




Speech By
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VICTIMS' COMMISSIONER AND SEXUAL VIOLENCE REVIEW BOARD BILL

 **Ms BUSH** (Cooper—ALP) (12.08 pm): I rise to make a contribution to the Victims' Commissioner and Sexual Violence Review Board Bill, a bill that is delivering the tangible action the member spoke of and that I know we all want. I intend to remain relevant to the bill. Crime and the drivers of crime are complex problems that every government and every community right across the world face. While we on this side will never stop trying to make the community safer, we also know how important it is to wrap every bit of support around a person who, through no fault of their own, experiences the trauma of becoming a victim of crime. We know from the evidence presented over multiple inquiries that, if a victim of crime is treated with dignity and respect—if they are connected to strength-based services, helped to navigate the criminal justice system and have autonomy and control over the decisions that are made along the way, including the degree of voice that they can have in a process—they are far more likely to recover from that act of violence. This bill advances that objective for victims by establishing a permanent Victims' Commissioner for Queensland—the first of its kind in this state. I am really thrilled to be here on this date and to be part of this moment for which victims of crime have advocated for over many years.

In 2009, a Charter of Victims' Rights was established in Queensland and located within the Victims of Crime Assistance Act. This act was also seminal, completely reforming Queensland's financial assistance for victims away from the former compensation scheme towards an assistance model that gets victims the help they need when they need it. At that time, I was CEO of the Queensland Homicide Victims' Support Group and worked alongside the government with many other victim-advocates who used the collective voices of thousands of Queensland victim-survivors to co-design both the financial assistance scheme and the charter. Those principles were what victims themselves said they needed to feel supported and to recover from an act of violence: dignity and respect; relevant, timely and accurate information; to be kept safe from the offender while attending court; and to be able to express the impact of the crime on them and their loved ones.

These principles matter, but only insofar as they are upheld. The information we have received through two parliamentary inquiries this term into victim support, coupled with the incredible body of work that the Women's Safety and Justice Taskforce completed and the information received through the Independent Commission of Inquiry into Queensland Police Service responses to domestic and family violence, is that the rights of victims are not always met and that, despite the efforts of the tens of thousands of Queenslanders employed in policing, courts and victim support agencies, too many victims are left feeling empty, invisible or retraumatised by the criminal justice process. The appointment of a permanent Victims' Commissioner is an important step forward to correct this.

In August 2023 the Attorney-General announced that the government was working to introduce the bill to establish a Victims' Commissioner and that an Interim Victims' Commissioner would be appointed. In September last year, the Queensland government announced the appointment of Mr Jon

Rouse as the Interim Victims' Commissioner. Since his appointment, the commissioner has looked at the issue of better responding to victim complaints. The Victims' Commissioner and Sexual Violence Review Board Bill will establish a permanent Victims' Commissioner to promote and protect these rights.

Victims have told us that they feel disempowered in the criminal justice system and that this can deter victims from reporting. Stakeholders have also raised that there is no single independent body responsible for identifying and monitoring systemic issues or issues of concern and that there is no oversight of complaints made about compliance with the Charter of Victims' Rights. To address this, the Victims' Commissioner will have key functions to: identify and review systemic issues relating to victims; conduct research into matters affecting victims; consult with victims about their experiences; publish information in relation to the criminal justice system; and provide advice to the minister on issues affecting victims and the promotion of victims' rights.

Importantly, the Victims' Commissioner will also investigate and manage complaints made by victims about contraventions of the Charter of Victims' Rights and ensure victims' complaints are managed in a transparent and accountable manner. Inquiries have found that the charter currently lacks visibility and consequence and that, while some victims are able to interpret the system and work with the prosecution towards a just outcome, too many victims are confused by the complex nature of the process and are unable to advocate for themselves due to the very real trauma that they are experiencing. As one witness to our 2023 parliamentary inquiry into victims' support, Patricia Pendry, told the committee—

In a society such as ours, justice should never depend on personal privilege. It should never be something gifted only to those who have the resources to navigate this labyrinth and the strength to endure it. Nor should the function of the justice system be reduced to a game of chance, spin the wheel and see if it's your lucky day.

The Victims' Commissioner will ensure all victims of crime can have their rights and interests upheld. The commissioner will work with relevant agencies to respond to complaints and to build the capacity of the sector to better understand the justice interests that victims have. Additionally, the bill establishes the Sexual Violence Review Board. The low prosecution success rates for sexual violence are now well documented. It is obscene that just 20 per cent of sexual assault matters reported—

Mr LANGBROEK: Mr Deputy Speaker, I rise to a point of order. Can I draw your attention to the fact that a member is clearly reading a book while the member is speaking and it is visible on screen and that there have been clear directions about such actions.

Mr DEPUTY SPEAKER (Mr Hart): Member for Mundingburra, can you put the book down please? Thank you, member for Surfers Paradise. Member for Cooper, you have the call.

Mr BROWN: I rise to a point of order, Mr Deputy Speaker. When has it been against the standing orders to read material while—

Mr DEPUTY SPEAKER: Member for Capalaba, resume your seat. The Speaker has given deliberate instructions about books not being sighted, especially beside members speaking. If you would like to take that up directly with Mr Speaker, feel free to do that. That is my ruling. Members from either side of the House will not wave around books of any sort.

Mr BROWN: Just for clarification: was the member for Mundingburra waving around the book?

Mr DEPUTY SPEAKER: Member for Capalaba, I can clearly see the member's book and so could the member for Surfers Paradise.

Mr BROWN: That wasn't the question.

Mr DEPUTY SPEAKER: Member for Capalaba, that is enough. Resume your seat. Member for Cooper, you have the call.

Ms BUSH: Thank you, Mr Deputy Speaker. Additionally, the bill establishes the Sexual Violence Review Board. The low prosecution rates for sexual violence are now well documented. It is obscene that just 20 per cent of sexual assault matters reported to police result in charges. Fewer still progress to court and very few sexual assaults result in a conviction. The experience of victim-survivors in the justice system is shocking. I am so grateful to health minister Shannon Fentiman who, as attorney-general, established the Women's Justice and Safety Taskforce that heard from hundreds of women about their experiences. The taskforce highlighted how these low conviction rates compromise victim confidence in the system and result in victim-survivors often not reporting to police at all. Data shows that the reporting of sexual violence matters by women to police is as low as 13 per cent of all matters.

I touch on the issue raised by the member for Currumbin around increases in victims' numbers. I obviously have a different interpretation of how victims' numbers work, because it is not always an indication that things are going wrong in the system; sometimes it is actually an indication that things

are starting to come right. If we look at the work this government has done, we have now broadened the scope of domestic and family violence to capture coercive control—an offence that was under-reported or simply not reported at all forever.

Finally, we now are starting to capture those offences and have those offences reported. Naturally, there will be an uptick in domestic and family violence—and we want to see that. It is a sign that something is working. When more victims come forward to report to police, it is a sign that they trust that when they report to police they will be believed and heard and that they have a sense of faith in the justice system. To cherry-pick figures and suggest it shows something that it may not be showing I think is completely decontextualised and shows a misunderstanding of how victim reporting actually works. While we are all horrified by increasing numbers of victims within the context of the work that the government has done, there are signs that things are working and that we are getting some settings right.

The taskforce recommended the establishment of a permanent Sexual Violence Review Board to identify opportunities for system improvements to address the attrition rates for sexual offence reporting and prosecution. The Sexual Violence Review Board's main functions will be to identify and review systemic issues in relation to the reporting, investigation and prosecution of sexual offences in Queensland. The bill provides an enduring opportunity for the voices and experiences of victims to be heard and their rights protected.

I thank all victim-survivors who have bravely shared their stories across multiple inquiries, certainly even over this term, knowing that, while it will not change the outcome of their particular matter, it will absolutely change the journey for others and those women coming behind them. I think it is the most generous effort people can make when they share their story knowing it will make a difference to the path of others. I want to acknowledge that. I want to also acknowledge the many clever and tough advocates out there who keep speaking up and who keep identifying areas of improvement and asking for reform. The more we know, the better we can respond.

This work will always be agile. We will always be making changes to victims' support and victims' policy. It is not a set-and-forget approach. We are forever obligated to continue to look at what more we can do to support victims. The bill is a testament to all of those stories, people, victims and agencies. I commend the bill to the House.