Council on the Ageing
Queensland

Submission to the Review of the Charter of Victims' Rights (Stage 2)

March 2026

Council on the Ageing
Queensland

Council on the Ageing Queensland is a for-purpose statewide charitable organisation.

We are the state's Seniors Peak and Seniors Social Isolation Prevention Peak and work with and for older adults, advancing the rights, needs, interests, and futures of people as we age. For more than 60 years, we have worked to influence positive social outcomes for older Queenslanders.

We connect directly with older Queenslanders, their families, carers, and organisations, service providers, consumer advocates, special interest groups, and our federal, state and local governments. We engage with all of these groups to understand needs, aspirations, and priorities for older people in Queensland, and partner to achieve the best outcomes for people as we age.

Our work includes policy analysis, community education, representation, evaluation and research, community engagement, and cross sector collaborations to achieve systemic change. We deliver funded programs directly to older people in need and provide sector support to those organisations who offer aged care and other services to older people.

We seek to eliminate ageism and support healthy ageing and growth of age-friendly communities. There are many areas of policy development needed to achieve this – elder abuse, energy, social isolation and loneliness prevention, climate resilience and disaster preparedness, digital inclusion, health, housing, and transport are just a few.

Our vision is that ageing is a time of possibility, opportunity, and influence.

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Acknowledgement
Council on the Ageing Queensland acknowledges Australia's First Nations Peoples as the original custodians of this land.

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Executive Summary

Council on the Ageing Queensland (COTA Queensland) welcomes the opportunity to contribute to Stage 2 of the Review of the Charter of Victims' Rights. This submission builds on COTA Queensland's Stage 1 response and focuses specifically on the experiences of older Queenslanders. It highlights that many older victims may not know they have rights, may not know where to find information about those rights, and may face significant barriers when attempting to navigate justice and support systems.

Evidence gathered through COTA Queensland's engagement with older people and recent survey responses indicate that awareness of victims' rights remains limited. Many older people do not identify themselves as victims or may be uncertain whether their experiences fall within the scope of victims' rights protections. Survey respondents reported difficulty locating information, confusion about where to seek help, and a lack of confidence in asserting their rights. These challenges are frequently compounded by ageism, digital exclusion, cognitive change, complex family relationships, regional disadvantage, and fear of retaliation or disbelief.

Accessibility of information is a critical issue. Older Queenslanders reported barriers associated with complex websites, legal language, and being referred across multiple agencies while repeatedly explaining their circumstances. Participants emphasised that information about victims' rights should be provided through trusted sources including police, legal services, community organisations and government agencies, and communicated in plain language, through face-to-face explanations where possible, and in multiple formats including hard copy materials.

Older victims may also require practical assistance to exercise their rights. Respondents highlighted the value of a dedicated support person who could explain rights, assist with navigating services, attend appointments, and provide support when pursuing complaints. Fear of retaliation, emotional stress and uncertainty about complaints processes can also deter victims from seeking further assistance or clarification.

To ensure the Charter operates effectively for older people, COTA Queensland recommends embedding accessibility standards, strengthening navigation and complaints support, improving agency accountability through clear service standards and reporting, and promoting broader community awareness of victims' rights. Addressing these barriers will help ensure the Charter functions as a meaningful protection for older victims.

Older Queenslanders and the Charter of Victims' Rights

Council on the Ageing Queensland (COTA Queensland) welcomes the opportunity to contribute to Stage 2 of the Review of the Charter of Victims' Rights. COTA Queensland is the state's Seniors Peak and Seniors' Social Isolation Prevention Peak. We work with and for older Queenslanders to advance the rights, needs, interests, and futures of people as they age.

In our Stage 1 submission, COTA Queensland emphasised the need for a Charter that embeds human rights principles, recognises ageism as a barrier to justice, provides consistent service standards for agencies, ensures accessibility through plain-language information and assisted access, extends scope of the Charter to include non-violent offence contexts such as scams and financial abuse, and strengthens oversight and reporting through the Office of the Victims' Commissioner.[1]

This response to Stage 2. builds on the foundation of our Stage 1. response and focuses on older Queenslanders rights, specifically that older victims may not know they have rights or where to find information, feel safe asserting those rights, and may encounter significant barriers when attempting to navigate justice and service systems.

These challenges are often compounded by ageism, digital exclusion, complex family dynamics, cognitive change, regional disadvantage, and fear of retaliation or disbelief. Addressing these barriers is essential if the Charter is to operate effectively for older victims.

Awareness and understanding of rights

Improving awareness and understanding of victims' rights is fundamental to the Charter's effectiveness. Many older people do not identify themselves as victims or may not recognise that the experiences they are facing fall within the scope of victims' rights protections. Others may assume that seeking assistance will lead to judgement, disbelief or family conflict.

Evidence gathered through COTA Queensland's engagement with older people indicates that awareness of victims' rights remains limited. Further, through a recent COTA Queensland survey[2] respondents indicated e.g. that that they did not understand their rights at the time of experiencing harm, or as one respondent stated, "not at all." When asked where they would expect to find information about victims' rights, the respondent replied that they "wouldn't know where to look."

Respondents indicated that information about victims' rights should be available through multiple trusted sources including police, community organisations, legal services and government websites and should be provided when dealing directly with police, courts or services, with respondents noting that "this is often where the judgement begins." They further noted that understanding what assistance exists and what options are appropriate can help victims determine the most suitable course of action during what may already be a confusing or stressful time.

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[1] Council on the Ageing Queensland. (2025). *Submission to the Review of the Charter of Victims' Rights (Stage 1)* [Submission, October 2025]. https://cotaqld.org.au/wp-content/uploads/2026/03/20251017_CVR_response_COTA_QLD.pdf

[2] Council on the Ageing Queensland. (2026). *The rights of older people and older victims in Queensland* [Survey data, March 2026].

These responses highlight the importance of proactive communication and that awareness is not simply about publishing information but ensuring that it is visible across the services that victims are most likely to encounter. Victims should not be expected to independently locate complex legal or policy information at a time when they may already be experiencing distress or uncertainty.

Respondents indicated that information would be more accessible for older people if it were provided via clear explanations in plain language, explained face-to-face where possible, and designed for age-related changes such as memory, hearing or vision. Further, information provided in multiple formats including hard copy materials would also be appreciated by older people.

This would allow for information to be revisited or repeated at different stages of their journey, recognising that understanding may develop over time. It was also important to ensure that carers and family members who support older people are able to access relevant information and guidance when assisting them to navigate services.

Accessibility and navigation of information

Accessibility is not just if information is available, it also concerns whether that information can be realistically understood and used. Older Queenslanders frequently report barriers to accessing information and support through digital channels. In survey responses respondents identified limited digital skills, unreliable internet access and complex systems as key barriers to finding or using information about victims' rights. Further, they indicated that information would be more accessible if it were provided in plain language and explained directly in person.

Survey respondents highlighted barriers associated with navigating information systems. They reported that information can be difficult to locate or use due to the number of different websites involved, the use of legal or technical language, and the experience of being redirected between multiple services while needing to repeatedly explain their situation.

They also suggested that technology could play a supportive role if designed appropriately, for example through easy-to-read online information and the availability of video or telephone appointments. However, they cautioned that limited digital skills or overly complicated systems can prevent people from using these options effectively.

COTA Queensland's broader engagement and research reflect similar experiences, where older people are often provided with information or directed to multiple services or websites but receive limited or no practical assistance (to interpret that information or navigate the systems). One participant from COTA Queensland Elder Abuse survey described a system that offered 'resource based' information but little direct assistance to resolve the issue they were facing.[3]

[3] In addition to insights from community engagement, COTA Queensland developed two surveys to further inform our response to the Queensland Parliamentary Inquiry into Elder Abuse. One survey was designed for community organisations and service providers, and a second survey was for older Queenslanders and their support networks. The findings are reported in the following: Council on the Ageing Queensland. (2025). *Submission to the Inquiry into Elder Abuse in Queensland* [Submission, April 2025]. https://cotaqld.org.au/wp-content/uploads/2025/06/20250424_EA_Inquiry_COTAQ_FINAL.pdf

Accessibility must also account for situations in which victims may be monitored, controlled or dependent on the person causing harm. In one case vignette collected during COTA Queensland's community engagement work, an older woman experiencing coercive control by an adult child feared that her phone was being monitored. She required information about support services to be provided discreetly in order to avoid an escalation of the situation at home.

This reinforces the importance of designing victims' rights information in ways that recognise the diverse support networks older people may rely upon. These examples demonstrate that accessibility requires approaches that are safe and practical. Information must be communicated in ways that recognise the realities of victims' lives, including fear, trauma, dependency and limited access to technology.

Ability to exercise rights

The ability to exercise rights is central to the Charter's effectiveness. A right that exists in principle may remain inaccessible if victims do not feel confident or supported in acting on it.

One survey respondent indicated that they would not feel confident making a complaint if their rights were not upheld. When asked what might prevent them from doing so, they identified fear of not being believed, fear of retaliation, and the emotional toll associated with navigating complaints processes.

When asked what support would be most helpful, the respondent identified the value of a dedicated support person who could explain rights, help navigate services, attend appointments, speak on their behalf, assist with complaints, and provide emotional support.[4]

These responses are consistent with broader evidence gathered by COTA Queensland in relation to abuse and mistreatment. Many older victims encounter fragmented systems that require engagement with multiple agencies, legal processes and service providers. In one case involving concerns about coercive control and financial abuse of an older woman living with dementia, family members reported navigating multiple services including legal assistance, police and tribunal processes, yet still felt they were 'falling through the cracks.'[5]

These experiences suggest that some victims may require practical support to exercise their rights. This may include assistance to understand available options, identify the appropriate agency to contact, attend appointments, and follow through on complaints processes.

Complaints mechanisms

Effective complaints mechanisms are essential to ensuring that victims' rights are upheld. However, complaints processes can be difficult to navigate, particularly for older people who may already be dealing with fear, trauma or complex family dynamics.

[4] Council on the Ageing Queensland. (2026). *The rights of older people and older victims in Queensland* [Survey data, March 2026].
[5] Council on the Ageing Queensland. (2025). *Submission to the Inquiry into Elder Abuse in Queensland* [Submission, April 2025]. https://cotaqld.org.au/wp-content/uploads/2025/06/20250424_EA_Inquiry_COTAQ_FINAL.pdf

COTA Queensland's engagement work indicates that many older people are reluctant to pursue complaints due to fear of repercussions, uncertainty about how the process works or doubt that their concerns will be taken seriously. In situations where the person responsible for harm is a family member or carer, the person may also have increased anxiety around further conflict or loss of support.

Recent survey respondents indicated that they would feel confident making a complaint in the instance of their rights not being upheld. However, similar to insights from our wider engagement work, they identified fear of retaliation and the complexity of complaints processes as potential barriers. This response suggests that while some victims may be willing to pursue complaints, the design of complaints mechanisms can still act as a significant deterrent.

This highlights the importance of complaints systems that are simple, visible and supported. Victims should be able to access assistance to understand complaints processes, and mechanisms should be designed to minimise retraumatisation and reduce the risk of retaliation.

Greater transparency regarding how complaints are handled and how agencies are held accountable for upholding the Charter would also help build confidence in the system.

Lived experience navigating information and systems – knowing one's rights

Nathan's experience [6]

An older survey respondent, Nathan, described significant barriers to understanding and exercising his rights. Nathan reported that he did not understand his rights at the time of experiencing harm and was unsure where to find information about victims' rights or how to seek assistance.

He indicated that information would be more accessible if it were provided in plain language and explained face-to-face. He also identified barriers including limited digital skills, unreliable internet access and complex information systems.

When asked whether he would feel confident making a complaint if his rights were not upheld, he answered 'no', citing fear of not being believed, fear of retaliation and the emotional toll associated with pursuing a complaint.

When asked what change would most improve support for victims, Nathan responded to stop assuming and start believing people's circumstances.

Nathan's experience illustrates the gap that can exist between the formal framework of victims' rights and a victim's ability to access and exercise those rights in a real-life context.

Margaret's experience

Another survey respondent, Margaret, described ongoing experiences of ageism when seeking assistance and information about victims' rights. Margaret reported that her needs had been repeatedly misunderstood or overlooked due to assumptions related to age.

[6] Pseudonyms were used for survey respondents. Council on the Ageing Queensland. (2026). *The rights of older people and older victims in Queensland* [Survey data, March 2026].

Margaret described the difficulty of navigating government, community, legal and judicial systems, noting that victims are often directed across multiple websites or services and required to repeatedly explain their circumstances.

She also emphasised the importance of providing guidance through the system, indicating that a dedicated support person could assist by explaining rights, navigating services, supporting complaints and providing emotional reassurance.

When asked what change would most improve support for victims, Margaret emphasised the need for a shift in institutional attitudes, calling for government agencies and bureaucratic systems to respond with greater understanding and practical assistance.

Margaret's experience illustrates how structural barriers and age-related assumptions can compound the challenges older victims face when attempting to access their rights.

Recommendations

In consideration of the voices of older Queenslanders on their rights, their understanding and access to this type of information including appropriate complaints channels and supports, COTA Queensland recommends that the Stage 2 review support the following actions:

1. **Embed accessibility standards that recognise (evidenced) age-related barriers when people navigate systems, the Charter and seek to understand their rights**
   Implementation of the Charter should recognise barriers such as digital exclusion, cognitive change, trauma, regional disadvantage and dependency on others. Further, victims should receive clear explanations of their rights at first contact when interacting with police, courts or relevant services, including information provided in plain language and in accessible formats.[7]

2. **Support navigation and assistance for victims including strengthening complaints pathways and protections against retaliation, and provision of safe and discreet communication options**
   Victims should have access to assistance to understand their rights, navigate services and pursue complaints where appropriate. Information about rights and complaints pathways should be available in ways that are safe for victims who may be monitored or controlled by the person causing harm. Complaints processes should be simple, visible and supported, with safeguards to minimise retraumatisation and risk to victims.

3. **Improve accountability through clear service standards and reporting on matters related to the Charter**
   Agencies responsible for upholding the Charter should be subject to transparent expectations and reporting mechanisms that demonstrate how victims' rights are being implemented.[8]

[7] Acknowledgement of relevance of this recommendation to Charter of Victims' Rights - Stage 1. and Stage 2. reviews.
[8] Acknowledgement of relevance of this recommendation to Charter of Victims' Rights - Stage 1. and Stage 2. reviews.

4. **Promote community-based awareness around the Charter and victims' rights**
   Awareness efforts should extend beyond formal justice settings to include trusted community touchpoints where older people may first disclose harm or seek advice.

A Charter of Victims' Rights greatly supports the experience of victims within the justice system. However, the effectiveness of the Charter depends on whether victims can understand, access and exercise their rights in practice.

Older Queenslanders may face distinct barriers including ageism, digital exclusion, dependency on others, fear of retaliation and difficulty navigating complex service systems. Addressing these barriers through practical implementation measures will help ensure that the Charter operates as a meaningful protection for all victims including older people.