

Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025

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The main goal of the proposed PPD seems intended to divert police time from attending court, rather than protecting victim-survivors. This is stated in the explanatory notes under alternate ways of achieving policy directives 'Alternative ways of reducing the operational impacts of the current DFV legislative framework were considered, however, were deemed insufficient to improve efficiencies and police responses to DFV.' QPS's testimony today centred on the volume of work that responding to DFV costs QPS, rather than on the protecting victims, stopping women being controlled and killed by their partners or addressing the behaviour of perpetrators. This statement, and the proposed use of PPDs is incredibly disappointing for a government that was elected on a mandate of protecting victims and holding offenders to account. The use of PPDs removes the requirement for perpetrators to go to court. Indeed, it is the main feature, as currently the use of a PPN serves the purpose of immediately protecting victims. Going to court is a form of justice for perpetrators, no matter the outcome. It also lends credibility to the seriousness of the charge to the perpetrator. If you have to go to court for holding a small amount of drugs that are legal in other jurisdictions and legal for medical purposes, you should have to go to court for committing violence against a spouse or family member. Removing courts from this process undermines the justice system as a whole. The separation of powers between the law and the judiciary is a core tenant of our system of government. Across Australia and the world, police officers are overly represented as perpetrators of domestic and family violence. Research shows that despite increases in tailored training, policing culture still upholds the use of force and violence, misogyny, and racism. I request the Committee consider this research: Police-Perpetrated Domestic and Family Violence: A Scoping Review of Australian and International Scholarship authored by B. Anderson, C Farmer and D Tyson (<https://doi.org/10.5204/ijcjsd.3582>). As Garvey (2015) noted, police officers are unique DFV offenders because their training in the field can equip them with skills to perpetrate and cover up their abuse. This includes manipulation techniques which "keep the victim off-balance and unsure of what is in the victim's best interest, and to convince the victim to submit to the abuser's wishes" (Garvey, 2015, p. 4). It is, therefore, imperative that police agencies are accountable for their complicity in training officers to become highly effective abusers, with independent oversight mechanisms external to departmental decision-making and cultures. The proposed use of PPDs removes the independent oversight of policy and the application of legislation by the judiciary. The proposed safeguards within the legislation are severely insufficient to counteract this. Regarding QPS specifically, it was only very recently that the Police Union was trying to prevent a serving officer from being questioned by his superiors about allegations of DFV: <https://theconversation.com/police-perpetrators-of-domestic-violence-what-do-we-know-and-what-can-be-done-49441>. The Unions push for this legislation is incredibly concerning in light of this pattern of behaviour of protecting police officers who commit violence in their personal lives from facing consequences which directly affect their ability to uphold the law. Indeed, this legislation gives police more power to subvert the justice system. The use of PPDs is modelled off of Tasmania's system, which is the only jurisdiction in Australia that gives police this power. Their use is incredibly controversial, which is articulated well in this article: <https://www.abc.net.au/news/2023-03-05/tasmania-police-family-violence-orders-misidentifying-victims/102037672>. There is a growing body of evidence that reflects that the Tasmanian system perpetuates misidentification: <https://engenderequality.org.au/wp-content/uploads/2023/07/Engender-Equality-Misidentification-of-the-Predominant-Aggression-Research-Discussion-Paper-2023.pdf>. The proposed legislation tries to address the issue of misidentification; however, the proposed safeguards are woefully insufficient. The only way to avoid

this is to include the judiciary in the process (and investing in the sector, however this is outside the scope of the bill). The removal of the judiciary from the issuing of PPD's undermines the seriousness of the charge, undermines the justice system, undermines the community's confidence in police and undermines women's safety. I strongly urge the government to not pass the PPD section of this bill, in line with the mandate of keeping communities safe.