

Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025

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Submitted by:	Immigrant Women’s Support Service
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IMMIGRANT WOMEN'S SUPPORT SERVICE

a domestic violence and sexual assault service
for women of non-english speaking backgrounds

28 May 2025

The Education, Arts and Communities Committee
Parliament House
George Street
Brisbane QLD 4000
Email: eacc@parliament.qld.gov.au

Re: Domestic and Family Violence and Other Protection Legislation Amendment Bill 2025

Dear Committee Members,

1. About IWSS

Since 1986, IWSS has provided specialist, culturally responsive support to Queenslanders women and children from diverse refugee and migrant backgrounds who have experienced domestic, family, and sexual violence. Our work focuses on eliminating barriers that marginalised women face in accessing safety, justice, and healing. We provide direct support, advocacy, and systems navigation for women impacted by violence, many of whom face compounded risks due to immigration status, cultural isolation, and systemic exclusion.

2. Key Concern: Impact of Migration Experience on Police Protection Directions (PPDs)

The proposed framework allowing police officers to issue Police Protection Directions (PPDs) without court involvement introduces significant complexity and potential risks, particularly for migrant and refugee women. While the goal of enhancing police response efficiency is commendable, it is essential to approach the impact of mechanism that circumvents judicial oversight when there is intersection with other legislations. In the case of women we support the intersection with Migration Act. A thorough evaluation of the potential unintended consequences is crucial, especially for vulnerable populations who may be disproportionately affected.



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3. Systemic Risk: Heightened Vulnerability Due to Visa Dependency

For many clients we support, migration is more than just moving to a new place; it involves complex legal and emotional challenges. Factors like uncertain visa status, language difficulties, limited social support, and reliance on potentially abusive partners for residency, create a challenging situation. The fear of police involvement adds to the stress, as it can lead to risks such as visa status uncertainty, homelessness, or losing custody of children. These are real issues that affect how women make decisions when interaction with the justice system.

Our service regularly assists women whose residency is contingent upon their relationship with the perpetrator. A PPD misidentification or procedural gap could lead to immediate immigration consequences, including visa cancellation or loss of access to health care and housing. These impacts are not peripheral—they are central to the risk profile of women and children we support.

When a Police Protection Direction (PPD) is issued without understanding the cultural context or the immigration consequences, it can lead to serious problems. For example, a woman on a temporary partner visa might be incorrectly seen as the person using violence/respondent during a police incident and end up receiving a PPD. This could result in a report to Home Affairs, putting her visa at risk and cutting off her access to healthcare, housing, and legal help.

Moreover, misunderstandings or cultural barriers could lead to children being taken away from their mothers' care. It's essential to be aware of these risks to provide the necessary support and understanding for those in vulnerable situations.

4. Potential for Misidentification and Racial Profiling

Women from diverse cultural communities and individuals with limited English proficiency may face a higher risk of misidentification as person using violence, during police responses. The proposed PPD framework's simplified approach could worsen this issue, as it does not incorporate the thorough oversight and fairness that the court system provides.

To ensure the effectiveness of police-issued protective measures, it is essential to include key safeguards such as cultural consultation, access to interpreters, trauma-informed interviewing practices, and careful consideration of how these measures may impact immigration status.

5. Barriers to Review and Legal Recourse

The proposed review mechanisms, including internal police reviews and court reviews, rely on a level of legal understanding, language skills, and financial



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resources that many migrant women lack. Without access to funded legal assistance and cross-cultural advocacy, these women may struggle to challenge or extend their protective orders, even when their safety is in jeopardy.

In practical terms, this situation could lead to several significant issues:

- Women may find it challenging to pursue longer-term protection.
- There could be a lack of accountability in police decision-making.
- Perpetrators may exploit the legal system to isolate their victims further.

6. Exclusion from Family Law Negotiation

The proposed 12-month no-contact orders linked to PPDs could significantly impact migrant women, many of whom lack family court orders or legal representation. This situation makes it difficult for them to negotiate child contact arrangements outside of court. Without a family law exemption in PPDs, women face a challenging dilemma: they can either adhere to the PPD and potentially be accused of parental alienation or violate the order and face the risks of criminal charges with significant impact on their residency status.

7. Entrenching an Incident-Based, Police-Led Approach

The introduction of PPDs reinforces an incident-based response model. This seems in contradiction to the coercive control legislation and the need to understand the cumulative impact of abuse over time, especially in migration contexts, where abuse may be ongoing, subtle, and deeply tied to control over visas, language access, and mobility.

8. Recommendations

To ensure safety and equity for all women, IWSS respectfully urges the Committee to consider:

- Delaying the introduction of PPDs until safeguards for culturally and linguistically diverse (CALD) communities are developed.
- Training for Police Officers who will issue PPDs inclusive of an understanding of how cultural issues can impact on women experiencing violence.
- Mandating cultural safety checks, including consultation with multicultural DFV specialists and interpreters before issuing a PPD.
- Embedding immigration and visa impact assessments in PPD decision-making protocols.
- Ensuring access to funded legal assistance for victim-survivors seeking to review, vary, or extend a PPD.



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- Clarifying misidentification safeguards within the legislation to reduce the risk of issuing PPDs to the wrong party.
- Strengthening cross-sectoral collaboration to ensure any new mechanism aligns with Queensland's commitment to culturally safe, trauma-informed DFV responses.

9. Conclusion

PPDs are meant to improve responsiveness, but they can unintentionally worsen the challenges that migrant and refugee women face. Without proper judicial oversight and culturally sensitive protection, these tools can become sources of injustice. It's essential that legislation not only offers protection but does so in a manner that's fair and equitable for everyone.

Thank you for considering our submission. IWSS remains available to provide further insights, data, or consultation on culturally safe domestic and family violence responses.

I can be contacted via email [REDACTED] or via [REDACTED]

Sincerely,

[REDACTED]

Mitra Khakbaz
Chief Executive Officer
Immigrant Women's Support Service (IWSS)