

Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025

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Education, Arts and Communities Committee
(electronically submitted)

30 May 2025

Thank you for the opportunity to provide a submission in relation to the Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025.

WLSQ

Women's Legal Service Queensland ('WLSQ') provides Queensland-wide, specialist, free legal information, advice and representation to women in matters involving domestic violence, family law, child protection, financial abuse prevention and some sexual violence matters including sexual assault counselling privilege.

Global Observations

WLSQ supports evidence-based measures which improve the safety of women and children. WLSQ is supportive of the expansion of the VREC framework and the technical amendments to the Approved Provider List. We note, especially in relation to the VREC framework, that success will be dependent on the practical implementation. While we note the positive indications from the pilots of VREC, we stress the importance of the use of plain language and a flexible approach to the taking and recording of evidence. To have the desired impact of reducing trauma for victim-survivors, it is essential that any real or perceived barriers to implementation are identified and swiftly addressed.

WLSQ has significant reservations about the implementation of PPDs. We are supportive of removing barriers to effective and efficient police work, however, our view is that the removal of court oversight is not a necessary step to achieve this outcome. The draft bill includes a comprehensive structure for the drafting and issuing of orders, which could easily be adopted as the new approach to police protection notices. This approach would achieve significantly greater reduction in administration, given its broader application, while continuing to provide judicial oversight over a complex area.

Addressing domestic and family violence is complex and involves numerous systems and stakeholders. While we welcome the appetite to legislate to improve the safety of Queenslanders, we are also conscious that there are constraints on changes to the law. Should this amendment be approved, it will involve considerable resources to implement and significant time to assess effectiveness. The passing of this amendment will also likely preclude further reform in this space while these changes are evaluated. In that context, we request consideration of an amended application of the proposed process.

Police Protection Directions (PPD).

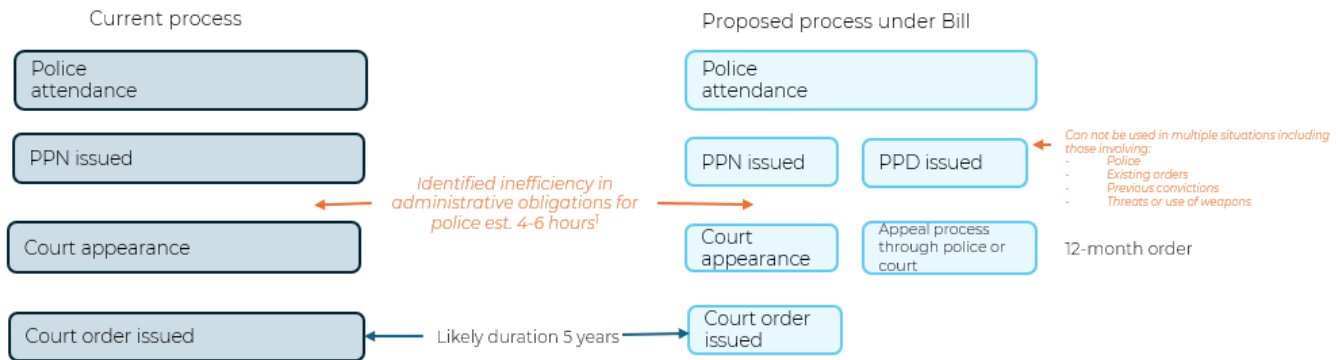
From the available material, it appears that the intended aims of the new directions relate primarily to:

- reducing inefficiency
- increasing safety
- improving processes

WLSQ is of the view that the proposed method is not well adapted to achieving these aims across the system and that a simpler approach ought to be adopted.

Summarised below in Figure 1 is a graphical summary of the current and proposed future state involving Police Protection Notices (PPN) and PPDs. At a high level, we anticipate that the PPD process will result in immediate efficiencies in issuing of orders, but not necessarily increased safety, and potentially more complexity and matters before the court.

Figure 1 – Police Protection orders current vs proposed



1. <https://www.gpu.asn.au/uploads/QPUBlueprintforActiononDFV10.pdf>

Some of the key issues with the proposal include:

- it does not address the inefficiency in the PPN process which will remain for a large volume of matters
- orders will only last for 12 months
- the removal of the court process removes the oversight and additional time and space to identify and address complex issues, this is especially critical for situations where parties require interpreters or have other barriers to understanding

When assessing the benefit, the impact on the whole system ought to be considered. Figure 2 below includes a snapshot of our perspective on the likely impact on the experience of police, victim-survivors and courts.

Figure 2 – summary of WLSQ view of potential impact on police, victim-survivors and courts

	Time	Process	Safety for DFV victim-survivors
Police experience	✓ Time saved for matters which progress as PPDs instead of PPNs	• Unchanged for all matters which progress as PPNs	? Time saved may result in more orders being issued
Victim/survivors experience	✓ PPD process will be faster	✓ Aggrieved party on PPD does not need to attend court ✗ There is no ability to apply to vary a PPD. Variations to orders are extremely common ²	• Similar levels of protection from PPN and PPD ✗ PPDs last for 12 months vs 5-year court orders
Court experience	✗ If increased volumes of orders are issued, commensurate breach proceedings are likely to be dealt with by courts • Private applications will continue unchanged (approx. 1 in six applications are currently private ¹)	• Applications will continue for PPNs • Courts will have new matters to deal with for appeals of PPDs	• Aggrieved party on PPD does not need to attend court (however, as the conditions cannot be changed, many PPDs may be reviewed by courts in any event)

1. <https://www.courts.qld.gov.au/court-users/researchers-and-public/stats> – Orders made 1 July 2024 – 30 April 2025, 22046, police applications 18544, private 3324, other 1778

2. Ibid. For the period 1 July 2024 – 30 April 2025 22,056 applications to make orders were filed, and, in the same period, the courts made 12,180 orders to vary orders

In Figure 2, it is noted that an aggrieved party on a PPD does not need to attend court. While we know that many victim-survivors find the court process traumatic and would prefer not to attend, we also know that attending court is a way that many victim survivors get support. Many victim-survivors are connected with support services at court that they may not otherwise contact, and receive free legal advice to help them better understand their rights and options. While it will be perceived as a benefit by many, it is worth flagging that it is unlikely to be of universal benefit to remove the court process.

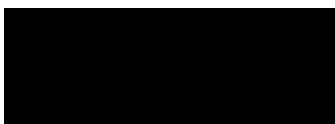
Considerable thought has clearly been given to appropriate ways to remove inefficiency in documentation to facilitate the provision of PPDs, it is our view that this ought to be simply applied as the new method for PPNs and allow court oversight to continue. The current process for domestic violence orders is labour intensive and is significantly more onerous than the current process for police issuing notices to appear for criminal offences. The simplified process has been successfully utilised for criminal matters for many years and undoubtedly a similar model could be adopted in this context. It is clear that something must be removed to allow people to be better protected, it is our view this is unnecessary administration not court oversight.

Our final observation in relation to the proposal is that it risks creating a perception that domestic violence behaviours are less serious than other criminal behaviour. The requirement to attend court, the process of engaging with the legal system, and a court order being made by a Magistrate is an important part of recognising the seriousness of this conduct and reinforcing the community denouncement of violence.

Even in the context where people using violence are required to attend court, there are still alarming rates in relation to breaches of orders. In data published by the Queensland Sentencing Advisory Council in May 2025 it was revealed that almost 45% of people who were sentenced for breaching domestic violence orders had been previously sentenced for the same offence.¹ It is essential that our systems and processes treat domestic and family violence as serious criminal behaviour; ensuring that people using violence are brought before judicial officers is an essential part of this process.

Thank you again for the opportunity to contribute. We welcome any opportunity to engage further on this Bill.

Yours sincerely,



Nadia Bromley
Chief Executive Officer
Women's Legal Service Queensland

¹ Sentencing Spotlight on contravention of a domestic violence order - Between 2016–17 and 2023–24, there were 53,550 unique people sentenced for contravening DVO under the 2012 Act. Of these, 44.8% were repeat offenders (n=23,994). Queensland Sentencing Advisory Council, May 2025