

Queensland

Justice Legislation (Strengthening Victims' Rights) Amendment Act 2026

Act No. 29 of 2026

An Act to amend the Bail Act 1980, the Coroners Act 2003, the Penalties and Sentences Act 1992 and the legislation mentioned in schedule 1 for particular purposes

[Assented to 25 November 2026]

Queensland

Justice Legislation (Strengthening Victims' Rights) Amendment Act 2026

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Authorised by the Parliamentary Counsel

The Parliament of Queensland enacts—

Part 1 Preliminary

1 Short title

This Act may be cited as the *Justice Legislation (Strengthening Victims' Rights) Amendment Act 2026*.

2 Commencement

(1AA) Part 1A, other than sections 2C and 2D, commences on the later of the following—

(a) immediately after the commencement of the *Breach Bail, Go to Jail and Other Legislation Amendment Act 2026*, section 4, to the extent it inserts definition *prescribed offence*, paragraph (a);

(b) the date of assent.

(1AB) Sections 2C and 2D commence on 1 March 2027.

(1) Part 2 commences on the day that is 7 days after the date of assent.

(2) Parts 3 and 4 and schedule 1 commence on a day to be fixed by proclamation.

Part 1A Amendment of Bail Act 1980

2A Act amended

This part amends the *Bail Act 1980*.

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2B Amendment of s 6 (Definitions)

Section 6, definition *prescribed offence*, paragraph (a), after 'offence'—

insert—

against a provision

2C Insertion of new s 55

Part 5—

insert—

55 Transitional provision for Justice Legislation (Strengthening Victims' Rights) Amendment Act 2026

(1) From the commencement, schedule 1, entry for Criminal Code is taken to include a reference to an offence committed before the commencement against former section 328A of the Criminal Code.

(2) In this section—

former, in relation to a provision of the Criminal Code, means the provision in force from time to time before the commencement.

2D Amendment of sch 1 (Prescribed offences)

(1) Schedule 1, entry for Criminal Code, entry for section 328A—

omit.

(2) Schedule 1, entry for Criminal Code, after entry for section 334C—

insert—

- section 334I (Driving motor vehicles dangerously)

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- section 334J (Interfering dangerously with the driving of motor vehicles)
- section 334K (Operating non-motor vehicles dangerously)
- section 334L (Interfering dangerously with the operation of non-motor vehicles)

Part 2 Amendment of Coroners Act 2003

3 Act amended

This part amends the *Coroners Act 2003*.

4 Insertion of new s 31A

After section 31—

insert—

31A Notifying family member of inquest

(1) This section applies if—

(a) the coroner investigating a death decides to hold an inquest under section 28(1); or

(b) under section 30—

(i) the coroner investigating a death decides, on the application of a person, to hold an inquest; or

(ii) the State Coroner or District Court, on the application of a person, orders that an inquest be held.

(2) The Coroners Court must, as soon as practicable after the decision or order is made, take all reasonable steps to notify a family member of the deceased person of the decision or order.

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5 Insertion of new s 50C

After section 50B—

insert—

50C Notifying family member of new inquests or reopening inquests and investigations

(1) This section applies if—

(a) the State Coroner decides to—

(i) reopen an inquest or hold a new inquest under section 50(6)(a); or

(ii) direct another coroner to reopen an inquest or hold a new inquest under section 50(6)(b); or

(b) the District Court orders the State Coroner to—

(i) reopen an inquest or hold a new inquest under section 50(7)(a); or

(ii) direct another coroner to reopen an inquest or hold a new inquest under section 50(7)(b); or

(c) the coroner who held an inquest, or the State Coroner, decides to reopen an inquest or hold a new inquest under section 50A(1); or

(d) the State Coroner decides to reopen an investigation or direct the coroner who conducted an investigation into a death, or another coroner, to reopen the investigation under section 50B(1); or

(e) the coroner who conducted an investigation into a death decides to reopen the investigation under section 50B(3).

(2) The Coroners Court must, as soon as practicable after a decision or order is made, take all reasonable steps to notify a family member of the deceased person of the decision or order.

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Part 3 Amendment of Penalties and Sentences Act 1992

6 Act amended

This part amends the *Penalties and Sentences Act 1992*.

7 Amendment of s 4 (Definitions)

(1) Section 4, definition *harm*—

omit.

(2) Section 4—

insert—

affected community, for part 10C, see section 179Q.

approved carer, of a child, for part 10B, see section 179I.

bodily harm has the meaning given by the Criminal Code, section 1.

community impact statement, for part 10C, see section 179Q.

family member, of a person, for part 10B, see section 179I.

harm, for parts 10B and 10C, includes physical, mental and emotional harm.

parent, of a child, for part 10B, see section 179I.

victims' commissioner, for part 10C, see section 179Q.

(3) Section 4, definition *victim*, 'section 179I'—

omit, *insert*—

section 179IA

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8 Amendment of s 151G (Particular matters for offences involving violence against another person)

Section 151G(1)(b), ', within the meaning of the Criminal Code, section 1,'—

omit.

9 Amendment of s 179I (Definitions for part)

(1) Section 179I, definitions *harm* and *victim*—

omit.

(2) Section 179I—

insert—

approved carer, of a child, means—

(a) an approved foster carer under the *Child Protection Act 1999*, schedule 3, in whose care the child is placed under section 82 of that Act; or

(b) an approved kinship carer of the child under the *Child Protection Act 1999*, schedule 3.

family member, of a person, means—

(a) the person's spouse; or

(b) the person's child, stepchild or grandchild; or

(c) the person's parent or grandparent; or

(d) the person's brother, sister, stepbrother or stepsister; or

(e) a person who, under Aboriginal tradition or Island custom, is regarded as a person mentioned in paragraph (a), (b), (c) or (d).

parent, of a child—

(a) includes—

(i) a step-parent of the child; or

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(ii) an approved carer of the child; or

(iii) a person in whose favour a parenting order is in force under the *Family Law Act 1975* (Cwlth); or

(iv) a person who otherwise has the right and responsibility to make decisions about the child's daily care; but

(b) does not include a person standing in the place of a parent of a child on a temporary basis, or a person granted a temporary order in relation to a child.

10 Insertion of new s 179IA

After section 179I—

insert—

179IA Meaning of *victim*

(1) A ***victim*** is a person who suffers harm because of the commission of an offence mentioned in section 179J, including, for example—

(a) a person who suffers harm because the offence is committed against the person; or

(b) a person who suffers harm because the person is a family member or dependant of a person mentioned in paragraph (a); or

(c) a person who suffers harm because the person has a close personal relationship with a person mentioned in paragraph (a); or

(d) a person who suffers harm as a direct result of intervening to help a person mentioned in paragraph (a); or

(e) a person who suffers harm as a direct result of witnessing the offence committed against a person mentioned in paragraph (a); or

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(f) a person who suffers harm because the person would have been a family member of an unborn child whose life was destroyed because the offence was committed against a person mentioned in paragraph (a); or

(g) a person who suffers harm because the person incurs financial loss or damage to the person's property because of the commission of the offence.

(2) In this section—

dependant, of a person, means—

(a) another person who is entirely or substantially dependant on the person's income; or

(b) if the person has died as a result of an act of violence or crime—

(i) another person who was entirely or substantially dependant on the person's income when the person died; or

(ii) another person who would have been entirely or substantially dependant on the person's income if the person had not died, including a child of the person who is born after the person's death.

11 Replacement of s 179J (Application of part)

Section 179J—

omit, insert—

179J Application of part

This part applies for sentencing an offender for an offence that is—

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(a) a domestic violence offence under the *Domestic and Family Violence Protection Act 2012*; or

(b) an offence resulting in the death of, or bodily harm to, a person; or

(c) another indictable offence, including an indictable offence dealt with summarily; or

(d) an offence of attempting to commit, or conspiring to commit, an offence mentioned in paragraph (a), (b) or (c).

Note—

Under the *Youth Justice Act 1992*, section 256A, this part also applies in relation to an offender who is a child.

12 Amendment of s 179K (Giving details of impact of crime on victim during sentencing)

(1) Section 179K(1) to (3)—

omit, insert—

(1) A victim of the offence, or another person mentioned in section 179L(1)(b) or (c), is to be permitted to give the prosecutor for the offence details of the harm caused to the victim by the offence for the purposes of—

(a) the prosecutor informing the sentencing court; and

Note—

See also the following—

(a) for matters the court must have regard to in sentencing an offender—section 9(2)(c)(i) or the *Youth Justice Act 1992*, section 150(2);

(b) if the offender's mental condition relating to the offence is referred to the Mental Health Court under the *Mental Health Act 2016*—section 162 of that Act;

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(c) the victims charter under the *Victims' Commissioner and Sexual Violence Review Board Act 2024*.

(b) if details of the harm are given in the form of a victim impact statement—providing a therapeutic benefit to the victim.

(2) If the victim or other person needs more time to give the prosecutor details of the harm, the sentencing court may adjourn the sentencing proceeding for that purpose if it is reasonable to do so in the circumstances, having regard to the following matters—

(a) whether the victim or person has had a reasonable opportunity to prepare the details;

(b) the interests of justice;

(c) whether adjourning the proceeding would unreasonably delay the sentencing of the offender.

(3) The prosecutor may remove any details of harm provided by the victim or other person that are offensive, threatening, intimidating or harassing.

(3A) If the victim or other person gives details of the harm to the prosecutor, the prosecutor must—

(a) if the details are given in the form of a victim impact statement—give the victim impact statement to the sentencing court; or

(b) otherwise—

(i) decide what, if any, details are appropriate to be given to the sentencing court; and

(ii) give the appropriate details to the sentencing court.

(2) Section 179K(4), from 'appropriate' to 'may'—

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omit, insert—

appropriate for subsection (4)(b)(i), the prosecutor must

(3) Section 179K(7), 'section 179M'—

omit, insert—

sections 179LA and 179M

(4) Section 179K(3A) to (7)—

renumber as section 179K(4) to (8).

13 Amendment of s 179L (Preparation of victim impact statement)

(1) Section 179L(1), 'For section 179K(3), details'—

omit, insert—

Details

(2) Section 179L(1)—

insert—

(c) another person the prosecutor or the court considers appropriate having regard to—

(i) the relationship between the victim and the other person; and

(ii) the victim's wishes; and

(iii) the victim's capacity to give consent for the other person to give the statement.

(3) Section 179L—

insert—

(1A) A victim impact statement must not contain anything that is offensive, threatening, intimidating or harassing.

(4) Section 179L(1A) and (2)—

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renumber as section 179L(2) and (3).

14 Insertion of new s 179LA

After section 179L—

insert—

179LA Sentencing court may be given victim impact statement despite irrelevant or inadmissible material

(1) This section applies if a victim impact statement includes material that is irrelevant to, or would otherwise be inadmissible in, the sentencing proceeding for the offence.

(2) The sentencing court—

(a) may be given the victim impact statement under section 179K(4)(a); but

(b) must disregard the irrelevant or inadmissible material.

15 Amendment of s 179M (Reading aloud of victim impact statement during sentencing)

(1) Section 179M(2), after 'before'—

insert—

, or played to,

(2) Section 179M(2)(b)—

omit, insert—

(b) if the person who prepared the statement wishes the prosecutor or another person to read it—the prosecutor or other person.

(3) Section 179M(3)—

omit, insert—

(3) If a request is made under subsection (2), unless

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the court considers that, having regard to all relevant circumstances, it is inappropriate to do so, the court must—

(a) allow the person stated in the request to read all or part of the victim impact statement identified in the request aloud before the court; or

(b) allow an audio visual recording or audio recording of the victim reading all or part of the victim impact statement identified in the request to be played to the court.

(4) Section 179M(4)(a), after 'before'—

insert—

, or the playing of the statement to,

(5) Section 179M(4)(b), from 'aloud' to 'court'—

omit, insert—

the victim impact statement aloud before the court or in a recording

16 Insertion of new ss 179O and 179P and pt 10C

After section 179N—

insert—

179O Restriction on cross-examination

(1) This section applies if a person's victim impact statement is given to the sentencing court under section 179K(4)(a).

(2) The person must not be cross-examined on the content of the victim impact statement unless the court is satisfied—

(a) the content may materially affect the sentence the court may impose in the sentencing proceeding; and

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(b) it is in the interests of justice for the person to be cross-examined.

(3) If the person is cross-examined under subsection (2), the court may make arrangements or give any directions the court considers appropriate to—

(a) protect the person from unnecessary trauma, intimidation or distress; and

(b) facilitate the person's participation in the proceeding.

179P Review of part

The Minister must review the operation and effectiveness of this part as soon as practicable after the day that is 2 years after the commencement.

Part 10C Community impact statements

179Q Definitions for part

In this part—

affected community means the community generally, or a particular section of, or group of people within, the community, if—

(a) persons within the community, section or group suffer actual harm because of an offence; or

(b) persons within the community, section or group are likely to suffer harm because of an offence, having regard to the harm typically caused to a community, or a particular section of, or group of people within, a community by an offence of that kind.

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community impact statement means a written statement that—

(a) states the particulars of—

(i) the actual harm caused to an affected community by an offence; or

(ii) the likely harm caused to an affected community by an offence, having regard to the harm typically caused to a community by an offence of that kind; and

(b) is signed and dated by the victims' commissioner; and

(c) may have attached to it—

(i) documents supporting the particulars, including, for example, relevant research, reports, statistics, submissions made by members of the affected community or personal statements; or

(ii) photographs, drawings or other images.

victims' commissioner means the victims' commissioner appointed under the *Victims' Commissioner and Sexual Violence Review Board Act 2024*.

179R Application of part

This part applies for sentencing an offender for an offence that is—

(a) an offence against the Criminal Code, part 2, chapter 7A or sections 228A to 228DC; or

(b) another offence prescribed by regulation for this section; or

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(c) an offence of attempting to commit, or conspiring to commit, an offence mentioned in paragraph (a) or (b).

Note—

Under the *Youth Justice Act 1992*, section 256A, this part also applies in relation to an offender who is a child.

179S Preparation of community impact statement

(1) The victims' commissioner may give the prosecutor a community impact statement for an offence mentioned in section 179R if the commissioner considers—

(a) there is an affected community for the offence; and

(b) it would be in the interests of justice to give the statement.

(2) In considering the matters mentioned in subsection (1), the victims' commissioner may have regard to any information the victims' commissioner considers relevant, including, for example, any submissions made to the victims' commissioner by a member of the public.

(3) In preparing the community impact statement, the victims' commissioner may—

(a) ask the director of public prosecutions or the police commissioner for information relevant to the offence; and

(b) consult with the affected community.

(4) Also, the victims' commissioner may consult with the prosecutor to decide what, if any, details are appropriate to be given to the sentencing court.

(5) If a community impact statement is given to the prosecutor electronically, the statement is taken to

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have been signed by the victims' commissioner.

179T Giving details of impact on the community during sentencing

(1) The victims' commissioner is to be permitted to give the prosecutor for the offence a community impact statement for the purpose of the prosecutor informing the sentencing court.

(2) If the victims' commissioner needs more time to give the prosecutor a community impact statement, the sentencing court may adjourn the sentencing proceeding for that purpose if it is reasonable to do so in the circumstances, having regard to the following matters—

(a) whether the victims' commissioner has had a reasonable opportunity to prepare the statement;

(b) the interests of justice;

(c) whether adjourning the proceeding would unreasonably delay the sentencing of the offender.

(3) If a community impact statement is given to the prosecutor, the prosecutor must—

(a) give the statement to the sentencing court; and

(b) as soon as practicable after the sentencing court convicts an offender for the offence, give the statement to—

(i) the offender; and

(ii) the offender's legal representative.

(4) The fact that a community impact statement is absent at the sentencing does not, of itself, give rise to any inference that the offence caused little or no harm to the affected community.

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(5) Subject to section 179V, the sentencing court is to decide if, and how, the community impact statement is to be given to the court in accordance with the rules of evidence and the practices and procedures applying to the court.

179U Sentencing court may be given community impact statement despite irrelevant or inadmissible material

(1) This section applies if a community impact statement includes material that is irrelevant to, or would otherwise be inadmissible in, the sentencing proceeding for the offence.

(2) The sentencing court—

(a) may be given the community impact statement under section 179T(3)(a); but

(b) must disregard the irrelevant or inadmissible material.

179V Reading aloud of community impact statement during sentencing

(1) This section applies if the victims' commissioner has prepared a community impact statement under section 179S.

(2) The prosecutor for the offence may request, orally or in writing, that all or part of the community impact statement be read aloud before the court by—

(a) if the victims' commissioner wishes to read it—the victims' commissioner; or

(b) if the victims' commissioner wishes the prosecutor or another person to read it—the prosecutor or other person.

(3) If a request is made under subsection (2), unless the court considers that, having regard to all

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relevant circumstances, it is inappropriate to do so, the court must—

(a) allow the person stated in the request to read all or part of the community impact statement identified in the request aloud before the court; or

(b) allow an audio visual recording or audio recording of the person reading all or part of the community impact statement identified in the request to be played to the court.

(4) To remove any doubt, it is declared that it is not necessary for a person, reading aloud the community impact statement before the court under this section, to read the statement under oath or affirmation.

179W Restriction on cross-examination

(1) This section applies in relation to—

(a) a community impact statement given to the sentencing court under section 179T(3)(a); and

(b) any submission or personal statement attached to the community impact statement.

(2) A person must not be cross-examined on the content of the community impact statement, submission or personal statement unless the court is satisfied—

(a) the content may materially affect the sentence the court may impose in the sentencing proceeding; and

(b) it is in the interests of justice for the person to be cross-examined.

(3) If a person is cross-examined under subsection

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(2), the court may make arrangements or give any directions the court considers appropriate to—

(a) protect the person from unnecessary trauma, intimidation or distress; and

(b) facilitate the person's participation in the proceeding.

179X Review of part

The Minister must review the operation and effectiveness of this part as soon as practicable after the day that is 2 years after the commencement.

17 Insertion of new pt 14, div 28

Part 14—

insert—

Division 28 Transitional provision for Justice Legislation (Strengthening Victims' Rights) Amendment Act 2026

267 Application of new pts 10B and 10C

(1) New parts 10B and 10C apply in relation to a sentencing proceeding for an offence started after the commencement, even if the offence to which the sentencing proceeding relates was committed before the commencement.

(2) In this section—

new parts 10B and 10C means part 10B and 10C as in force from the commencement.

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Part 4 Other amendments

18 Legislation amended

Schedule 1 amends the legislation it mentions.

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Schedule 1 Other amendments

section 18

Evidence Act 1977

1 Section 132C(5)(c), 'section 179K'—

omit, insert—

section 179K or 179S

Victims' Commissioner and Sexual Violence Review Board Act 2024

1 Section 34(2)—

insert—

(da) the number of community impact statements given by the commissioner under the *Penalties and Sentences Act 1992*, section 179T; and

2 Section 34(2)(da) and (e)—

renumber as section 34(2)(e) and (f).

Youth Justice Act 1992

1 Section 256A, heading, after '10B'—

insert—

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and 10C

2 Section 256A—

insert—

(2) The *Penalties and Sentences Act 1992*, part 10C applies in relation to the sentencing of a child for an offence mentioned in section 179R of that Act.

Note—

the *Penalties and Sentences Act 1992*, part 10C (Community impact statements)

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