Islander and Aboriginal people, and that is so important to our context and how we work. Therefore, we have to have some more space for that diversity on the Sexual Violence Review Board—having the ability to have someone who has worked in a First Nations agency as well as a First Nations person. They both may be First Nations or one person who works for the First Nations agency may not be, but at least they are bringing that lens alongside another First Nations person.

Ms BUSH: Thank you for your submission once again. It is really good.

CHAIR: Thank you for your attendance today. Thank you for your written submission. Keep up the good work.

Ms Royes: Thank you.

CHAIR: We will now break for 15 minutes and resume at 10.45 am.

Proceedings suspended from **10.30 am to 10.46 am.**

CHAIR: We will now resume the committee's inquiry into the Victims' Commissioner and Sexual Violence Review Board Bill 2024. For the benefit of those who were not here prior to the break, my name is Peter Russo. I am the member for Toohey and chair of the committee. With me here today are: Mark Boothman, the member for Theodore and deputy chair; Steve Andrew, the member for Mirani; Jonty Bush, the member for Cooper; Jason Hunt, the member for Caloundra; and Jon Krause, the member for Scenic Rim.

The hearing is a proceeding of the Queensland parliament and is subject to the parliament's standing rules and orders. These proceedings are being recorded and broadcast live on the parliament's website. Media may be present and are subject to the committee's media rules and my direction at all times. You may be filmed or photographed during the proceedings and images may also appear on the parliament's website or social media pages. I ask you to turn your mobile phones either off or to silent mode.

CHESTERMAN, Dr John, Public Advocate, Office of the Public Advocate

MATSUYAMA, Mr Yuu, Senior Legal Officer, Office of the Public Advocate

CHAIR: I now welcome representatives from the Office of the Public Advocate. Would you like to make a five-minute opening statement?

Dr Chesterman: Thank you for the opportunity to be here. I acknowledge that we are on the traditional lands of the Turrbal and Yagara peoples and I pay my respects to elders past, present and emerging.

As members of the committee know, as the Public Advocate for Queensland I undertake systemic advocacy to promote and protect the rights and interests of Queensland adults with impaired decision-making ability. There are several conditions that may affect a person's decision-making ability. These include intellectual disability, acquired brain injury, mental illness, neurological disorders such as dementia and alcohol and drug misuse. As members would know from my submission, my contribution to today's discussion is on a relatively narrow issue. We know that the establishment of the roles of the Victims' Commissioner and the Sexual Violence Review Board were recommended by the Women's Safety and Justice Taskforce. I fully support both developments. Both the commissioner and the board will have systemic review functions. It will be of no surprise to hear that I appreciate the positive changes that such roles can make.

While noting that the bill requires the commissioner, in their work, to have regard to victims who have characteristics that make them particularly vulnerable to harm, including victims with disability, I do have a suggestion regarding the composition of the board. We know that people with disability and especially women with disability are over-represented as victims of crime. A final report from the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability affirmed that this is the case. My suggestion is that the bill should require that the board include a member of the community with lived experience of disability who could ensure that specific issues for victims of crime with disability are raised and discussed. Having increased representation of people with disability would be a positive step in addressing the difficulties faced by victims with disability in the criminal justice system.

Thank you again for the opportunity to comment on the Victims' Commissioner and Sexual Violence Review Board Bill. I welcome committee members' questions and observations.

Mr BOOTHMAN: I refer to your statement about having a person with disability on the board. Can you talk about the positive changes that would bring in terms of the board making inroads into understanding the impacts of these types of crimes on people with disabilities and how that can be brought out into the community so that there is a wider understanding?

Dr Chesterman: That is a good question. A lot hangs on the person who would be appointed and who would have significant responsibility for representing the views of people with disability. It would have, firstly, a standard setting impact in that people with disability would see that someone like them is represented on the board. Also, possibly through their own experiences, that person would be able to speak with other board members to bring them along on the journey and perhaps to see what it was like from that person's perspective so that it could have an iterative flow-on effect for other members of the board.

Mr ANDREW: I want to thank you for that. There certainly has to be representation for the disabled community in Queensland. Is there anything you would like to add so the committee can understand a little more? Is there something else in the bill that should be changed?

Dr Chesterman: On my reading, no, there is nothing else that I would particularly suggest. I know that it is always difficult, even when you have a proposition like mine, because you have to factor in other requirements for who would be members of the board and the particular areas of expertise that they would have. You do not want to hamstring things too much. I do think that change would be a significant one for people with disability who we know are vastly over-represented as victims of crime, particularly women with disability. Other than that, no. I fully support the development in the bill.

Ms BUSH: John, your submission really is around one aspect so all the questions that we ask of you are probably going to be a bit repetitive. While we have your esteemed minds here, it is a good chance to unpack that. Essentially, for the Sexual Violence Review Board, you would like a council position quarantined for someone with a lived experience. If that could not be satisfied, would it be sufficient to have a representative who could speak to that experience as they have extensive experience in working with sexual assault survivors with a disability? Would that be a second tier to that that you would consider?

Dr Chesterman: Yes, I think that is a potential way of dealing with this suggestion. One of the problems you always have when you are seeking representation of a person with disability will be that people with significant cognitive disability will tend not to be seen in that frame because they would need significant support to be able to participate. That does create a bit of a danger that the views of people with that experience may not be represented. You do want someone who can fairly represent the views of people with disability, including people with cognitive disability. There would be a way of providing some words around someone being able to speak to that through their experience. I am open to that.

Ms BUSH: I know you have contributed significantly to other inquiries and the Women's Safety and Justice Taskforce. I acknowledge this is very repetitive for you. I think it is important for the committee to be aware that, when we are talking about disability, there is a whole spectrum of presentations in that, including people with a physical disability and people with intellectual capacity issues. The sexual assault experience of those people can be quite different and complex and tricky to navigate for service providers. Can you talk to any of that?

Dr Chesterman: Yes, very much so. Earlier in my opening remarks, I referenced the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability. In their final report, they identify that rates of violence against people with disability are particularly high for women with psychological or intellectual disability. That was one of the groups, along with First Nations women with disability and also young women with disability. That is one of their cohort groups. You are right: the issues faced by women with significant cognitive disability who are victims of sexual violence are often much more complex in terms of providing support to them and also in terms of their experiences being the subject of follow-up actions including prosecutions, which we know happen at a far lower rate. Yes, you are right: those experiences are very important. I would not want my comments about needing to include the views of people with disability to forget that we are talking about the broad spectrum of disability, as you suggest, and not just people with physical disabilities.

CHAIR: Jon, do you have a question?

Mr KRAUSE: Not today but thank you, Dr Chesterman.

Mr BOOTHMAN: Following on from what the member for Cooper was saying, obviously it is a very complex issue. As you alluded to before, we are a multicultural society. There was much discussion with the representative from the multicultural community who appeared earlier. It would be harder to get information to people with disability in different cultural groups because obviously there are more road blocks with languages et cetera. How would you envisage breaking into those areas, especially to people with disability?

Dr Chesterman: I think there is a challenge to reach out in various ways. We do have some excellent organisations for people with disability. I am particularly thinking of the Queenslanders With Disability Network. There are ways. They have a broad reach throughout the state and incorporate the views very much of people with cognitive disability. I would be imagining that the role of the commissioner and the board would be to reach out to those communities using some of the available expertise that already exists and the available networks that already exist because they are quite extensive. In a relatively short space of time, they can find that the information about the board and the commissioner's role would filter through to those communities.

CHAIR: Steve?

Mr ANDREW: Not at this stage, thank you.

Mr HUNT: Dr Chesterman, at the outset you spoke very enthusiastically about the forthcoming changes. Are you able to talk me through the situation, say, 18 months ago and why you were so enthusiastic about the changes in your opening remarks?

Dr Chesterman: My hearing is impaired. I will ask Yuu Matsuyama to repeat the question.

Mr Matsuyama: Was the question regarding the difference between the previous version of the bill and the current version?

Mr HUNT: It seems that everyone is quite enthusiastic about the changes. I am wondering if you could talk us through the status quo of, say, 12 to 18 months ago and the changes foreshadowed in the bill.

Dr Chesterman: Certainly. Prior to the development of the bill—and this is partly why the disability royal commission was established—we know that there was significant under-reporting of crime, and I am particularly in my role thinking about people with disability, and even when reporting occurred there was a significant lack of action in relation to those reports, so the views and experiences of victims were very much marginalised, and the case has been strongly made in the last 18 months and a bit further back for us needing to focus on the wellbeing of victims. As people would know, there are developments happening throughout Australia on this topic at the moment. We know that for victims, particularly in the area of sexual violence, the rates of reporting are relatively low and the satisfaction for those who report is relatively low, so we need to do a lot of work to ensure that the rights of victims are promoted and upheld. That is why I think this is such a significant development and I have very little in the way of critique of the current bill and the propositions around the establishment of the commissioner's role and the board. I think they are very positive ones, particularly in my role for adults with cognitive disability.

Ms BUSH: I will not say that my question is hypothetical because it is not, but this bill proposes that the Victims' Commissioner has a systemic oversight role. You share a systemic oversight role. What opportunities do you see coming up for both agencies to mutually advance the rights and interests of victims who do have a disability in a systemic way?

Dr Chesterman: Yes, I do. In fact, my office is currently just in the process of undertaking a project on adults with cognitive disability in the criminal justice system and we are looking at four key elements—policing, what happens in court, detention and then victims/witnesses. Particularly in that fourth area, there is an enormous possibility for collaboration and discussions between both offices. I see that not as an overlapping function but as a very positive collaboration possibility that exists. Indeed, one of the challenges whenever you are undertaking systemic advocacy is that there are other agencies involved in systemic advocacy and so you want to make sure that you are concentrating on things that you can affect and that are well within your legislative remit, so here I would be taking great care not to overlap but indeed to work with the Victims' Commissioner in that area.

Ms BUSH: That is a great point actually. In the drafting of this bill it sounds—and I will infer—that you do not have concerns with any conflicting provisions here with what you do. You see it all as being quite complementary work, as the bill is drafted?

Dr Chesterman: Yes, very much I do see that as complementary. I think it is very important to have in legislation the systemic review function and that is there. Then a lot has to be worked out in terms of how the offices operate, but there is scope for that and no reason to be concerned about that.

Ms BUSH: With regard to the really important work that you are doing on experiences in the justice sector, when will that be available or publicly available?

Dr Chesterman: The first discussion paper will be a policing paper which I am proposing to make public at the end of next month—so at the end of April—and then we will release probably three more discussion papers followed ultimately by a reform recommendations report.

Ms BUSH: Do you know when you will have the full report with recommendations?

Dr Chesterman: I would be thinking, subject to some contingencies, next calendar year.

Ms BUSH: I look forward to it. Thanks for all of the work that you are doing. It is fantastic.

Dr Chesterman: Thank you.

CHAIR: I am conscious that we are getting to the end of this part of the hearing, but I just want to open it up. Do any committee members have questions for the Office of the Public Advocate?

Mr BOOTHMAN: I have one quick one. A previous submitter, DVConnect, highlighted a concern to do with the access of information and the procedures in the bill, stating that they are lacking. Given that you represent some of the most vulnerable people in our society, do you share the concerns with what DVConnect is stating in that it can potentially have adverse consequences for the victims?

Dr Chesterman: Yes. Sorry, but I was not here for the previous presentation so I am not sure what their particular concerns were. I am happy to take that on notice though and consider it and we will come back with a response.

Mr BOOTHMAN: Thank you.

CHAIR: Do any other committee members have questions for the Public Advocate? I missed what the question on notice was, sorry.

Mr BOOTHMAN: DVConnect made a comment about the information procedures in the bill, stating that it could have adverse consequences.

Dr Chesterman: Adverse consequences on a—

Mr BOOTHMAN: On a person with a disability. I want to know your perspective as someone who represents people with disabilities and your thoughts on that.

Dr Chesterman: Sure.

CHAIR: Thank you for your attendance today and thank you for your written submission. In relation to the question on notice that the deputy chair just outlined, are you able to provide your response by close of business on Tuesday, 2 April so that it can be included in our deliberations?

Dr Chesterman: Certainly. We will get it done this week.

CHAIR: Thank you once again.

Dr Chesterman: Thank you for having us.

EDWARDS, Ms Anne, Executive Director of Operations, Queensland Family and Child Commission

LEWIS, Ms Natalie, Commissioner, Queensland Family and Child Commission

TWYFORD, Mr Luke, Principal Commissioner, Queensland Family and Child Commission

CHAIR: I now welcome representatives from the Queensland Family and Child Commission. I invite you to make an opening statement.

Mr Twyford: I acknowledge that we are meeting on the lands of the Yagara and Turrbal people and pay my respects to their elders past, present and emerging. The QFCC has made multiple submissions and been involved in the development of this. With me here today is Commissioner Natalie Lewis and Anne Edwards, Executive Director of Operations, who has represented us on the reference committee and she will give our opening statement.

Ms Edwards: I wish to acknowledge that we are meeting on the lands of the Yagara and Turrbal people and pay my respects to elders past and present. We know that children and young people are over-represented as victims of crime. The prevalence of victimisation peaks during the teenage years and declines with age. Almost a third of all reported personal crime victimisations in Queensland over a recent 10-year period were experienced by young people aged zero to 19 years, with the largest proportion of victimisation for any age group being for those 15 to 19 years. Crime statistics also showed that crime victimisation in children is higher for Aboriginal and Torres Strait Islander young people and for young women and this is an underestimate, so these are only those incidents that have been reported to police.

Another thing that we know is that child victims of crime often end up in the youth justice and out-of-home care systems. For example, we know that over 50 per cent of young people in detention in the youth justice system have lived with domestic and family violence. I am going to quote from the Australian Child Maltreatment Study published last year which sought to document how many Australians have experienced child maltreatment and to measure the impacts of this on key health outcomes in life. It states—

Child maltreatment is endemic in Australia.

Forty per cent of the 8½ thousand Australians involved in the study had been exposed to domestic and family violence as a child and 28.5 per cent had experienced sexual abuse. That was more than one in three girls and almost one in seven boys. The study went on to track the implications for health, documenting that child maltreatment is associated with severe mental health problems and behavioural harms both in childhood and in adulthood.

We support the Victims' Commissioner and Sexual Violence Review Board Bill. This is a really important addition to the government landscape that will enable a focus on the system response rather than the fragmented portfolio-based approach to delivering support and services to victims of crime to prevent the mental health and behavioural impacts we have documented here.

Mr BOOTHMAN: I note that you are quite supportive of the bill itself as a whole. Is there anything that you would like to see added to the bill such as review periods? What would you like to see added?

Ms Lewis: Firstly, I am supportive of the recommendation that was made by the Queensland Indigenous Family Violence Legal Service around the ability for complaints to be made orally as well as in writing, and I think that that is an important consideration; around enhancements to the Charter of Victims' Rights by recognising that the prescribed person's need to be able to engage with people from diverse backgrounds; and more specifically and more consistently a lot of the work that the QFCC has put forward is ensuring that it has the capacity to recognise children as victims in their own right and be able to respond to children and their experiences. That is sometimes a very different skills set to the engagement with adults and I think that that should be accommodated where children often do not have somebody to advocate on their behalf. We need to make sure that their entitlements to access complaints processes is facilitated by the establishment of the commission.

Mr BOOTHMAN: How would that actually be done when it comes to children? You talk about capacity, so can you explain what you feel the process would be?

Ms Lewis: Children are rights holders. Children have evolving capabilities, so I think that it is important to recognise that where an injustice has occurred where there have been victims of crime they should be able to be supported to access the same processes of justice and complaint that adults have. If we look at a number of the different processes that exist I think there have been able to be

modifications in complaints processes to make sure that children are seen and responded to in a way that is age appropriate, but I think that it is important to recognise that not all children will have an advocate that will step forward and engage in those processes on their behalf, so we have to make sure that they are not rendered invisible. They are entitled to access those supports.

Ms BUSH: Thanks for your continued submissions to this committee on a range of issues, including this. We really do appreciate it. I will pick up on the member's question and go perhaps back to you, Nat. Just to put a fine point on what you are saying, children are rights holders and they experience the criminal justice system in a way that is unique, as all victim cohorts do. In terms of examples, what I am hearing you say is that it is not just about having child-friendly complaints mechanisms; it is about working with the sector to make sure that they have the capacity, resources and social licence to help proceed with complaints in the charter. If hypothetically a child does not have a parent willing and able to proceed or might be reluctant, is that kind of what we are talking about?

Ms Lewis: Yes.

Ms BUSH: Good. All right: I nailed it. Luke, you wanted to expand on that?

Mr Twyford: I can add to that. Included in the concept of the child as a primary victim in these situations is the need for the Victims' Commissioner's staff and anyone working in that sector to recognise and identify a family unit as an impacted unit. When a crime occurs from an individual to an individual that would be the primary victim, but their siblings, their partner and their children will all be impacted by the crime that has occurred. By extension, having safe and supportive mechanisms that understand that crime has impact on a household and it has impact on a family will strengthen our current system and the way that we see and respond to victims.

Ms BUSH: This bill does kind of capture some of that. It sounds like you are supportive of that, but there is work to be done with QPS and some of those first responders. There might be a home invasion with violence and dad has been assaulted as part of that, but then recognising those children have been exposed and they also need to be treated.

Mr Twyford: Absolutely. That is correct. Yes, I do see this bill provides the mechanisms and the operating environment for that to occur. What will be important is how it is operationalised and how other procedures and training and communications tools are rolled out.

Ms BUSH: Has QFCC engaged with the Interim Victims' Commissioner in some of this work already?

Ms Edwards: Yes, I have been the representative of the QFCC on Jon Rouse's reference panel, attending meetings as needed and just providing that voice and that avenue to information about victims who are children, particularly in the environment of the domestic and family violence situation where children have often been a very silent victim in terms of those situations. The impact of that on them throughout their lives is quite devastating and complex, as you know.

Ms BUSH: Some submitters have referenced that they would like to see the Victims' Commissioner have more of an independent nature than reporting through the minister. Do you have a similar arrangement? Is QFCC established in a similar statutory arrangement to this? Is that true or not and, if so, how does that function for you? You have always been very good at being a strong advocate.

Mr Twyford: Thank you for that. We have made submissions on our own legislation to government where we do talk to how our act of parliament can create independence. Again, a bit like my last answer, it is also about how we operationalise what our act says. Certainly, as both a commissioner who is appointed to act and give government and the community advice and provide independent oversight, that is an area. Also, as chair of the Child Death Review Board I wear a second hat, which again comes with independence but obviously the element of reporting to a minister on the work of the board. I can see great consistency across this bill and my bill with a few modernisations and a few different pieces of terminology around the roles. Having read this bill, I do not hold concerns that the Victims' Commissioner could not operate independently.

Ms BUSH: I have other questions, but I am happy to share it around and come back to me if there is time.

Mr KRAUSE: I just wanted to go back to your opening statement and the very sobering statement that child maltreatment is endemic in Australia. I think one of the statistics mentioned that 50 per cent of youths in the youth justice system had suffered from that or it was one of the factors that weighed very heavily on the outcome. Just to go one step further, I wanted to ask your views about this. If the legislation is set up correctly and, once established, the practices of the Victim's Commissioner can be put into place properly, could it be a way of perhaps preventing some of the

problems we have with youth justice at the moment? Given what you have said about children being victims of maltreatment themselves in some scenarios and the pathway that takes them to the youth justice system, does the Victim's Commissioner have a potential role in minimising that?

Ms Edwards: I would have to say that it would be one of the many complex factors that bring young people into the youth justice system, but I absolutely believe there is a place for the Victims' Commissioner to play in that space. If we are responding to victims of crime and child victims of crime well and providing the services and supports they really need, they can ameliorate, mitigate and prevent those longer term health issues and behavioural issues that could well be bringing kids into the youth justice system. I would say that is definitely something that could be an area of focus for the Victims' Commissioner.

Mr KRAUSE: I would imagine there are already many non-government organisations that play a role in that scenario. Do you have a view on whether the Victims' Commissioner would just be another pathway provider, or would it have some type of elevated role above that or other participants that are already there?

Mr Twyford: I think the opportunity the Victim's Commissioner provides us is to look systemically across those service providers, so I think—in your words—to rise above and take that aerial view of who is in the service system, who is doing good practice, who might need to change the way they are operating. Many of the current services, I would suggest, are providing a transactional response to the young person or the victim at a point in time probably intensified around the time of the court case. That is when we do see victims' support services concentrated. If we are to use the language of Anne, my colleague, and take the long-term view, for many victims the trauma of what has occurred, particularly childhood trauma, might not emerge until later in life. Ensuring there is a long-term and big-picture view of how we as a state are responding to victims is certainly something I would see the Victims' Commissioner providing to us that we currently do not have in Queensland.

Ms BUSH: I think my question was around the information request regime, which we have all touched on, and concerns that some submitters held—I do not think you did in your submission—around requiring prescribed organisations to provide information and how that might be used, particularly in DV matters, to then retraumatise and revictimise victims. I am just thinking about your work. I accept that you are systemic, but you have children who might be involved in custody matters. Do you have any thoughts on the current drafting of the information provision sections in the bill or are there any concerns you see in relation to that?

Mr Twyford: I do not have concerns with the way they are drafted. The concerns I have would be about their operationalisation and the safeguards and security put around the information once it is collected. To say that differently, as long as we are following correct privacy procedures and meeting our obligations around the security of information I would not hold concerns.

The role of the board and the role of the commissioner in providing systemic advocacy and advice to improve our system is similar to that of the Child Death Review Board and the QFCC. I have previously presented to committees and spoken about the balancing act between needing individual cases to form the view that there is a systemic issue with the paradox that maybe not always are you entitled or empowered to see those individual cases. I think this legislation addresses it more so than the QFCC's legislation—that ability to take and receive individual complaints from that cohort of complaints that have arisen, identify thematic and strategic issues that are regularly occurring or are occurring with significance, and then do systemic reviews and systemic recommendations from them.

I think there are many processes that can be put in place to ensure that the privacy and security of the information collected is dealt with with an integrity that does not give rise to those risks, but that comes down to the professionalism of the people appointed to the roles and the way they operate.

Ms BUSH: And how they interpret the act.

Mr Twyford: Absolutely.

Ms BUSH: I was going to ask you a question that is similar to the question I asked OPA. You share those systemic oversight functions. Do you see opportunities for your role with the Victims' Commissioner in the near future?

Ms Lewis: I certainly think it is complementary. There are a number of different statutory bodies that we work very closely with. To date we have been able to avoid duplication and focus more on how we enhance outcomes for children and young people by being more cooperative. If I can just address your previous question: the important thing is that, if we are recognising children as victims in their own right, then the concept or principle of best interest has to be paramount in considerations around information sharing, which is not incompatible with other pieces of existing legislation. I think that

provides good guidance as a principle. It would be good to see this legislation operationalised in a way that gives proper regard to the concept of the best interests for children when they are in fact victims of crime.

Ms BUSH: To that point, what I am hearing is that there is nothing in the drafting in the bill that you would want tightened or altered. It is really now up to the commissioner and the commissioner's office to take onboard this feedback and the views and policy intent and to set that up.

Ms Lewis: Yes, absolutely.

Mr Twyford: If I could build on the concept of collaboration we are talking about, certainly there will be overlap with the Queensland Family and Child Commission but also, I would say, the Office of the Public Guardian, the Public Advocate, whom you just interviewed, the Human Rights Commission and the Ombudsman. There will be a number of statutory authorities, statutory bodies and commissioners that will all interplay in this area. It is a good and proper thing that each of us, with our specific focus and our specific legislative mandate, seek to progress improvements to the systems that are touching on the rights and services delivered to Queenslanders. It is not always possible to say that that issue purely fits in that topic area and that issue purely fits in that topic area, so the sense that all of us are working towards system improvements and sharing strategic information around our work with each other and presenting that to Queensland parliament and the minister is a strengthening of the system. To have a clear voice that is central and accountable for victims gives both Commissioner Lewis and I someone to directly liaise with when we find strategic issues in our own work.

Ms BUSH: I am very much looking forward to that.

CHAIR: Member for Mirani, do you have any questions?

Mr ANDREW: No thanks, Chair.

Mr HUNT: Thank you very much for your submission. As it currently sits, the Interim Victims' Commissioner is a reasonably new role. Are you able to outline how either the role or the office interfaces with victims who are children? I imagine that is not easy.

Mr Twyford: Do I understand the question to be: how is the Interim Victims' Commissioner liaising with children?

Mr HUNT: Yes, or the office thereof.

Mr Twyford: I cannot answer that question. It would be best directed, I would suggest, to the Interim Victims' Commissioner. What I can say is that the QFCC has led youth engagement sessions, has used our Youth Advocate network and other young people with lived experience to make written submissions and do presentations to, in particular, the Women's Safety and Justice Taskforce. That network is available to the Victim's Commissioner now and into the future to have direct access and seek policy input from young people across Queensland. The executive that heads that up Youth Advocate network is Ms Anne Edwards, who is here today. She has been on the reference panel with Commissioner Rouse around how we establish the correct methodologies and procedures.

Ms Lewis: There was an example—I know it is a completely different bill—around the establishment of the independent inspectorate. There was a recognition of the distinction between adults and children. There was a requirement for the establishment to have people who are suitably qualified or experienced in working with children and understanding the differences. I think that can be achieved in the implementation.

I wanted to raise one other issue about representation with regard to the board. While it does recognise the importance—because of the disproportionate representation of First Nations women as victims—of having a minimum of one person who must be an Aboriginal or Torres Strait Islander person, given the disproportionality in the representation, I would like to see that move beyond a minimum. In recognition of the two distinct cultures of Aboriginal and Torres Strait Islander people, separating that representation is probably an important consideration as well.

CHAIR: Thank you for your written submission and for your attendance today. That brings to a close this part of the hearing.

LYNCH, Ms Angela, Executive Officer, Queensland Sexual Assault Network (via videoconference)

CHAIR: I now welcome the representative from the Queensland Sexual Assault Network who joins us today via videoconference. Good morning and thank you for joining us. We invite you to make a brief opening statement, after which the committee will ask you some questions.

Ms Lynch: I would also like to acknowledge the Yagara and Turrbal people and extend my respect to any Aboriginal and Torres Strait Islander people who are listening today. I also extend my deep respect to elders past, present and emerging.

The Queensland Sexual Assault Network is the peak body for sexual violence prevention and support organisations in Queensland. We have 23 member services. This includes specialist services for Aboriginal and Torres Strait Islander women, culturally and linguistically diverse women, women with intellectual disability, young women, men and children. Our membership is located throughout Queensland, including in rural and regional locations. Our network of non-government services is funded to provide specialist sexual violence counselling, support and prevention in Queensland. We are committed to working with government to ensure the voices of sexual violence victim-survivors are heard in these processes.

Initially, the time for consultation for this bill was wholly inadequate. Many community agencies would not be able to meet the time frame of five business days. We, in fact, struggled ourselves with a part-time secretariat. We were obviously able to get there, but we want to record our concerns in relation to not hearing from other agencies that may well have wanted to make a submission.

QSAN supports a Victims' Commissioner, but wants the legislation to appropriately reflect the Women's Safety and Justice Taskforce recommendation. Our opinion at the moment is that that is not the case. The recommendation was to establish a Victims' Commissioner as an independent statutory office to promote and protect the needs of victims of all violent offences. The recommendations were to exercise the rights of victims upon their request and with consent, including in relation to interactions with government departments in a similar model to the South Australian model, and that the commissioner would have a specific and dedicated focus on victims of domestic violence and sexual violence and First Nations' victim-survivors. All of those issues have not been incorporated into this legislation.

In relation to the independence, the legislation is at odds with this. Section 13 states it is not a statutory body for particular acts and section 8 states that the Victims' Commissioner represents the state. We support an independent commissioner because this provides a truly independent voice for advocacy for victim-survivors of sexual violence in Queensland and it is a critical role vis-a-vis the state. We know that victim-survivors have a range of issues in relation to the criminal justice systems and their interactions with state agencies. It has a critical role to ensure the system has accountability and oversight. To be able to truly speak up for victims' rights, it needs to be as independent as possible.

We support those issues about being able to stand in for victims in certain circumstances, which seems to be what the South Australian model is. We believe the definition of 'victim of crime' is too broad. It should be limited to victims of violence, which again is consistent with the Women's Safety and Justice Taskforce recommendation. Resources are limited. The issue of sexual violence is huge, and the criminal justice system's response to issues of sexual violence is, all in all, probably poor. Only eight per cent of victims of sexual violence report. This is the 20th year in Queensland of increased reporting rates. The prevalence rates are probably increasing, impacting women across their lifetime. Sexual abuse in childhood has devastating consequences and can cause cumulative harm into adulthood. We, because of resourcing issues, would be asking for the Victims' Commissioner to be limited to victims of violence.

We raised the issue of the misidentification of victims and also the need for the legislation to specifically state that you can be a victim of crime and therefore, open to assistance from the victims' commissioner even though you have not made a report to police because, as we have just stated, only eight per cent of victims of sexual violence because of all of those systematic issues do not report to the police. So we do not want this Victims' Commissioner to only be responding to victims of sexual violence who have reported to police—that would not be fair and appropriate.

Again, in relation to the Sexual Violence Review Board, we want it to reflect the Women's Safety and Justice Taskforce recommendation to undertake both individual and systematic reviews. The legislation has been limited to systematic reviews, so we are asking that it reflect what that taskforce recommended. That is a summary of our position and I am happy to take questions.

Mr BOOTHMAN: Thank you for your very thorough submission to the committee. I note the concern in your submission that the Victims' Commissioner is not actually independent under section 8 of the bill and that you feel that the commissioner is represented by the state because they have been appointed by the state. Can you elaborate on those fears and why they are mentioned in your submission?

Ms Lynch: It creates a conflict of interest. If they are a public servant, they are not truly independent and it can create a conflict for them. If you are a public servant who is responsible to the government and you are also then required to be an independent voice for victims, it can create a personal conflict. Unless there are those protections of an independent statutory body to sit around that person, it is questionable whether they can actually be truly independent. We want an independent voice. We want a voice that can speak up to these government agencies. We know they are not working as well as they could be, so you need an independent voice to hold the system truly accountable.

Mr BOOTHMAN: Are there any other jurisdictions that provide an example of what you are looking for?

Ms Lynch: The Northern Territory has a model where the appointment of the statutory officer is more independent than what is being proposed here with the establishment of an independent advisory panel involving a former judge, an experienced lawyer and a person who holds a similar role—that was for their independent statutory bodies. I am not an expert in government bodies but you would have budgetary and financial matters looked after independently. It is the ability to speak out publicly. I think that the powers of this commissioner are fairly limited. They do not even report to parliament. It seems they report to the minister but they do not necessarily report to parliament, which is obviously then the people of Queensland. Over in the UK, their victims' commissioner has a much more public role. They run campaigns; they have social media accounts; they do reports; they make public recommendations; and they run public campaigns for change. That, to me, would seem to be a much more independent approach than what is being proposed under this legislation.

Mr BOOTHMAN: Thank you.

Ms BUSH: Thanks Angela for coming along, as always, and engaging in these processes in this time frame. Are you saying that the definition of 'victim' is too broad because it is under the Charter of Victims' Rights?

Ms Lynch: The recommendation from the Women's Safety and Justice Taskforce is that the Victims' Commissioner would meet the needs of victims of violent offences, while this seems to include property—any victim of crime.

Ms BUSH: It is clause 6. I think that is right. I am feeling an internal conflict because previously on this committee we have made recommendations to expand the definition because we know as parliamentarians that there are victims out there who feel that they are falling through the cracks because it is a property crime, but I take your point entirely that there is a finite amount of resources that have to be targeted in areas where vulnerable people are best served. One of the other submitters recommended—I think you have pointed to it—that perhaps the establishment of a deputy commissioner with a focus on DV and sexual violence might assist in some ways in giving greater emphasis to those violent crimes. Could you speak to that?

Ms Lynch: Yes. That is a recommendation of the Women's Safety and Justice Taskforce. We would like to have seen that established right away in this bill and reflected in this bill. There are particular issues around gendered crime, around reporting of gendered crime, around the safety of those victims. There is a failure to report and a failure to engage with official processes because those official processes are not responsive to their needs. That is why they are not reporting. Having a deputy victims' commissioner who had a specific gendered focus would provide some comfort and would be also reflective of the recommendation from the Women's Safety and Justice Taskforce.

Ms BUSH: The concern would be that, if we expand the definition of victim and open up the pathway for victims of property crimes to make complaints or to raise issues with the commissioner, the commissioner's office, without appropriate resources, is then in a position of having to triage and assign importance or emphasis to some over others which puts them in an awkward position of having to either not respond in a timely way or elevate some cases beyond others depending on severity of crime.

Ms Lynch: That is right. It is a resourcing issue. I am not wanting to take away from victims of property crime. Obviously they have their own trauma associated with someone coming into their house and taking property and things of that nature. In relation to the limited resourcing position that we are in, there would be those concerns exactly. The commissioner's role could be overwhelmed and not

able to respond to those entrenched issues that they were set up to respond to. The Women's Safety and Justice Taskforce made a specific recommendation, and we want that recommendation reflected in the legislation in full because of those reasons. We have a whole report in relation to it. They have gone across the state. They have found the evidence and they have made this recommendation.

Ms BUSH: You mentioned that you would like to see the bill clarified that victims do not necessarily have to have made a report to police. Would that be something you would do under section 39(2)—'For deciding whether an act or omission constitutes an offence'—maybe adding paragraph (c), clarifying that it may not need to be reported to police?

Ms Lynch: Yes, that is right. I do not have the bill in front of me. It looks like we have referred to section 39(2). It is maybe arguable. You just want to be as clear as possible. We certainly do not want to set up a process where it is only victims who have made an official complaint, because that is going to exclude the majority of issues of sexual violence. We have a lot of work to do here as a community. We see a real role for the Victims' Commissioner to assist in bringing the issue of sexual violence into the public arena and making our systems more responsive.

Ms BUSH: I know we are getting into the nitty-gritty of it. I go back to the point about resourcing and recognising the expanded definition of a victim. Would you want us to do something around the balance of probabilities or that they have reported to someone under the Victims of Crime Assistance Act—who might be a GP or a DV service? I am thinking hypothetically.

Ms Lynch: It may well be consistent with the Victims of Crime Assistance Act to show some level of accountability in relation to what has happened. I do not see an issue with that, of being consistent with the Victims of Crime Assistance Act. We are already working within that system. The services are used to working within that system. Making it consistent across the legislation would be seen as appropriate, except if it is a child. I suppose then you are relying on the parents to have done something.

Ms BUSH: That is a good point, because you have the special primary victim piece of the VoCA Act. Perhaps there is something in that which then quarantines the special primaries and does not bring in property crime.

Ms Lynch: I am not familiar enough to delve into it too much. I would have to look at it.

Mr KRAUSE: I note your concerns about the method of appointment for the Victims' Commissioner in relation to independence and so forth. It is an appointment made by Governor in Council. How else would you propose that the commissioner be appointed? It is a fairly common appointment process.

Ms Lynch: Yes, it is common in Queensland. I have made a reference to the Northern Territory in relation to the appointment of their statutory officers. They have a very public approach to that which sets out that their statutory officers must be appointed by an independent advisory panel consisting of a former judge of a superior court, an experienced lawyer and a person who has held a similar role in another state or territory. That is an example. I think they have done something similar to the appointment of the new Police Commissioner in Queensland, so it is not outside the bounds of what happens in this state. They do do it for certain roles. I think that there should be some consistency. We are really just reflecting what the Women's Safety and Justice Taskforce asked for which is an independent statutory body. We are saying that, if you do this, this is what would reflect that recommendation.

Mr KRAUSE: We might mark this one down as another example of the government going against recommendations of taskforces that they have set up. I want to dig into that a little bit further in relation to the independence and the functions that are required to ensure accountability. For example, you mentioned the ability of the Victims' Commissioner to make submissions to inquiries and parliamentary bills such as this one; to conduct its own reviews; and also to assist victims in their dealings with other government agencies. This is all in the context of concerns about independence. You mentioned the Victims' Commissioner sends a report to the minister, not to parliament. Are you worried that from a victim support point of view there is potential because of the structure of this bill that the Victims' Commissioner becomes a toothless tiger in standing up for victims?

Ms Lynch: First of all, I do not think that any of these statements are a reflection on the Interim Victims' Commissioner who has been appointed or anybody in that office. I want to make that really clear. We just want the structure to reflect the Women's Safety and Justice Taskforce's recommendation. In relation to the appointment of statutory officers, I am sure that the way that has been happening has been happening for a long time in Queensland. I do not want to make political

statements in relation to whether it is this government or that government. I am not an expert in relation to government instrumentalities. I am sure that it has happened for a long time over many governments. We are just asking for it to be more independent and reflect the actual recommendation.

Without that independence, it can just become an agency that is not able to stand up for the rights of victims—I can only speak for victims of sexual violence—and have that independent voice. We would be concerned without that independence that it does not have the power to do that and basically then do its job of making our systems accountable and essentially better. We actually want improvement. That can only happen with perhaps a level of openness and transparency and systems accountability. That would be our concerns—that without that independence that cannot happen.

Mr KRAUSE: You mentioned a lack of consultation or a short time for consultation. How would you improve things in a perfect world?

Ms Lynch: Having more time for consultation obviously. Five days is pretty limited, and it does impinge on the ability of many individuals if they wanted to put something in and also agencies that are pretty resource poor and are responding to victims of crime themselves. They would have a lot of difficulty. If you are a frontline service, you would have a lot of difficulty in responding in that time frame because your client work is always going to take precedence in relation to these issues. If somebody is walking through the door needing your assistance, that is going to take priority over your ability to respond to these kinds of things. Having more time just allows you to plan that out a little more.

Mr HUNT: Angela, do you have any thoughts about the role that a deputy commissioner would fill?

Ms Lynch: Only that it reflects the recommendation of the Women's Safety and Justice Taskforce, which is that recommendation around having a specific focus on victims of domestic and sexual violence and being able then to zero in on those issues. A lot of victims in those circumstances do not proceed formally with going through any kind of formal processes in the criminal justice system and looking at why that is. We know why that is—so then being able to specifically address those issues. They would also be able to have a much better understanding of issues of safety and the particular issues that face victims of domestic and sexual violence—how they present, understandings in relation to trauma and how perhaps our systems could better accommodate those issues. It is about having a particular knowledge about those issues already and then being able to better respond and make our systems better respond to victims in those circumstances.

CHAIR: We have two minutes left. If there are no further questions, I am going to close this part of the hearing. Thanks, Angela, for your attendance today. Thank you for your written submission.

Ms Lynch: Thank you for the opportunity.

KIYINGI, Mr Kurumba, Senior Policy Officer, Queensland Indigenous Family Violence Legal Service

CHAIR: I now welcome the representative from the Queensland Indigenous Family Violence Legal Service. I invite you to make an opening statement.

Mr Kiyingi: I first acknowledge the traditional custodians of the lands on which we are gathered, the Yagara and Turrbal peoples. I pay my respects to elders past, present and emerging and extend my respects to Aboriginal and Torres Strait Islander peoples with us today.

The Queensland Indigenous Family Violence Legal Service is appreciative of the opportunity to participate in the public hearing regarding this bill. As an Aboriginal and Torres Strait Islander community-controlled organisation, our feedback comes from the standpoint of a family violence prevention legal service that provides a culturally safe and holistic wraparound model of care attending to our client's legal and non-legal needs. We provide services in the areas of domestic violence, child protection, family law and we assist applicants looking to engage with Victim Assist Queensland for financial assistance. This also supports the community legal education that our case management officers and solicitors provide on their outreach services. We welcome the measures taken to implement the recommendations made by the Women's Safety and Justice Taskforce in its second *Hear her voice* report, alongside *A call for change* report. We fully support the establishment of the permanent commissioner and the Sexual Violence Review Board.

In terms of the substance of our submission regarding an oral complaint to the commissioner, we observe that clause 47(1) of the bill provides that a complaint made or referred to the commissioner must be in writing and we note that clause 47(2) also provides that reasonable help must be given to a complainant to put a complaint in writing where the commissioner is satisfied the complainant needs help. We would like to see the drafting of clause 47 amended to insert a provision that a complaint may be taken orally or in writing.

We note that QIVFLS is unique in assisting community members from over 90 communities ranging from urban areas in the south-east corner to the outer islands of the Torres Strait, and we assist and regularly see a diverse set of community members who may not have the ready capacity or ability to make a written complaint to the commissioner. This could be for a variety of reasons leading to literacy or lack of technology or cultural reasons or a lack of ability to obtain assistance to make a complaint.

Where a prospective complainant is unable to gain the immediate assistance of a support person or service provider, we believe consideration should be given to allowing a complaint to the commissioner to be received orally. We note that in the explanatory notes the bill was set to be modelled on the Victorian Victims of Crime Commissioner Act. Section 25B of the Victorian act does allow for a complaint to be made to the commissioner orally and so in that light we would advocate for provisions in the Victorian act to be similarly replicated in clause 47 of the bill.

In looking at the cultural responsiveness of the bill, we wish to supplement our written submission by noting that recommendation 18 of the *Hear her voice*—report 2 outlined that the commissioner should have a specific and dedicated focus on victims of domestic and family and sexual violence and First Nations victim-survivors given their particular vulnerabilities. In that regard we would support the establishment of a deputy commissioner. Together with the establishment of a deputy commissioner, we highlight the recommendations made by our fellow Aboriginal and Torres Strait Islander community-controlled organisation, the Institute for Urban Indigenous Health, in calling for a dedicated First Nations unit within the Office of the Victims' Commissioner. This is another way in which the commissioner can support and facilitate the engagement of First Nations communities with the work of the commissioner.

In speaking to the Sexual Violence Review Board, we welcome the provision in clause 69(1) requiring the minister to ensure that at least one member of the board is a person who is an Aboriginal person or a Torres Strait Islander person. I note that on 20 February 2024 we appeared before the Australian Senate Inquiry into Missing and Murdered First Nations Women and Children. That inquiry examined the unique challenges faced by Aboriginal and Torres Strait Islander victim-survivors, particularly women who have suffered acts of violence, including sexual violence. We would advocate for the Sexual Violence Review Board to take a step further by ensuring that membership on the board also includes that of a member from an Aboriginal and Torres Strait Islander community-controlled organisation and that the board also takes all possible steps to include Aboriginal and Torres Strait Islander peoples with lived experiences of sexual violence. Thank you to the committee and I am happy to take questions.

Mr BOOTHMAN: I am having difficulty understanding what you are trying to say in your submission on page 6—

We welcome the provision in clause 69(1) of the Bill requiring the Minister to ensure that at least one member of the Board is a person who is an Aboriginal person or Torres Strait Islander person, although given the available data regarding Aboriginal and Torres Strait Islander victims of crime, we would hope the Board is not limited to the mandated one identified member.

Mr Kiyingi: I think that is probably the way that was worded. I think a previous witness who appeared here maybe explained it more elegantly. It is more the sense that, given the high rates of family violence and violence suffered by particularly First Nations women and children, instead of having at least one Aboriginal and Torres Strait Islander person we would like to see there being more board members. Just thinking on the fly, I do not have the exact numbers but I know on the Parole Board of Queensland there are about 30 community members, and the last time I checked on the website about 13 or 14 do identify as Aboriginal or Torres Strait Islander people. I do not think that was clearly worded, but it was just the sense that there could be more.

CHAIR: I think you are being too tough on yourself.

Mr BOOTHMAN: That is alright. I was just a bit confused.

Mr ANDREW: Thank you for coming in. You mentioned the Victorian Victims of Crime Commissioner Act 25B. I asked earlier about the South Australian act. Are you aware of that as well?

Mr Kiyingi: I would need to take that on notice to further familiarise myself.

Mr ANDREW: One of the other witness submissions took into account that some of the provisions missing from our bill were actually in the South Australian bill. You have highlighted some of that from the Victorian act. I thought you may have seen that as well. That is okay.

CHAIR: Steve, I take it you do not want the gentleman to take it on notice.

Mr ANDREW: No. I think they have enough work to do, Chair.

Mr Kiyingi: We looked at the Victorian bill, noting the explanatory notes did highlight that this bill was modelled on the Victorian act.

Ms BUSH: Thank you for your response both written and in person today. Your submission centres around a couple of key things. The first one is the method in which a victim would make a complaint, being that it is prescribed it must be in writing and actually compels the Victims' Commissioner to do some work with the victim to help them to put that in writing. I think what you are saying is that, even with that, there are victims who simply will not make a submission if they cannot do it in a video submission or orally. Can you talk to that and tell us who is going to be precluded, in your mind, from accessing this complaints mechanism?

Mr Kiyingi: I think the reason why we focused on the nature of complaints really comes back to the diversity which our teams see when they do outreach. We are primarily an outreach service. We generally have a model where we have a team of a solicitor and case management officer and the case management officer is an identified position and they travel out to different regions throughout Queensland. I think currently with resourcing we have 11 lawyers and we do cover roughly 90 communities throughout Queensland. What we see is that what might happen in one community is different from the experiences of another community.

Those issues also lead to matters such as education and awareness, literacy and technology. I think sometimes in remote communities the reliability of internet access might not be that great. Sometimes there are services who do go out to communities but you will always find some instances where regrettably someone falls through the cracks in not being able to get any information or not being able to access the support. That was the reason why we stated that, so that for at least that one particular case which might fall through the cracks we do have something there in legislation which would be similar to the Victorian legislation which does allow for an oral complaint and also for a written complaint.

Ms BUSH: I will take a look at the Victorian legislation. Part of asking people to put something in writing is that it creates circumstances where a complainant really needs to turn their mind to the particulars of the issue. How do you get that balance right in relation to resourcing though? You cannot have the commission responding to every message that is left on a phone bank. There has to be a system that separates those who do not want to engage in a complaints process against those who genuinely do not have the capacity or resources to articulate it in writing.

Mr Kiyingi: In my previous professional experience, I used to work with Victoria Legal Aid. In the complaints section there it was the policy that complaints could be received orally. The procedure was that the lawyer who took that complaint would take it orally and then would prepare a written

summary and either provide that written summary back to the complainant or help with reading that written summary to the complainant and then obtaining the consent of the complainant to then formally have that complaint taken. So it is an oral complaint, but then there is assistance from the employee to then provide it—to have it written.

Ms BUSH: Looking at sections 25B and 25C, it still has to include their name, contact details and sufficient details to indicate what the issues are. Those same features would exist in an oral complaint.

Mr Kiyingi: Yes, that is correct.

Ms BUSH: The other issue that you homed in on was in the charter of rights—I think it was under the first charter principle around dignity and respect—and potentially expanding that to pick up on those subsections around ethnicity, gender, sexual orientation, disability, religion and age. You would like to see that articulated under that first principle in the charter?

Mr Kiyingi: Yes. We would support seeing that and we note that the intention is to review the charter, so that is something which we would like to see within the commissioner's review of the charter.

Ms BUSH: The third aspect was ensuring that on the Sexual Violence Review Board, which is in the bill, there needs to be at least one member who identifies as Aboriginal and Torres Strait Islander. Your submission is that that is the flaw. I think it might have been Nat from the QFCC who made the point about recognising that Aboriginal people are distinct from Torres Strait Islander people. Did you want to add anything to that?

Mr Kiyingi: I think that also speaks to the matter I mentioned in my opening statement. Going a step further would be to include a board member from an Aboriginal and Torres Strait Islander community-controlled organisation together with a board member who has lived experience. I think it is one aspect to have a situation where the community can see someone who has been appointed by the government or who is working within government. I think it is also another aspect to see a member from a community-controlled organisation who does work on the ground, who does work locally, and also to take into account any board member who has lived experience. I think it adds to being able to speak to various clients, victim-survivors, so they can be provided with some comfort in acknowledging that there is someone who has gone through the same experiences and who understands the shoes they are walking in.

I would also like to briefly point out that that is another important aspect in making sure that, when we do describe Aboriginal and Torres Strait Islander people, we are not de-identifying them. I am not sure if that is the correct way to phrase it, but to acknowledge traditions on the mainland and Torres Strait Islander peoples on the islands and the mainland. I think there are about 77 traditional owner groups in Queensland, so the diversity is something that is a strength. It is also something to reflect upon.

Ms BUSH: That is a good point.

CHAIR: I know that we have at least nine minutes left on the clock, but unless the committee has some questions for this hardworking gentleman I was going to wind it up.

Ms BUSH: You touched on the importance of people on the ground having trust vertically in the system and having someone with lived experience or from a CCO who on the ground can say, 'We have representation at this level. Your voice will be heard. It is a safe place to make a report to.' That is really important.

Mr Kiyingi: Yes, I think that is quite important. It dovetails with a couple of matters. Firstly, just looking at the National Agreement on Closing the Gap, the priority reforms do speak to shared decision-making partnerships and expanding the community-controlled sector so that, where there sometimes might be a reluctance or historical mistrust with government organisations, there may be barriers which do come down when there is a community-controlled organisation in play. That is not across the board, but I think it is quite important to note the work that community-controlled organisations do and what the potential could be working with government.

I briefly heard Mr Boothman's previous question about stigma and sexual violence in multicultural communities and what could be done. Where there could be potential to work with community-controlled organisations would be in terms of education and awareness, working with local community-controlled organisations on the ground. I do know that in Queensland we have the Queensland First Nations Media Coalition, which is a community-controlled organisation. In terms of governments working with community to roll out education and awareness campaigns, that might be an aspect.

Ms BUSH: That is a good point.

CHAIR: This is the committee's last chance to ask a question before I close. Thank you for your attendance today. Thank you for your written submission. This concludes this hearing. Thanks to everyone who has participated today and to all those who helped organise this hearing. Thank you to our Hansard reporters. A transcript of these proceedings will be available on the committee's webpage in due course. Thank you to the hardworking secretariat. I declare this public hearing closed.

The committee adjourned at 12.18 pm.