

XX July 2026

Consultation on the Second Action Plan (National Plan to End Violence against Women and Children 2022–2032)

I write this submission as the Victorian Victims of Crime Commissioner.

My role is established under the *Victims of Crime Commissioner Act 2015* (VIC). *The objectives of this Act are—*

- (a) to promote the recognition of victims of crime in the justice system; and*
- (b) to provide for the representation of the concerns of victims of crime in the decision making of government; and*
- (c) to promote the inclusion and participation of victims of crime in the justice system.*

Under the VOCC Act s13(1)(a), my functions and powers include ‘to advocate for the recognition, inclusion, participation and respect of victims of crime by government departments, bodies responsible for conducting public prosecutions and Victoria Police [...]’.

My feedback relates to Priority Area 1: Victim-Survivors and Priority Area 3: Children and young people in their own right. This feedback intersects with Priority Area 5: System Integration and Workforce.

Hearing directly from victims-survivors must be a core feature of the work that we do. I therefore encourage direct consultation with victim-survivors of family, domestic and sexual violence on all Priority Areas throughout development, implementation and evaluation of the Second Action Plan.

Priority Area: 1 Victim-Survivors

Victims’ rights legislation

I encourage the Second Action Plan to reflect victims’ rights legislation from each jurisdiction, to ensure that supporting victim-survivors draws on all available legal frameworks. Victims’ rights legislation is an important tool in protecting victim-survivors from secondary victimisation by justice and victims service systems. Conversely, systems that do not uphold victims’ rights create significant barriers for

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people seeking support and engaging in justice processes. I have heard this consistently as I have travelled around Victoria.

The *Victims' Charter Act 2006* (VIC) Part 2 (s6-17) contains 17 principles governing responsible agencies' responses to victims of crime. The Second Action Plan committing relevant agencies to implement best practice models for upholding victims' rights (as per each agency's relevant jurisdiction) would be a practical and meaningful measure to improving victim-survivors' outcomes.

Additionally, my 2025 Review of the operation of the Victims' Charter Act 2006 and its benefits for victims (the Charter Review) found very low levels of victim-survivor awareness of the Charter or their rights. Recommendations 1-6 of the Charter Review seek to achieve a more widely known, understood and applied Charter. To the extent that low awareness applies to other jurisdictions, the Second Action Plan could include measures to improve awareness and understanding of rights. For example, through measures such as education and awareness campaigns, training and education of workforces, and stronger accountability mechanisms for agencies to promote rights.

Particular attention should be given to ensuring that the Second Action Plan improves outcomes for victim-survivors from diverse and marginalised communities.

In providing this advice, I draw on s6(2) of the *Victims' Charter Act 2006* (VIC):

6 Treatment of persons adversely affected by crime

(1) All persons adversely affected by crime are to be treated with courtesy, respect and dignity by investigatory agencies, prosecuting agencies and victims' services agencies.

(2) Investigatory agencies, prosecuting agencies and victims' services agencies are to take into account, and be responsive to, the particular needs of persons adversely affected by crime, particularly needs relating to differences such as—

(a) race or indigenous background;

(b) sex or gender identity;

(c) cultural or linguistic diversity;

(d) sexual orientation;

(e) disability;

(f) religion;

(g) age.

Both the Charter Review that I undertook and the *Silenced and Sidelined* systemic inquiry found the justice system created additional barriers for many groups of victims. This includes Aboriginal and Torres Strait Islander people, people with disability, LGBTIQ+ people and migrant and refugee people. Dedicated actions that drive improving outcomes for communities at high risk of domestic, family and sexual violence would be invaluable. Chapter 9 of the Charter Review examines the barriers faced by Aboriginal victim survivors.

Service and system response priorities

My office's 2023 report *Silenced and sidelined: Systemic inquiry into victim participation in the justice system* has comprehensive insights into victims' experiences in participating in the justice system. This includes barriers and recommendations for improvements. I encourage consideration of these findings for the Second Action Plan.

There are three key justice system areas that I recommend the Second Action Plan seeks to address. These are the most frequent and consistent issues raised with my Office by victim-survivors and support services, as causing significant secondary harm for victim-survivors:

1. *Barriers to accessing financial assistance (being the Financial Assistance Scheme, in Victoria):* Financial assistance is an essential component to victim-survivors' safety and recovery. Issues include inaccessible and confusing application systems, lack of communication throughout processes, harmful delays and lengthy timelines, high evidentiary requirements, and lack of support to help victim-survivors apply. To the extent that this applies to other jurisdictions, I encourage the Second Action Plan to consider opportunities to improve efficiencies and wait times.
2. *Court engagement retraumatising victims:* While maintaining judicial independence, greater protections are necessary to keep victim-survivors safe and supported through court processes. Issues include coming into contact with the accused, a lack of dedicated waiting areas and entry/exits, and disrespectful treatment in courtrooms. (See Chapter 6 and recommendations 12-14 of the Charter Review).
3. *Police culture and processes that do not uphold victim survivors' rights:* As a crucial initial and ongoing point of contact, advice, enforcement and prosecution, it is essential that police are a safe system for victim-survivors. Issues include a fear of reporting and not being believed, lack of

communication/information proactively provided (e.g. when accused are served/not able to be served), general disrespectful treatment, lack of appropriate referrals, lack of enforcement of FVIOs and/or explanation to victim-survivors on rationale for non-enforcement, and not informing victim-survivors of their Victims Charter rights.

Priority Area 3: Children and young people in their own right

During the 2025 Review of the *Victims' Charter Act 2006* (VIC), many victims and sector stakeholders shared that they would like the children and young people recognised as victim-survivors in their own right. Noting that standalone victims' legislative rights are state/territory jurisdiction, I encourage the Second Action Plan to consider opportunities to:

- embed the principles of various victims' rights legislation in actions
- promote relevant victims' rights legislation in each jurisdiction

I support steps to recognise children and young people as victim-survivors in their own right in all of the key opportunities for the Second Action Plan, as detailed at p47 of the consultation paper. Also, I encourage consideration of improving children and young people's ability to complain when their victims' rights are breached – both to the agency in question and to available secondary complaint mechanisms.

I encourage direct consultation with children and young victim-survivors in the development, implementation and evaluation of the Second Action Plan commitments.

Implementation of the Second Action Plan

Across all Priority Areas, implementation elements such as policies, programs, services and processes must be designed with and for victim-survivors.

For example, ensuring all work be:

- developed in close collaboration with victim-survivors, including embedding lived experience into ongoing government and agency design, implementation, delivery and evaluation.
- transparent and seek to set victims' expectations.
- trauma-informed, including providing support staff to assist victim-survivors where relevant (for example, in applying to schemes, services and other supports).

- accessible to all victim-survivors, including having information in languages other than English, that is age appropriate and that meets best practice disability accessibility.
- designed for efficiency, to ensure victims are not deterred from accessing supports or participating by overly burdensome administration.
- designed to give victims clear and timely information.
- sufficiently resourced, to minimise victim-survivor wait times and maximise continuity of care.

I am available to discuss this submission further if useful.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Elizabeth', followed by a long, horizontal, wavy line that extends to the right.

Elizabeth Langdon

Victims of Crime Commissioner