



EDUCATION, ARTS AND COMMUNITIES COMMITTEE

Members present:

Mr NG Hutton MP—Chair

Ms W Bourne MP

Miss AS Doolan MP

Mr MA Hunt MP

Ms CP McMillan MP

Staff present:

Ms L Pretty—Committee Secretary

PUBLIC HEARING—INQUIRY INTO THE DOMESTIC AND FAMILY VIOLENCE PROTECTION AND OTHER LEGISLATION AMENDMENT BILL 2025

TRANSCRIPT OF PROCEEDINGS

Tuesday, 3 June 2025

Cairns

TUESDAY, 3 JUNE 2025

The committee met at 9.01 am.

CHAIR: Good morning, ladies and gentlemen. Thank you very much for attending today. I officially declare open this public hearing for the committee's inquiry into the Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025. I would like to respectfully acknowledge the traditional custodians of the lands in Cairns and pay our respects to elders past, present and emerging. My name is Nigel Hutton. I am the member for Keppel and chair of the Education, Arts and Communities Committee. Here with me for today's proceedings are Corrine McMillan MP, the member for Mansfield and deputy chair of our committee; Wendy Bourne MP, the member for Ipswich West; Ariana Doolan MP, the member for Pumicestone; and Marty Hunt MP, the member for Nicklin, who is substituting for Jon Krause MP, the member for Scenic Rim. Nick Dametto MP, the member for Hinchinbrook, is unable to join us and sends his apologies.

The purpose of today's hearing is to assist the committee with its inquiry into the Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025. We are here in Cairns today to hear your views and we are incredibly grateful for each of the organisations that have already expressed an interest in speaking with us today. Please take this opportunity to share your experiences with the committee.

For your information, this committee is a committee of the Queensland parliament and its hearings are subject to the rules of the parliament. These proceedings are being recorded by our wonderful Hansard reporter, Bonnie, and will be published on the parliament's website. If you have any concerns around this, please talk to our committee secretariat, Lynda. We can go into closed session to take closed submissions. Media may be present and are subject to the committee's media rules and the chair's direction at all times. While you are here today you may find yourself being filmed or photographed during the proceedings and images may also appear on the parliament's website or social media pages. I would ask that everyone please turn their mobile phones off or to silent mode.

Before we formally begin today's proceedings, on behalf of the committee I would like to acknowledge the emerging tragedy of the poor family that has occurred in this community in the last week. I think for all of us it reiterates the need for a whole-of-community response and I know that I speak for everyone when we send our heartfelt wishes to the community. It is a very sad time.

We will hear today first from those listed on today's program. Then if there is time prior to the ending of our hearing we will open it up for any members of the community who may wish to step up. Before we go to our first speaker, I would like to formally welcome and acknowledge Mr Healy MP, the member for Cairns, and invite him to speak briefly to the committee on behalf of the community.

Mr HEALY: I left the 20-minute speech behind! I want to begin by acknowledging the traditional custodians of the land, the Gimuy Walubara Yidinji people, and their ancestors and pay my respects. I want to say welcome to the committee. The work that you are doing is vitally important. You have some absolute key players in our city and our region. Yes, an absolute tragedy has taken place in our community not so long ago. Unfortunately, it is happening everywhere. Coming in this morning I was listening to the ABC and heard the Prime Minister's comments about domestic violence and what a curse it is and what a violent impact it is having in all of our communities. The fact is that, as elected representatives, we have a very strong responsibility to ensure we are doing everything we can to protect, so I am pleased to have you here in what is, without any doubt, the best electorate in Queensland.

Finally, I want to thank everyone who is here to participate. Fundamentally, this is about community engaging with government and government taking back the data and then assessing it and making commitments to the community based on that, so I thank you very much. I thank everybody for participating and I hope the day goes well. Thanks very much, Chair.

CHAIR: I welcome our first speaker.

KEOGH, Ms Sandra, Chief Executive Officer, Cairns Regional Domestic Violence Service

CHAIR: We invite you to make an opening statement to the committee after which committee members may have some questions for you. Thank you so much for your time today.

Ms Keogh: Thank you so much for the invitation. I genuinely appreciate the opportunity to speak to the committee. This is the third time I have given feedback around, in particular, police protection directions. They were first brought to the sector last year by the QPS and then later brought by the QPU to the sector. This is now the third time that I am giving some kind of feedback around PPDs in particular. I realise there are other amendments that are going through that I am perhaps not so concerned about, but police protection directions are my No. 1 concern around this legislation.

The biggest issue for me around police protection directions is the potential misidentification of victim-survivors as the person who is using violence. Overwhelmingly, we are still seeing evidence of that despite the training that QPS has done, and they have done a lot of training; they have done a lot of hard work. You cannot train your way out of culture, though; that is something I would suggest. We are still seeing that coming through. Probably my biggest concern is not so much—we know that there is the gender centred review and that addressed PPNs and domestic violence protection order applications. I am looking at our police referrals and what is coming through there. In reading the legislation and the intent of PPDs, my concern is about those matters that are dismissed as 'DV—other' or 'DV—no action'. This is where PPDs are possibly going to land, and we see those come through our referral system.

In the last quarter we had just over 400 QPS referrals that came through to the service. Almost 24 per cent of those referrals were for male aggrieved, which is not actually reflective of any credible statistics anywhere. We know from credible statistics that around five to seven per cent of men may experience DV. That is sometimes family violence; that is sometimes same-sex and also heterosexual partners. To have 24 per cent of my referrals be for male aggrieved is an over-representation and not what I would perhaps expect. The flip side of that is that I received 59 referrals for female respondents in that same quarter. My concern with that statistic is that 59 per cent of those were actually for First Nations women, who make up 4.3 per cent of the population here in Cairns. That is a really big concern for me, and the rate at which we are incarcerating our First Nations women continues to be a concern.

Police do not need more powers; police need more resources. That is actually my argument. They need to be able to investigate; they need to be able to provide the supports and actually deal with matters in the way they need to without feeling that pressure to go from matter to matter. I do get concerned that there is a sense of, 'We'll go to a matter, we'll issue a piece of paper and that is safety.' If we look at any of the death reviews we can see how in many of those matters where people have been killed there were protection orders in place—and from time to time there were cross-orders in place, where there have also been orders around the person who has been killed. The 2016-17 death review really highlighted the rates at which that was actually happening. I know that police will say that they have done quite a lot of training since then—and they have—but for me, when I am looking at my police referrals, I am not actually seeing a big shift.

The other argument that has been put forward is around trying to minimise trauma for the victim-survivor. If the police are doing an application on someone's behalf, they do not actually have to go to court because it is the police application; it is not that person's application. They might have to go to court if it gets to a hearing but they would not be doing that in a PPD anyway. I would also suggest that if we are concerned about the trauma of court then we are reforming the wrong system. We need to perhaps be looking at reforms in that space if that is what we are so concerned about.

The other thing is the Queensland government has invested millions of dollars in specialist DV courts across Queensland. This has shown to be really effective in increasing the understanding for both aggrieved and respondents around the process and having better outcomes. We know from research that when people know, understand and feel like the process has been reasonably fair, they are much more likely to follow the directions. There is also deliberately readily available specialist services at court. Taking court out of the equation completely takes away that opportunity to engage with those specialist services that are there specifically to try to make connections with people who may not have actually darkened the door of our service at all. It is almost defeating the purpose.

I think there are some genuine concerns about issuing orders to people who are perhaps culturally and linguistically diverse, who are living with a disability, who are perhaps vulnerable in many other ways without proper access to legal advice. There is a genuine concern there as well as just that lack of judicial oversight. I have some concerns, too, at the moment with the migration

regulation. If you have a DVO, that is taken as evidence of domestic violence if you are seeking to use some of the clauses to be able to stay in the country. I would suggest that a PPD would not meet the threshold. I have some questions around what that looks like and how people might move forward if that is what is happening for them.

I have lots of concerns around the impact that it will have. We know that once we start treating victim-survivors as perpetrators they disengage from services. It changes how she engages with the service system, but it also changes how the service system engages with her. That misidentification will often follow her into other spaces, like child safety and courts. All of a sudden, where they might have given some grace around 'yes, she is a victim-survivor', it becomes very mutualised: 'She is as bad as he is,' and often that is not the case. We cannot treat victim-survivors the same way we treat perpetrators in this system.

CHAIR: Thank you very much for your very thoughtful contribution. While very focused obviously on PPD, you have covered quite a lot of scope there. I will defer to the member for Nicklin for the first question.

Mr HUNT: Given your experience in the current system and the evidence you just gave about misidentification—you acknowledged that police currently are making a lot of decisions in this space, supervised by sergeants and senior sergeants, authorised by inspectors et cetera and the vast majority of their PPNs and applications go through court uncontested—would you concede that the vast majority of orders applied for by police through courts go through uncontested? Would you concede that?

Ms Keogh: Yes, in many ways. Part of that is that sometimes parties do not even show up to court. That is actually my concern as well: if people are in a position where they feel like it is something that is done and dusted and there is nothing they can do about it or they are too scared to go to court, then there is no access to that judicial oversight. What we sometimes see in court is magistrates will read an application and will sometimes ask police around criminal charges that might evolve out of what has actually happened in that incident as well. I think there are some real issues around having police as investigator and adjudicator. That is part of the reason judicial oversight is really important.

Mr HUNT: That is still available, though, under this new system. Judicial oversight is still available to both the aggrieved and the respondent in any case.

Ms Keogh: Yes, but police investigate themselves first and then it escalates into the court.

Mr HUNT: That is what happens currently though. Police make decisions based on what—

Ms McMILLAN: Point of order, Chair: it would appear that the member is arguing with the submitter.

Mr HUNT: I apologise if I am arguing. I just wanted to draw the point out that police are making these decisions and making these applications and the vast majority are going through court.

Ms McMILLAN: Point of order, Chair.

CHAIR: We will move to our next question from the deputy chair.

Ms McMILLAN: Thank you very much, Sandra, for all that you do for women and children here in Cairns. From your extensive experience supporting victim-survivors of domestic and family violence, do you have concerns about the impact of PPDs and what they will have on recently commenced coercive control legislation and could you outline those concerns?

Ms Keogh: Yes, absolutely. What we have seen perhaps in the last 12 months—the coercive legislation has only been fully introduced in the last few weeks—with police applications and certainly through the referral system is behaviours being framed as coercive control that I would perhaps suggest have a different context. I think this is part of the challenge of the coercive control legislation. When it comes to domestic and family violence, context really matters. What makes me fearful may not make someone else in this same room fearful. I have never been quite sure how we legislate that I got a look from across the room and became fearful.

What we are seeing through the police space is that we know that sometimes someone who uses violence will persist and be relentless in their abuse of the victim-survivor and will sometimes follow them around the house being verbally abusive and using other tactics. I have been doing this work since 2005 and I sit with the stories of hundreds of women who have been driven to the point of saying, 'What do you want me to do? Do you need me to kill myself? Is that what you want?' because they are so disempowered, so frustrated and cannot see any other way out. What they are actually asking is: 'What more do you want from me? How do I stop you from doing this to me?'

It is a very different intent to someone who uses violence who is using the threat of suicide to keep the person in the relationship or to perhaps punish them. We often see someone who uses violence—if she has a history where her previous partner has taken their own life, it is very interesting to me that, if there is someone new and they also use violence, often their threat becomes to commit suicide as well. There is a changing of tactics. The thing with someone who uses violence is that they will always use what actually has most meaning to me. You can call me a number of names and it is not going to bother me, but there are some names that you will call me and it is actually really going to hurt. They will often use a victim-survivor's history to really tailor their abuse and how they actually impact on that person.

What we are seeing is police taking out orders against women who are in that space around feeling so hopeless and so helpless that they are saying, 'What do you want me to do? Do you need me to kill myself?' Now there are orders being taken out against them for using coercive control over their partner. I can understand why police may be seeing that, but I think this is the reason context is so important, because it is not the same driver behind the behaviour from a victim-survivor perhaps saying those words and someone who uses violence who is trying to keep her in the relationship or keep her fearful. They are not the same intent.

Ms McMILLAN: Thank you, Sandra.

Miss DOOLAN: I want to echo the deputy chair's thoughts around the work that you do in our community. It is very important for women and children. My question is: do you agree that video recording will reduce the traumatic experience of giving evidence in court and allow victim-survivors to give a statement soon after an alleged offence?

Ms Keogh: I think there is definite benefit in the video recording. We have seen tentative positive results from some of the pilots. My only caution is, yes, we probably do need consent. The only other caution I hold is that sometimes I will sit in a room with a woman who will tell me what she has experienced—we might be doing a DVO together—but there is information that she will not want to put in that DVO because she believes it will increase her risk. If there is criminal activity or sometimes if there is sexual assault, she is not going to perhaps want to give that information. I am not sure that in the immediate aftermath of an incident whether a victim-survivor will be thinking so much about whether it is safe to disclose what it is that they are disclosing. I have some curiosity about risk and whether that gets increased because she is perhaps not being as considered as she might be if she were giving a statement in a slightly different environment. It is not that I am unsupportive of the VRE. I just have some curiosities and some cautions around what that looks like.

Ms BOURNE: Thanks for coming along this morning and thank you for your opening statement. Other domestic and family violence support services in regional Queensland have raised region-specific concerns such as issues with the reliability of GPS trackers and unique challenges to keeping victim-survivors safe in smaller and more connected communities. Could you outline any unintended consequences you foresee the legislation having on regional and remote communities in Queensland?

Ms Keogh: CRDVS has an office in Atherton, Mareeba and Mossman, so there are definitely some challenges in those areas and the outlying areas. I think about the Southern Tablelands and Ravenshoe where there absolutely are really genuine issues around GPS. We have two security upgrade programs. One is heavily technology based and the other one is a bit more to do with security screens, sensor lights and that kind of thing. The struggle that we have is sometimes those technology-based solutions are not appropriate always for those spaces because there may not be the signal required to have the video cameras or the personal duress alarms that we issue because they are in a dead spot.

The other issue is that the more rural and regional we get sometimes the condition of house is such that often we find we are having to do a lot of security upgrades just to get the basic house to a secure level. In places like Mossman sometimes there are no doors and no windows. We can put up cameras and that becomes an evidence gatherer but it is not actually a safety device per se. I think there are definitely some issues around that rural and remote space and how we try to keep people safe.

The other difficulty is that if someone lives an hour and a half away from the closest police station that is no-one's fault but then we are talking to people about how they can try to maintain their safety as much as possible until help arrives. Places like the Daintree and using the ferry to try to get across and up into the cape and some of those other areas become really challenging.

CHAIR: I also wanted to ask about electronic monitoring. We have heard the capacity to use electronic monitoring with both the perpetrator and the victim can add but does not replace the need for other security and safety elements. Do you think it would be beneficial to the community of Cairns and to the victims who you support through your service?

Ms Keogh: I think so. What we know from the evidence is that electronic monitoring on its own without case management is not as effective. The monitoring plus the case management of perhaps services like ours or other people who are providing supports will actually make that much more effective.

CHAIR: I will refer back to the member for Nicklin.

Mr HUNT: Sorry if I was argumentative before. I do not want to undermine the very important work that you do. Given the restrictions around the new notices and the parameters in which police can introduce them and given the overwhelming interventions now in domestic and family violence through police and courts, do you see benefit in a system at all that takes the courts out of it initially or would you like to see courts involved in every single incident?

Ms McMILLAN: Point of order, Chair: I ask that the member reword the question. The start of the question contained inferences. I think that we need to be treating our experts in the field with the respect that they deserve.

Mr HUNT: I will reword the question for the benefit of the member.

Ms McMILLAN: Point of order, Chair: I ask the member to withdraw those comments. They are personally offensive to me. It is not for my benefit; it is for the benefit of the hearing and for the respect that we owe to the experts in the field.

Mr HUNT: I withdraw. Do you see any benefit at all, in dealing with domestic and family violence, around any parameters that keep that out of court?

Ms Keogh: To be honest, I think there is something incredibly important about that judicial oversight. There is something about accountability. Even if people are not turning up to court to contest it or if they are turning up and they are consenting without admissions or consenting to orders, there is something in that process. We have such little accountability, if I am honest. We talk about perpetrator accountability, but it is this really nebulous thing. When you try to pin down what we mean by that, no-one has a clear answer about how we do perpetrator accountability. I do not think we are very courageous when it comes to keeping someone who uses violence accountable. Probably what I would like to see is actually a system that continues to provide the support to victim-survivors that is absolutely essential and needed.

What I would really like to see is a shift in our system where we stop interrogating the decisions of our victim-survivors, where we stop relying on them to keep themselves safe, and we shift the lens to the person who is using violence and we start looking around who is engaged with them, what is around them, what supports can be provided to them and how do we hold them accountable. We can do that in a way that is trauma informed because often the argument is that there is potential trauma, although research shows that often someone who uses violence has not experienced any more trauma than perhaps anyone else. We can do those things in a way that are supportive and positive but accountable. For me, that is the biggest shift I would like to see. How we do that requires an entire rethink, but I do not know that that means taking courts and judicial systems out and I certainly do not think it means giving more powers to police.

CHAIR: Deputy Chair, do you have a final question?

Ms McMILLAN: Yes. Do you believe that the issuing of PPDs reduces the opportunities for organisations like yours to intervene?

Ms Keogh: I think so. They will still, I think, offer referrals at that point. As far as police referrals go from my service, when we try to follow up and make that contact, we have a 30 per cent success rate in making contact. We had just over 400 referrals in the last quarter. We will be successful in contacting about 30 per cent of those people, but if those people are going to court then we actually have the opportunity to engage them in that space and offer supports and services. That is why we have a specialist court. That is why we have court support workers who go to that space—to help minimise that secondary victimisation but also to demonstrate that there are services that can provide supports. We know from death reviews as well that only about 13 per cent of those people who have been killed had had access to a specialist service. Where people are actually reaching out first is police, then it is health and then it is Magistrates Court. Those are the first three places that people

go when they are experiencing DV. For specialist services like ours to be 13 per cent, there is something that we need to do to be more proactive and to perhaps be more visible, but I think the more opportunity people have to engage with services the better the outcomes.

CHAIR: Thank you very much, Ms Keogh. With the leave of the committee, I want to ask a question that is probably more practical than about the legislation. You were saying that you have received 400 QPS referrals. Are you the sole referral service in Cairns?

Ms Keogh: No..

CHAIR: Thank you for your time today and for taking the opportunity to respond to our questions.

OBEYESEKERE, Ms Andrea, Senior Manager, Centacare

VEIVERS, Ms Anita, Executive Director, Centacare Far North Queensland and Catholic Early Learning and Care

CHAIR: I invite to you make an opening statement, after which the members may have some questions for you as we seek to understand the services that you provide and your background and knowledge on this subject.

Ms Veivers: Good morning and thank you for the opportunity to speak today. We provide a range of services across a number of domains. That is across mental health and wellbeing, aged-care and disability support, multicultural services and community programs, including a neighbourhood centre. With our programs we are not a specialist domestic and family violence service provider, but we do have touchpoints in every one of our services with people who are impacted by domestic and family violence, and that comes from both victims and perpetrators. For example, in our mental health programs we are supporting people in our community in mental health programs and in our counselling services who identify as victims and survivors of domestic and family violence as well as perpetrators. Our organisation sees the impacts that reach far and wide, beyond the individuals that are involved and impacted directly to the families that we support as well.

We also offer a range of family and children support services and parenting programs. To give an example of our counselling services, we provide counselling services to children who are in the care of the state. A number of those children have been impacted by domestic and family violence throughout their life. Unfortunately, what we see is a situation where many of those children are unable to attend their appointments with us because within the service that they are living in, such as a youth residential service, there are insufficient staff to be able to take the time out to bring them to their appointment or they arrive late for some reason and our counsellor is already engaged with another person. I think what we would like to see recognised is that the impacts and the contact points reach far and wide throughout our whole social services system and throughout our community. Recognising the need to provide the services to people right across the community sector, not just in the specialist domestic and family violence service, is important.

We provide early learning and care services to children aged from six weeks to 13 years. Within these services we see touchpoints with families who are experiencing the impacts of domestic and family violence. However, with those services, even though they are excellent soft entry points for families to access supports and to identify, there really is not the funding and support available to be able to work with those families at that point where they may be disclosing to a member of staff within that setting the situation they are in. Onward referrals are made, but quite often those onward referrals are not followed up because the person does not feel that they have a safe pathway whereas at that touchpoint they do.

In terms of our organisation's experience, the mental health space is obviously one of the key areas, but the culturally and linguistically diverse community is also an area of specialty because we do provide the refugee settlement services for this region. I will pass over to my colleague Andrea to talk further.

Ms Obeyesekere: Thank you, Anita, Chair and members of the committee for the opportunity to speak. I will just give you a summary of our multicultural services in this region so you are aware. We are the humanitarian settlement provider in Queensland for regional Queensland in the Far North. We have been doing that work for the last 40 years in this region. We currently are settling communities of very diverse backgrounds. You have to remember that this is a small region for humanitarian settlement and we are currently settling people from the Democratic Republic of the Congo. Currently in the cohorts we are receiving—this is our second cohort we are receiving—we are seeing people who are arriving who have the most trauma we have ever seen—children who have experienced incredible sexual trauma that we have never seen in this region—being settled. We are also settling people from Afghanistan. We have had over 26 arrivals from Afghanistan in the last week. This is challenging in a housing crisis and also with the different religions we are dealing with in this region, because the majority of the Afghan arrivals are of Muslim background.

The other arrivals we are starting to see coming in in the last month—and we have not done settlement of this region for over 30 years—are people from South America: Venezuelan and Salvadorian. As you can see, these are really diverse groups. We are the biggest settlement of Bhutanese refugees, who have been the longest in refugee camps for over 30 years. We have 1,700 Bhutanese in this region. That gives you an idea of what we are doing here. We are also settling a number of Myanmar arrivals of various ethnic backgrounds because of the conflict there.

In our work, we are not only supporting humanitarian entrants; we also, through a number of federal and state contracts, support the broader migrant populations. We see presentations of family and domestic violence through our case work and through our community engagement work at all points of contact that we are working with across all of these communities—not one in particular or one less. Our response is grounded in trust, cultural safety and wraparound care. For many of the refugee and migrant women in particular, we are often the first service they disclose abuse to; it is not police and it is not the courts. That being said, and following on from our wonderful colleague Sandra, who we work very closely with, I do believe that in this space judicial overview is required and is needed because for many of these women this will be the first time they have an opportunity to see themselves being heard and listened to. I think they appreciate that right to understand that our systems in our country are fair and just. It is also important for the perpetrators to understand that there are consequences in our country at a judicial level.

We really urge the committee to consider and to ask us about community-based prevention and early intervention, particularly in the work that we do. We also wish to briefly highlight evolving work engaging with men and boys, creating safe spaces for accountability, emotional literacy and respect for relationships. These are early conversations but they are helpful ones. Addressing violence also means addressing disconnection and the lack of pathways for change.

Ms Veivers: Our submission today is built on what we have witnessed in the homes, schools and communities of Far North Queensland. We believe that this bill represents a critical step forward, but it must be matched by investment in prevention, cultural responsiveness and local place-based action. Thank you again for the opportunity to appear today and we welcome your questions.

CHAIR: Thank you for the contributions you made and thank you very much for your submission. I really valued in your submission that intersect between elder abuse, which is another inquiry this committee is undertaking, and domestic violence. I felt that you represented that really well in the submission on behalf of Centacare more broadly, so thank you for that. My question is with regard to the role of this legislation in seeking to reduce trauma exposure for victims and children. Do you have a view as to whether this legislation supports reducing that trauma? If so, what are the benefits of reducing that?

Ms Obeyesekere: In reducing the trauma for victims, and particularly for children involved in this space, the legislation does to some extent support that, but where I think there is failing is the judiciary overview. I think that is highly required. The reason I say that is: at some point we need to have that mandated system where people have a right to the procedures being in their own language and understanding what is happening. While the police have done a lot of training in this area, we are still very aware of police not calling interpreters when they are required. I have been in this space for over 20 years and worked in more remote areas like Mount Isa. Particularly in our space, victim anonymity is really important and it is really difficult with interpreters if it is not being used for a judiciary stance.

There is a huge issue in that the smaller the community—we work with outer regional communities as well—the higher the chance of being identified by the interpreters themselves. Interpreters come from the broader community in our country, but if you are a Muslim woman of Afghan background in Mareeba then it is very easy for that interpreter to identify who that person is if names are used.

Training has to be relooked at. If you take out the judiciary part of this system, I am not one to believe that the police will have the resources to invest in that. I do not believe that they do not want to do it; I believe that they do want to protect all of us. I just do not believe that they have had the resources because we have not seen it so far, even in the submissions we have made.

CHAIR: With the support services that are available, obviously the judiciary always remains an option to review. Is that something that your organisation is engaged in—providing that support for victim-survivors post the implementation of PPNs and things like that?

Ms Obeyesekere: We support families to get to court and we advocate for them to have language interpreters at the courts. We do not do face-to-face interpretation of legal matters. There is a huge conflict when you are supporting somebody in settlement to also be interpreting at a legal matter or even in a medical matter. We advocate and we support families through the processes so that they know that they have the rights to be there. They know that it is required and it is in their best interest to attend. We provide the social and emotional support at the courts. We do not receive any additional funding to do this, may I just say, from either the federal or the state government contracts that we have, but we know that that is important in the community that we live in and it is important for them to feel part of this community and to understand in Australia what their rights are. The

opportunity to present what is happening to them is really important. If you take that away, I am convinced that they will think the system is very much like the systems they have come from, where police have a lot more control. We are doing a lot of work to bridge that gap between the police and our communities. In fact, I am very proud. Over the weekend at the Cairns African Association we saw the first new police liaison officers from the Bhutanese community and the African community, both of whom are women, which we have advocated for for a very long time. The community was so proud of them, including the men of the community, which was wonderful. It is long overdue. It is greatly needed and I think things like that are making a big difference.

CHAIR: Thank you for the work you do—and remember there is a reform process for the other side of the domestic and family violence coin, so please make sure you submit also in that space about the supports that are necessary to make sure we are getting that intervention where necessary.

Ms McMILLAN: Thank you for the great work you do, particularly in supporting our diverse communities here in North Queensland. Tasmania has police issued protection similar to PPDs. They are called PFVOs. However, these could only be used or issued in significant relationships—that is, in de facto or married relationships. In your experience what are the challenges with correct identification of the predominant aggressor in non-coupled relationships and particularly in your work with the cases of carers?

CHAIR: Feel free—it is a mouthful of a question—if you have the capacity to offer some opinion, please do so, but at the same time if it is outside of your wheelhouse, it is more than acceptable to say so.

Ms Obeyesekere: I think it is more outside of our scope to be honest. We do not have that many. Across our work from disaster to neighbourhood centre we have not really seen that space to be able to comment.

Mr HUNT: Thank you, Centacare, for the wonderful work you do. I am interested in the process. You mentioned you have a lot of touchpoints for domestic violence that is brought to your attention, particularly migrant women; you were saying that often you are their first point of disclosure. Can you tell me what happens after that? What are your policies and processes to deal with and support that person? Is it mandatory reporting or is it encouraging them to report? Can you go through the process of what happens?

Ms Veivers: Mandatory reporting would apply if they were children who were impacted, and we obviously follow that through in all of our services. In terms of the touchpoints for somebody disclosing they are currently being impacted by domestic and family violence, they would be referred through to a specialist service with advocacy and support, as Andrea mentioned. The touchpoints we see quite often are post events. It is the impact that is lasting for people in terms of their mental health or their ability to participate in community, the impact it has on other relationships and, as we mentioned, young people who are in the care of the state or young people whom we are seeing for counselling because of the trauma of the impact of the domestic and family violence that they have experienced in the home setting.

Ms BOURNE: Thanks so much for coming along today, Anita and Andrea. Do you think the PPD powers go far enough, or is there more that could be done?

Ms Obeyesekere: I think I touched on it earlier. It would be remiss of me not to sit here and advocate for stronger and more mandatory legislation around the use of interpreters and the training of people in the requirement to provide that. It is a human right to be able to understand processes that are happening. Unfortunately—and it is not just with the police or the judiciary; it is across many systems in our country—until that is in legislation and it is a mandatory requirement, people will just not adhere to it. It touches on people's right, but it does not say that it must be used. That is the biggest issue for us.

I will give you a practical example. If we know that people are attending court for a family or domestic violence issue and we are supporting either side of that situation, we will ring ahead and say they need a court interpreter. We will turn up there and we will have lodged all the forms that are required and done everything that is required—I am sure Sandra will speak to this as well—and when we turn up we find the interpreter has not been booked every single time. Until these processes are looked at—you can do everything with legislation, but the cohort that I work with will never feel safe; they will never feel empowered to stand there and speak when there is so much drama when they arrive at the court just to be able to have their voice heard.

As these areas take in more and more people of various diverse backgrounds, as we are seeing—and we are thrown into that situation as a country because of various political things that are happening around the world—these systems have to be refined because the requirement for interpreters with unique language capabilities is going to be seen more and more. I hope that answers that question.

CHAIR: What is the current capacity of access? Is this a case of growing it nationally or is this something that needs to grow within Queensland? I want to understand what the limitations are in terms of what we currently have versus what we need to provide in order to have the level of service that our community demands and needs.

Ms Obeyesekere: We work really closely with NAATI and we work at looking at interpreters across the country for languages. Places like Townsville are settling people for whom there are only three interpreters in the whole of Australia and one that they use who is in France because they are from the Eastern African republic; they only have a specific language. They are in a much more difficult situation than me. That is not to say that will not happen in Cairns because of the way resettlement falls.

There is a major shortage of interpreters across the country. That is something that the CALD sector is looking at with the Settlement Council of Australia, Refugee Council of Australia—they are all looking at this really closely. I think it is more acutely felt, though, in regional and remote areas. That is why it is wonderful you have come here to hear from us. When I speak to our colleagues in Brisbane and Melbourne, the booking system still works and they do have face-to-face interpreters at the courts in the major languages that are represented there. We do not have that opportunity here at the moment because we have so many different languages that are needed. I am specifically speaking at the moment only about the refugee cohort languages. As the country has more and more skilled migration coming into the country, there will be a huge diversity of languages needed at all these touchpoints. There are beautiful things about living in a multicultural country. It will be more beautiful if we have these systems in place so people can live their best life here.

Miss DOOLAN: Thank you for the work you do. My question is around your thoughts on the electronic monitoring and how that will substantially protect women and children from multicultural backgrounds.

Ms Obeyesekere: Based on what our colleague Sandra shared with you, I think electronic monitoring is important. I do not think in any way—speaking English is not a measure of intelligence. We find people turn up and are very capable with digital devices, even people who have been in refugee camps for a long time. I think what Sandra said, though, was that digital monitoring must go hand in hand with supported case management. I think that is incredibly important in this space to help people understand their obligations and help them understand how these systems work. Creating safe opportunities for them to share what is working for them, what is not working for them—that is all about that intensive case management support that I think is important with this. It has to go hand in hand.

Ms Veivers: Beyond the intensive case management, there is a need for recognition within the social services sector more broadly that it needs to be accounted for, responded to and acknowledged. We do not have services in isolation. People who are presenting with complex and multiple factors impacting their ability to function fully in society have a whole range of issues that need to be addressed. At the moment we are funded predominantly by nourished streams of funding that are to address a particular issue or a particular factor. When people are presenting with very complex needs across a whole range of areas, it is difficult as an organisation to meet your funding obligations and accountability requirements because people are at touchpoints across a number of those areas. I think recognition of the need to be able to have more fluidity and flexibility would mean we could address some of these things at the point in time rather than needing to make a referral for somebody from our mental health service through to another service area because that is the area that is being funded by a different department. Some of those things in the background can actually make a difference to what we are providing in that front-facing service to community.

CHAIR: Thank you very much, ladies, for your time today and for giving us a whole heap of information that is really beneficial to the inquiry itself. Again, thank you for the role that your organisation plays in this community but also for the submission you have provided on behalf of the broader sector. I appreciate we went a little bit over, but that was a great question around interpreters.

KIYINGI, Mr Kulumba, Senior Policy Officer, Queensland Indigenous Family Violence Legal Service

CHAIR: I apologise. I know I massacred your name last time we met for the elder abuse inquiry. I do appreciate you joining us here today. We acknowledge that Thelma is unable to join us.

Mr Kiyingi: I apologise on Ms Schwartz's behalf. It was a bit of an unforeseen circumstance. Thank you. To begin, I say thank you to the committee.

CHAIR: I apologise. We received your submission to the committee last night. For the benefit of committee members, we have distributed the electronic copy. If I can get you to table your submission now it means they can then ask questions based on your submission that they all received last night. Would you like leave of the committee to table your submission?

Mr Kiyingi: Yes, I seek leave of the committee.

CHAIR: That is so tabled, which means it will go live on the website but it also means the members can ask questions based on the submission. I apologise for interrupting the start of your speech.

Mr Kiyingi: Not a problem. I am from Queensland Indigenous Family Violence Legal Service, also known by our acronym QIFVLS. Before going further I first knowledge the traditional custodians of the lands on which we are gathered, the Gimuy Walubara Yidinji peoples. I pay my respects to elders past, present and emerging and extend my respects to Aboriginal and Torres Strait Islander peoples with us today.

Queensland Indigenous Family Violence Legal Service is appreciative of the opportunity to participate in the public hearing regarding this bill. As an Aboriginal and Torres Strait Islander community controlled organisation, our feedback comes from the standpoint of a family violence prevention legal service that provides a culturally safe and holistic wraparound model of care attending to our clients' legal and non-legal needs. We provide services in the areas of domestic violence, child protection and family law and we assist applicants engaging with Victim Assist Queensland to make applications. We are dedicated to achieving the priority reforms and socio-economic targets outlined in the National Agreement on Closing the Gap, particularly target 13: ensuring families and households are safe and that domestic and family violence against Aboriginal and Torres Strait Islander women and children is reduced by at least 50 per cent by 2031. At the outset, we welcome reforms that seek to ensure safety for families and children experiencing domestic and family violence.

After considering the bill, we wish the committee to consider the following points. Whilst supporting processes to lessen the trauma experienced by our clients, we have some concern around the process for issuing police protection directions, PPDs, without the involvement of a court via an application for a protection order. This primarily relates, from our standpoint, to concerns we have regarding misidentification of our clients as well as the level of training provided to Queensland Police Service police officers regarding cultural capability and providing a trauma informed model of care. In particular, we would like to see that the level of training provided to police officers is such that they can identify cases of misidentification when they are in the thick of the action. As a widely dispersed state in Queensland where geography presents a barrier, PPDs may potentially place an unfair burden on misidentified victim-survivors to obtain legal advice and to review the issuing of the PPD.

This relates to the fact that the 2021 Census showed that 40 per cent of Aboriginal and Torres Strait Islander Queenslanders live in outer regional to remote areas, and this is in comparison to 14.5 per cent of non-Indigenous Queenslanders. Something that we see in our service and across our offices around Queensland is the potential for geography to play a barrier. When I went to Bamaga on a circuit we saw that unleaded fuel was \$2.80 per litre and on Thursday Island it was \$2.55, so that adds to factors around transport and getting to and accessing services.

We are not opposed to an electronic monitoring pilot; however, we would like to see the results of a review of the pilot. We would like to see the rollout of the electronic monitoring pilot, especially in rural and remote Queensland, and seek close coordination from the QPS with Aboriginal and Torres Strait Islander stakeholders in the DFV sector.

We broadly support the legislative provisions for obtaining videorecorded evidence-in-chief statements in domestic violence related criminal proceedings, as they are a valuable tool in lessening the trauma and disadvantage experienced by victim-survivors during the court process. It is important from our standpoint, however, that police officers are adequately trained to take VREC statements in a culturally safe, trauma informed manner. In that regard, we do have some concerns about removing the requirement for a trained police officer to take VREC statements.

I want to touch on PPDs. Whilst we fully support processes that lessen the trauma experienced by our clients, we do reiterate concerns around the issuing of a PPD without immediate judicial oversight. We note there are safeguards that have been built into the bill under clause 19, and we welcome those provisions that seek to prevent misidentification of a greater victim of domestic and family violence. Nevertheless, our concerns really are around the level and amount of training provided to police officers in utilising a trauma informed and culturally safe response that would enable them to identify the greater victim in relationships characterised by domestic and family violence.

Training in cultural safety is something which is quite important to us and it is something which we see from our clients who present to us in cases where there may have been a callout. Roughly 85 to 90 per cent of our clients are female. They may be in a situation where they are aggravated, they have been facing ongoing abuse, and they have lashed out in a form of violent resistance. Oftentimes we are advised that at the attending of the callout our client will be in a highly agitated state whilst the partner will be presenting in a calm manner. This does create problems around our clients quite often not fitting the mould of a perfect victim. It also points to some of the concerns we have around receiving training to identify who is the greater victim.

Ideally, we would like to see ongoing training provided by a specialist in delivering culturally appropriate and trauma informed training to all Queensland Police Service staff. An example I can give is that our principal legal officer, Ms Thelma Schwartz, provides training to the Queensland Police Service Vulnerable Persons Unit and high-risk teams. That training is delivered to the QPS as part of the five-day specialist training. We would like to see that as ongoing training on an ongoing basis, ideally to all Queensland Police Service officers. We believe that training would include providing police officers with an educational background in understanding the historical mistrust and fear that many Aboriginal and Torres Strait Islander communities have towards the police. It is something which I have noticed when attending various elders forums. It was highlighted to me when an elder mentioned that oftentimes if you see the Queensland insignia or seal it is cause for hesitation because of historical factors. I welcome any further questions from the committee.

CHAIR: Thank you very much for the high quality of the submission you provided to the committee. You are broadly supportive of the introduction of videorecordings being used as evidence in court. You link it with the development and promotion of the use of a DV co-responder model.

Mr Kiyingi: Yes.

CHAIR: Would you like to take the opportunity to speak to the committee as to why you believe there is a link between the two and how that benefits the reduction of trauma experienced by victims?

Mr Kiyingi: What we do know is that currently in the Cairns area Relationships Australia works with police in terms of the DV co-response model. What we would be calling for is an enhanced co-response model which ideally would also include Aboriginal and Torres Strait Islander community controlled organisations where there is the capacity to do so. That would alleviate some of the stress and pressures placed on police officers at callouts. In a partnership model, both parties could attend. It may present an opportunity to lessen the trauma if either of the parties—assuming they identify—can see a support worker from an Aboriginal and Torres Strait Islander community controlled organisation. I will just say ACCO for short. It may lessen the trauma if they can see there is a support worker from an ACCO. It may also mean that there is that real-time expertise and advice being provided to the police officer in helping to identify what may be a potential case of coercive control, ongoing abuse.

We are aware that the Queensland Police Union mentioned the difficulties of Queensland Police Service officers having to shoulder the burden with DV callouts. In calling for an enhanced co-response model, we would call on the support of the Queensland Police Service and the Queensland Police Union to support ACCOs in having an enhanced model where both parties could attend at callouts together in real time. I think this would then reflect back what we advocate in terms of a partnership model and what we advocate in terms of having a whole-of-system response where all parties can work together.

Ms McMILLAN: Thank you so much for coming in today and for your work not only on this but also on the elder abuse inquiry. Will this bill increase protections for First Nation victim-survivors, and what do you think are the biggest concerns with the proposed changes?

Mr Kiyingi: It is hard for me to give a black-and-white answer. All we can say is that, from our point of view, our No. 1 concern is target 13, reducing incidences of family and domestic violence. We think this is a start in terms of lessening the trauma of aggrieved victim-survivors having to present in court and retell their stories. We noted in our submission that we have some concerns that we want

the committee to consider around the lack of immediate judicial oversight. I think the issue with the law is that there are always exceptions, so just to consider the potential exceptions. One life that slips through the cracks might be a statistic, but for a community it can have shock waves that reverberate. We would support any moves to ensure safety and lessen trauma, but we just want to highlight issues around potential exceptions and potential missteps which we want the committee to consider.

CHAIR: Committee members, recognising that we are running very close to time on this one, please consider if you are happy to take the submission on board or whether you have a question that you need to ask.

Mr HUNT: We have heard a lot of concerns about police training, culturally appropriate responses and misidentification et cetera. Do you believe there is scope for training the judiciary too, who are ultimately the decision-makers?

Mr Kiyingi: Yes, absolutely. This goes to the Women's Safety and Justice Taskforce *Hear her voice* report No. 1. I would note that our principal legal officer, Thelma Schwartz, was one of the taskforce members. One of the recommendations in that first report was around increased training for the judiciary and the legal profession. Being a former legal practitioner, I know that it is important across the board—from defence to prosecution workers in DV child protection and also the judiciary. That is quite important, yes.

Mr HUNT: In your experience, how common is it for the judiciary to dismiss a police application based on misidentification?

Mr Kiyingi: I could not give you—

Mr HUNT: That is okay.

Ms BOURNE: Given the barriers for First Nations communities to interact with the courts—and you touched on this—do you have any concerns for victim-survivors or perpetrators electing for either a police or a court review?

Mr Kiyingi: The only concerns we would outline would be in situations where they are affected by barriers, whether that is geographical barriers or whether they are in discrete remote communities, where there are concerns around adequate access to services. Another issue we see with our clients is gratuitous concurrence, which is just agreeing with what is being said by an authority figure out of inherent respect for the authority figure. There could be some potential issues there in terms of clients not knowing their rights and being hampered by their geographical placement in Queensland. That is something which makes Queensland quite unique. It could present some potential issues, yes.

CHAIR: Member for Pumicestone?

Miss DOOLAN: I do not have any questions.

CHAIR: Thank you very much for your time today and your participation in this hearing, acknowledging the submission that you have put in as well.

ANSTEE, Ms Emily, Manager, Ruth's Women's Shelter

DINI-PAUL, Ms Karen, Chief Executive Officer, Warringu Aboriginal and Torres Strait Islander Corporation

CHAIR: I will ask each of you to make a short statement, after which the committee will have some questions, recognising that some of the questions might be similar so we have the opportunity to ask one question but then get two responses.

Ms Dini-Paul: I would like to start by thanking you for the invitation to come and speak this morning. I would also like to acknowledge the custodians of the lands on which we meet here today, Gimuy country, and pay my respects to my elders past, present and emerging.

Ms Anstee: Good morning. I am grateful for the opportunity to be here to speak on behalf of the organisation that I represent, its members, the community and, most importantly, our past, current and future clients.

Ruth's Women's Shelter is a crisis accommodation service that provides shelter for women and their children escaping domestic and family violence from the Torres Strait, across the cape, locally and across the wider state of Queensland. In 2024 our service supported 61 First Nations women, with 16 per cent of our client base being CALD women. While we support some amendments in the bill such as the further use of videorecorded evidence-in-chief, in the correct context we do not support reforms that will potentially endanger our victim-survivors such as police protection directions. I really want to echo my colleagues who have spoken before me, because a lot of their points are similar to what I was going to speak to. One that we see a lot—in particular the CALD women who come into our service—is the use of translator services and how detrimental that can be to their experience.

I want to echo what Andrea spoke to. They are really the experts in the field in that space in supporting our migrant women, but it is something we are continually advocating for with our clients because often, in the first instance of crisis, they are not offered a translator. The concern with the PPD is that that service is still not going to be considered. That is definitely a point for us.

I am conscious that whilst the work of the police is a lot in doing their PPN and the point of the PPD is to reduce that administration side of it, it is also going to put further pressure on services like ours and other services in our sector to be able to support our women specifically when they are noted as the respondent to be further taking that to court.

It is a process, yes, that we are already a part of. I feel like with the misidentification being highlighted more so, it is going to create more workload for us. We are not a service that is supported to take our women to court and support them in that service, and that is ongoing pressure that is put on our sister services to take on more clients in that space. I am happy to hand over to Karen.

Ms Dini-Paul: I was told this was going to be an informal hearing. It looks pretty formal to me. I, too, agree with all the former presenters. To tell you a little bit about Warringu, we provide women's shelters as well. We have a couple of women's shelters. Our footprint is largely Cairns up to Mossman. It also covers Douglas shire. We get women from all over the country through our central call system. We can get women from Western Australia—from anywhere. We do not turn anybody away. Largely, we have First Nations women and children come into our shelter.

The PPDs are our largest concern as well. My fear is that will be here 10 years down the track, trying to work out how to deal with the unintended consequences of these orders. I am an Indigenous woman living in the community and I see it as I work in the First Nations service, with largely First Nations people. I see that these are going to become the norm for our mob; that just about everybody will have one. I can anticipate that being where we are at in 10 years.

I do think that there needs to be a court process. I do not see the women who come into the shelter often using that system either. They come into the shelter and often they do not pursue orders as there is often a lot of pressure from family around that in the fear that it will fracture the family or there can be family violence as well. Women can be experiencing that control from larger family groups and those family dynamics.

From my experience, there needs to be more interventions and opportunities for men using violence and women in terms of their healing and the healing processes for women and children. We need to focus more on children and interventions—early intervention and prevention education for children. We have five units in the shelter, and we will often have five women and 25 children. There are so many opportunities to actually work in that space in a healing way with women in our shelters.

Other than that, I do not have really much more to add other than the fact that I am concerned about the unintended consequences of these orders in time to come. I do agree with being mindful of the separation of powers and making sure that we continue to uphold that.

CHAIR: Thank you so much, ladies. Is it your belief that misidentification has increased in recent years? If so, have you had any thoughts around what mechanism could help reduce misidentification?

Ms Anstee: I have only been in the sector for five years, so I will not speak historically because I am not aware of that. However, we see a lot of our women coming in with a cross order. A cross order is not uncommon, but we do often see women come in being the respondent. In those cases, more often than not it is that recidivist violence from that woman due to the length and complexity in that coercive control relationship that she has endured for the entirety. That is a challenge that we are constantly facing. It really has to do with a few different things in our eyes. Women often do not know who to contact or where to get that support. They do not often have community who can support them in that process. They are restricted from their family and their friends in that coercive control relationship, so they lose all supports around them. There is often that one incident where she is identified as being the respondent. We recently, last year, had a case where the woman was the respondent and we had supported her to have a cross order put on. Due to the evidence that was put forward by the police, it was denied.

Ms Dini-Paul: I think, yes. Anecdotally, I do not have the statistics to back it up, but I have worked in the broader sector for many years and in this area specifically probably for the last five. I do get a sense that there is an increase of misidentification of the person most in need of protection, and I think it is because of the greater focus that we have had on domestic and family violence. I think it is because of the focus that we have had on the interventions and police being able to intervene in that way. I also think that for Indigenous families, particularly in this region, the issues are more so around drugs and alcohol, and I do believe that the incidences of violence occur more so when there is drinking and drugs involved. The drugs and alcohol are often taken as a self-medicating option for people who are feeling despaired, living in poverty and have little engagement with society and contributing in that way. A lot of the domestic and family violence that we see is somewhat different in that it is often trauma-based. Therefore, interventions need to be more in line with the causal factors than a justice route.

Ms McMILLAN: Thank you immensely to you both for coming in. We have heard extensively from First Nations Queenslanders the importance of healing and truth-telling and addressing intergenerational traumas which often lead to domestic and family violence. Do you believe this bill does enough to keep victim-survivors safe from domestic and family violence?

Ms Dini-Paul: No, I do not. As I said before, I think there needs to be more and varied interventions for people who use violence, including women, and the interventions need to focus on the causal factors rather than the criminal focus, as I was saying before. There needs to be early intervention, prevention type programs, school programs, and it has to be cross-sectoral with mental health—I am sure you have heard it all—but mental health, addressing misdiagnoses of mental health, as well as disabilities and the interface with child protection and the child protection system as well. Women are seeking help and seeking assistance for fear that they may lose their children because often the responsibility is all on them to keep their children safe. When they cannot because they are homeless or there is a lot of family pressure, they risk losing their children. Women will often move around trying to avoid that happening. In terms of your question, there needs to be more intervention and more assistance to deal with those issues and causal factors.

Mr HUNT: You mentioned a few times women being identified as respondents and that you encounter that quite a bit and a frustration, I guess, with misidentification. Would it be fair to say that that seems to be the courts getting it wrong, too?

Ms Anstee: Often the police response is that they have a very strong case against that woman based on the resistive violence from her. There is no doubt about that; that is what has happened. When that woman has experienced that coercive control relationship for the entirety of her relationship and that is not put before the court and that is not considered, that is where the frustration lies because it comes back to the accountability of him and the position he has put that family unit in. Again, it comes back to accountability.

Mr HUNT: A similar question as I asked the last witness: with the experience that you gave evidence of and the court dismissing her application which you assisted with, do you see scope for the judiciary having some training in this space?

Ms Anstee: Yes, absolutely. What we see consistently is an overrun court system. You go into the court and you can witness the shuffling of papers. There is a lack of staff in there; they are completely overrun. It is so disheartening to watch women and various members of the public continually having this unjust result based on a failure of our system. I really do think it can be done differently and it can be done with more support. I do not have the answers to that and I do not know what that looks like, but I really do see there is a huge issue with our judicial system.

Ms BOURNE: Do you think the power to issue PPDs fairly balances the needs of victim-survivors with the rights of those accused?

CHAIR: It is ok. We are here to get your experiences and knowledge. If it is something that you feel you cannot answer, that is okay. We have had a couple of those questions. It is better to say, 'It is not really for me,' than to offer something and then say afterwards, 'I have changed my mind.'

Ms Dini-Paul: I think there are probably people who are better placed to answer that question. If anything, I would go back to Marty Hunt's question and I would support that. I also support the idea that judiciaries have some training across the sector on knowing what is out there in terms of interventions so different referral pathways are available for people who present at court.

Miss DOOLAN: My question is around electronic monitoring. Do you think this is a good idea to implement and will it protect victims?

Ms Anstee: In our practice we see the benefit of it, specifically around that really high risk group of repeat offenders. Echoing the concerns that Sandi raised around our geographical location, it is a huge issue. The other concern for me is when you are in a really small community—and I am sure Karen will echo this. It is a small area, so I am not sure it is going to be really beneficial in that context.

CHAIR: Thank you for your time today. We really appreciate you taking the opportunity to speak. Before we go to the next group, at the end of these sessions we have an opportunity for anybody in the audience who wants to speak but who was not on the speaking list to contribute. Can I get a show of hands if there is anyone here who is looking to speak? Lynda from the committee will get some details from you and we will make sure you have five minutes to have your say before we finish. I do not want anyone who has sat here to miss out.

BANKS, Ms Camille, Manager, Compliance and Legal Policy, Family Responsibilities Commission

CURTIN, Mr Rod, Deputy Commissioner, Family Responsibilities Commission

CHAIR: Welcome. Thank you for putting in your submission on behalf of the FRC. The committee members have had access to your submission. I invite you to make a statement, after which committee members may have some questions for you.

Mr Curtin: I would, firstly, like to acknowledge the traditional owners and custodians of the lands on which we stand, their elders past, present and emerging and those in the communities in which we work. I thank the committee for allowing the Family Responsibilities Commission an opportunity to attend this hearing and provide evidence in support of the formal submission provided to the committee on 30 May 2025.

The recommendations of the Family Responsibilities Commission, as contained in the submission, are: that the committee consider the impacts of the proposed bill as far as it relates to the introduction of the police protection directions on the ability of the Family Responsibilities Commission to fulfil its role in early intervention in domestic and family violence matters and restoring socially responsible standards of behaviour; and that support be given to necessary amendments required to section 43(1)(a) of the Family Responsibilities Commission Act to ensure that the Family Responsibilities Commission receives as agency notices under part 4 of the Family Responsibilities Commission Act all police protection directions issued against persons within the commission's jurisdiction.

The principles for administering the Family Responsibilities Commission Act are set out under section 5 of the said act. Section 5(1) states that 'the wellbeing and best interests of the child are paramount'. Section 5(2)(a) states that in a conference about an agency notice, the commission should deal with the matters to which the agency notice relates in a way that: one, facilitates early intervention; two, supports the restoration of socially responsible standards of behaviour and local authority in welfare reform community areas; three, makes appropriate use of community support services; four, takes into account Aboriginal tradition when dealing with Aboriginal people; and, five, that the commission should deal with agency notices in a timely way.

Under section 43 of the Family Responsibilities Commission Act, court advice notices are set out and it says that this section applies if the court, one, convicts a person, relating to Magistrates, District and Supreme court issues, or, two, makes a protection order against a person and the court was sitting in a welfare reform community area or the person lives or has lived in a welfare reform community after a time since the commencement date of the act.

Under section 43, in such circumstances the court officer must provide a notice within 10 days after a protection order is made. The definition of 'protection order' is contained in the Domestic and Family Violence Protection Act 2012 and it is referred to in section 43(6) of the Family Responsibilities Commission Act. That definition applies in the schedule dictionary attached to the [Family Responsibilities Commission Act. The definition of 'protection order' relates only to direction orders made by a court.

There exists no current legislation—certainly not under the FRC Act—where police protection directions could be categorised as meeting the legislative requirements of an agency notice. As such, the Family Responsibilities Commission would not be able to enact the principles of the Family Responsibilities Commission Act. This means that, for each police protection direction issued, the Family Responsibilities Commission would not be able to apply what it is capable of applying to protection orders—that is, one, local elder authority to the circumstance of that individual act of domestic violence; two, the ability of local commissioners to explain the details of the direction in language, which is done in a lot of cases, so that it would be clear to the individual as to the terms and conditions of any police protection direction; and, three, there would not be any early intervention applied to that circumstance of domestic violence which could provide support and assistance to access community support services, to get counselling, to attend a men's group or a women's group or to be supported by the local commissioners with their own intellectual knowledge about the community member and their family.

There would not be an opportunity to support the individual in relation to issues of addiction, which may be the primary cause that effects the lack of control and the aggression surrounding the individual's behaviour. The opportunity for referral to community services or the opportunity to discuss entering into a voluntary income management agreement, or in the circumstances if they warrant a

decision to income management, would not exist. It would also remove the commission's ability to support victim-survivors and their families as the commission would not be aware of the incident.

If the authority to exercise the powers and functions of the Family Responsibilities Commission is not available, then the ability to address the incident of domestic and family violence under a police protection direction is lost. In the last financial year, the commission held 210 conferences in relation to domestic and family violence matters. From those conferences, 142 referrals were made to community support services in our welfare reform communities. If the FRC were to lose visibility of those issues of domestic and family violence in communities, we would lose the opportunity to support a significant number of community members.

The inclusion of protection orders in the Family Responsibilities Commission Act came through the work of the domestic violence taskforce, and that happened in 2015. I might refer the committee to the short phrase in the explanatory notes from that amending document. It stated—

Submissions to the Taskforce suggested a domestic and family violence trigger be created to facilitate FRC conferencing and referrals in circumstances where Domestic Violence Orders are made by courts.

The taskforce recommended that the Queensland government amend the act to require a court to notify the FRC when a protection order under the Domestic and Family Violence Protection Act 2012 is made naming a welfare reform community resident as the respondent. It was noted that the bill would directly respond to the recommendation by including a domestic violence trigger. The purpose of that was to notify the FRC so that a person against whom an order had been made was able to see the FRC and the FRC was able to work, in a case-conferencing way, through conferencing with that individual. For me, it is a clear indication that the legislators knew then, as we know now, that domestic violence is a very common and very significant feature in family dysfunctionality. It presents as a feature in many of the notices we receive, and they include child safety notices. It also anecdotally is referred to significantly when we discuss the issue of education absences and disengagement from education with our clients.

The Family Responsibilities Commission Act provides one of the few instances where the intervention and support can be provided as an early intervention, surrounding the issue of domestic and family violence. It is not only early intervention; it is done under a First Nations model in a culturally appropriate way of engagement by local elders within their own community. Often this communication is done in language and it is done in an environment of trust. This support can be available to both aggrieved and respondent to clearly explain what the domestic and family violence order or incident is about, what it means and what the conditions are. This is critical to helping the community members understand the details of any order—or, in this case, any protection direction—that exists so they will not be led into a situation of breach through ignorance and further add to incarceration levels that are already too high.

The commission urges the committee to consider the recommendations contained in the submission document. The commission remains ready to provide further assistance and drafting instructions for the amendments as required. I want to specifically note that the commission has experienced previously seeing legislation introduced without the full consideration of its impact on the operation of the commission. We know that it can take many years to unpick those strands that bind us in restrictions of powers and using our administering principles and our abilities to support and advance the communities in which we work and the local commissioners who serve those communities through their tireless commitment and local eldership.

In conclusion, the FRC is concerned that the introduction of the police protection directions in this current proposed state will reduce the opportunity for the FRC local commissioners to provide support to victim-survivors and early intervention for persons using violence in a culturally appropriate setting. It may exacerbate the over-representation of First Nations people in the criminal justice system if the policy setting and implementation does not reflect the issues that have been identified in our submission. The commission recommends that the committee carefully consider the impacts and support the amendment of section 43 and, if necessary, other parts of part 4 of our act to ensure the FRC receives notification of all police protection directions issued against persons within the commission's jurisdiction.

I want to thank the committee again for the opportunity to provide a briefing note in this parliamentary hearing. It remains an important consideration for the commission that we are continually able to act in the space of domestic violence. We fear that the police protection directions at this stage would prohibit us from acting in the way we need to act in those circumstances. I thank the committee again.

CHAIR: Thank you. As I said previously, thank you for the thoroughness of your submission from the FRC. We will go to questions.

Ms McMILLAN: It is good to see you both; you have had many interactions with the committee. Deputy Commissioner, is it fair to suggest that PPDs provide little opportunity for the intervention that is required?

Mr Curtin: As I said, Deputy Chair, the issue is that I am not making a submission on behalf of Commissioner Williams in terms of a policy setting. I wanted to make that clear. I can put it this simply: the submission does not set out to take a policy position in relation to the proposed bill, but it does seek to address the issues relating to us as a commission. There may be issues relating to implementation application but, given the time we have, it is important for me to crack on with the issue and that is that the police protection direction is not an agency notice. We are provided jurisdiction through agency notices.

Ms McMILLAN: Therefore, there is no opportunity to intervene?

Mr Curtin: In that circumstance. I respectfully note that we do not know how many police protection directions will be issued in our welfare reform communities. We certainly do not know what will occur in relation to why they are issued—forming the pattern—and what orders are made in terms of the conditions associated with those directions, as under the legislation conditions can be made by certain levels of officer depending on the circumstances. None of that information is available to us. We have no power. It is a simple question for us, at this point in time, in terms of our submission to the committee for your support to ensure that amendments are able to be made to note the police protection direction as an agency notice under part 4 of our act. That is it in a nutshell because that agency notice defines what we practise and that is the restoration of socially responsible sentencing behaviour through elder authority reinstatement.

The point I made in section 5 talks about an agency notice. Whilst we are able to assist people and people can come us in a community engagement setting and talk about their issues, we have no power. We have no power to act upon that information or that circumstance. I have tried to say in my submission to the committee today that, in that individual circumstance, we have no visibility unless it is brought to us.

Ms McMILLAN: Unless they self-refer.

Mr Curtin: But also, we cannot act under our powers to determine the matter or to work with agreements because the trigger notice is the agency notice unless the police protection direction is deemed under the legislation as an agency notice upon which we can act through community engagement right through to conference, through agreement and ultimately, if necessary, if it is warranted as I say, through decision. A lot of those issues relate back to surrounding circumstances. As you know in your experience, we have an act of domestic violence but it is related to issues of post-traumatic stress disorder, it could be violence, abuse, sexual abuse, alcohol addiction, drug addiction. There are all those features and we work with clients in that space and we will not be able to do that.

CHAIR: Deputy Commissioner, you have very powerfully made your point. We have heard it and we have the documentation there. With the indulgence of the committee, I thank you. I thank you each and every one of you for the role you have as advocates, for the way that you have given voice today to victim-survivors from your region as well as for expressing powerfully the concerns, the opportunities and the ways in which you believe people who live in this part of our beautiful state can have access to support. Thank you so much.

The committee adjourned at 10.49 am.