



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

Dr A Lilley—Assistant Committee Secretary

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

TRANSCRIPT OF PROCEEDINGS

Monday, 9 June 2025

Brisbane

MONDAY, 9 JUNE 2025

The committee met at 8.01 am.

CHAIR: Good morning. I declare open this public hearing for the Education, Arts and Communities Committee's inquiry into the Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025. Ladies and gentlemen, my name is Nigel Hutton. I am the member for Keppel and chair of the committee. I would like to respectfully acknowledge the traditional custodians of the land on which the Queensland parliament stands and pay our respects to elders past, present and emerging. With me here today are: Corrine McMillan, the member for Mansfield and deputy chair of our committee; Wendy Bourne, the member for Ipswich West; Ariana Doolan, the member for Pumicestone; and Marty Hunt, the member for Nicklin, who is substituting today for Mr Jon Krause, the member for Scenic Rim. We acknowledge an apology from Mr Nick Dametto, the member for Hinchinbrook.

This hearing is a proceeding of the Queensland parliament and is subject to the parliament's standing rules and orders. Only the committee and invited witnesses may participate in the proceedings. Witnesses are not required to give evidence under oath or affirmation, but I remind witnesses that intentionally misleading the committee is a serious offence. I also remind members of the public that they may be excluded from the hearing at the discretion of the committee.

These proceedings are being recorded and broadcast live on the parliament's website. Media may be present and are subject to the committee's media rules and the chair's direction at all times. You may be filmed or photographed during the proceedings, and images may also appear on parliament's website or social media pages. Please remember to switch your phone to silent or off.

This hearing today builds upon the work of 72 submitters who have provided written evidence and the two previous hearings held in Cairns and Mackay respectively, with 12 witnesses having presented evidence. On behalf of the committee, I thank everyone for their participation here today and their willingness to give voice to victim-survivors, their supporters, the DV sector and the broader Queensland community. The content of submissions and the evidence shared here today may be confronting and/or cause distress to members of our community. For any person who may be challenged, our committee secretariat has contact details for support agencies available. It is brave to seek help.

KAY, Ms Sarah, Executive Director, Office of the Victims' Commissioner

O'CONNOR, Ms Beck, Victims' Commissioner, Office of the Victims' Commissioner

THOMS, Ms Dimity, Director, Policy and Systemic Review, Office of the Victims' Commissioner

CHAIR: I now welcome representatives of the Office of the Victims' Commissioner. Good morning, Commissioner. I invite you to make an opening statement before we start our questions.

Ms O'Connor: Good morning, Chair and committee members. I acknowledge the lands of the Turrbal and Yagara people and pay my respects to elders past and present. I also recognise victim-survivors and all those we have lost, their families and loved ones.

The Queensland government and the Premier, through his charter letters, have committed to reducing the numbers of victims of crime, progressing the Women's Safety and Justice Taskforce recommendations, and driving systemic reform to prevent and respond to domestic, family and sexual violence. These are commendable goals and I fully support them as the priority. However, I am not confident that the bill reflects these commitments. Therefore, I do not support this reform as it stands.

Significant elements of the bill, particularly the police protection directions, which I will refer to as PPDs, have been developed without publicly available evidence or modelling. DfV, or domestic and family violence, is now a defining part of modern policing. I recognise the significant pressures this places on frontline police officers every day. I also strongly agree that police need better support. However, the safety of our community must remain the non-negotiable priority.

I am concerned we are about to embark on an experiment with unintended but unforeseen harmful consequences to our community which has potential to undermine already waning trust in police and our justice system. As you are aware, the proposed amendment originates from concerns that DFV causes administrative burden for police, but we must broaden our understanding of 'burden'.

New data showed that one in three Australian men admitted to having used violence against their partner. Forty per cent of children are exposed to domestic violence and this violence is the main reason people need help from homelessness services. Australian Bureau of Statistics data shows that DFV causes over a third of Queensland's homicides. The burden created by this violence is not limited to administrative challenges absorbing police time. It is a burden carried daily by victim-survivors, their families, their communities and all of the services and systems that are dealing with its consequences. What we need are solutions that respond to every aspect of the burden of the crisis, not just this one.

Under this bill, victim-survivors must navigate a more complex and less transparent system with fewer safeguards and reduced oversight. Those misidentified as the offender will bear the burden of correcting the error, often without access to legal support, all while continuing to face violence that they may now feel is emboldened by the system. Misidentification particularly impacts victim-survivors from First Nations communities, from culturally and linguistically diverse communities, LGBTQ+ people and those with intellectual or other disabilities. Not-for-profit and government agencies will be left managing the fallout of premature police decisions without additional resources. This reform risks shifting the burden from police to those who are already paying the highest price.

The complexity of the PPD framework meant some stakeholders have relied on diagrams to explain to you how it is meant to operate. If it takes visual explanation to make sense of the process, we must question how police, already under pressure, are expected to apply it. It remains unclear how this framework would improve police efficiency and, more importantly, how it would protect Queenslanders from harm. These concerns are not theoretical. Tasmania's equivalent of PPDs has been issued at three times the rate of the family violence orders by the courts, along with a doubling of applications to revoke those orders. It is well established that police misidentify victim-survivors as perpetrators at an unacceptable level in Queensland.

The Queensland government relies on the expertise of lawyers, specialist practitioners and cultural advisers to respond to people experiencing violence alongside police as co-responders. Their specialist professional frontline experience makes their warnings impossible to ignore. Most say this will not work. Most say it will not improve safety. So, I ask, if we trust them to do that lifesaving work every single day, can we not also trust them with this?

We Queenslanders deserve safety and, above all, we deserve a system that works for us, not against us. Today I urge you, please listen to the experts, particularly those who have lived through violence and, most importantly, remember what is at stake because what we choose to prioritise in this legislation will either save lives or place Queenslanders at greater risk. Thank you and I welcome your questions.

CHAIR: Thank you very much, Commissioner. Speaking to your submission, could you elaborate on the nature and extent of your office's engagement with victims, their supporters and agencies?

Ms O'Connor: I have heard diverse views from victims of domestic and family violence on the proposals contained within this bill. Just to elaborate, though, are you speaking more generally or specifically about this?

CHAIR: Probably more generally.

Ms O'Connor: No problem. The most significant feedback and the engagement that I have with victims of crime is in my community engagement, with our complaints function and with sector representatives, and I meet personally with victim-survivors very regularly to talk about their experiences. Two of the most significant pieces of feedback that I get is around access and equity. They want to be able to have access to support and they want to have equity in that, regardless of where they are in the community, whether it is regional or rural, or what needs they have. They want to be able to access justice. They also tell me in particular that they regularly have difficulties navigating an already complicated and confusing justice system, particularly when it is with respect to dealing with police, and that we need to help simplify the processes for them to be able to do that.

They have also talked to me, specifically about the bill more, that there are opportunities here that they think may be present for providing immediate and ongoing protection without needing to go to court, but most hold a range of concerns particularly around the proposed PPD framework and are

concerned about how it will actually improve safety for victim-survivors, particularly where there is risk of misidentifying the person most in need of protection. We have had a number of people come to my office with concerns about that as their own lived experience.

Particularly in relation to electronic monitoring, victims have also expressed that they have concerns about the technology and what this means for their safety planning, particularly around a false sense of security and what this might mean for victim-survivors and the dangers that might arise from that.

More generally also, there is a consistent message that victims want to be heard, that they want to have their rights upheld and they want to be given timely, accurate and accessible information to enable them to make decisions about the options that are available to them.

Ms McMILLAN: Thank you very much, Commissioner, and thank you for your very thorough submission. Commissioner, I have a question in relation to your opening statement where you mentioned that the Premier has stated he will reduce victim numbers. Is this possible without reducing the numbers of victim-survivors—that is, perhaps driving victim numbers or victims underground?

Ms O'Connor: I think it is possible with a coordinated, thorough response that is consulted with those who are most impacted in terms of victim-survivors working with experts to determine what needs to be done following the recommendations of a number of inquiries, so a commitment to the Women's Safety and Justice Taskforce reform and a commitment to the commission of inquiry into police responses to DV. I note that a number of those recommendations are not yet complete, but when we do the foundational work, because they have been informed by thousands of victim-survivors in terms of feedback, I think that it is absolutely possible to reduce the numbers of victims of crime.

The one thing I caution, though, is that when we do a lot of this work, what we are doing is increasing trust in the justice system. We are building a system that has the priorities of victim-survivors at the forefront. I would see that there would actually be, for a period of time, an increase in victims coming forward, when we think about how we collect the statistics at the moment around incidents. It does not necessarily mean there is a failure in terms of what we are doing, it just means that there is increased trust with the justice system that is going to meet their needs. So, it is a really difficult one to answer.

Mr HUNT: Commissioner, in your opening remarks, you commenced a sentence that it was well established that police, I think, misinterpret or misidentify. Could you just repeat that sentence for me, please? I have a question on it. I just want to make sure I accurately heard you. It was towards the end of your opening statement.

Ms O'Connor: Yes. 'It is well established that police misidentify victim-survivors as perpetrators at an unacceptable level in Queensland.'

Mr Hunt: Could you assist the committee by pointing to any statistical or evidential basis for that comment?

Ms O'Connor: There is not published data from Queensland police that I am aware of, or that I believe anyone is aware of, that actually has stats around misidentification so what I will draw you to is, for instance, that you have already heard case studies directly from service providers in Mackay where police have wrongly identified people. I have a number of complaints that have come through to my office where people have been personally impacted as a result of being misidentified. You have heard data from a Queensland domestic and family violence specialist provider which indicates that in the last quarter 24 per cent of the referrals they received—that is, the Redbourne referrals that come from police when they attend incidents—were for male aggrieved, which is not reflective of credible statistics that around five to seven per cent of men may experience DV. There is other documentation in terms of its disproportionate impact on First Nations people.

The 2016-17 report of the Domestic and Family Violence Death Review and Advisory Board found that in nearly all of the DV related deaths of Aboriginal and Torres Strait Islander people the deceased had been recorded as both a respondent and an aggrieved. For all deaths, just under half, so 44 per cent, had been misidentified on at least one occasion. I know and acknowledge that the data is somewhat dated, but, as I have commented already in my submission, there is very little recent publicly available data on misidentification in Queensland. I was formerly the CEO of DVConnect, which is Queensland's 24/7 crisis response service, and the majority of referrals from police to services, particularly to MensLine, which deals with incidents where it involves a man, there were extraordinary rates of men identified as the aggrieved. While there is not a consolidated statistic that is made public by the Queensland Police Service, there are a number of things that I can point to that raise concern.

Ms McMILLAN: Chair, I have a follow-on question before you move to the member for Ipswich West. Victims' Commissioner, would you expect that the Queensland Police Service would release this data prior to implementing a bill like this?

Ms O'Connor: It would absolutely be my preference, and I have made a recommendation that that information becomes publicly available. In my submission, I particularly focused on the issue of misidentification because it has such a severe and enduring impact on both the immediate safety and long-term help-seeking behaviour of victim-survivors. What we need on an ongoing basis is a robust collection and interrogation of data that identifies not just headline figures but also examines where misidentification is occurring and what demographic, geographic or other factors may be impacting these patterns, particularly when it comes to decision-making. The transparency around misidentification is critical in understanding where particular systems and safeguards are working and, more importantly, how they can be improved when they are not. Police transparency is important to foster community and victim-survivor confidence in policing in broader criminal justice responses.

Ms McMILLAN: Thank you, Chair. My apologies to the member for Ipswich West.

CHAIR: We will take that as a question from that side. We will take a question from the member for Pumicestone and then come back to Ipswich West.

Miss DOOLAN: Ms O'Connor, it is good to see you again. My question is around the electronic monitoring device pilot program. Are you supportive of that and how do you think that will provide additional safety to victims?

Ms O'Connor: Thank you for your question. I am supportive with some reservation, in that I think it is really important that victim-survivors be directly involved in decision-making in relation to electronic monitoring conditions and that their views and what they feel about their safety needs to be considered. I think, as I have already touched on, there is a potential for electronic monitoring conditions to foster a false sense of security and safety, particularly in terms of the device and the technology itself, real-time monitoring and what a timely response would be. I have also raised in my submission that it is around magistrates also failing to consider breaches evidenced by electronic monitoring seriously. That is obviously how we would hold high-risk perpetrators in particular to account. Effectiveness of this tool will be particularly impacted if there is not consistent follow through from either DV incidents or breaches. Ultimately, it tells a perpetrator that they continue to get away with it if they are not followed up and, of course, that is life threatening when this targets the most high-risk offenders.

Ms BOURNE: Thanks for coming along today and thank you for your very comprehensive submission. The bill does not require police to gain the consent of victim-survivors to proceed with a PPD. What are the risks with that and how does that lack of consent align with Queensland's Charter of Victims' Rights?

Ms O'Connor: Obviously, in terms of the right to be included in any major decisions that happen in terms of safety, to be respected and to be dealt with with dignity really is inherent in asking people what safety looks like for them and what that needs to look like. I appreciate that there are circumstances where the people responding feel that there is such a high level of risk that they need to intervene without consent or a situation where asking for their consent may raise a risk, but it is not something that I am supportive of. There should be an opportunity for police to seek the views, particularly when we are looking at introducing a much more complicated tool within what police will be able to use and needing to think about whether there is a PPD, a PPN, a DVO—all of these different kinds of approaches and what conditions they then also might consider. The person who is going to be most impacted by those decisions needs to be included in those discussions, which is why I have also recommended they not only seek their consent and views but also record those views.

Ms BOURNE: Will that impact on victims coming forward and reporting to police?

Ms O'Connor: I think if it is understood by victim-survivors that there may be action taken without their consent, but I am not quite sure how well understood it is, which is why I think it is critical. I have made recommendations within my submission, that the people who are going to be impacted by this are provided information in easy to read language and that time is made available when police are needing to make those decisions to be able to talk this through. That is why I am confused in terms of, in some instances, this being an efficiency measure. In actual fact, the more complicated it is the more it behoves them to explain to victim-survivors or to the aggrieved and respondents what decisions they are having to make based on the information at hand. I do not see how that is efficient, with the necessary safeguards that I recommend remain.

CHAIR: Commissioner, in your statement this morning you spoke of a driver whereby we may see an uptake or an increase in reporting of domestic violence as education is enhanced in that space. That was predictive of future activity. My question to you is would you accept that it is possible that we are in the space now where we are seeing an uptake or an increase in the reporting of DV based on the benefits our community is seeing in terms of education and general awareness of DVF and its impacts on community?

Ms O'Connor: The statistics make that very clear, but it is not only just police responding but also the demand on frontline services. Those frontline services are not just DV services but health care. The thing we do not often talk about is the increased rates of presenting to doctors and to emergency departments as the first responders for DV. I think one of the biggest impacts has obviously been a more contemporary understanding of what domestic and family violence actually is with the introduction of laws around coercive control that came into effect a couple of weeks ago. Yes, there is an increase and I do believe that there needs to be a solution in terms of how we respond. I just do not agree that this is what is in the best interests of safety and protection of victim-survivors.

Ms McMILLAN: The public hearing program today does not include specialist organisations working with the victim-survivors of DVF. Does this concern you?

CHAIR: We will just get some advice on that question prior to your answering.

Ms McMILLAN: I am happy to reword the question.

CHAIR: Thank you, member.

Ms McMILLAN: Thank you, Chair. How did I know you would say that. The public hearing today does not include organisations that work with victim-survivors. What are the risks—

Mr Hunt: Point of order, Chair. Can you ask the member to justify that statement when we do have organisations that deal with victim-survivors appearing today?

CHAIR: We will hear the member's question and then we can rule on relevance, but thank you for the point of order.

Ms McMILLAN: Thank you, member for Nicklin. Commissioner, how important are the views of the organisations that work with victim-survivors?

Ms O'Connor: Thank you for your question. Specialist DVF providers, specialist lawyers and cultural advisers are uniquely qualified to ensure that the needs and ongoing risks are appropriately identified, managed and anticipated. They have the critical knowledge necessary to develop the solutions that will work and are culturally safe. They must be comprehensively consulted. As Victims' Commissioner—as someone who engages very regularly with victim-survivors and frontline services and community advocates—I believe that reform in this space must be in partnership with all of those who understand both the risk and the realities. Not doing so undermines the legitimacy, safety and effectiveness of any proposed change.

Ms McMILLAN: Point of order, Chair. I will just reiterate that there are no specialist organisations appearing today.

CHAIR: That is not a point of order, Deputy Chair.

Mr Hunt: The member is making comments.

CHAIR: I have dealt with that, thank you, member for Nicklin. I understand that there will be a strong desire to offer opinions and that there is a place for the members of parliament both in the chamber as well as in the report in a statement of reservation if that may be the case. I am conscious of the feedback from the survey data of previous years with regard to witnesses appearing before committees. I believe that this committee has so far in this term made a conscientious effort to be respectful of witnesses who are here before us, who are volunteering to come forward and provide information and to offer perspective and opinion. We also need to make sure that we are being respectful of each other and not allow our passion to get in the way of the opportunity to hear from and respectfully listen to our witnesses. That is just a reminder for the benefit of all members today. Commissioner, that brings us to the end of our time with you.

Ms McMILLAN: Point of order, Chair. Given the limited time that we have available, I have some questions that I would like to table for the commissioner to take on notice and get back to the committee, please.

CHAIR: Member, can you please move your first question?

Public Hearing—Inquiry into the Domestic and Family Violence Protection and Other Legislation
Amendment Bill 2025

Ms McMILLAN: I move that the Victims' Commissioner take on notice my first question, which I am tabling now. I will read it out. This bill was introduced off the campaign to make DV a crime every time. Is domestic and family violence a crime currently in Queensland?

CHAIR: Thank you very much, Deputy Chair and Commissioner.

Ms O'Connor: I appreciate your time, thank you.

CHAIR: Can we please have the answer to the question taken on notice by close of business on Friday, 13 June 2025.

KUMMROW, Ms Joanne, Information Commissioner, Office of the Information Commissioner

OWENS, Ms Sarah, Acting Manager, Policy, Office of the Information Commissioner

SHANLEY, Ms Susan, Acting Privacy Commissioner, Office of the Information Commissioner

CHAIR: I now welcome representatives from the Office of the Information Commissioner. Would you like to make an opening statement before we start our questions?

Ms Kummrow: Good morning, Chair and members of the committee. Thank you for the invitation to appear before the committee on the Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025. As the committee did, I acknowledge the traditional custodians of the land on which we appear before the committee today and all First Nations people throughout Queensland and the Torres Strait who are joining us today. I pay my respects to their elders past and present.

As the committee will be aware, the Office of the Information Commissioner is an independent statutory authority with information privacy and right to information oversight functions. As Information Commissioner, I am an officer of this parliament. There will be some key changes to the Information Privacy Act 2009 and the Right to Information Act 2009 from 1 July this year, upon the commencement of the main provisions of the Information Privacy and Other Legislation Amendment Act 2023, the IPOLA Act. Changes to the Information Privacy Act of relevance to this bill before the committee include replacement of the Information Privacy Principles and National Privacy Principles with the Queensland Privacy Principles, the introduction of a mandatory notification of data breach scheme and updated definitions of 'personal information', 'sensitive information' and 'data breach'.

There are inherent privacy risks associated with the proposed amendments to the Domestic and Family Violence Protection Act 2012. However, the right to privacy is not absolute and an appropriate balance must be struck with other competing rights, including the safety of domestic and family violence victim-survivors. Our written submission to this inquiry focuses on the privacy issues associated with clauses 15, 37 and 46 of the bill.

I will now turn to clause 15 of the bill which involves electronic monitoring. This clause inserts new sections 66A to 66H into the Domestic and Family Violence Protection Act 2012 to establish a framework to allow courts to impose a monitoring device condition on a respondent in certain circumstances when making a domestic violence order. Under section 66F, the sharing, recording and storage of information relating to a monitoring or safety device will be prescribed by regulation. It will be an offence to use information relating to alerts or notifications from a monitoring device or safety device for a purpose other than the purpose for which the information was obtained, unless authorised or permitted by an act.

As the monitoring and safety devices will capture sensitive personal information, we submit that any regulations prescribing information sharing frameworks will need to be clearly defined in terms of the scope of the data that can be shared, who can receive the data and the purpose for which the receiving entity can use the information. Consistently, we recommend, where new or changed ways of handling personal information are being considered or adopted, a privacy impact assessment be undertaken to identify and address any privacy risks, especially those that may lead to unauthorised access or misuse of personal information collected from monitoring devices or safety devices. My office is available to provide guidance during the development of a privacy impact assessment if required.

Unauthorised access or misuse of highly sensitive personal information collected from a monitoring device or safety device could result in serious harm to domestic and family violence victim-survivors. Agencies must fulfil their obligations under the Information Privacy Act to ensure personal information is protected from loss, unauthorised access, use, modification or disclosure or any other misuse. When handling sensitive information, agencies should take maximum care in protecting information.

As I mentioned, the Mandatory Notification of Data Breach scheme will commence for all agencies from 1 July 2025, other than local government which will be subject to the new scheme from 1 July 2026. The scheme will require agencies to notify my office and affected individuals of eligible data breaches unless one of the exemptions applies. It will also require agencies to take proactive steps to contain, assess and mitigate data breaches and to keep a data register and publish a data breach response policy.

I will now turn to clause 37 of the bill in relation to police protection directions. This clause provides that the Police Commissioner must keep a register containing the particulars of all police protection directions issued by police officers. The particulars in the register must be made available if requested by the respondent, aggrieved or a named person to which the direction applies. The explanatory notes provide that access to information regarding a direction beyond the parties will be governed under existing information sharing provisions in part 5A of the Domestic and Family Violence Protection Act. Part 5A, specifically section 169K, refers to an entity that employs or engages a receiver or is required to comply with the privacy principles. The new Queensland Privacy Principles commence from 1 July 2025 so, accordingly, this section of the bill will need to be updated to refer to the new Queensland Privacy Principles.

Finally, I turn to clause 46 of the bill, video recorded evidence-in-chief. The bill expands the video recorded evidence-in-chief framework to all summary criminal proceedings and committal proceedings for domestic violence offences in magistrates courts throughout Queensland. Clause 46 of the bill provides that a police officer must explain certain matters to the complainant including its use and disclosure, the possibility of still being required to give evidence in court and the option to refuse to consent to the making of a video recorded evidence-in-chief statement. Disclosure of a video recorded evidence-in-chief statement is limited under section 590AOB of the Criminal Code, with unauthorised possession, supply, copy or publication a criminal offence. We are supportive of the safeguards embedded in the video recorded evidence-in-chief framework, including informed consent and limitations on disclosure that seek to strike a balance between a complainant's right to privacy and the need for a person accused of perpetrating domestic and family violence to still be made aware of the adverse evidence against them.

Thank you for the opportunity to make an opening statement today. We are happy to take questions from the committee.

CHAIR: Commissioner, in terms of accessing some of your specialist knowledge and background, in your submission you note that the use of VREC, video recorded evidence-in-chief, for all summary criminal proceedings and committal proceedings for domestic violence offences in magistrates courts throughout Queensland will create more digital records. Can you elaborate on the IP Act and RTI Act obligations in managing those records that will apply?

Ms Kummrow: I am happy to answer that question and then I will pass to the Acting Privacy Commissioner in case there is anything that I have forgotten. Our concern predominantly is to ensure that the obligations under the Information Privacy Act in relation to collection, but in particular storage management and secure handling and also information sharing frameworks, comply with the new what I will say are the Queensland Privacy Principles that will commence on 1 July. That is really our focus. Digital records are easy to create but they also have quite a lasting footprint. In terms of collecting digital information, as I mentioned, the concept of undertaking a privacy impact statement from the get-go or building in privacy by design is critical to ensuring that the obligations of an agency under the Information Privacy Act are complied with.

There is also the idea of transparency by design, which we have mentioned in our submission. That is also about when creating a digital record—whether that is body worn camera footage or CCTV footage or other digital information, for example—that consideration is given to whether there is a right to access that information, that where there is that right it will be able to be easily enacted by a member of the public and that any editing can be easily undertaken by an agency. I will hand to Acting Privacy Commissioner, Susan Shanley.

Ms Shanley: I do not really have anything to add other than to note that digital video recordings are another record created under the RTI and IP acts. For example, under the IP Act you have a right to access your own personal information subject to the public interest balancing test. We need to be aware that when records are created that also creates that right of access so agencies need to think about how they may grant that access and deal with access applications, particularly as the volume of digital video recordings continues to increase. It is an issue agencies need to be aware of.

Ms McMILLAN: Information Commissioner and team, thank you for coming in today and thank you for your very detailed submission. Tasmania has an information sharing model to complement their police issued directions or PFVOs. What are the risks or missed opportunities of not implementing this to accompany PPDs?

Ms Shanley: I am not overly familiar with the Tasmanian scheme. However, generally I understand that this bill provides that a person who obtains information related to alerts or notifications through a monitoring device or a safety device or information related to a person's geographic location must not use the information for a purpose other than the purpose for which the information was

obtained. However, the explanatory notes also state that the bill includes regulation-making powers to enable a regulation to be prescribed for how monitoring information may be shared, with whom and the purpose for which information may be shared. The regulation may also describe an entity responsible for recording—

Ms McMILLAN: I am sorry, Acting Privacy Commissioner. My question was related to PPDs and not trackers. The question is related to the bill and not trackers.

Ms Kummrow: Member, could you repeat the question, please?

Ms McMILLAN: Sure. Tasmania has an information sharing model to complement their police issued directions or PFVOs. What are the risks or missed opportunities of not implementing similar to accompany the PPDs in this bill?

CHAIR: Obviously we recognise that we are here for your expertise so if this is something that you do not feel you have we respect that you may—

Ms McMILLAN: I am happy for them to take it on notice, Chair.

Ms Kummrow: We may take that one on notice. We will examine the Tasmanian context and see how it applies here.

Ms McMILLAN: I am happy for you to take it on notice, thank you.

Mr HUNT: Can you elaborate on your suggestion that the Queensland Police Service should undertake a privacy impact assessment to identify and address any privacy risks?

Ms Kummrow: As I mentioned, we consistently strongly recommend this to agencies where they are adopting a new project or new technologies. Whilst it is not mandatory to do so, undertaking a privacy impact assessment is a very sensible way of effectively undertaking due diligence in terms of how personal information and, in this case, sensitive information will be collected, held, stored, used and shared. In that way, agencies can be aware from the get-go what the privacy impacts are in relation to a new project.

I do not think we mentioned this in our submission, but we wanted to make a supplementary comment that we would recommend that not only police but also other agencies that may be receiving this information either be included in a PIA undertaken by QPS or undertake their own privacy impact assessment—in particular, who will receive the information, where it will be stored and how it will be handled within that agency. We are focused on the lawful, fair and responsible collection of information and that it is handled and managed safely. This information is the information of members of the community and so, in that sense, we want to ensure it is handled in a privacy-sensitive way and complies with the act.

Ms BOURNE: Thanks for coming along today, Commissioner. The committee has considered the Tasmanian version of PPDs and the electronic monitoring of DFV offenders. It seems that the sharing of information across government entities is crucial to success. Can you advise how this might work in Queensland? Does the bill adequately allows for this possibility?

Ms Kummrow: I will pass that to Commissioner Shanley.

Ms Shanley: It is our understanding that the sharing, recording and storage of information will be prescribed by regulation. I note that the Information Privacy Act operates subject to the provisions of other acts. Where there is a legislative framework in another act, the information will occur in accordance with the legislative framework of that act. In this bill, as noted in our submission, the sharing, recording and storage of information will be prescribed by regulation. To date, we do not have details of what information can be shared, the purpose for which it can be shared and who it can be shared with, so our submission strongly recommends that that is made very clear in the regulations.

Ideally, given the sensitive nature of the information that the electronic devices will collect—and potentially the safety device—that should be subject to express legislative provisions. In this instance, we consider a comprehensive legislated information-sharing framework is of critical importance. Some of the benefits of that are to ensure information is only shared for the purposes it was obtained for and not for any other related purposes. Clearly, this information is quite sensitive and could be useful for a range of other purposes that are not directly related to the purpose for which it was obtained. Certainly, we would support a very clear legislative framework around information sharing in this context.

Ms BOURNE: Would a trial be suitable to consider how the laws will interact?

Ms Shanley: I am not sure I fully understand the question; however, my understanding is that there will be a two-year pilot, so there will be learnings. I understand from the statement of compatibility that the setting of the requirements for sharing, recording and storing information in the legislation rather than a regulation was considered; however, the explanatory notes state that the requirements for information sharing in the regulation under section 66F allow for the flexibility needed to adapt to the requirements of the pilot as it proceeds. That is our understanding but, again, in terms of interaction with the laws, it is clear that the Information Privacy Act operates subject to the provisions of other acts.

Miss DOOLAN: Thank you, Commissioner, for your time. I do not have a question so I will pass back to the chair.

CHAIR: Commissioner, we have heard in your answers some of the priorities of your commission in terms of making sure that government agencies and government organisations are managing well. I wonder if you could speak to the sharing of information with regard to both the electronic monitoring devices and the PPDs—in plain, simple language for non-technical people. What are the key priorities for your commission in terms of the appropriate use of information across agencies and the way we are collecting, storing and managing that partnership?

Ms Kummrow: I am sorry, Chair, is that in relation to this bill?

CHAIR: Yes, please.

Ms Kummrow: I think my acting commissioner is ready to respond to that question.

Ms Shanley: As alluded to previously, one of our primary concerns is that there is a clear legislative framework around the purposes for which information can be shared and how it can be shared and that it is stored safely and securely and protected from unauthorised access, disclosure or loss of personal information. Our primary concerns are around those issues. In terms of data security, there is an obligation on agencies currently under the IP Act—and that will continue once the changes to the Information Privacy Act commence on 1 July—to protect information from unauthorised access, disclosure or loss. In terms of the privacy impact assessment, one of the benefits of conducting a privacy impact assessment is that it can identify and mitigate any privacy risk. It can identify what privacy and security measures are required to be in place to protect that highly sensitive information from unauthorised access, disclosure or loss. That applies to any agencies that are handling this personal information.

Ms McMILLAN: With regard to information sharing and privacy, what are the risks of police reviews to PPDs? Is the lack of oversight of QPS a risk to privacy and information security?

Mr HUNT: Point of order, Chair: that question contains an imputation.

CHAIR: I accept that point of order and ask that the deputy chair remove the imputation. I think she has the crux of a good question there.

Ms McMILLAN: Sorry, Chair, on the point of order: could the member for Nicklin share with me where the imputation is?

Mr HUNT: Certainly, member. It is in relation to the comment that there is a lack of oversight of the police PPDs. The framework has oversight by senior officers, so that is a general statement, I would say.

Ms McMILLAN: Thank you, member for Nicklin. I very much accept your point of order. My question then is: with regard to information sharing and privacy, one of the risks of police reviews to PPDs is the lack of external oversight outside of the police agency. Is there a risk to privacy and information security?

CHAIR: Deputy Chair, I am conscious that the pathway for a PPD is an internal review via police but, alternatively, it can be taken to court, which would be external to the agency itself. I want to make sure that we do not put something that is not right into the record of our hearing today.

Ms McMILLAN: Are you happy for the commissioner to take that question?

CHAIR: Yes, with that additional context.

Ms McMILLAN: Thank you, Chair.

Ms Kummrow: The extent to which I can answer the question is: we understand that police protection directions will be listed in a register containing particulars for PPDs issued by police officers. In that sense, there will certainly be transparency around those. Particulars in the register must be made available if requested by the respondent, aggrieved or named person to which the PPD relates. Part 5A of the DFVP Act refers to when a receiver can use, disclose or give access to

information to someone else in compliance with the Information Privacy Principles. In our submission, we advise that this section will need to, obviously, be updated to refer to the Queensland Privacy Principles so that the registers comply with the collection, use, disclosure, access, quality and security of personal information. That is probably the extent to which I can answer your question within our jurisdiction.

Ms McMILLAN: Thanks, Commissioner. Thank you, Chair.

CHAIR: We get there in the end as long as we work together. I think that is the important part.

Mr HUNT: I draw your attention to page 3 of your submission under the heading 'Video-recorded evidence-in-chief'. Paragraph 2 states—

OIC is supportive of the safeguards embedded in the VREC framework, including informed consent ...

Can you outline your understanding of the safeguards and how they will be of benefit?

Ms Kummrow: I will pass to our acting policy manager, Sarah Owens, to answer that question.

Ms Owens: In relation to the safeguards, we were specifically referring to the informed consent that needed to be provided by the victim-survivor. We were referring to the limitations on the disclosure of that information and the information that needed to be provided to the victim in terms of that informed consent—that they still may be required to give evidence in court and that they have an option to refuse to give consent to the making of the statement. It was the information provided to the complainant, together with their consent and an option to not consent, and the protections that were in place to ensure the information they provided could only be disclosed in limited circumstances. We thought that was necessary to bring balance to the complainant's right to privacy and the need for the accused to be aware of the adverse evidence against them. That is why there was a limitation in place in relation to the access to that evidence.

CHAIR: Commissioner, was there something you wished to add?

Ms Kummrow: No, thank you, Chair. To summarise, we felt there had been a reasonable balance struck. Privacy is subject to limitations. There is certainly tension in terms of privacy between a survivor of domestic and family violence and the perpetrator.

CHAIR: Commissioners and Ms Owens, thank you for your time today and for joining us at our committee hearing. For the question that was taken on notice, we ask that the response be provided by the close of business on Friday, 13 June 2025. Thank you.

TWYFORD, Mr Luke, Principal Commissioner, Queensland Family and Child Commission

CHAIR: Good morning, Commissioner. Would you like to make an opening statement before we may have some questions for you?

Mr Twyford: I will start by acknowledging we are meeting on the lands of the Yagara and Turrbal people and I pay my respects to their elders past, present and emerging. The Queensland Family and Child Commission is committed to promoting the safety, wellbeing and rights of every child and every family in Queensland. Through our statutory role, we aim to improve the child protection system but, more broadly, to achieve better social outcomes for all children and families.

Domestic and family violence continues to be one of the most significant threats to the safety and wellbeing of our children in Queensland and their families. It is critical that reforms to the legislative framework recognise that children exposed to family violence are not only witnesses to violence but also victims in their own right. The trauma that children experience from violence in their homes has lasting impacts on their health, their development, their future relationships, and their ability to attend and participate in schooling and employment. More broadly, it impacts our whole society.

One in four, or perhaps two in five, Queensland children live in homes that are unsafe. As chair of Queensland's Child Death Review Board, I see these cases at the pointiest end with the most dire and tragic outcomes. In this year's annual report, the Child Death Review Board, from all the reviews we did, homed in on seven Queensland children who had passed away. In all seven cases, domestic violence orders were in place between the parents or the caregivers. In five of those cases, children had been present in the incidents of domestic and family violence and, in three of those cases, violence had occurred while those children were in their mother's belly, when the mother was pregnant.

I make this point because we need a graduated system to respond to the ever increasing amounts of domestic and family violence that comes before the attention of the police, the health professionals and the courts. We need to also acknowledge that legislation and laws are not going to stop the tide. Changing the legislation achieves a change to the rules, but it is the practise of our frontline practitioners that will actually make the difference. It is changing the hearts and minds of the men and the boys who grow up in violence and learn wrongly that violence is an acceptable way to enter a relationship. It is about making sure that perpetrators are held accountable at the quickest and earliest opportunity and that children's voices are able to be lifted and heard as true victims in the domestic and family violence scourge.

Chair, I will stop there. I note that my submission has supported this bill. I say that, quite frankly, because our current system is not acceptable. There is too much violence occurring in Queensland's homes. There are too many frontline workers attempting to do their best in a system that is overwhelmed. We need to continue to implement the recommendations of past reviews. We need to listen to the children, we need to listen to the women and we need to pay more attention, if I can say so, to the perpetrators of violence and start to address the root causes of the situation we find ourselves in.

CHAIR: Thank you very much, Commissioner. I would like to acknowledge not only the content of your submission but also the way that you wrapped up that this legislation is part of a much more holistic picture that needs to occur to make a difference to the lives of those young people. Thank you for the work that you do. Commissioner, I wanted to ask a very specific question. I apologise if it is a bit more detailed. Can you explain to the committee what does a culturally responsive and trauma informed accountability framework look like? Have you seen models that could be considered and what are its benefits to Queenslanders?

Mr Twyford: It is such a good question. I am actually asked it quite frequently in the context of youth justice, but it also applies to our child safety system and to other areas where there is a statutory intervention into the life of a human, a Queenslanders. As I have just attempted to outline, changing the law and enabling a police officer to issue a PPN, for example, is a legal power. It can be done the right way and it can be done the wrong way.

What will actually make the difference is the skills and expertise of the police officer at the time; the surrounding context that is occurring; and the identity, lived experience and cultural wellbeing of the humans that are both receiving and being protected by that instrument. Being culturally informed and trauma aware in your practice is about understanding exactly that—that not all humans are the same, that you are intervening at a point in time in someone's life and that what you are attempting

to do ultimately is to change behaviour. That change in behaviour requires a human-to-human connection. It requires cross-understanding and mutual awareness of what is occurring. It requires us, if I can say, as the majority within a community to be understanding of the differences and sub-differences across the diversity that occurs in our community. The best way to change someone's behaviour is to communicate and that communication is best when it is done in a way that is culturally understood—that there is a true connection. Again, I come back to my opening statement around changing the law will achieve something, but it is the practice that we need to see improve.

Ms McMILLAN: Commissioner, in your submission you raised misidentification as a key concern. Could you please elaborate on this and share any concerns or risks associated with police assessment of the person most in need of protection?

Mr Twyford: Yes, absolutely. It is well established but very difficult to prove. If you are not there with a video recorder at the time actually getting universal evidence to say who was the aggressor and who was the victim, it relies more on the evidence of those two parties and it relies on understanding the context and putting together the story. As many people who work in the system will tell you, it is a fluid arrangement and so misidentification occurs. We have thousands of call-outs per year. We have frontline workers rushing from job to job. They are entering an incident at a point in time. They are not ever there at the start, generally, and they are trying to resolve a situation upon their arrival. In that context, misidentification of who is who and who is playing what role absolutely is a risk and it requires us to have skilled police officers who are well trained, who have the ability and, I would say, the personality to take a step back in the moment to de-escalate the situation and then conduct a mindful assessment of what has occurred.

I would note that that is true of almost every frontline role. Our paramedics, our fire officers, our child safety officers, our domestic violence and women's safety shelter operators are required in quite difficult situations to conduct a rapid assessment to diagnose what the need is and to attempt to put in place the plan to deliver that solution. I believe it is a real issue. It is something that absolutely occurs. It is something we need to be conscious of in our policy design, but it should not prevent us from reforming a system to continue to seek to get a better outcome. Having the ability to appeal that labelling, having the ability to take a corrective course of action is important, as is oversight powers that could enable both the workforce and the system to uplift and mature over time.

Ms McMILLAN: What are the risks, Commissioner?

Mr Twyford: The risks ultimately are that you would have escalating legal consequences for someone who is misidentified over time. If it is indeed a situation where the PPN can lead to further court action and charge then the misidentification is really an injustice. It has occurred to the wrong person. That is why it is important to have that appeal and passage of review.

Ms McMILLAN: Just a follow-up—

CHAIR: Deputy Chair, I have allowed you to extend on your original question when your response desired more. I ask that we now go to the member for Nicklin for the next question.

Mr HUNT: Mr Twyford, I draw your attention to page 4 of your submission under the heading 'Police Protection Directions' and specifically point 3, which states—

Children's voices must be included: Since PPDs are issued without court oversight or legal representation, children's perspectives are often excluded.

Could you outline to what extent the current system allows children's voices to be heard? With the current system of PPN—police application and court oversight—why is that a better system to allow children's perspectives to be heard?

Ms McMILLAN: Point of order, Chair: the member is asking for an opinion.

Mr HUNT: Point of order, Chair—

CHAIR: One moment. I will take advice. As the deputy chair would be aware, we are today asking the opinion of commissioners and experts, and hearing participants on a range of issues. I am willing to accept that he is asking for an opinion, as was the member, when she asked around the risks associated with misidentification, asking for an opinion.

Ms McMILLAN: Point of order, Chair: could the member repeat the question?

CHAIR: For the benefit of the committee, yes. Repeat the question, please, member for Nicklin.

Mr HUNT: Commissioner, I draw your attention to page 4 of your submission and point 3, which states—

Children's voices must be included: Since PPDs are issued without court oversight or legal representation, children's perspectives are often excluded.

I will explain the question for the benefit of the member. You note there that ‘without court oversight’ perspectives are often excluded. My question was: under the current system, where we are putting these matters before court, how is that better for the children’s perspectives to be heard?

Ms McMILLAN: Point of order, Chair: the member is alluding to the current system, which is not part of the bill. We are talking about the future system, which should be—

CHAIR: I have accepted your point of order. Please give me a moment to seek advice. I will allow the question. The member is seeking to contrast the current and future system and is relying directly on the submission information provided by the Principal Commissioner. I think it is worthy for us to understand how children’s voices are included under the current system in contrast to what is proposed under PPDs.

Mr Twyford: The work of the Child Death Review Board in its last three annual reports has highlighted that the voice of children in the current system is often excluded or minimised. Most recently, I sponsored the launch of a documentary at the State Library last week called *Unanswered Calls*. It follows the story of Victorian children that very closely matches what I observe in the Child Death Review Board, and that is the story of one boy in particular who is left in the lounge room while police attend the house and interview both the perpetrator and the victim of domestic violence. That child goes on to voice over the next four years the story of being excluded not only from that initial interaction, where he was completely terrified and seeking reassurance that things were going to be okay, but also from the court process that followed and having no voice.

What I would say is that Queensland has led some pretty significant reforms and reviews into the policing and domestic and family violence system that has particularly attempted to uplift how children are seen as victims in their own right. It particularly focuses in on the court process and the legal process to ensure lawyers and the judiciary are turning their minds to the voice of children. The comment made on page 4 of my submission is suggesting that some of that uplift will be negated if police attend a house and issue a PPD without engaging the child.

I think my answer is that the whole system needs to better hear the voices of children. I do not think I would say that either the old or the new proposed system is excelling and one is not. I am very clear that, in whatever domestic and family violence reforms we make, we must continue to increase the ability of children to have their experiences seen, heard and acted on.

Ms BOURNE: In your submission you talk of the serious consequences of misidentification on children’s safety such as a child being left with an abusive parent or unnecessary child removal. What are the risks of PPDs to children’s safety?

Mr Twyford: Chair, I think part of the answer was in the question in terms of the overlap between domestic and family violence responses by police, the crossover into child protection systems and the slippery slope to judicial and court outcomes based on those police reports as well as the recording on a person’s history of those interactions as either the aggressor, the victim, the perpetrator or other labels that we do see in those files. I would suggest that misidentification is occurring in the current system and that it has occurred in the system prior to the most recent reforms. It is something we are more aware of and more alive to as a system, and that is a good thing.

Ensuring that our frontline police officers are experienced and qualified—I do not use the word ‘qualified’ in terms of trained—in order to identify as best they can in the moment when they arrive at the scene of an incident is incumbent on the system, particularly with these proposed amendments. I would not think we should not progress reforms to our system because of the risk of misidentification when it is a current risk, so attempting to balance between what is a system improvement or what is a pilot within the system versus what is a system regression. I think it is critical that we continue to ensure that people who are misidentified have the opportunity to raise that, to have it reassessed and to have it addressed. An overarching oversight of the domestic and family violence police practice would be an incredible thing to uplift so that in not one year’s time or two years time but as a matter of course there is more transparency of police decision-making. I think that is something the QFCC has always called for.

Miss DOOLAN: I note that your submission is supportive of reforms to the approved provider list. As far as you are aware, are there currently sufficient providers around Queensland to run appropriate DFV intervention programs and counselling?

Mr Twyford: Chair, I have to disclose I am not experienced enough to answer that question in full. What I would say is it is very clear to me from the data that I collect, both through the child safety system and more broadly, that demand is ever increasing in this field. There is an unacceptable number of waitlists both for teenagers who are experiencing their own violence in their relationships

as well as children who are seeking housing support and shelter with their mother generally or their victim parent. We need to be careful not to translate providers with services. We can have fewer providers and more services or more providers and fewer services. I just caution around using a formula that is a simple count of how many providers there are and how much need there is. Overwhelmingly, I would say we need to increase both the capacity and the capability of our domestic and family violence response service. I think that is well established and not my own opinion.

Ms McMILLAN: Commissioner, what are the missed opportunities, particularly hearing children's voices and their rights, if matters do not ever proceed to court?

Mr Twyford: I think that is something I need to ponder a bit more deeply. If the court case is a criminal court action against the perpetrator, I think we need to understand children as a victim in their own right, the missed opportunities for them as victims to be heard, for the impacts that the perpetrator has had on their life to be given light, and for that to be taken into account in sentencing. I believe there is an incredible missed opportunity in a criminal court proceeding for children's voices to be heard in terms of outcomes for the perpetrator.

More broadly, I would say that hearing the voice of children across the system needs to shift into a passage of healing, a passage of recognition and a passage of valuing. It is no surprise to most of us that our youth justice cohort has an incredible over-representation of children who grew up in domestic and family violence homes. The long-term impact of living in fear as you are brought up not only creates trauma but also creates anger, dislocation and potential dysfunction across a child's life and transition into adulthood. Indeed, we can see a cycle of offending occurring in terms of intergenerational learnings about what it is to be in a relationship. Giving children a voice is not just about the criminal justice matter; it is deeper. It is about how we as a society recognise this child has been a victim and that by enabling them to talk about it, but more importantly for them to see us responding, to see us caring, will put us in a better stead.

Ms McMILLAN: Do PPDs provide this opportunity?

CHAIR: I am sorry, that is a follow-up question. There will be a chance for you to ask a further question. My question, Mr Commissioner, is with regard to the electric monitoring pilot. Your submission references that technology alone is not enough. I know that you have called for supportive safety planning as well as support, especially for children, around the use of electronic monitoring. Can you please elaborate on what sort of supports you would like to see and are appropriate for children in this scenario?

Mr Twyford: I would say it is about education and awareness. It is about someone having the responsibility to talk to the child about why is the man who lives in my house wearing a bracelet, or what happens when that man comes to my house or if he comes to school or if he shows up at soccer once again. It is less about explaining the technology but more about bringing it down to the understanding of a five-year-old, a nine-year-old, a 13-year-old around what this means and what this does not mean.

I heard the Victims' Commissioner earlier this morning talk about the false reassurance that someone being on electronic monitoring might create for other family members. I believe that is a true risk unless we nominate someone to talk to those family members about what it does mean and what it does not mean. In youth justice we see the idea that electronic monitoring will address and prevent youth crime. I can draw parallels from the detailed submissions we made on that case to this case as well. It is a technological tool that, for the right person at the right time, might have success and for the wrong person will not achieve anything. It is about our system being mature, being fully aware and making the right decisions at the right point in time. That requires more than legislation, as I said in my opening statement; it requires a deeper understanding of what this practice is and the intent and outcomes we are trying to achieve.

Ms McMILLAN: Just coming back to the question I asked a little earlier, does the PPD process provide the opportunity to hear children?

Mr Twyford: I think the correct answer, Chair, is not explicitly in legislation. It would be my expectation that best practice for the police officer engaging in any domestic and family violence callout or any domestic and family violence decision would be to speak to the children involved in that decision.

Ms McMILLAN: How do you make sure of that?

CHAIR: Sorry, member for Mansfield, I am conscious of the fact that we have repetitive follow-up questions.

Mr HUNT: Perhaps my question might go to what the member for Mansfield is asking anyway, because I would like to stick with the children's voices theme as I think it is very important as well.

Ms McMILLAN: Point of order, Chair. I would prefer that the member for Nicklin do not put words in my mouth.

Mr HUNT: I withdraw and apologise to the member. Commissioner, from recent frontline policing experience myself I can assert that the current policy is if children are involved in a domestic and family violence incident, referrals are made to Child Safety and other agencies. With that in mind, I would not expect the policy would change in that respect. Do you have any other advice for the committee or the Police Service in terms of what other ways they can provide voices for children?

Mr Twyford: I think it goes back to an in-the-moment conversation. A referral to Child Safety is likely to lead to a child protection assessment and a case, and someone may or may not attend the house and that may or may not be within 10 to 25 days, so the separation of policing as the response to domestic violence and Child Safety as the owner of the child's wellbeing is not an effective way for us to run a system.

I want to specifically acknowledge the QPS for the work they have done most recently with the commission. We had a youth summit speaker aged 16 from the Gold Coast who created a domestic violence website called Kids of Purple. She identified for herself that there was no information for kids by kids pitched at the level of a child in a dangerous household. We supported her to speak at the youth summit, and now QPS has involved her speech in their training and their rollout of child aware domestic and family violence responses. They also had a high attendance at that film screening and will be rolling that out to other senior officers. From my perspective, QPS is taking some steps to address what is at the root cause of your question—that the voice of a child has to be heard at the time and place where the incident has occurred and at the time and place that is most relevant to that child.

We have created a web of referrals, information exchanges and data sharing that I think displaces the trauma the child has suffered and is suffering when police are at their home from the further follow-up action that might occur. I will go back and say that a good police officer at the right time will do this intrinsically, whereas others will need help to be shown what it looks and feels like and how they can fit it in to their professional duties. I think I will stop there. The voice of the child cannot be bureaucratised into referral streams or rules; it needs to be about us employing high-quality frontline workers who understand that children are also part of the equation.

CHAIR: For anyone who is looking, kidsofpurple.org.au is the website you connected us to. Thank you very much for providing that.

Ms McMILLAN: Commissioner, the interagency model is being used in other states—for example, Tasmania. What are your thoughts around hearing the voices of children and the use of an interagency model?

Mr Twyford: It is a very big question. I have a very big answer and we will not have the time to go into it.

Ms McMILLAN: I am happy for you to take it on notice, Commissioner.

Mr Twyford: Perhaps I will take that on notice and provide a general response. We need to balance an interagency response and the investment in time and energy and resources that it takes with the volume of callouts and frontline responses that we need to give as a state. Finding effective models that are both on the ground and responsive to emergent needs whilst also enabling collaboration I will go further into in my response.

CHAIR: Thank you very much, Mr Twyford. I remind you that the answer to the question on notice needs to be provided by the close of business on Friday, 13 June. I would also ask you to provide the reference you made to a presentation at the State Library and facilitate a copy or link for members if you are able. It would benefit the committee. We recognise that you have been a solo traveller and taken all of our questions in very good spirit as we work through this.

Ms McMILLAN: Chair, you might need to move a motion that we accept that information the commissioner is able to identify.

CHAIR: We will wait and take that in committee, if necessary, when it arrives. It sounded very good and I did not want us to miss the chance of getting the benefits of having access to that. Thank you very much, Commissioner, for your time today.

BELL, Ms Kristy, Chair, Criminal Law Committee, Queensland Law Society

DEE, Ms Genevieve, President, Queensland Law Society

MANBY, Ms Katherine, Member, Domestic and Family Violence Law Committee, Queensland Law Society

STUBBINGS, Ms Hayley, Special Counsel, Legal Policy, Queensland Law Society

CHAIR: I would now like to welcome representatives of the Queensland Law Society. Would you like to make an opening statement?

Ms Dee: Thank you for inviting the Queensland Law Society to appear today. I respectfully acknowledge the traditional owners and custodians of the land on which we meet, the Turrbal and Yagara peoples, and pay my respects to their elders past and present.

As you are aware, the Queensland Law Society is the peak professional body for solicitors in Queensland. We are an independent, apolitical representative body. We advocate for good law for the public good. Our members practising in family law, criminal law and domestic and family violence have extensive experience in domestic and family violence matters including acting for aggrieved persons, respondents to applications for domestic violence orders and persons charged with domestic violence offences. The Queensland Law Society supports evidence-based measures that prevent domestic and family violence, protect and support victims, and hold perpetrators to account.

The Queensland Law Society acknowledges the work done by police across Queensland to assist people experiencing domestic and family violence. The Law Society also acknowledges the extremely difficult task faced by police in responding to a large number of domestic and family violence calls. We understand that police resourcing is not unlimited and that calls for assistance continue to increase. However, like the majority of submitters to this inquiry, the Law Society holds serious concerns about the proposed police protection measures and direction provisions. We do not consider it appropriate for police to issue 12-month administrative directions that impact significantly on the rights of the respondent while also replacing the role of the court in crafting a more appropriate, longer order for the safety of persons most in need of protection.

Like many other submitters, we are gravely concerned about the risk of misidentification. Despite training and goodwill, police will be making quick assessments in difficult circumstances and errors can be made. The consequences of being improperly named as the respondent to a police protection direction will be dire. Victims who are misidentified will not have the benefit of a protection order and may face consequences relating to their housing situation, employment and contact with their children. The availability of administrative review by the Police Service and court review cannot undo the consequences that may flow where a vulnerable person has been misidentified.

The Law Society is also concerned that significant ramifications of police protection directions do not appear to have been considered. We have identified interactions with the family courts in our submission. Several other submitters have highlighted particular issues relating to First Nations people, including potential impacts on the operation of the Family Responsibilities Commission, visa holders, LGBTI people, and culturally and linguistically diverse community members. The Law Society urges reconsideration of the police protection direction regime or a substantial narrowing of the length and conditions of the directions that police can make. If PPDs are to be introduced, they should be limited to situations where the standard conditions are appropriate and only the standard conditions are made and available. Providing information about review rights should be mandatory and referrals to domestic and family violence services should be provided.

In addition, the Law Society supports the Queensland Police Service continuing its good work on training. The Police Service should receive the resources it requires to effectively respond to domestic and family violence and apply for protection orders. There should be continued emphasis on measures such as early intervention, community education, support for victims, perpetrator programs, housing support, increased legal assistance, co-responders and high-risk teams. We are happy to take questions from the committee.

CHAIR: The Queensland Police Union submission states that 23,364, or 97 per cent, of PPNs were upheld by the courts in 2023-24. In line with your comments today with regard to 'in certain circumstances', is this cause for PPDs to be used to protect victim-survivors and reduce the trauma of court appearances?

Ms Bell: I must say, I am assuming in answering that question that when you say that a PPN is 'upheld' it is converted to a temporary protection order by the court. That is not clear evidence to say that that temporary protection order later becomes a final order once the court makes a full assessment of the circumstances and considers the things it must under the legislation in determining whether an order is, in fact, necessary or desirable. In the position of the society, where we are concerned about evidence-based decision-making, that statistic is not painting a clear picture of the desirability of these PPDs in the full circumstances of a matter that would ordinarily be heard before a court. The issue of a PPD reducing trauma to victims by avoiding a court hearing is not justification for the risk that it presents of misidentification of persons who are most in need of protection.

Ms McMILLAN: In your submission you raise that this bill could result in an increased number of breaches in PPDs compared to DVOs. Considering this, what are your concerns about PPDs increasing police efficiency or providing more protection to victim-survivors?

Ms Bell: In terms of providing the breaches—I am sorry. Could you repeat the second half of that question?

Ms McMILLAN: Considering this, what are your concerns about PPDs increasing police efficiency or providing more protection to victim-survivors?

Ms Bell: We query whether, in fact, PPDs will improve efficiencies for police. There is reference in the material to the paperwork that is required to be produced by police in applying for a protection order. There is still justification to be provided to a respondent for the imposition of a PPD; that would be comparable in that scenario. In terms of protection immediately available to persons at risk of domestic violence, there are already the PPNs that are available to provide that immediate protection and then bring the matter before a court for a more proper and fuller assessment of the circumstances.

Mr HUNT: I want to go back to the Queensland Police Union's assertion that 97 per cent of PPN police applications are upheld by the courts. My understanding of that is that they become fully-fledged DVOs. Is your understanding of that different, that that only relates to temporaries?

Ms Bell: I indicated that I was unsure whether that statistic relates to them being upheld in that they become a temporary protection order on the first return date before a court or whether they are upheld and become a final order after a hearing or otherwise by consent and without—

Mr HUNT: We have the union appearing later. I might establish that with them. My question was around that a small percentage of police applications to a court are not upheld. Can we agree on that?

Ms Bell: Yes.

Mr HUNT: In that respect, do you have any data—keeping in mind your concerns around misidentification, which is what I am particularly getting at here—in relation to—

Ms McMILLAN: Point of order, Chair: the member's preamble is incredibly long and contains a number of inferences, so I ask that he reword the question.

CHAIR: Deputy Chair, I think he is still getting to a point of contextualising the data to agree on what datasets they are using to inform the question. I would ask that the member continue with his question.

Mr HUNT: I am interested in data and evidence around misidentification, and this is what I am getting at. Does your organisation have any data related to defending respondents and having applications dismissed by a court on the basis of misidentification? Do you have any data on that?

Ms Bell: Not today, but we could—

Mr HUNT: Is that something that would exist somewhere? Have you done a survey of your members or any research into that? There are a lot of people raising misidentification concerns and I am trying to draw out some data on that. There seems to be a lot of opinion et cetera on it. If you have any data to back up those concerns, I would—

CHAIR: I think you have expressed that.

Mr HUNT:—appreciate if you could take it on notice.

Ms Bell: We may have to take that on notice. We would agree that it would be valuable information to ascertain what percentage of applications that are brought before the court by police in fact result in final orders after a hearing as opposed to by other means.

Ms McMILLAN: Point of order, Chair: the Queensland Police Service has that data. We just ask that they release it.

CHAIR: I am not sure where the point of order was, but I appreciate the commentary.

Ms BOURNE: In your submission you raised that PPDs were not recommended by the Women's Safety and Justice Taskforce. Can you expand on that, and what are the risks with reform that is outside of those recommendations and not supported by the sector?

Ms Stubbings: Obviously, we saw a huge amount of work done by the taskforce and subsequently by the commission of inquiry into police responses to DFV, and these PPDs simply were not recommended. I think if they were supported by the evidence they probably would have been part of those recommendations. There are a lot of recommendations within those reports about police training, and obviously a lot has happened with that since the commission of inquiry, so that is excellent. Otherwise, there are taskforce recommendations, there is the Broadening the Focus perpetrator strategy that was released last year—there is a lot of work that has been done on DFV with a lot of recommendations and we would prefer to see those recommendations being implemented including, as the president mentioned in the opening, more emphasis on early intervention, behaviour change programs, education and support for victims. There is so much more to be done that has been recommended by this very well resourced and expert taskforce.

Miss DOOLAN: Thank you for your time today and your submission. My question is around the electronic monitoring devices. Are you supportive of the pilot program and do you think this will help protect victims?

Ms Bell: The QLS is supportive of the pilot provided it is properly funded and implemented. With the existing GPS monitoring devices that are available in criminal proceedings, particularly anecdotally through the criminal law committee, practitioners report considerable difficulties with these devices. It is of concern that any GPS-tracking structures that are put in place are properly funded and properly monitored and there are resources available to act quickly if there is a breach detected in relation to that.

Miss DOOLAN: Could you elaborate on what difficulties are around these electronic monitoring devices?

Ms Bell: Anecdotally, there are difficulties with service provision in terms of reception of the devices and the dropping out of devices. The network, I believe, that the devices were operating on was to have been upgraded. There have been some difficulties in relation to that. These are all observations that have come through our Criminal Law Committee members in terms of GPS monitors being imposed as bail conditions. There would need to be some significant improvements in relation to that.

Ms BOURNE: Given this reform has not come from the sector, what do you think the consequences are on victim-survivors?

Ms Manby: I think the big issue is in terms of the victim-survivors having their voice heard in circumstances where they may require further protection or they may not require the intervention at all. There is also the ability for everybody to be able to have some access to some legal advice which I think is vital in terms of the PPNs or the protection orders that we have at the moment. I think removing that will have a great impact upon victim-survivors and their access to the ability to be heard.

CHAIR: In your submission, you speak about the risk of PPDs being taken less seriously than DVOs. Can you elaborate on that concern? The Queensland Family and Child Commission today spoke about PPDs being potentially part of a graduated response to degrees of domestic and family violence.

Ms Bell: The difficulty, I think, is that they do not have a graduated effect. The breach of a PPD is taken in the same way as a breach of a court order. A PPD is something that can be issued without a person experiencing the seriousness and the solemnity of a court process and understanding that what they are doing in contravening an order is breaching an order or going against the order of a court that has been made with the benefit of evidence and has made findings of fact in relation to it and given really detailed reasons why those particular conditions should be in place. In terms of the impact on a person who is a respondent, a person is much more likely, as a matter of common sense, to take seriously an order made by a court after going through that process than to be handed a PPD by a police officer in their home.

Ms Dee: Can I add a little further information? I think you referenced specifically the family law provisions.

CHAIR: The Queensland Family and Child Commission spoke about a graduated response to DFV.

Ms Dee: In terms of the order, you referenced the PPD not being taken as seriously as an order. Part of our submission refers to the potential impact for participants in the family law jurisdiction where the Family Law Act specifically refers to the existence of a family violence order, and that whilst the Family Law Act also allows for the court to have an understanding of the entire circumstances in the relationship, one of the things we are concerned about is if the Family Law Act specifically refers to the requirement of an order, for example, for participants to access section 102NA—the cross-examination scheme—that where the PPD is not recognised as an order, some parts of the court may say, 'No assessment of violence was made. I am not satisfied that access to section 102NA of the cross-examination scheme might be available to a self-represented litigant because the PPD was issued without an assessment of violence at a state level.' That is one of the other complications that we have identified in the submission.

CHAIR: With leave of the committee, can you elaborate on the concern that you are raising on page 3 or 4 of your submission? You reference a concern around DVO breaches. Can you connect that back to family law for us?

Ms Dee: In respect of breaches of a DVO or breaches of a PPD?

CHAIR: A DVO but with PPDs being the alternate.

Ms Dee: I will have Ms Bell talk about the breaches of the PPD and then we can link that back to family law if we need to.

Ms Bell: Potentially, the concern is that from a breach perspective, when a respondent comes before a court and an order is made, they are the recipient of the benefit of legal advice throughout that process, before an order is made and after an order is made, so they have this understanding across sometimes multiple jurisdictions—so, in the Family Court as well—of the consequences of breaching an order on a more significant level. Then following on from that, there can be, or has historically been in terms of orders made by a court or DVOs made by a court, impacts or flow-on effects on Family Court proceedings. I think that is where the president is alluding to; there may be flow-on effects by reason of the fact that PPDs are not considered in the same way that orders made by a court are in Family Court proceedings. Does that answer your question?

CHAIR: Yes, thank you.

Ms McMILLAN: Under the proposed bill, Ms Dee, QPS will not be required to gain the consent of victim-survivors to issue a PPD. What are the risks with that approach and what amendments would you propose?

Ms Manby: I go back to my earlier comments: the risks are the victim-survivor not being heard. All too often we have people who have a PPN and they are the aggrieved. They do not wish for that. It causes all sorts of issues in terms of their relationship status, in terms of family law. I do not know how to achieve a better response other than not having this system but having the system where the aggrieved are still able to be a part of the process and to be heard, and to have access to that legal advice. All too often I think people have PPNs issued where they are the aggrieved and they give up because they do not see any other option. I think PPDs would make that situation far, far worse for them, and we may then be in a situation where there is a flow-on effect through the family law system where we have a lot more cases in the family law system that are there perhaps because they did not need to be, with a lot more strain on that system as well. It is just taking away their right to be heard and their right to have their wishes and views heard in terms of their lives.

Mr HUNT: Back to your concerns around misidentification again, I wanted to quote from the submission by the Queensland Police Union and get your response or reaction to that. In relation to misidentification they say that the PPD scheme proposed in the bill places more rigour around the potential issue of a PPD than for existing police protection notices and includes two legislated options to review the issuance of a PPD, as well as a QPS commitment to review every PPD naming a female as a respondent within 24 hours, which is not necessarily the case at the moment. Would you welcome that? Would you like to comment on that?

Ms McMILLAN: Point of order, Chair. Could the member reword the question? Asking if they would welcome that is an inference, and I ask that the member ask his questions independently and in a bipartisan way.

CHAIR: Member, in hearing your point of order, the member has provided a direct reference to a submission and is asking the views. Whether it is the word 'welcome' versus 'benefits'—he may wish to use the word 'benefits' to rephrase his question and then seek the view of the Queensland Law Society.

Ms McMILLAN: Thank you, Chair.

Mr HUNT: Thank you for your guidance, Chair. I am really not sure what the point of order was, but—

Ms McMILLAN: Point of order, Chair. I would prefer not to be gaslighted by the member for Nicklin. I take personal offence and ask that he withdraw.

CHAIR: The member has taken personal offence and she asks you withdraw that last comment.

Mr HUNT: I withdraw.

CHAIR: Member, can I affirm you are seeking to provide the same question with the word 'benefits' as opposed to 'welcomes'?

Mr HUNT: Yes. I was just outlining my confusion. However, I wish to put that quote to you in terms of your concerns you expressed around misidentification and whether that adds or detracts from your concerns.

Ms Bell: May I just clarify that the question is in relation to the reviews provided for in the bill, both by police and by a court, and whether that cures the concerns about misidentification by the issue of a PPD?

Mr HUNT: Yes. The quote relates to a more rigorous process in this new scheme than previously, and the question is around whether that alleviates some of your concerns.

Ms Bell: In short, it does not. The issue of a PPN is a temporary measure which was designed to provide immediate protection before a matter could be brought before a court where both parties receive legal advice and the court has the benefit of legal representatives for either side and the police providing submissions in relation to the appropriateness of certain conditions, having regard to the circumstances of each party. The PPD does not provide that oversight or that check and balance in such a short period of time. It is effectively a final order for a 12-month period, with conditions to be imposed which are not restricted in any way by the bill. These can be as significant as ousting a person from their home without any review of that by a court in a short period of time. Although there are reviews provided for by police and by a court, it is not uncommon for our members to see persons coming before the court who are just not aware of those rights of review. There are other restrictions, such as financial restrictions. We are frequently seeing aggrieved persons being put to the cost of engaging legal representation so that they can be heard in relation to these applications that are being made on their behalf, and there is a real risk, particularly when we are considering misidentification, that these PPDs will compound that problem rather than resolve it.

Mr HUNT: A short point of order, Chair, please.

CHAIR: Point of order, member for Nicklin.

Mr HUNT: I take personal offence to the member indicating that I was intending to gaslight. I take personal offence to the comment and I ask the member to withdraw.

CHAIR: Member for Mansfield?

Ms McMILLAN: I withdraw.

CHAIR: Thank you very much, member for Mansfield. Thank you very much, member for Nicklin. Is there a further question?

Ms BOURNE: Would it be fair to say you believe the bill is not in the best interests of victim-survivors?

Ms Stubbings: Yes, in its current form. As the president mentioned, if the bill is to go ahead, we think it should have a very significant narrowing of what could be included in PPDs, but, on the whole, we see PPDs as a regressive step compared to the current system. In addition to the concerns already mentioned, we think that it may be more difficult for a person experiencing violence to obtain an order from the court after the 12 months of a PPD, if that is something that they still require. While we are concerned that there may be a lot of breaches of PPDs, on the other hand there may well be a lot of people who are able to behave within those 12 months and then that might make it more difficult, even if there still is a danger presented by that person, for the victim to obtain an order from the court at the end of that 12 months because all of their evidence obviously is older, but in their experience they know they need more protection but will have trouble showing that, and instead of having a five-year order in the first instance, they only had 12 months of protection.

Miss DOOLAN: Does the QLS broadly support video recording?

Ms Bell: Yes. The QLS broadly supports the extension of the videorecorded evidence pilot but with some concerns in relation to the proposed reduction in the requirements for making of recorded statements and the obtaining of informed consent, and those are outlined in our submission.

CHAIR: Thank you very much, ladies and gentlemen. Thank you so much to the members of Queensland Law Society for their participation—

Ms McMILLAN: Chair, could I move that the committee forgo their break and that the QLS be further heard?

CHAIR: Member, I thank you very much for your motion. We will take the committee into private session and deal with your motion. For the benefit of the hearing, we will adjourn briefly to deal with this and return back to you.

Ms Stubbings: Thank you. Was there a question on notice or not?

CHAIR: Yes. The question on notice, to make sure we do not miss it, is: will you agree to look for a percentage caught by police which result in final orders by police? The requirement for responses is by close of business on Friday, 13 June 2025. If you can remain in place for a moment, the committee will move into private session and deal with the motion that has been put forward by the member and then return before you.

Proceedings suspended from 10.00 am to 10.03 am.

CHAIR: I would like to take the opportunity to thank the Queensland Law Society and all of the participants from our session this morning—

Ms McMILLAN: Point of order, Chair: I have four questions from the opposition that I would like to table and place on notice for the QLS's response.

CHAIR: If you would like to provide the questions, Deputy Chair, I will seek some advice. Deputy Chair, we will take questions 1, 3, 4 and 5. I will get you to read them out for the benefit of the committee and for the QLS.

Ms McMILLAN: Thank you. The first question to the QLS is: Queensland has undertaken significant law reform with the commencement of coercive control and implementing recommendations of the Women's Safety and Justice Taskforce and commission of inquiry. Can you speak to how this bill will impact this? The next question is: under this proposed bill, Queensland police will not be required to gain the consent of victim-survivors to issue a PPD. What are the risks with that approach? My third question is: in your submission you state that the Queensland Law Society was not consulted on the proposed changes prior to the introduction of the bill. What risks do you think are associated with insufficient consultation?

CHAIR: We will place those questions on notice, with answers to be provided by close of business on Friday, 13 June. We will now adjourn for a short break and proceedings will resume at 10.25.

Proceedings suspended from 10.06 am to 10.25 am.

CHAIR: I reopen this public hearing for the Education, Arts and Communities Committee's inquiry into the Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025. My name is Nigel Hutton. I am the member for Keppel and chair of the committee. I would like to, once again, take this opportunity to respectfully acknowledge the traditional custodians of the lands on which the Queensland parliament stands and pay our respects to elders past, present and emerging. With me today are: Ms Corrine McMillan, the deputy chair and the member for Mansfield; Ms Wendy Bourne, the member for Ipswich West; Miss Ariana Doolan, the member for Pumicestone; and Mr Marty Hunt, the member for Nicklin, who is substituting today for Mr Jon Krause, the member for Scenic Rim, who is absent. Mr Nick Dameitto, the member for Hinchinbrook, is also an apology for today's hearing.

This hearing is a proceeding of the Queensland parliament and is subject to the parliament's standing rules and orders. Only the committee and invited witnesses may participate in the proceedings. Witnesses are not required to give evidence under oath or affirmation; however, I remind witnesses that intentionally misleading the committee is a serious offence. I also remind members of the public that they may be excluded from the hearing at the discretion of the committee.

These proceedings are being recorded and broadcast live on the parliament's website. Media may be present and are subject to the committee's media rules and the chair's direction at all times. You may be filmed or photographed during the proceedings and images may also appear on the parliament's website or social media pages. Please remember to have your phones switched off or on silent and, when speaking, make sure you press your microphones on.

This hearing builds upon the work of the 72 submitters who have provided written evidence to the committee and the two previous hearings held in Cairns and Mackay respectively. With 12 witnesses having already presented evidence today, on behalf of the committee I wish to thank everyone for their participation and willingness to give voice to victim-survivors, their supporters, the DV sector and the broader Queensland community. The content of the submissions and the evidence shared today may be confronting and/or cause distress to members of our community. For any person who may be challenged, our committee secretariat has contact details for support agencies. It is brave to seek help.

BROWN, Mr Anthony, Director—Policy & Legislation, Queensland Police Union of Employees

PRIOR, Mr Shane, General President, Queensland Police Union of Employees

SCHMIDT, Mr Troy, Barrister-at-Law, Queensland Police Union of Employees

CHAIR: Good morning, gentlemen. Thank you very much for your submission to the inquiry. Would you like to make an opening statement before members ask you questions?

Mr Prior: Good morning, Chair. To my left is Mr Anthony Brown. He is my director of policy and legislation at the Queensland Police Union. To my right is Mr Troy Schmidt, our in-house barrister-at-law. Thank you for the opportunity to appear before you today.

The Queensland Police Union represents over 13,000 members, the majority of whom are on the front line responding to domestic and family violence and doing their very best to keep victim-survivors and their children safe. This bill is welcomed by the Queensland Police Union because the future of policing in this state is at a tipping point, driven in large part by the fatigue of responding to the escalating scourge of domestic and family violence.

You have probably heard these statistics repeatedly during your inquiry but they bear repeating. DV occurrences are up five per cent year to date and are on track to exceed 200,000 occurrences. Breaches of DV orders are up by eight per cent year to date and will likely exceed 70,000 occurrences in the 2024-25 financial year. Those numbers should alarm all Queenslanders but they represent only the tip of the iceberg because ABS research tells us that up to 80 per cent of domestic and family violence matters go unreported. What is even more frightening is the prospect of a police workforce so thin there will be no-one available to respond to the desperate calls for assistance.

Despite the government's commendable focus on police recruitment and retention, as at 30 May the police vacancy rate in Queensland was 6.4 per cent. In raw numbers, that percentage represents almost 1,000 police officers below the number of officers funded by the government. The

police attrition rate for the 12-month period to 30 May was 5.8 per cent. Unplanned attrition—in other words, officers resigning and walking away from the job—made up three per cent of the overall attrition rate, meaning more than 400 experienced officers walking out the door over the past year.

When I took up the union presidency in August last year, domestic and family violence was the No. 1 issue raised with me directly by members. Their gripe was not about DV not being real police work; it was about the excessive time it takes to resolve an incident. On average, each DV incident involving the issue of a police protection notice is taking frontline officers anywhere between four and six hours to complete. So much time being spent on DV jobs means calls for assistance back up at the end of each shift and there can be as many as 200 unresourced jobs in the queue in a busy police district. More than half of those unattended calls are likely to relate to domestic and family violence. That is why the union launched its statewide public campaign earlier this year to make DV a crime every time, underpinned by our blueprint for action on domestic and family violence. Although the government has not decided to create a standalone DV offence in this tranche of reforms, we are pleased that it has taken up our proposal of police protection directions.

I have read and heard criticism from organisations such as QCOSS and others about PPDs focusing on police efficiencies at the expense of victim-survivors. This is simply not the case. One of the prime objectives of the bill is to most definitely improve police efficiencies when responding to DV but it will not be achieved by compromising the safety of women and children. Why? Because the aim of PPDs is to give police an additional tool to more effectively and efficiently respond to low-level matters and give them back time to respond to complex matters like coercive control, which recently became a crime, and to respond to those 200 jobs that are banking up and that police are not getting to in a timely manner.

If people take the time to properly examine the bill, they will find it contains sensible safeguards for the issue of PPDs that prioritise the safety of victim-survivors and mitigate risks associated with misidentifying the person in most need of protection. These issues are common criticisms about PPDs, along with concerns about judicial oversight of police decisions, incident-based policing of domestic and family violence, and impacts on vulnerable groups. Chair, the committee will no doubt have questions for me about these issues but they are not new. For example, police protection notices were one of the reforms introduced by the new Domestic and Family Violence Protection Act in 2012. PPNs were designed to enable police to provide quick and effective responses for victims of domestic and family violence.

PPNs have evolved over time and have also attracted their fair share of negative commentary. A parliamentary committee inquiry into the Domestic and Family Violence Protection and Other Legislation Amendment Bill 2016 also heard concerns from submitters about the expansion of protections offered by PPNs. In the 10 years since the 2016 amendment bill, the reports of the Women's Safety and Justice Taskforce and the commission of inquiry into the Queensland Police Service responses to domestic violence have greatly improved our understanding of the scale of the problem and deficiencies in system responses. This has resulted in the QPS redoubling its efforts to better train our police to understand the complexities of domestic and family violence and to deliver superior responses year on year to those delivered in 2016.

Finally, during the course of our consultation on the QPU blueprint for action, I had the immense pleasure of meeting with Dr Leigh Gassner, a member of the rapid review expert panel established by National Cabinet and co-author of the panel's review report, *Unlocking the prevention potential: accelerating action to end domestic, family and sexual violence*. In relation to police responses to DV, Dr Gassner pointed out—and this strongly resonated with me—that if you want police to have good culture then you must back it up with good processes. That is exactly what this bill seeks to do and that is why the Queensland Police Union is backing it.

CHAIR: Mr Prior, on behalf of all the committee members, I thank you for the very thorough submission that has been provided by the QPU and I acknowledge the work that your officers are doing each and every day to keep our communities safer and to support and prioritise the safety of victim-survivors. To deal with one of the elephants, in the past four weeks we have heard submissions about concerns for police misidentification. Can you tell us about the management of the risk of police misidentification in terms of the person most in need of protection when issuing PPDs?

Mr Prior: Thank you for the acknowledgement of our people, who do an extraordinarily hard job around the state keeping Queenslanders safe. In the context of PPDs, we note the concerns that have been raised about police misidentifying the person most in need of protection. The evidence provided has been anecdotal and, as the Victims' Commissioner pointed out in her submission, there is no publicly available data about police misidentifying the person most in need of protection.

The first point to make is that the bill does not contain a single provision that could contribute to police misidentifying the person most in need of protection. PPDs simply offer police a more efficient way to resolve low-risk matters. There is no change to the way police will investigate each matter and they must still have regard to the principles for administering the Domestic and Family Violence Protection Act as well as section 22A of the act, which defines who the person most in need of protection is. The bill constrains the use of PPDs, includes layers of internal oversight and provides both an aggrieved and a respondent with opportunities to initiate review of the PPD either by the Police Commissioner or by a court. Additionally, the Queensland Police Service has committed to conducting independent reviews of every single PPD identifying a female as a respondent.

According to data released by the government for the 2023-24 financial year, Queensland police issued 23,364 police protection notices, of which 97 per cent were held up in court. There may be various reasons the court did not support the remaining three per cent, or 701 PPNs, including police withdrawing the application. Additionally, the government reports that 14.97 per cent of applications police took to court for a domestic violence order in 2023-24 involved a female respondent, some of which could include same-sex intimate personal relationships or family relationships. Based on our discussions with the Queensland Police Service, that figure is now around 12 per cent. It has been falling since 2022.

If we look at domestic and family violence statistics published on the Queensland Courts website, in the 2024-25 year up to 30 April 2025, 17,724 domestic and family violence orders have been made. In 1,767 of those domestic violence orders, or about 10 per cent, a male was the aggrieved and a female was the respondent. Based on what we can learn from the data available, we reject the assertion that police regularly misidentify the person most in need of protection because there is simply no evidence to support that claim.

Ms McMILLAN: President, in your submission you state that in the QPU's blueprint for action on DFV refinements and iterations were made over several months. What consultation was undertaken prior to the campaign? Did you engage with the DFV state sector and did they raise concerns with you about an increased risk for victim-survivors under the proposed blueprint?

CHAIR: I will just get some advice on that. Deputy Chair, I ask that you revisit your question to link it back to the bill, please.

Ms McMILLAN: The blueprint has contributed somewhat to the bill that we are scrutinising today. Would you take my question as I stated it?

Mr Prior: I am happy to answer that question. I appreciate the question, frankly. The DV blueprint started at 10 pages and it ended up at 49 pages because it was important for me and it was important for the Queensland Police Union to approach this from a holistic standpoint. That included consulting with as many members of the DV sector and victim-survivors as possible to come up with a solution to the ever-increasing scourge of domestic and family violence. As part of our blueprint, we have a consultation list that was made available publicly at the end of the document. You might find the member is also on that list because we consulted with your good self as well. What we found is that there were varying levels of support for the blueprint amongst the sector. What is abundantly clear—

Ms McMILLAN: I am sorry, Mr Prior: prior to submitting your submission, did you consult with any DV stakeholders?

Mr Prior: Are you talking about the submission for the bill before us today?

Ms McMILLAN: Yes, for the bill.

Mr Prior: No. We gleaned our entire consultation from the consultation that we performed during our consultation period for the DV blueprint.

Mr HUNT: Thank you for attending today. I welcome your comments around this bill being about not just police efficiencies but also how police efficiencies can better support victim-survivors. With that in mind and in terms of police efficiencies, the current system that takes between—

Ms McMILLAN: Point of order, Chair.

Mr HUNT: Are you going to take a point of order for every question that I ask?

Ms McMILLAN: Why is the member failing to declare his conflict of interest?

Mr HUNT: I apologise to the members. I will declare that I was a police officer for 33 years and in those 33 years I was a member of the Queensland Police Union.

Ms McMILLAN: Thank you. On a further point of order, the member made comment about my point of order. I take personal offence and I ask that it be withdrawn.

Mr HUNT: I withdraw. Thank you for your attendance today, Mr Prior. I will carry on with my question in terms of efficiencies and the four to six hours taken under the current system. Can you flesh out for the benefit of the committee what that process is and, additionally, how the court process in terms of document service further impacts on police time and efficiency?

Mr Prior: In terms of the current system? Is that what you are asking?

Mr HUNT: Can you give a little bit more detail about the process that currently takes place and how this bill seeks to improve that process?

Mr Prior: I might defer to my friend to my right, our barrister-at-law, who will walk you through the individual process that our people on the front line are confronted with every day.

Mr Schmidt: In essence, to make an application it is necessary for the police to obviously attend the incident and to investigate that incident. If they form the view that there is a need for an application then there is a process involved in that which includes taking an affidavit from the aggrieved and taking affidavits from the witnesses, who could be neighbours, potentially. It can also include taking what we call 'negative affidavits', which is effectively taking an affidavit from a person who says they have said nothing so that they are actually tied to that version and cannot come along later and perhaps support the respondent in circumstances where they are friends with the respondent. That entire process involves the victims and any children involved in that process to actually reliving that trauma as the police officers go through that and commit it all to writing.

Once all of that is done, an application is filed in the court. Depending on where the respondent is, if the respondent has not been served then that can be adjourned and then there is another process where the respondent has to be served. There is an ongoing process not just with the first four to six hours when the matter is investigated but then subsequently with service of orders or applications, temporary orders and so forth. It is a rather drawn-out process.

What is being proposed here, particularly with the use of the body camera evidence, we say will greatly reduce the trauma on the victim because they are effectively telling the police officer once at the scene what has happened and that then becomes their evidence-in-chief, similar to what we do at the moment for victims of child sex offences. There will be no need for affidavit material to be provided or taken from the victims and from certain witnesses as well. That should actually reduce significantly the time the police will have to spend at the scene.

Mr Prior: If it pleases the chair, I will build on what Mr Schmidt spoke about. In this state we are currently experiencing a situation where we have people and victim-survivors contacting triple 0 and it is taking police more than four weeks to attend to that breach of a domestic violence order. The current system is plainly unsustainable and it is putting victim-survivors at risk. That is what is happening out in the community. PPDs simply offer police a more efficient way to resolve low-risk matters. When PPDs are issued, police will not need to prepare, file or serve court documentation or appear in court. PPDs will provide a sensible and measured response to low-level, low-risk occurrences and will assist to overcome the DV fatigue officers are experiencing because of the excessive time it is currently taking to process these types of occurrences. The efficiencies anticipated to be gained through PPDs can be reinvested in officers responding to the long list of calls for assistance currently not getting an adequate or timely police response—jobs like I spoke about at the very beginning, where police are taking more than a month to get to a breach of a domestic violence order. These kinds of jobs are leaving the community unprotected and victim-survivors vulnerable. That is what is happening in the community. PPDs may even create space for police to get back to proactive and community-based policing in their local neighbourhoods. It is my sincere hope that the addition of PPDs to the DV response toolkit will help stem the tide of officers leaving the job owing to DV fatigue.

Ms BOURNE: My question is to the president of the QPU. The legislation was based off the QPU blueprint and, according to the explanatory notes, focuses on police efficiency. Can you explain to the committee where in the process these efficiencies will be gained, what modelling the QPU has undertaken and whether the modelling has been independently verified.

Mr Prior: Our consultation was conducted with a wide array of service providers and victim-survivors who approached us and whom we approached and got feedback from during that process. That consultation list is available at the back of our DV blueprint. What I will say is that when we went into this process it was vitally important to me that we heard from everybody. This could not just be a police focused response because it needed to be engaged with by the community, and as

a community once and for all we need to deal with the ever-escalating scourge of domestic and family violence. We are very proud of the work we have done to the point where we have victim-survivors who openly supported the consultation process we engaged in. We also implemented things in the blueprint we had not thought of previously. If I was to point to priorities, priority 6 was about information sharing with the sector. That may not be in this tranche of reforms. I fully expect in time to introduce further tranches. Information sharing and the like may be introduced in the future. My point in saying that is that this is a community problem that requires a community result. We think we have hit the mark in particular around police protection directions and reducing the amount of time police are spending at jobs so victim-survivors can be attended to in a timely manner by police.

Miss DOOLAN: How will First Nations communities benefit from the PPD framework?

Mr Prior: I appreciate the question. That formed a big part of the submission we sent to the committee. A number of the submitters and witnesses who provided evidence to this committee have drawn a link between PPDs and the over-representation of Aboriginal and Torres Strait Islander people in the criminal justice system. In our written submission we noted that the human rights statement of compatibility for the bill suggested the over-representation of Aboriginal and Torres Strait Islander peoples in the new PPD framework may lead to a greater number of Aboriginal and Torres Strait Islander people being sentenced to a period of incarceration for breaching a PPD. We at the union fail to see how that can be so. As I pointed out, PPDs are simply a more efficient process to resolve low-level, low-risk matters. Police will still need to investigate all occurrences in accordance with the principles of the Domestic and Family Violence Protection Act. The absence of court oversight of PPDs—unless, of course, either party elects a court review—is surely beneficial for Aboriginal and Torres Strait Islander people. It means they avoid trauma and unnecessarily facing the court system for a low-level matter. Additionally, the shorter duration of a PPD compared to the default five-year duration of a DVO made following a PPN reduces the opportunity for any person to commit a DV breach.

Ms McMILLAN: My question is to Mr Prior. The blueprint states, 'The role of the police in attending DFV should be limited to providing an emergency response.' Considering this, what evidence do you have to support police playing the role of judge and jury in issuing a PPD?

Mr HUNT: Point of order, Mr Chair: there is an imputation there.

CHAIR: Mr Prior, before providing an answer I would ask that the member to revisit her question.

Ms McMILLAN: The blueprint states, 'The role of the police in attending DFV should be limited to providing an emergency response.' Considering this, what implications does this have for individual police officers as they issue a PPD?

Mr Prior: There has been much—some, rather—criticism of judicial oversight or the lack thereof as a result of the introduction of PPDs. According to data released by the government, for the 2023-24 financial year Queensland police issued 23,364 police protection notices of which 97 per cent were held up in court. We know that police can be trusted to get it right because the courts overwhelmingly back their decisions. The use of PPDs is constrained by the bill, so they can only be used in low-level matters. PPNs with court oversight will still be the preferred option for high-risk matters. Interestingly, a number of submitters and witnesses have raised concerns about the removal of courts from the PPD process because perpetrators will not be held to account. Firstly, PPNs and PPDs are part of a civil process, not a criminal process. In many instances, respondents do not even show up for court. When they do bother to appear, the court does not impose a sentence and can only make an intervention order with the respondent's consent. Criminality only—

Ms McMILLAN: I am sorry, Mr Prior; we know that DV is very complex. How do you quantify what is high-level—

Mr HUNT: Point of order, Chair: I was interested in Mr Prior's response to that question.

Ms McMILLAN: You can ask the question then.

Mr HUNT: I would ask that the member not interrupt him with further questions. He was being relevant to the question asked and I would like to hear the rest of the answer.

Ms McMILLAN: Point of order, Chair.

CHAIR: Let me deal with the first point of order prior to the provision of a second point of order. Members, I am very conscious of the time we have to hear from representatives from a range of bodies today. The member has raised a concern. During the question the member has sought to clarify the answer to seek an alternate answer. I would ask that we respect the right of the parties

who are before us to provide a fulsome answer to the best of their ability. If there is further clarity sought, I would ask that we do not interrupt them during their answer but wait until the end. I acknowledge the point of order raised by the member for Nicklin. I believe there is a further point of order to be received from the deputy chair.

Ms McMILLAN: Point of order, Chair: the Queensland Police Union's president spoke of an issue that I am not familiar with. We know that DV is complex. In order for me to understand the president's response, I need to understand what is low-level, how do we clarify that and who clarifies it.

CHAIR: Member, I appreciate the clarification around your point of order. I would ask that we take note of you seeking a further question. Hopefully, we will have the time to take that question.

Ms McMILLAN: Point of order, Chair: could I ask that the Police Union to take that question on notice? I think it is an important element of the committee's understanding.

CHAIR: Definitely. I am happy for you to do so. Mr Prior, we have a further question for you.

Mr Prior: Do you want me to finalise—

CHAIR: Finalise your answer to the original question. What a journey we have been on.

Mr Prior: I am happy to do so. Criminality only occurs if a PPN or PPD is breached by the respondent. Importantly, police will still offer referrals to support services to all parties involved in a PPD. We agree that perpetrators should be held to account for their actions. That is why we launched a public campaign for a standalone DV offence. I am disappointed that those holding out PPDs as a free pass for perpetrators did not find it in themselves to lend their voice to the 'Make DV a crime every time' campaign along with almost 50,000 of their fellow Queenslanders.

Mr Brown: Chair, if I could add to that. The deputy chair asked what constitutes a low-level matter. I think the act itself explains what that is. If you look at the exclusions at 100C and 100D, it specifies a circumstance in which an officer cannot issue a PPD; therefore, those circumstances where they can, are the low-level matters you are talking about.

Ms McMILLAN: Point of order, Chair. If you can just clarify, Mr Brown: I understood that the exclusionary matters were in relation to elements of the DV investigation—

CHAIR: That is not a point of order. My question relates to the submission. I refer to the conclusion of your submission, which states—

Almost nine years into Queensland's ten-year DFV reform agenda perpetrator behaviours have not sufficiently changed, and victim survivors remain at unacceptable risk.

In your opinion, does the bill's introduction of police protection directions, electronic monitoring and the use of video recorded evidence-in-chief work to change the behaviour of perpetrators and provide greater safety for victim-survivors?

Mr Prior: The simple answer is yes. We are the arbiters of a system that is broken. The police protection notice system is broken in this state. We are nine years into a 10-year plan. We were supposed to be up to recovery but we have not even got off first base. As I mentioned earlier in my response, we have a system currently that our front line is dealing with in places like Logan and Cairns where on a good day they have less than 100 unresourced jobs. To put it into perspective, that is 100 victims of crime who have called triple 0 where police have not been able to allocate a car to attend to their job. What is an even scarier proposition is that year on year we are having anywhere between a five and 12 per cent increase in breaches of domestic violence orders. That is why we embarked on our DV blueprint for action.

What was abundantly clear is that in the current system police could not do this on their own. Perpetrator behaviour was only ever going up, and that is why we are seeing increases in the manner we are. That is why this financial year we will see 70,000 breaches of domestic and family violence orders. It is a concerning proposition. If we do nothing as a community, next year we are looking at the possibility of 220,000-odd occurrences of domestic and family violence and the same amount of police to deal with it. The stark reality and the grim reality of it is that police in this state are going to a domestic and family violence incident every three minutes. The current system is unsustainable. It needed to be changed. We absolutely commend this bill because it will save victim-survivors of domestic and family violence in this state.

Ms BOURNE: Mr Prior, why do you think that 70-odd of the submissions that have come in identified they are worried about misidentification? These are from organisations that are well respected and work on the ground with domestic and family violence victim-survivors. Why do you think yours is the only submission that is not worried about misidentification?

Mr HUNT: Point of order, Chair. That is asking for an opinion.

CHAIR: I do believe we are looking for opinions and views.

Mr Prior: I cannot speak on behalf of the other submitters on this, but what I can say is that the concerns around misidentification did come up frequently in our consultation. It was very important for me and the union that we address that issue. That is why we addressed that and we put several safeguards in our blueprint that are currently not within law because we know that, in the event that someone is misidentified in these circumstances, we want to stop that trauma on the victim immediately and we want a process in place to remedy the situation.

In November 2020, nearly five years ago, Australia's National Research Organisation for Women's Safety published its report about accurately identifying the person most in need of protection in domestic and family violence law. At the time ANROWS found data hard to line up, but in most jurisdictions a significant minority—between 20 per cent and 25 per cent—of the respondents on protection orders were female. ANROWS also said, given the gendered nature of DV, 20 per cent to 25 per cent of female respondents suggests a likelihood of victim-survivors being misidentified as perpetrators.

In our written submission we attempted to dig deeper into the available data to try to put a number on police misidentification. In 2022 the number of female respondents in DFV matters recorded by the QPS was reportedly around 22 per cent to 23 per cent. That aligns with what ANROWS found in 2020, with a percentage rate of 20 per cent to 25 per cent, as I said earlier. In 2025 that figure is understood to have fallen to around 12 per cent. That reduction in the number of female respondents recorded by police demonstrates both a positive cultural change in the QPS and an uplift in police capability and expertise in investigating and responding to domestic and family violence.

The accepted level according to researchers, academics and experts in the DFV sector is around seven per cent to eight per cent, and we got that figure frequently during our consultation. That figure seems to be based on the ABS Personal Safety Survey undertaken in 2021-22 and released in March 2023. The Personal Safety Survey found that one in eight men—12.5 per cent—experience violence by an intimate partner or family member, and one in 14 men—7.14 per cent—experience violence by an intimate partner. Again, care needs to be taken when trying to make direct comparisons with female respondent numbers in police protection notices because physical violence is only one element of domestic and family violence, and the survey does not draw out violence in same-sex relationships.

CHAIR: Thank you very much, Mr Prior, Mr Brown and Mr Schmidt for your time here today. On behalf of the committee, I would like to thank you.

Mr Prior: Sorry, Chair, before we wrap up, was there a question on notice that you wanted a response to?

CHAIR: Mr Brown has provided the answer to that.

CARNEY, Ms Liz, Regional Manager, Family Violence Programs Queensland, Salvation Army of Australia

STEPHEN, Ms Hannah, State Manager, Family and Domestic Violence Queensland and Northern Territory, Salvation Army of Australia

WILLIAMS, Mr Rendle, Government Relations Manager Queensland, Salvation Army of Australia

CHAIR: Good morning and thank you very much for your attendance here today. I invite you to make an opening statement prior to members asking any questions they may have about your submission or seeking your views.

Ms Stephen: To everyone on the committee, thank you very much for the opportunity to appear before you all today. I would like to begin by acknowledging the traditional owners of the land on which we are meeting today and pay respect to elders past and present.

Supporting victim-survivors of family violence is a fundamental part of the work that the Salvation Army does. We are embedded in local communities, providing support to victim-survivors in every state and territory. We provide inclusive, holistic and trauma informed support to victim-survivors from every cohort and also to people who use violence. From January this year we have supported 5,561 people and have provided 39,728 sessions of care. We have a significant presence in Queensland, and every day we see the devastating impacts of family and domestic violence.

Our experience—what we hear from people with a lived experience and what we hear from our frontline staff—shows us that legislative reforms alone will not achieve sustainable outcomes for victim-survivors nor for persons using violence. Significant systemic investment for programs that provide long-term change must accompany legislative changes to ensure that victim-survivors are safe, that people using violence are held accountable and that, ultimately, family and domestic violence is reduced in Queensland.

There are four main things that are critical to achieving these objectives. One is preventing misidentification of victim-survivors as persons using violence. We have information from across the world and even in Australia that misidentification is a significant concern. While we do not have the data in Queensland, it remains a significant concern. We are recommending long-term continuous training opportunities to upskill police officers and the justice system to understand the impacts of in-depth family violence, coercive control and the different types of violence and the nature of it, and also to understand who is in need of protection the most.

Secondly, it is important to ensure that the family and domestic violence sector as well as victim-survivors are aware of legislative changes and how to access support. We recommend significant investment in continuous opportunities for the sector to understand the implementation and the impact of these changes so that we can support victim-survivors accordingly.

Thirdly, we also recommend investing in accountability and behaviour change for people using or at the risk of using violence. This includes young people who are at the risk of using violence and adolescents who are using violence in the home. We all know that evidence shows that one response is not adequate to change attitude and behaviour. We need significant and long-term investment if we are to see true behaviour and attitudinal change.

Finally, promoting integration between justice and family and domestic violence services is crucial. A detailed plan on information sharing that is time efficient is crucial.

We are grateful that the committee has allowed us the opportunity to discuss our experience of family and domestic violence in the Queensland community. We look forward to being of assistance at the hearing today.

CHAIR: Thank you very much. Acknowledging the 140 years that the Salvation Army has been providing support services to Australians and Queenslanders, do you have any examples that you would be able to share with the committee of successful engagement practices with a focus on education for domestic and family violence services and victim-survivors? Submissions are overwhelmingly calling for work in that space around education. Do you have any examples or practices that you could share with us?

Ms Stephen: Can I request a clarification: on education with regard to the legislative change?

CHAIR: Yes. We have seen that there are myriad parties working in the space. Making sure that everyone has a thorough understanding of services available, as well as obviously the legislation, is important. Education has been identified again and again in submissions. It is a big sector. In your experience, are there any models that work for the education role that will need to be played?

Ms Stephen: Absolutely. I can start with the Alexis model that is being implemented in Victoria at the moment. It is an early intervention program which is implemented within a Victorian police station. A pilot started in 2017. We currently have it running across five police stations where we have practitioners working with victim-survivors and also specialist practitioners working with persons using violence. As an early intervention model, where there has been more than three call-outs in a year, specialist practitioners, along with police officers, respond in a way providing early intervention to the entire family in a holistic way. We have seen 85 per cent reduction in recidivism rates. There is an evaluation conducted by RMIT on this model which has shown us that early intervention and education through specialist services for police officers and providing holistic responses has not only reduced the workload on police officers but also reduced recidivism rates significantly. That is one of the models that I can share here.

Ms McMILLAN: I note that one of the recommendations in your submission is that the bill be accompanied with specialist training for police and justice staff so that family and domestic violence workers can recognise patterns of behaviour. How important is it that a relationship is viewed holistically when issuing a PPD, and do PPDs reduce the opportunity for intervention?

Ms Stephen: It is extremely important for police officers and people in the justice system to understand that family and domestic violence is dynamic and it is patterns of behaviour that impact on victim-survivors. It cannot be just a response to one incident because we need to be very conscious of resistive violence, especially when we look at resistive violence in First Nations communities. We need to invest significantly in continuous education so that the police officers who go in to respond are not just looking at one incident but understand family violence as a continuous pattern of behaviour by the person using violence.

Mr HUNT: My question is similarly around police training and your concerns in that area. Do you have a knowledge of the current extensive police training that is mandated and regular?

Ms Stephen: We do have knowledge of the training that is available but, as specialist family violence services, what we see as frontline staff and also in hearing from victim-survivors of family violence—we see that one suite of training that is provided to police officers is not adequate. It should be continuous. We are looking at attitudinal change and shift within police officers and the justice system too. If we look at behaviour change models, it is never just a one training session that is going to create the behaviour change. Hence, it is really important that it is continuous.

We also have been very privileged to have embedded specialist family violence practitioners in two police stations in the north—one in Mackay and one in the Northern Beaches. A specialist family violence practitioner embedded within these police stations is important not only to support victim-survivors of family violence but also to sit with the police officers and help them identify who is most in need of protection and to not look at an incident that they respond to as a one-off incident. That has been really helpful. We have feedback from the police officers and the officer in charge as to how that has helped prevent misidentification.

Mr HUNT: That co-responder model is something that I think the police are moving towards and you would welcome that.

Ms Stephen: We would recommend significant investment for the co-responder model and the embedded practitioner models to be implemented across all police stations because they are really important.

Ms BOURNE: This goes further to what you were talking about around education. In your submission you recommend the government invest in a broad range of programs to support behaviour change and accountability for persons using violence. How important are behaviour change programs in keeping victim-survivors safe, and are there any missed opportunities in this legislation to do that?

Ms Stephen: Behaviour change programs are extremely important to keep perpetrators in view and accountable. There are court orders that are made for a person using violence to engage in programs that focus on behaviour change but the waitlist is probably around six months, so the risk for a victim-survivor significantly increases in the six months because the person using violence has not had access to a behaviour change program. It is also important to note that a behaviour change program which is for 21 weeks or for 12 weeks is not going to change someone's 30, 40 or 50 years of behaviour. It is a continuous process, so the reliance on men's behaviour change program sessions

is significant across all states, but we still do not have evidence to show that it is the most effective way in addressing someone's behaviour. Especially with the PPDs, there is nothing to show that anyone who has been given a PPD will be referred to a behaviour change program of any form, hence our recommendation that there should be multiple options for behaviour change programs for those using violence, that anyone who is issued a PPD should also be referred to a behaviour change program and that there should be significant investment across all jurisdictions and not just one pilot happening in one place and not in another.

Miss DOOLAN: Thank you all for coming today and for the work that the Salvation Army does across Australia. My question relates to the electronic monitoring pilot program. Do you believe that this will be a deterrent for reoffending and will ultimately protect victims?

Ms Stephen: I will start with responding to the question, but I would also request for Liz Carney to add to that if she wants to. With regard to the electronic monitoring device, we think it is important but we are also very conscious of the fact that it should not give a false sense of safety to victim-survivors. We still do not have a full understanding, even in other places where it is up and running, of the efficiency of it and how the persons using violence—the perpetrators—are monitored and how information goes to victim-survivors. We do not have any measures at the moment for specialist services to have an understanding of what is happening so we can support victim-survivors accordingly.

While that initiative can—again, we do not have evidence—support with victim-survivor safety, there needs to be a lot more done to ensure its efficiency, because what if a particular location is not added onto the list of areas the person using violence should not be in but the victim-survivor has to go there for a medical service for their children and how can it be monitored? How do family violence services provide that information or share that information with the corrections officers and how is it shared again with us that this person using violence is going to be in that area? We also want to ensure that victim-survivors do not end up having a false sense of security because they do not have the entire information that is required. I was reading through other submissions. We also work with people from culturally diverse communities, and it is really important that this information is provided to them in a simplified language and in their own language so that it is clarified across both the person using violence and the person who needs protection.

Ms Carney: Beautifully said.

Ms McMILLAN: Given your experience in this field, what safeguards or amendments would you like to see introduced into this bill?

Ms Stephen: Definitely a lot more investment in continuous education is primary. The second one that we want to see is investment in multiple opportunities for behaviour change that does not just include men's behaviour change program sessions but also post-session case management options, therapeutic counselling options for persons using violence and addressing homelessness, because that could lead into secondary victimisation of victim-survivors when the person using violence is homeless. There are multiple areas where the government needs to invest to see a holistic change. We would also want to see significant investment, as I mentioned before, in seeing a really good and well-developed plan for information sharing between the police and justice systems and the specialist family violence services so we can support victim-survivors accordingly. Currently we have the information-sharing scheme but in practice it is not as time efficient; hence, if this bill goes through we want to see a really detailed plan on how information is shared.

Ms BOURNE: I note from your submission the call for improved information sharing across co-responders to reduce misidentification. How can this vital element of the system be balanced with people's right to privacy?

Ms Stephen: The information that is shared between the family violence services and the legal services would be primarily for the safety of victim-survivors, and this is for both adult and child victim-survivors. Where the information is shared, it is specifically on the risk posed by the person using violence towards the victim-survivors of family violence. I also want to state here that the information shared supports risk management and safety planning for victim-survivors of family violence, so it is extremely crucial to share that information. On the other hand, it is about the specific risk—the family violence related risk—that the information is going to be shared on; hence, we would recommend that there will be no breach of privacy because all of the information related to the person using violence is not going to be shared. Information that is not relevant to risk management and safety planning is not going to be shared; it is information that is pertaining to safety and risk management for adult and child victim-survivors that is going to be shared. Hence, we strongly believe that it is not a breach of privacy of the person using violence.

Ms McMILLAN: Ms Stephen, thank you for your appearance today and for your comprehensive submission. How important is it that support services and victim-survivors are fully aware of this new legislation?

Ms Stephen: It is extremely important. I can give an example of where we have missed out on information—both the victim-survivor and us as specialist services—where a person using violence either is being released from prison or has been incarcerated. That is a really important time for us to work on their safety and probably even move them to a place of safety—or if they are being released from prison tomorrow. When we do not have that information, it becomes extremely difficult for us to put them in a place of safety. Victim-survivors and us understanding the implementation and the intricacies of this PPD is extremely important, because issuing a PPD could also escalate the person using violence. We have seen a significant number of breaches even through court provided protection orders, so we are going to see an increase in the number of breaches. I am not sure whether the modelling that is proposed here includes how we address the significant increase in breaches that is going to happen following PPD if we are going to see an increase in the number of PPDs that are being provided to persons using violence. I reiterate that it is important so that victim-survivors can plan for their safety accordingly.

Ms McMILLAN: PPDs are not court ordered so, therefore, you will not find out about a PPD being issued.

CHAIR: Sorry, that is not a question; that is a statement, Deputy Chair. I want to thank the members of the Salvation Army not only for providing your submission but also for taking the opportunity to speak to the hearing. I acknowledge the more than 5,000 victims that you have engaged with this year. That is important work and we are so grateful for the efforts you are making on behalf of all Queenslanders. Thank you.

BRADSHAW, Ms Meaghan, Legal Practice Director, Women's Legal Service Queensland

BROMLEY, Ms Nadia, Chief Executive Officer, Women's Legal Service Queensland

CHAIR: Good morning and thank you so much for your time today and for your submission. I invite you to make an opening statement, after which members may have some questions for you.

Ms Bromley: Certainly; thank you, Chair. I would first like to take a moment to acknowledge the traditional custodians of the land on which we meet today and acknowledge that this place has been a place of community coming together to solve problems together for many thousands of generations. It is an honour to be part of that tradition today.

We are grateful for the opportunity to contribute to your work today. Every year our service supports approximately 14,000 women, most of whom are experiencing domestic and family violence. We also provide domestic violence duty lawyer services in three locations in South-East Queensland. Our view is that the police protection directions, PPDs, will not improve efficiencies or reduce the operational impact of DFV. Rather, they will further complicate an already complex area. While the committee will undoubtedly hear from others about potential harms, risks and safeguards, given that our position is that PPDs will not serve their intended purpose, our focus is advocating for a different mechanism to achieve the intended outcome. As a result of various factors, including the many exclusions, our view is that PPDs will not be used in as many cases as predicted and that the police protection notice, PPN, will remain the predominant police response.

Even in cases where PPDs are used, any immediate efficiency is likely to be outweighed by the limited duration and the inability to vary the direction which will result in a significant percentage of matters reverting to the court process. This is to say nothing of the likely breach rate and consequential workload across the system. Discussion about this bill has included references to PPNs and their passage through courts. It is our experience that the court process is an integral part of this process. The fact that the vast majority of PPNs ultimately become court orders does not indicate that the court process adds no value. Our experience is that a significant volume of PPNs have conditions added or varied or exceptions added, and the process of coming to court itself gives victims access to services they otherwise would not have had.

As the committee is undoubtedly aware, the intersection between state domestic violence orders, Family Court, child protection orders and migration law is complex. The bill as currently drafted will add additional complexities to this issue. The bill requires a police officer to ask parties if there is an order in place, as the police do not have access to these orders. In the Family Court, parties are not served with orders; orders are uploaded to an electronic file. In our experience, parties often do not know how or cannot access an online file. Family Court orders can also be made in the absence of a party. The bill does not account for written parenting agreements that are not orders like parenting plans. In child protection matters, applications are routinely made without notice to parties. In our experience, due to the complexity of the child protection system, many parties do not understand if there is an order in place or what the order provides for. The bill attempts to rectify this issue, stating that if a police protection direction is inconsistent with the family law order, an order or a care agreement under the Child Protection Act, the condition is of no effect to the extent of the inconsistency. This does not resolve the issue. This places the burden on parties who are often self-represented to understand complex legal documents. This will likely result in noncompliance with orders, contravention applications in the Family Court and increased conflict between the parties. It may also create further vulnerability for women on temporary visas. Ms Bradshaw is available to answer questions regarding the intersection of this bill and family law and child protection.

Tragically, the demand for a system response to domestic and family violence is incredibly high and potentially trending towards levels of demand which cannot be met. We agree. This clearly creates a need for change. We do not agree that the solution is to introduce a fourth kind of domestic violence order. The existing PPN process offers the same kind of immediate protection proposed by the bill. The key difference is that the PPD has fewer administrative obligations. In our view, the way forward to address the particular aims of this bill is to reform the PPN process to remove inefficiencies rather than access to justice. We acknowledge that wholesale reform of the current process is a significant and courageous step to take but a necessary intervention to address the crux of the process issues. In our view, the safety of the women of Queensland is best served by retaining systems which are essential for justice and removing burdensome processes which are not.

CHAIR: Thank you for the elaborations you provided in your oral submission today beyond your written submission. From reading submissions, there is a tension between the desire to reduce any perceived false security achieved through electronic monitoring and a very strong desire from the sector to engage perpetrators in education and reintegration as part of a holistic response. To your mind, where does the balance lie and does the benefit outweigh privacy concerns?

Ms Bromley: To clarify, that is in relation to electronic monitoring?

CHAIR: Yes, correct.

Ms Bromley: As we understand the proposal, the scope of electronic monitoring is very finite in the sense that we are talking somewhere in the range of 150 to maybe 500 individuals being monitored. While obviously concerns about safety and privacy and security are terribly important, any evidence-based step which improves the safety of Queenslanders is something we would support. Tragically, that will not be a significant step towards reducing violence against women in our community, given the scope of that measure, in any event.

Ms McMILLAN: Thank you to the Women's Legal Service, as always, for the work you do for the women and children of Queensland. My question is to Ms Bromley. The Premier has stated that he will reduce victim numbers. Is that possible without reducing the numbers of victim-survivors of DFV?

Ms Bromley: I am certainly a lawyer and not an actuary. I could not talk to the numbers. Our focus is always on improving outcomes and, as a legal service, ours is often a tertiary response in the sense that harm has often been done. Obviously, the Premier's remit is much broader and it talks to intervention and early steps. In terms of this bill, our perception is that the safety of victims is the same, regardless of the order. As we understand it, although we acknowledge that all of the parties who have offered submissions to this committee are interested in safety, one of the driving factors was efficiency. I suppose the tragedy that we see in the current drafting of the bill is that it is not well adapted to addressing that aim. Even on the Queensland Police Union's figures, which I should note I am not sure we support, were PPDs to be used in 40 per cent of cases then two in five cases would still be going through a process that the Queensland Police Union describes as broken. That seems to be an inadequate legislative response to the problem posed.

Mr HUNT: I am interested in any comments regarding the inefficiencies in the current PPN system—and I agree; maybe that is something we can look at as well. Given the evidence of the Queensland Police Union that an application process for the police is currently taking before four and six hours, what is your advice in terms of streamlining that process and removing inefficiencies to reduce that time?

Ms Bromley: I am sure Ms Bradshaw will have some other thoughts. Perhaps the place to start might be looking at analogous systems. Although this is a civil system and so is premised on an application and an affidavit to support it, that is not the way criminal prosecutions start in this state. There are far more simple procedures adopted in those matters where a police summary is offered to court long before a brief of evidence is produced. Having experienced and worked in the courts herself, Ms Bradshaw may have something to add.

Ms Bradshaw: With the PPN process, when police attend, as you know, they can complete the tear-off, which provides that immediate safety to the victim-survivor at that time. It seems to me, based on the evidence of the police in the submission, that the pain point is in relation to then going back to the station and preparing that application. I think that is the place we need to start, if the application is taking four to five hours and, as Ms Bromley said, perhaps look at other processes where the paperwork is not as onerous for the police.

Mr HUNT: How might that be achieved?

Ms Bradshaw: Under the domestic violence legislation, the magistrate needs to be satisfied that there is a relevant relationship and that an act of domestic violence has occurred. Perhaps the paperwork could be streamlined to just address those issues.

Ms BOURNE: Thank you so much for your submission. In your submission you mentioned misidentification of the person most in need of protection. Could you please explain the issue of misidentification and police protections, what risk this poses and whether this will make victim-survivors more or less safe?

Ms Bromley: Perhaps I will talk to the issue of misidentification and Ms Bradshaw can address the issue of safety. Obviously, as is well announced in the evidence before the committee and in submissions throughout these hearings, misidentification is a serious issue. I suspect one piece of common ground we have with the Queensland Police Union is that it is not the case that police

directions will introduce a greater risk of misidentification. The risk is the same and the presenting officer is the same; the administration could hardly introduce that risk. The risk that we identify is the absence of judicial oversight.

I return to the earlier point: the fact that a police protection notice becomes an order does not mean it became that order in the exact same way. Perhaps there were additional conditions or perhaps there were additional exceptions that take into account the circumstances that simply cannot be ascertained on a doorstep. I suppose that is an acknowledgement across the sector and the Police Service that misidentification often happens due to a lack of information and a need to respond in the moment. I suppose that will be crystallised even more when that response in the moment then becomes a 12-month order. As for safety, perhaps Ms Bradshaw has some observations.

Ms Bradshaw: As we know, domestic violence is complex and the path to safety is complex and different for different victim-survivors. This bill removes the easy ability for both the aggrieved and the respondent to access services and advice through the court process. As we mentioned, we provide domestic violence duty lawyer services in three locations across South-East Queensland, so our lawyers are in the domestic violence courts every day. What we see is that when aggrieveds attend court they often do not understand why they are there or what their options are. The police will give them information. There is a very big difference between information the police provide and legal advice that is applicable to their specific circumstances.

In addition to the information around why they are there and what their options are, there is then also the ability to access support services. For some victim-survivors, that is the only time they may be safe to do that. If they are living under the one roof with the respondent, if they are socially isolated, that is an opportunity for them to access safety and safety planning with a domestic violence service. On the other hand, it is also an opportunity for respondents to access services. The only way domestic violence is going to reduce is if people who use violence make different choices, and a path to making a different choice is to access the support services and the intervention orders that are available through the court process.

Miss DOOLAN: Thank you both for joining us this morning. Do you support the introduction of videorecording and why is that?

Ms Bromley: I will make some initial observations. We do. We had the benefit of being part of the pilot. I think that is a practical example, to turn to the member for Nicklin's earlier question, of one way we can reduce the administrative burden and reduce the trauma on victims at the same time. Simplifying and allowing evidence to be taken in a way that is appropriate and does not retraumatise the victim is an excellent choice. Given appropriate funding and oversight, absolutely we support that initiative.

Ms McMILLAN: Ms Bromley, your submission states that the bill includes a structure that could be adopted for PPNs. Is there a better approach to keeping victim-survivors safe? What would you recommend?

Ms Bromley: That observation was in the current drafting of the bill, as the committee would know. In the event that a PPD is reviewed by a court, that is automatically deemed to be an application. It was a little glib observation that that was perhaps a short cut: that would be an option to get before the court without the additional paperwork; that is the burden that the Queensland Police Union describes. Certainly, that is the place we would start. I think the court needs to be a part of the process, but it is about identifying those processes. I do not think anyone has given evidence to the committee that the PPN process is working well or that four to six hours is an appropriate time for frontline officers to be spending. That is certainly where I would start.

CHAIR: Being able to give video evidence aims to reduce the traumatic experience of giving evidence in court for victim-survivors and allows them to give a statement soon after the alleged offence. Do you believe this would be of benefit to your clients?

Ms Bromley: Most certainly. We certainly welcome the expansion. Our observation is also perhaps that the trial has demonstrated it has not even been used to the extent that it could be. The guidance we would certainly give legislative amenders and those implementing these recommendations is that it needs to be as accessible as possible. Although it is a legal structure and although it requires informed consent, to the extent that it can be presented in a language and a way that people understand all the better. I am not sure if the committee has had the benefit of seeing the current process, but it is a very convoluted process that involves legal language. To the extent that it can be brought into plain English so people understand their rights and obligations, understand what is being offered to them and can access that to reduce their own trauma, the better it will be.

Ms BOURNE: Did the government consult with you on PPDs prior to the bill being introduced by the minister and was this consultation sufficient—for example, meeting on the day of the announcement?

Ms Bromley: I think it is difficult to assess the sufficiency of any consultation. There was some consultation. The Queensland Police Union consultation was perhaps a little more extensive in terms of their engagement. The challenge for us is getting to the crux of the issue. It is a very emotive issue and many of the submitters have wanted to talk about misidentification, risks and issues. All of those are really important points, but, to our point, we want to really communicate to the committee to assess the intended aims of the bill and the efficacy of the current drafting. I suppose that is the crux that we would hope to get to.

CHAIR: This will be the last question, member for Nicklin.

Mr HUNT: Acknowledging your concerns around aggrieveds not having the opportunity whilst attending court to access services, are you aware of the current QPS requirements in relation to referral services and follow-up by the vulnerable persons unit and do you have any suggestions how that might be improved if this bill is passed?

Ms Bradshaw: Yes, we are aware of that. Some clients will access our services through that process. Some will reach out directly. The importance is that victims come from many different backgrounds and from many different locations and they will access services in many different ways. The bill as it is currently drafted removes one of those touchpoints which is a very important one and sometimes the only time that a victim will be able to access services safely, without the respondent around.

CHAIR: Thank you very much. I am very conscious of the time. Our next speaker—

Ms McMILLAN: Point of order, Chair: I move—

That the Women's Legal Service Queensland be further heard.

CHAIR: Thank you very much for your motion, Madam Deputy Chair. Ladies, we will briefly adjourn. The committee will meet in private and then we will return. I would ask that you remain here until we resolve how we will move forward. Thank you.

Proceedings suspended from 11.43 am to 11.45 am.

CHAIR: I resume the hearing and invite our next group, which is the—

Ms McMILLAN: Point of order, Chair: the opposition have a number of questions on notice for the Women's Legal Service that I would like to table.

CHAIR: Thank you. Could you provide those questions? Deputy Chair, I am more than happy to accept your five questions. I ask you to read them into the record, after which we will move to our next witnesses. You do not need to take notes because the questions will be provided to you in written form. We do ask that any responses to questions on notice be received by close of business on Friday, 13 June to help us in terms of timing for the committee report. Deputy Chair, you may read out your questions.

Ms McMILLAN: In your submission, you state that this bill—

... does not address the inefficiency in the PPN process which will remain for a large volume of matters.

How will this bill increase police efficiencies? Secondly, is this bill fit for purpose? Do you support this bill in its current form? Thirdly, in your submission, you state—

The passing of this amendment will also likely preclude further reform in this space while these changes are evaluated.

Are PPDs the reform the sector would like to see? Fourthly, what are the risks associated with victim-survivors losing agency, as proposed in this bill, and will that impact on victims coming forward and reporting to police? Fifthly, QCOSS references in its submission—

The Queensland Domestic and Family Violence Death Review and Advisory Board found almost half (44.4%) of women murdered in domestic violence-related incidents ... were identified ... as a respondent ...

Could you please outline the unintended consequences of PPDs?

CHAIR: Those questions will be provided to you in written form, for your benefit. We do thank you for your time and for your submission to the committee. It was a unique offering, so thank you very much for that.

ABBASOVA, Ms Gulnara, Head of DSFV Prevention and Response, Settlement Services International (via videoconference)

ELLIS, Ms Emily, Program Manager 99 Steps, Settlement Services International

PERRY, Dr Astrid OAM, Head of Women, Equity and DFV, Settlement Services International (via videoconference)

CHAIR: Thank you for your time. I apologise for the slight delay but, as you can imagine, it is a very worthy topic that we are taking the time to go through today. I invite your representative to make an opening statement, after which the committee members may have some questions based on your submission or your public statement.

Dr Perry: Thank you very much. I will go ahead with the opening statement. We thank the committee for inviting SSI to present today. The SSI group is a national not-for-profit social services organisation with a primary focus on migrants and refugees. While we deliver services across the east coast of Australia, we have operated in Queensland for over 40 years across the south-east—from the Gold Coast to Moreton Bay and up to Ipswich—and North Queensland. We are one of only a few domestic violence services funded by the Queensland government that delivers to multicultural communities, with a focus on women with refugee backgrounds and those on temporary visas. We also work closely in collaboration with other services. Earlier this year, we also received funding from the Queensland government to deliver a domestic violence behaviour intervention program for Dari-speaking men.

We speak from experience gained from our casework, which involves interactions with police and hearing the experiences clients have with police. We commend the focus on improvements and the recognition that the government needs to act to address domestic violence. Our opening statement will focus primarily on the PPD framework as it poses risks to victim-survivors from culturally and linguistically diverse backgrounds.

We know from experience that anything in relation to policing and courts is daunting and scary for newcomers, especially those who have been traumatised through their migration experience and may not understand Australian procedural processes. Perpetrators of violence may exploit a victim-survivor's dependence on them for visa status or language access or fear of community ostracism, shame and stigma—factors that are not easily visible to police or reflected in standard police procedures.

PPDs may increase the risk of backlash or isolation for victim-survivors, especially in communities where reporting abuse to authorities is viewed as dishonouring the community and family. We outline these few points for the committee to understand the complexity of the police work and investigation required to have the necessary understanding to issue a PPD for 12 months. We will illustrate the complexity here with a case study.

Police responded to a domestic violence incident called in by neighbours involving Laylah, a recent refugee who speaks limited English, and her partner, who is quite fluent in both languages. Upon arrival officers primarily communicated with the perpetrator, who presented as calm and articulate and explained the situation as a misunderstanding, while she stood silently nearby visibly distressed but unable to effectively communicate her experience. When officers attempted to speak to Laylah, they relied on Google Translate on their mobile phones, leading to fragmented and confusing exchanges that failed to capture the severity of the ongoing abuse that included financial control, threats of deportation and physical violence. The perpetrator occasionally assisted with translation, further compromising her safety and ability to disclose the full extent of the abuse. Without proper interpretation services, officers concluded there was insufficient evidence to proceed and suggested Laylah could attend the police station the following day to provide a statement with an interpreter, if she wished.

Left vulnerable overnight, without protection or support services, Laylah faced immediate retaliation from both her partner and his family members, who threatened serious consequences if she proceeded with any police report. The perpetrator used Laylah's isolation and language barriers against her and said that the police would not believe her or help her. By morning, she was too frightened to attend the police station and the opportunity for intervention was lost.

Laylah's case could receive a PPD for 12 months as it seems of low risk on the face of it because there are no records of previous issues, but as a new arrival there would not be any records. It could also lead to misidentification of the person in most need of protection. It also demonstrates

how the failure to provide a professional interpreter not only compromises the immediate safety of victim-survivors but also perpetuates cycles of abuse by reinforcing a perpetrator's control and leaving victims without access to justice, protection or services that could assist.

In closing, unless police are skilled and culturally responsive in asking pertinent questions that reveal all the facets of alleged incidences and the consequences of issuing a PPD on an individual family there will be negative consequences for the victim-survivor and their children. There also needs to be targeted investment in educating multicultural communities about the proposed changes to address system literacy and build trust. We need to use a comprehensive capacity-building approach, extensive training and a communications and education strategy with multicultural communities to effectively implement this legislation, as well as intensive police training so they have an understanding of the complexity of these cases. Thank you.

CHAIR: Thank you so much. The introduction of PPDs seeks to provide a graduated response to the trauma faced by victims. Do you believe that will be the case for multicultural communities?

Dr Perry: Emily, did you want to answer that?

Ms Ellis: I am happy for you to go ahead with that one, Astrid.

Dr Perry: For a graduated response, there needs to be a full understanding. We are concerned that within the 28 days there will not be enough opportunity to set everything in place for our communities. As they find it difficult to access any systems, we think it would have to be a graduated implementation so that there could be some understanding by the communities of the implications and their rights to access services in the meantime and also to go to court and have it overturned.

Ms BOURNE: Thanks, Dr Perry, for your submission. You stated in your submission when referring to PPDs that you anticipate there would be instances in which it could create more risk, and thank you for explaining Laylah's case to us. Could you please speak to this further?

Dr Perry: Yes. There are a couple of things. One of them is that sometimes the family is misunderstood and they are still dependent on the perpetrator. If they say that they are not to come closer than five kilometres or whatever for the 12 months, who is going to pick up the children? Who is going to support her when she needs to go to the doctor and those kinds of things? There is a chance that what the police decide on will be completely misplaced.

In other cases it might actually be enough to give the perpetrator a slap on the wrist for him to rethink his situation in life and to seek help and all of those kinds of things. In very low risk cases that are well assessed, where the complexities are understood and where there has been a conversation with her as to what would suit her and her family's needs best, then I can see that a warning to someone could be effective.

Mr HUNT: You may have already answered my question with that last remark. Acknowledging the difficulties that police face when investigating situations initially where there are language barriers and they are required to investigate fully, do you see a benefit in having that dealt with by a PPD and not involving a complex court system where extra documents are served along the way and explanations are required for that et cetera? The new system may alleviate some of that.

Ms Ellis: We are very supportive of any model that is rolled out that has a comprehensive training package, and other submissions have obviously pointed out the fact that a comprehensive training package for police officers on the ground is really necessary. Our concern with the process is the impact on future or current visa applications for migrants who are currently here waiting on the outcome of their visa applications and those intersections between the different pieces of legislation et cetera. We are also really concerned that there may not be enough resourcing in community, such as funded legal assistance et cetera, in the event of challenging or extending an order.

Ms McMILLAN: PPDs can be issued against the wish of the victim. Does this put victim-survivors at risk?

Dr Perry: It does both, I guess. We do see that a lot—that the victim-survivor is pressured to withdraw the complaint—so there could be occasions when it would be necessary. That is when a complex justice question has to be explored. Did you want to say a bit more to that, Emily, because you see those risks and those withdrawals sometimes?

Ms Ellis: On the option of not having informed consent, there is a huge risk. Consent for people who speak English as a first language can be sometimes very confusing, really understanding what you are consenting to. When you add the complexity of not understanding the English language or understanding the way that our systems operate in Queensland, it just further complicates the process. SSI would definitely support the idea of having a consent process embedded into this.

We would also support the idea of having a phased approach that includes a co-design with service providers such as within the DFV sector and communities as well—so community leadership. At SSI, we have 70 to 80 community leaders within just the Logan region who come together on a quarterly basis to discuss the needs of their community. It is also a great opportunity to share new legislation and share new recommendations that might be put forward. We would also like to support the idea of piloting this within particular designated areas to begin with and then for there to be a comprehensive evaluation of that pilot.

Miss DOOLAN: I have no further questions, Chair.

CHAIR: I am looking to take advantage of the unique perspective that your organisation provides in terms of providing DFV support for victim-survivors from an international community. I note the meeting that you have on a regular basis where you bring together providers from your part of the world to talk about issues in this space. Have you seen or do you have any examples of successful engagement models that we can use that have a focus on education to ensure that DFV providers as well as victim-survivors have access to information with regard to the legislation of the day as well as services available to make sure that communities such as yours do not miss out?

Ms Ellis: I can talk a little about our new men's behaviour change program. SSI is piloting Queensland's first culturally and linguistically diverse men's behaviour change program. Through this process, we were able to have a number of consultations with community members to really understand where some of their concerns are in terms of men from their community not having access to mainstream men's behaviour change programs. Through this, we were able to build the capacity of community leaders to really respond to domestic and family violence within their communities and also look at how we can pilot this project in particular parts of South-East Queensland. This is an example of how working collaboratively with community can really look at providing better outcomes for particularly victim-survivors, whose voices are really important in designing these types of models.

Ms Abbasova: We certainly see that any initiative of this nature focused on community safety is also an opportunity to continue building and nurturing trust between the communities and the systems. This is a real opportunity to see how we work with communities and support their understanding, awareness and increased levels of systems literacy to continue building greater trust between the systems and the communities. From our perspective at SSI, this is very much at the centre of everything we do. We would strongly encourage, therefore, an angle in this initiative to consider how communities understand this information, how communities make use of it and how we make sure that communities have equitable access that does not result in potential disproportionate risks but, in fact, in a greater building of trust between the communities and the systems.

Dr Perry: More pointed, I guess, is that educational approaches have to be varied and extensive because people access media in different ways and through different channels. We are one channel, but there needs to be investment in broad-based education and using different mediums to do that over a period so that we then have the opportunities to have those discussions on the ground, hear from the community about what they are concerned about and so on. It would start usually with consultations and the level of co-design.

Ms McMILLAN: The opposition has further questions. I am conscious of time.

CHAIR: Would you like to provide them so they can be taken on notice?

Ms McMILLAN: I would like to do that.

CHAIR: We will quickly review these questions. With the consent of the committee, we will provide them to you in writing. Any responses to questions taken on notice will be due by close of business on Friday, 13 June. We will provide those questions to you in writing. One moment, and I will take some advice around those questions.

Dr Perry: We are happy to respond.

CHAIR: The deputy chair has a series of questions that the committee will provide to you in writing. She is now going to read them into the record.

Ms McMILLAN: Thank you, Chair. My commendation to the chair for being able to read my teacher writing. I appreciate that. The opposition has at least four more questions of priority. First, in your submission you state—

An immediately long-term protection order taken out against a wrongly identified offender could have significant ramifications.

Can you describe further these ramifications, including the impacts on CALD women?

Second, in your submission you state that SSI advocates for reviewing police powers and their impact regularly. Other stakeholders have shared the recommendation of reviewing police powers through a trial of PPDs. What do you think would be the benefits of this? Third, would you support a trial of PPDs through a statewide implementation of the trial? Finally, how important is it to hear from those organisations that represent Aboriginal and Torres Strait Islander peoples and those with a disability? Thank you, Chair.

CHAIR: Those questions will be provided for you in writing. As I said, the answers are due by close of business on Friday, 13 June. I am so grateful for your time and your submission. Thank you for your attendance and thank you, Ms Ellis, for representing the organisation onsite.

CHILCOTT, Ms Tanya, Senior Policy Officer, Domestic and Family Violence, Queensland Council of Social Service

KIPPEN, Ms Bronwen, Acting Executive Director, Research and Policy, Queensland Council of Social Service

McVEIGH, Ms Aimee, Chief Executive Officer, Queensland Council of Social Service

CHAIR: Thank you for your submission. I invite you to make an opening statement, after which committee members may have some questions for you.

Ms McVeigh: I thank you for your time today. I begin by acknowledging that we are on the land of the Turrbal and Yagara people and pay my respects to elders past, present and emerging and to any First Nations people joining us today.

QCROSS is the peak body for community organisations in Queensland. We have hundreds of members working right across Queensland, delivering frontline services to some of the most vulnerable people in our community. As well as that, we are currently the interim peak body for domestic and family violence services. You have our submission, which is the result of comprehensive consultation with frontline domestic and family violence services.

QCROSS welcomes the Queensland government's commitment to do more in relation to domestic and family violence. This is clearly a national crisis and we must do more to keep women and children safe. We certainly support elements of the bill, including the proposed extension of videorecorded evidence-in-chief, provided it is implemented together with trauma informed training to make sure the implementation upholds the rights of victim-survivors. We also support the proposed measures to improve administration and management of the approved provider list for courts.

We welcome the Queensland government's commitment to work closely with the domestic and family violence sector on regulations and implementation; however, QCROSS and the domestic and family violence sector strongly oppose the introduction of police protection directions. We oppose this due to their likely adverse impacts on the safety and wellbeing of victim-survivors. In all reform related to domestic and family violence, the safety and wellbeing of victim-survivors must be the No. 1 priority. Our opposition to PPDs relates to the prioritisation of police efficiencies over the safety and wellbeing of victim-survivors.

In the last few months, QCROSS has been travelling across Queensland. We have had the great privilege of meeting in place directly with domestic and family violence services, many of whom I know the committee has heard from. We have heard wonderful accounts from our services about local collaborations between domestic and family violence support services and the Queensland Police Service. Both domestic and family violence services and the QPS are on the front line dealing with increasing rates of domestic and family violence in our community. There are many examples of positive collaborations that are occurring.

Currently, there are more than 40 embedded domestic and family violence service workers in police stations across Queensland. This was a recommendation of the Women's Safety and Justice Taskforce and a recognised way of better addressing domestic and family violence. There is a trial in Cairns which you would know about where a domestic and family violence worker is going out to incidents with police. We are already seeing early successes. We also have 10 high-risk teams which involve domestic and family violence services working with government departments to improve the safety and wellbeing of victim-survivors. Evaluations have found that these measures are promising and should be expanded.

We welcome the Crisafulli government's commitment to prioritising the safety and wellbeing of victim-survivors. We are committed to working with the government and police on reforms that will put the safety and wellbeing of victim-survivors at the centre. We do support the need for better efficiency and greater capacity for the QPS; however, we do not support that at the expense and wellbeing of victim-survivors. I am happy to take any questions.

CHAIR: The first question is drawn from the Queensland Police Union's submission. The Queensland Police Union argues that almost nine years into Queensland's 10-year DV reform agenda perpetrator behaviours have not sufficiently changed and victim-survivors remain at unacceptable risk. In your opinion, will the bill's introduction of police protection directions, electronic monitoring and the use of videorecorded evidence-in-chief achieve change in perpetrators' behaviours and risks to victim-survivors?

Ms McVeigh: In our submission we provide support for the expansion of the use of videorecorded evidence-in-chief. We have also provided some feedback in relation to the use of GPS monitoring devices. We acknowledge there is divergence in evaluations in relation to the effectiveness of GPS trackers for high-risk offenders. We would say that if that were to be implemented in Queensland it would need to be done together with comprehensive case planning so that you have domestic and family violence services embedded while ensuring women's and children's safety remains paramount. In relation to PPDs, we do not believe they will improve the safety and wellbeing of victim-survivors.

Ms McMILLAN: You state in your submission that PPDs are not required to address immediate protection needs as those tools already exist. What ideas does the sector have on how efficiencies could be gained without impacting the safety of victim-survivors?

Ms McVeigh: The first thing to say is that, of course, that protection already exists through PPNs, so that protection can be provided on the spot and then the matter proceeds to court. There certainly would be ways to improve police efficiencies. I do not think it is for the domestic and family violence sector to find those efficiencies for the police. We certainly have an open mind in relation to what those efficiencies would be. We have met constructively with the police and the Police Union to discuss those proposals. It is only where we see significant risk to victim-survivors that we would be opposed.

Mr HUNT: On page 4 of your submission you note—

Services have reported that the ... implementation of a gender review being undertaken ... is not always working ...

The paragraph after that states—

The planned safeguard of a Sergeant, or Senior Sergeant in some cases, signing off ... is not sufficient to prevent misidentification.

We have heard a lot of evidence of concern around misidentification. Given the QPS's commitment to oversight and every single instance of a PPD being reviewed where a female is identified as a respondent, do you welcome that as an extra step? If that is not sufficient, what oversight would you suggest if the bill is passed?

Ms McVeigh: My understanding is that the gender review process already exists, so it is not an additional safeguard. We hold significant concerns in relation to misidentification and we have outlined that in our submission. I know that you have heard many of our members, and indeed others, also highlight the issue related to misidentification. The explanatory notes to the bill itself highlight the real risks associated with misidentification, including fatality. We think those are significant risks that cannot be overlooked. We do not think the bill should be passed, including the introduction of PPDs.

Mr HUNT: Point of order, Chair: the question was, 'Do you have any suggestions on how that oversight could be improved?'

CHAIR: I am conscious of the time. I recognise that we can ask the question; however, how the witness chooses to answer is up to them.

Ms McMILLAN: Chair, I do not mean to undermine you in any way, but this was one of our questions as well.

CHAIR: We have bipartisan support, then.

Ms McMILLAN: Thank you, member for Nicklin.

Ms McVeigh: I have a quick answer to the question. The safeguard should be judicial oversight.

Ms BOURNE: In your submission you discuss the issue of misidentification and reference the issues Tasmania has observed as the only other jurisdiction with police issued directions. Could you please speak to the consequences of misidentification?

Ms McVeigh: I again would go to the explanatory notes to the bill themselves, which say that the consequences of misidentification can be severe and potentially fatal. Where a person is misidentified, that means they will be left without protection at that incident. They can then become criminalised. They can have their reputation ruined. We know that the consequences for their safety and wellbeing can be severe.

Miss DOOLAN: Your submission notes the huge increase in DFV in the community over the last 20 years. Do you think the bill's proposed reforms, if considered as part of an holistic response, will address at least some of the issues facing police and support services?

Ms McVeigh: I would reiterate our support for the Queensland government's posture in relation to domestic and family violence and commitment to addressing it. There are elements of this bill, which we have highlighted in our submission, that we are supportive of, but the main issue we are strongly opposed to is the introduction of PPDs. The reason is that we do not believe they will increase the safety and wellbeing of victim-survivors.

Ms McMILLAN: The Queensland Domestic Violence Death Review Board found that almost half of the women murdered in DV homicides were misidentified as the respondent. Will PPDs have the potential to enhance the lives of victims?

Ms McVeigh: What we are talking about in relation to misidentification is that the person who is most in need of protection is left without protection and the person who is using violence is identified as the person most in need of protection. Could you repeat your question?

Ms McMILLAN: The Queensland Domestic Violence Death Review Board found that almost half of women murdered in DV homicides were misidentified as the respondent. Will PPDs have the potential to endanger victims?

Ms McVeigh: As I was saying, we know from the data that it is most likely that women are the person most in need of protection. What we are seeing from our domestic and family violence services is data based on referrals from the QPS to services. In some instances, some police stations are still indicating that 100 per cent of the referrals are men—that 100 per cent of the people most in need of protection are men. That does not marry up with what we know about who are the people most in need of protection. If we remove judicial oversight from that, we are leaving all of those women and children without the protection they need. In answer to your question, yes, the introduction of PPDs will leave many vulnerable women and children exposed. I emphasise that what we do know is that misidentification affects women from particularly marginalised groups more: women with a disability, women from First Nations communities, women from culturally and linguistically diverse backgrounds as well as people from the LGBTIQ+ community.

CHAIR: I asked the Women's Legal Service this question and I want to ask you as well. From reading the submissions, there is tension between the desire to reduce any perceived false security achieved through electronic monitoring and the very strong desire to engage perpetrators in education and ultimately reintegration into a community as part of an holistic response. Where does the balance between these two lie? Does the benefit of electronic monitoring and the perceived false security that has been identified in some of these submissions outweigh privacy concerns?

Ms McVeigh: In answer to your question about GPS trackers, we know that the most likely scenario where they will have an impact is if they are accompanied by comprehensive case planning and case management. What that means is that both the person who uses violence and the person most in need of protection should have services and supports attached to them. We know that both services that work with people who use violence and services that work with victim-survivors are under huge pressure in terms of the case loads they have. We know that in order for this to be effective you would need to increase investment into domestic and family violence services, including into those services that work with people who use violence.

Ms BOURNE: Did the government consult with the sector about PPDs prior to announcing their intention for reform or introducing the bill, and are PPDs something the sector has called for?

Mr HUNT: Point of order, Mr Chair: the member is asking a question that I do not believe this group can answer—whether the government consulted with the sector. The opposition are talking about other people. They are asking them to answer a question based on what consultation was done with other groups, and I do not believe they can answer that.

Ms McMILLAN: Point of order, Chair.

CHAIR: Madam Deputy Chair, allow me to make my ruling first before you make a further point of order. On this one, recognising the role of the Queensland Council of Social Service as the peak body representing the sector, I will accept the member for Ipswich West's question and encourage the witnesses to give a response. Thank you for raising your concern.

Ms McMILLAN: Thank you, Chair.

Ms McVeigh: We have been engaged by both the former government and the current government in relation to the design of PPDs. We have, and the domestic and family violence sector has, strongly opposed this proposal consistently over many years.

CHAIR: Acknowledging the time, Deputy Chair, do you have a further questions you would like to place on notice?

Ms McMILLAN: I do, Chair, and there are so many that, as QCOSS is our peak body in Queensland for family and domestic violence, I move that QCOSS be further heard.

CHAIR: Thank you very much for your motion. Ladies and gentlemen in the audience today, we will adjourn the meeting briefly. Members will go into private session and we will return. I ask you to remain in place, please.

Proceedings suspended from 12.30 pm to 12.33 pm.

CHAIR: Representatives of the Queensland Council of Social Service, we will be asking for the committee to provide some questions on notice to you. We ask that responses to those questions on notice, for the benefit of the committee, be back by close of business on Friday, 13 June so that they can be taken into our deliberations as part of our response to the bill. Deputy Chair, would you like to share your questions so we can get some confirmation of them?

Ms McMILLAN: Thank you, Chair. The opposition literally has a dozen more questions for QCOSS but, with your permission, can I share a couple of those? Firstly—

CHAIR: Deputy Chair, you need to provide the questions so we can agree to the questions.

Ms McMILLAN: Sorry, Chair.

CHAIR: Deputy Chair, could you read out the three questions you would like to ask on notice?

Ms McMILLAN: The three most important of the many more questions the opposition has. Firstly, PPDs were a tool for efficiency proposed by the QPU. Could you please explain why it is important reform if it is not driven by the sector?

CHAIR: QCOSS, we will provide the questions to you in writing. I understand the desire to write them down, but do not feel you need to. We will give them to you in writing. The second question, Deputy Chair?

Ms McMILLAN: Some people have called for a trial over statewide implementation. What are your views on that? Finally, without safeguards for PPD, what are the risks to victim-survivors including their children?

CHAIR: Thank you so much, QCOSS. Could you please take those three questions on notice, with Friday, 13 June being the date for return of responses?

Ladies and gentlemen, that concludes today's hearing. On behalf of the committee, I would like to thank everyone for their participation and willingness to give voice to victim-survivors and the broader Queensland community. If the content of the submissions and the evidence shared today has caused discomfort or distress to members of our community, please reach out for support. Our committee secretariat, as previously stated, has contact details available for support agencies. It is brave to seek help at any time.

Thank you to our committee secretariat and our Hansard reporters whom we have had rolling through today. A transcript of these proceedings will be available on the committee's webpage in due course. I now declare this public hearing closed.

The committee adjourned at 12.36 pm.