

Queensland

Victims of Crime Assistance (Victims' Advocate Service) Amendment Act 2026

Act No. 30 of 2026

An Act to amend the Victims of Crime Assistance Act 2009

[Assented to 25 November 2026]

Queensland

Victims of Crime Assistance (Victims' Advocate Service) Amendment Act 2026

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The Parliament of Queensland enacts—

1 Short title

This Act may be cited as the *Victims of Crime Assistance (Victims' Advocate Service) Amendment Act 2026*.

2 Commencement

This Act commences on 8 December 2026.

3 Act amended

This Act amends the *Victims of Crime Assistance Act 2009*.

4 Amendment of long title

Long title, after 'victims'—

insert—

and to assist victims to access information and services

5 Amendment of s 3 (Purpose of Act)

(1) Section 3, heading, 'Purpose'—

omit, insert—

Main purposes

(2) Section 3(1)—

omit, insert—

The main purposes of this act are—

(a) to provide a scheme to give financial assistance to certain victims of acts of violence; and

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(b) to provide a victims' advocate service to assist victims and other persons to access—

(i) information held by government entities; and

(ii) services for victims provided by government entities and non-government victim service providers.

(3) Section 3(2) and (3), after 'the scheme'—

insert—

mentioned in subsection (1)(a)

6 Insertion of new ch 3A

After chapter 3—

insert—

Chapter 3A Victims' advocate service

Part 1 Preliminary

137A Definitions

In this chapter—

authorisation, for part 3, see section 137H(1).

eligible person, for a victim, means—

(a) a nominee for the victim; or

(b) a recognised person for the victim; or

(c) any other entity prescribed by regulation to be an eligible person.

function includes power.

government entity means—

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(a) a public sector entity under the *Public Sector Act 2022*; or

(b) the police service.

guardian, of a child, means a person who is recognised in law as having the duties, powers, responsibilities and authority that, by law, parents have in relation to their children.

head, of a government entity, means—

(a) for the office of the director of public prosecutions—the director of public prosecutions; or

(b) otherwise—the chief executive of the government entity.

nominee, for a victim, means an entity nominated under section 137F(1) if the nomination has not been withdrawn under section 137G.

recognised person, for a victim, means—

(a) for a victim who is a child—a parent or guardian of the child; or

(b) for a victim who is an adult with impaired capacity—

(i) an attorney appointed under an enduring power of attorney for the adult under the *Powers of Attorney Act 1998*; or

(ii) a guardian appointed for the adult under the *Guardianship and Administration Act 2000*.

victim means any of the following—

(a) a victim under section 5;

(b) a person against whom an offence is committed, or alleged to have been committed, and the person's property is

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taken, destroyed or damaged because of the offence or alleged offence;

(c) an eligible person under—

(i) the *Corrective Services Act 2006*; or

(ii) the *Youth Justice Act 1992*;

(d) a person who may make an application for an information notice relating to a relevant patient under the *Mental Health Act 2016*, section 318(1).

137B Application of chapter

This chapter applies—

(a) in relation to a victim, irrespective of when the victim suffered harm or when the offence, or alleged offence, is committed against the victim; and

(b) in relation to any record of information held by a government entity, irrespective of when the record is created.

137C Disclosure of information under chapter

To remove any doubt, it is declared that nothing in this chapter requires the head of a government entity to disclose information.

Example of when information may not be disclosed—

A person may decide to withhold information that may be disclosed under this chapter because the information is subject to legal professional privilege.

Part 2 Administration

137D Functions

(1) The chief executive has the following functions—

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(a) to support victims and eligible persons for victims to access information, including by—

(i) requesting and receiving information for the victim or eligible person under this chapter; and

(ii) giving the victim or eligible person information received under this chapter;

(b) to support victims and eligible persons to access services for victims provided by government entities and non-government victim service providers;

(c) to refer any person to services for victims provided by government entities and non-government victim service providers;

(d) to provide general information to any person about—

(i) services for victims provided by government entities and non-government victim service providers; and

(ii) the administration of the criminal justice system.

(2) However, it is not a function of the chief executive to access information or support a victim by making, signing or submitting an application for a victim or eligible person for a victim.

Examples—

- an application for victim assistance under chapter 3
- an application for registration of the victim on a register to receive regular information about an offender

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137E Delegations

(1) The chief executive may delegate a function under section 137D to any appropriately qualified person or appropriately qualified entity.

(2) If the chief executive delegates a function under subsection (1), the entity may, with the written approval of the chief executive, subdelegate a function delegated to the entity to another appropriately qualified person or appropriately qualified entity.

137F Nomination of entity as nominee

(1) A victim, or a recognised person for the victim, may nominate an entity to act for the victim in relation to a function of the chief executive under section 137D(a) or (b).

(2) The chief executive—

(a) must record the following information in relation to the nomination—

(i) the name of the victim to whom the nomination relates;

(ii) the name of the nominee;

(iii) if the nomination is made by a recognised person—the name of the recognised person and the relationship of the recognised person to the victim;

(iv) the day on which the nomination is made; and

(b) may record any other details the chief executive considers necessary in relation to the nomination or nominee.

(3) The nomination may be made to the chief executive orally or in writing.

(4) However, if the chief executive considers it necessary, the nomination must be made to the

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chief executive in writing.

(5) If the nominee is nominated by a recognised person for the victim, the recognised person must give the chief executive documentary evidence satisfying the chief executive of the relationship of the recognised person to the victim.

137G Withdrawal of nominee

(1) This section applies if—

(a) a victim or recognised person for the victim withdraws the nomination for the nominee; or

(b) the nominee no longer wishes to act as nominee for the victim.

(2) The victim, recognised person or nominee must give the chief executive notice, either orally or in writing—

(a) that the person is no longer the nominee for the victim; and

(b) of the day on which the nomination ends.

(3) The chief executive must keep a written record of the information given under subsection (2).

(4) If the nomination is withdrawn by a recognised person for the victim, the recognised person must give the chief executive documentary evidence satisfying the chief executive of the relationship of the recognised person to the victim.

Part 3 Information sharing

Division 1 Preliminary

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137H Meaning of *authorisation*

(1) For this part, a victim or eligible person for the victim may give the chief executive authority (an ***authorisation***) to act for the victim in relation to the victims' advocate service.

(2) The authorisation may be given to the chief executive orally or in writing.

(3) The authorisation may be general or limited and, unless otherwise stated in the authorisation, applies to any request under section 137M.

(4) An authorisation has effect unless it is withdrawn or ends under division 2.

137I Chief executive to have regard to victim's views or wishes

In deciding whether to act under an authorisation, the chief executive must have regard to the views or wishes of the victim.

Division 2 Authorisation by victim or eligible person

137J Verification of identity of victim or eligible person

(1) This section applies if a victim or eligible person for a victim gives the chief executive an authorisation.

(2) The chief executive must take reasonable steps to verify the identity of the victim or eligible person for the victim.

(3) Also, if the authorisation is given by an eligible person for the victim who is a recognised person, the recognised person must give the chief executive documentary evidence satisfying the

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chief executive of the relationship of the recognised person to the victim.

137K Withdrawal of authorisation

(1) A victim or an eligible person for the victim may withdraw an authorisation by notice, given to the chief executive either orally or in writing—

(a) that the authorisation is withdrawn; and

(b) of the day on which the authorisation is withdrawn.

(2) The chief executive—

(a) must keep a written record of the information given under subsection (1); and

(b) if a request given to the head of a government entity under section 137M has not been dealt with—must notify the head of the government entity that the authorisation is withdrawn.

(3) If an authorisation is withdrawn by an eligible person for the victim who is a recognised person, the recognised person must give the chief executive documentary evidence satisfying the chief executive of the relationship of the recognised person to the victim.

137L End of authorisation given by recognised person

(1) An authorisation given by a recognised person for a victim who is a child ends when the child is 18 years or more.

(2) Also, an authorisation given by a recognised person for a victim ends if the person stops being a recognised person for the victim.

(3) Subsection (4) applies if—

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(a) an authorisation ends; and

(b) the chief executive is or becomes aware that a request given to the head of a government entity under section 137M has not been dealt with.

(4) The chief executive must notify the head of the government entity that the authorisation has ended.

Division 3 Requests for information

137M Chief executive may request information

(1) This section applies if an authorisation is in effect in relation to a victim.

(2) The chief executive may request information for the victim from the head of a government entity if—

(a) the information is held by the government entity in the performance of the entity's functions under any Act or law; and

(b) the victim is entitled to be given the information under an Act or law administered by the government entity.

(3) The request must be in accordance with the authorisation.

Note—

See also section 137I.

(4) In making the request, the chief executive must—

(a) identify the victim for whom the request is made; and

(b) if the authorisation was given by an eligible person for the victim—identify the eligible person and the eligible person's relationship

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to the victim to give the authorisation for the victim.

(5) If the head of the government entity needs further information to deal with the request, the chief executive may give the head of the entity the information it needs to comply with the request in accordance with the authorisation.

(6) Despite subsection (2), the chief executive must not—

(a) pay any fee or other amount payable for a request, including an application fee or administrative fee in relation to a request for information; or

(b) make a request for information under—

(i) the *Information Privacy Act 2009*; or

(ii) the *Right to Information Act 2009*.

137N Government entity response to request

(1) This section applies if a request for information is made to the head of a government entity under section 137M.

(2) If the head of the government entity is satisfied the information may be given to the victim under an Act or law, the head of the entity may give the information—

(a) to the chief executive; or

(b) directly to the victim or eligible person for the victim.

(3) If the head of the government entity gives the information directly to the victim or eligible person for the victim, the head of the entity must notify the chief executive that the information has been given to the victim or eligible person.

(4) Despite any other Act or law that would otherwise

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prohibit or restrict the giving of the information to the chief executive or the eligible person for the victim, subsection (2) applies to permit the disclosure of the information to the chief executive or eligible person.

(5) To remove any doubt, it is declared that nothing in this section affects the operation of an Act or law, except as provided under subsection (4), in relation to—

(a) dealing with a request for information; or

(b) deciding a request for information; or

(c) a limitation on the purposes for which the information may be used or disclosed.

137O Chief executive must give information to victim or eligible person

(1) This section applies if the chief executive is given information under section 137N, unless the chief executive is otherwise aware that the information has been given to the victim or eligible person for the victim.

Note—

See also section 137N(3).

(2) The chief executive must take reasonable steps to give the information to the victim or eligible person for the victim.

(3) If information is given to the chief executive subject to a limitation on the purposes for which the information may be used or disclosed, the chief executive must inform the victim or eligible person for the victim of the limitation.

Note—

See section 140 for restrictions on disclosing or giving access to information or documents obtained under this Act.

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7 Amendment of s 139 (Functions of victim services coordinator)

Section 139(2), definition *victim service providers*—

omit.

8 Amendment of s 140 (Confidentiality)

Section 140(3)—

insert—

(d) for information disclosed, or a document accessed, under chapter 3A—if the prescribed person is satisfied on reasonable grounds that the disclosure of the information, or the giving of access to a document, about the person is required to lessen or prevent a serious threat to the life, health, safety or welfare of an individual, or the health, safety or welfare of the public.

9 Amendment of s 140A (Disclosure by scheme manager of information for research purposes)

(1) Section 140A, heading, after 'manager'—

insert—

or chief executive

(2) Section 140A—

insert—

(1A) Also, the chief executive may disclose confidential information obtained in performance of a function or exercise of a power under chapter 3A, other than information obtained under section 137N, to a person undertaking research if—

(a) the chief executive is satisfied the research is genuine; and

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(b) the person gives a written undertaking to preserve the confidentiality of the information and the anonymity of the person to whom the information relates.

(3) Section 140A(2) and (3), 'the undertaking'—

omit, insert—

an undertaking mentioned in subsection (1)(b) or (2)(b)

(4) Section 140A(1A) to (4)—

renumber as section 140A(2) to (5).

10 Amendment of sch 3 (Dictionary)

(1) Schedule 3, definition *guardian*—

omit.

(2) Schedule 3—

insert—

authorisation, for chapter 3A, part 3, see section 137H(1).

director of public prosecutions means the director of public prosecutions appointed under the *Director of Public Prosecutions Act 1984*.

eligible person, for a victim, for chapter 3A, see section 137A.

function, for chapter 3A, see section 137A.

government entity, for chapter 3A, see section 137A.

guardian—

(a) of a child, for chapter 3A, see section 137A; or

(b) for a person with impaired capacity, means a guardian appointed for the person under the *Guardianship and Administration Act 2000*.

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head, of a government entity, for chapter 3A, see section 137A.

nominee, for a victim, for chapter 3A, see section 137A.

office of the director of public prosecutions means the Office of the Director of Public Prosecutions established under the *Director of Public Prosecutions Act 1984*, section 4A(2).

police service means the Queensland Police Service under the *Police Service Administration Act 1990*.

recognised person, for a victim, for chapter 3A, see section 137A.

victims' advocate service means the performance of a function or exercise of a power under section 137D.

victim service providers means entities who provide services to help victims.

(3) Schedule 3, definition *official*—

insert—

(g) a person performing a function or exercising a power under chapter 3A.

(4) Schedule 3, definition *victim*—

insert—

(c) for chapter 3A—see section 137A.

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