

Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025

Amendments during consideration in detail to be moved by
The Honourable the Minister for Families, Seniors and Disability Services
and Minister for Child Safety and the Prevention of Domestic and Family
Violence

1 **Clause 2 (Commencement)**

Page 8, line 7, after ‘This Act’—

insert—

, other than part 4B,

2 **Clause 10 (Amendment of s 36A (Court must be given respondent’s criminal history and domestic violence history))**

Page 10, after line 19—

insert—

(1A) Section 36A, heading, after ‘violence history’—

insert—

and other information

3 **Clause 10 (Amendment of s 36A (Court must be given respondent’s criminal history and domestic violence history))**

Page 11, after line 6—

insert—

(3) Section 36A—

insert—

(4) If a police protection direction is in effect in relation to the aggrieved and respondent (regardless of who is the aggrieved and who is the respondent in relation to the direction), the police commissioner must also give the following information with the copy filed or

given under subsection (2) or information given under subsection (3)—

- (a) a copy of the direction; and
- (b) the signed written notice stating the grounds for issuing the direction prepared, by the police officer who issued the direction, under section 100O(2).

4 Clause 15 (Insertion of new pt 3, div 5, sdiv 3 and sdiv 4, hdg)

Page 16, lines 18 to 20—

omit, insert—

considers—

- (a) is likely to be in the entity's possession; and
- (b) may help the court in deciding whether it is necessary or desirable to impose the monitoring device condition on the respondent.

5 Clause 15 (Insertion of new pt 3, div 5, sdiv 3 and sdiv 4, hdg)

Page 16, after line 22—

insert—

- (3) However, the entity is required only to provide information in the entity's possession or to which the entity has access.

6 Clause 15 (Insertion of new pt 3, div 5, sdiv 3 and sdiv 4, hdg)

Page 19, lines 10 to 15—

omit, insert—

- (1) Evidence of the imposition of a monitoring device

condition or the use of a monitoring device, and other evidence directly or indirectly derived from the imposition or use, is not admissible in any proceeding other than—

- (a) a proceeding for a domestic violence offence; or
 - (b) a proceeding for a criminal offence that is not a domestic violence offence in which the court considers it is in the interests of justice to admit the evidence.
- (2) Evidence of the use of a safety device, and other evidence directly or indirectly derived from the use, is not admissible in any proceeding other than a proceeding for a domestic violence offence.

7 Clause 19 (Insertion of new pt 4, div 1A)

Page 40, after line 8—

insert—

- (aa) the direction ends under section 100ZD(3A)(a); or

8 Clause 19 (Insertion of new pt 4, div 1A)

Page 40, line 29, ‘respondent and aggrieved—

omit, insert—

same respondent and same aggrieved

9 Clause 19 (Insertion of new pt 4, div 1A)

Page 48, line 28, after ‘day’—

insert—

or as soon as practicable

10 Clause 19 (Insertion of new pt 4, div 1A)

Page 52, after line 16—

insert—

- (aa) an order that the police protection direction ends on a stated day; or

11 Clause 19 (Insertion of new pt 4, div 1A)

Page 52, after line 28—

insert—

- (3A) If the court makes an order that the police protection direction ends on a stated day—
 - (a) the direction ends on the stated day; and
 - (b) the part of the respondent's domestic violence history relating to the direction must include the following information—
 - (i) the court's order;
 - (ii) the day the direction ends under paragraph (a).

12 After clause 59

Page 75, after line 21—

insert—

Part 4A	Amendment of Family Responsibilities Commission Act 2008
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59A Act amended

This part amends the *Family Responsibilities Commission Act 2008*.

59B Insertion of new s 43A

After section 43—

insert—

43A Notice about police protection direction

- (1) This section applies if—
 - (a) a police protection direction is issued; and
 - (b) either or both of the following apply—
 - (i) the relevant domestic violence occurred in a welfare reform community area;
 - (ii) the police commissioner becomes aware that the respondent lives, or at any time after the start day has lived, in a welfare reform community area.
- (2) The police commissioner must give the commission a notice that states—
 - (a) the day on which the police protection direction was issued; and
 - (b) the conditions (if any) of the police protection direction; and
 - (c) the name and address of the respondent; and
 - (d) information that identifies—
 - (i) the place where the relevant domestic violence occurred; and
 - (ii) if subsection (1)(b)(ii) applies, the place in a welfare reform community area where the respondent lives or has lived.
- (3) The police commissioner must give the notice as soon as practicable, but not more

than 10 business days, after the later of the following happens—

- (a) the police protection direction is issued;
- (b) the police commissioner becomes aware that the respondent lives, or at any time after the start day has lived, in a welfare reform community area.

(4) In this section—

police protection direction means a police protection direction issued under the *Domestic and Family Violence Protection Act 2012*.

relevant domestic violence, in relation to a police protection direction, see the *Domestic and Family Violence Protection Act 2012*, schedule.

respondent, in relation to a police protection direction, see the *Domestic and Family Violence Protection Act 2012*, section 21(3).

start day means 17 December 2015.

Note—

17 December 2015 is the day from which courts have been required, under section 43, to notify the commission of protection orders under the *Domestic and Family Violence Protection Act 2012* made against residents of welfare reform community areas.

59C Amendment of schedule (Dictionary)

(1) Schedule—

insert—

PPD notice means a notice given to the commission under section 43A.

(2) Schedule, definition *agency notice*—

insert—

(da) PPD notice;

- (3) Schedule, definition *agency notice*, paragraphs (da) and (e)—

renumber as paragraphs (e) and (f).

- (4) Schedule, definition *relevant person*, paragraphs (a) and (b). ‘; and’—

omit, insert—

; or

- (5) Schedule, definition *relevant person*—

insert—

(da) for a PPD notice—the respondent for the police protection direction the subject of the PPD notice; or

- (6) Schedule, definition *relevant person*, paragraphs (da) and (e)—

renumber as paragraphs (e) and (f).

13 After clause 59

Page 75, after line 21—

insert—

Part 4B Amendment of Forensic Science Queensland Act 2024

59D Act amended

This part amends the *Forensic Science Queensland Act 2024*.

59E Amendment of s 3 (Main purpose of Act)

Section 3(1), ‘reliable, independent’—

omit, insert—

reliable

59F Replacement of pt 2, hdg and pt 2, div 1, hdg

Part 2, heading and part 2, division 1, heading—

omit, insert—

Part 2

**Office of the
Director of Forensic
Science Queensland**

Division 1

**Director of Forensic
Science Queensland**

59G Amendment of s 7 (Appointment)

Section 7(3), from ‘has—’—

omit, insert—

is appropriately qualified to perform the
functions of the director.

59H Amendment of s 10 (Vacancy in office)

Section 10(4) and (5)—

omit, insert—

- (4) The Minister may recommend the removal of the director for any reason or none.
- (5) The Minister may, for any reason or none, suspend the director for not more than 6 months by signed notice given to the director.

- (6) This section does not limit the Governor in Council's power under the *Acts Interpretation Act 1954*, section 25.

59I Amendment of s 13 (Functions of director)

Section 13(1)(b)(i), 'reliable, independent'—

omit, insert—

reliable

59J Insertion of new pt 2, div 1A

Part 2—

insert—

Division 1A Deputy directors of Forensic Science Queensland

14A Appointment

- (1) The Minister may appoint an appropriately qualified person to be a deputy director of Forensic Science Queensland.
- (2) However, a person must not be appointed as a deputy director if the person—
 - (a) has a conviction, other than a spent conviction, for an indictable offence; or
 - (b) is an insolvent under administration.
- (3) A deputy director is appointed under this Act and not under the *Public Sector Act 2022*.

14B Term of appointment

- (1) A deputy director is appointed for the term, of not more than 5 years, stated in the deputy

director's instrument of appointment.

- (2) A deputy director may be reappointed.

14C Conditions of appointment

- (1) A deputy director is to be paid the remuneration and allowances decided by the Minister.
- (2) The deputy director holds office on the terms and conditions decided by the Minister to the extent the terms and conditions are not provided for by this Act.

14D Vacancy in office

- (1) The office of a deputy director becomes vacant if the deputy director—
 - (a) completes a term of office and is not reappointed; or
 - (b) resigns from office by signed notice given to the Minister; or
 - (c) is removed from office by the Minister under subsection (2).
- (2) The Minister may, for any reason or none, terminate the deputy director's appointment.
- (3) Also, the Minister may, for any reason or none, suspend the deputy director for not more than 6 months by signed notice given to the deputy director.
- (4) This section does not limit the Minister's power under the *Acts Interpretation Act 1954*, section 25.

14E Deputy director must disclose insolvency

- (1) This section applies to a person who—

- (a) is appointed as a deputy director; and
 - (b) during the term of the person's appointment, becomes an insolvent under administration.
- (2) The person must, unless the person has a reasonable excuse, immediately give written notice of the insolvency to the Minister.
- Maximum penalty—100 penalty units.

59K Amendment of s 15 (Criminal history report)

Section 15(1), after 'the director'—

insert—

or a deputy director

59L Amendment of s 16 (Charges and convictions must be disclosed by director)

- (1) Section 16, heading, after 'director'—

insert—

or deputy director

- (2) Section 16(1), after 'the director'—

insert—

or a deputy director

59M Amendment of pt 2, div 3, hdg (Other provisions)

Part 2, division 3, heading, after 'provisions'—

insert—

relating to director and deputy directors

59N Amendment of s 18 (Delegation)

- (1) Section 18, from 'to an'—

omit, insert—

to—

- (a) a deputy director; or
- (b) an appropriately qualified staff member of Forensic Science Queensland.

(2) Section 18—

insert—

- (2) A deputy director may subdelegate a function or power delegated to the deputy director under subsection (1) to an appropriately qualified staff member of Forensic Science Queensland.

590 Replacement of s 19 (Independence of director)

Section 19—

omit, insert—

19 Minister may give directions

- (1) The Minister may give the director a direction about a matter relevant to the performance or exercise of the director's functions or powers.
- (2) However, a direction may not be about a particular person or matter.
- (3) The director must comply with a direction given by the Minister under this section.

19A Minister may request information

- (1) The Minister may ask the director for information about a stated matter relevant to the performance or exercise of the director's functions or powers.

- (2) The director must comply with the request.

59P Amendment of s 20 (Limitation on performing other work)

Section 20, after ‘The director’—

insert—

or a deputy director

59Q Amendment of s 21 (Conflicts of interest)

- (1) Section 21, from ‘If’ to ‘the director’—

omit, insert—

If a person appointed as the director or a deputy director has an interest that conflicts, or may conflict, with the discharge of the person’s functions under this Act, the person—

- (2) Section 21(a), ‘the director’s’—

omit, insert—

the person’s

59R Amendment of s 22 (Preservation of rights)

Section 22, after ‘the director’—

insert—

or a deputy director

59S Replacement of pt 3, hdg (Office and staff)

Part 3, heading—

omit, insert—

Division 4 Office and staff

59T Amendment of s 23 (Establishment)

- (1) Section 23(2)—
insert—
 - (aa) each deputy director; and
- (2) Section 23(2)(aa) and (b)—
renumber as section 23(2)(b) and (c).

59U Amendment of s 34 (Vacancy in office)

- (1) Section 34(2), from ‘appointment if’—
omit, insert—
appointment for any reason or none.
- (2) Section 34—
insert—
- (3) This section does not limit the Minister’s power under the *Acts Interpretation Act 1954*, section 25.

59V Amendment of s 40 (Confidentiality of information)

- (1) Section 40(1)—
insert—
 - (aa) a deputy director; or
- (2) Section 40(1)(aa) to (f)—
renumber as section 40(1)(b) to (g).

59W Insertion of new s 43A

After section 43—
insert—

43A Particular reports about operation of Forensic Science Queensland

- (1) This section applies in relation to a report about the operation of Forensic Science Queensland if the report was obtained by the State and tabled in Parliament before the commencement of this section.
- (2) The principles of natural justice, including the principle of natural justice relating to bias, do not apply, and are taken never to have applied, in relation to—
 - (a) the drafting or preparation of the report; or
 - (b) the disclosure of the report, or a draft of the report, to any person for the purpose of preparing or finalising the report; or
 - (c) the publication of the report.
- (3) It is declared that any person involved in the preparation of the report, including the State, does not incur, and never has incurred, any liability in relation to—
 - (a) the drafting or preparation of the report; or
 - (b) the disclosure of the report, or a draft of the report, to any person for the purpose of preparing or finalising the report; or
 - (c) the publication of the report.
- (4) To remove any doubt, it is declared that—
 - (a) the report, and any person involved in the preparation or publication of the report, including the State, is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, a tribunal or another

entity on the ground that the principles of natural justice, including the principle of natural justice relating to bias, were not complied with in preparing the report; and

- (b) no damages or compensation are payable by any person involved in the preparation of the report, including the State, because of or in relation to—
 - (i) the drafting or preparation of the report; or
 - (ii) the disclosure of the report, or a draft of the report, to any person for the purpose of preparing or finalising the report; or
 - (iii) the publication of the report.

59X Amendment of sch 1 (Dictionary)

- (1) Schedule 1, definition *misconduct*—
omit.

- (2) Schedule 1—
insert—

deputy director means a deputy director appointed under section 14A.

14 Long title

Long title, after '*Explosives Act 1999*,'—
insert—

the Family Responsibilities Commission Act 2008,

15 Long title

Long title, before ‘the *Penalties and Sentences Act 1992*’—
insert—

the *Forensic Science Queensland Act 2024*,

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