

Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025

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Committee Secretary
Education, Arts and Communities Committee
Parliament House
George Street
Brisbane Qld 4000

Dear Committee Members

Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025 ('the Bill')

Thank you for the opportunity to provide feedback in relation to the above.

About QCOSS

Queensland Council of Social Service (QCOSS) is Queensland's peak body for the social service sector. Our vision is to achieve equality, opportunity, and wellbeing for all Queenslanders. QCOSS is also the interim Domestic and Family Violence Peak for the state.

QCOSS' position

Based on evidence and feedback from the Domestic and Family Violence sector in Queensland (the DFV sector), QCOSS supports some measures in the Bill, including the use of Video Recorded Evidence-in-Chief in Magistrate Courts and technical amendments to the Approved Provider List.

QCOSS strongly opposes the proposed introduction of PPDs. QCOSS also has significant concerns about the electronic monitoring pilot, and we urge the Queensland Government to work closely with the DFV sector and victim-survivors to co-design the electronic monitoring pilot if it goes ahead.

QCOSS also urges the Queensland Government to continue to implement the recommendations from the Women's Safety and Justice Taskforce.

Submission consultation

QCOSS has consulted with Domestic and Family Violence (DFV) and other community services in Queensland to prepare this submission. QCOSS would like to acknowledge the valuable feedback received from people working across the DFV and community sector, including people with victim-survivor experience. In particular, QCOSS would like to acknowledge feedback provided by the Interim DFV Peak Advisory Group, Queensland's DFV networks, Aboriginal and Torres Strait Islander and culturally and linguistically diverse DFV groups.

Addressing Domestic and Family Violence

Violence against women has been declared a national crisis in Australia by the Federal Government.¹ In Queensland, services are experiencing unprecedented demand from victim-survivors. In 2024, Queensland recorded its highest number of breaches of domestic violence

¹ Department of Prime Minister and Cabinet. Unlocking the Prevention Potential: Accelerating action to end domestic, family and sexual violence. 23 August 2024. Accessed 23 May 2025. <https://www.pmc.gov.au/resources/unlocking-prevention-potential/national-emergency-and-ongoing-national-priority>.



orders in at least 20 years, with a total of 69,528 offences recorded.² The Queensland Police Service (QPS) has also recorded an increase from about 60,000 to over 192,000 Domestic Violence Occurrences between 2012-2024.³ This figure is especially concerning given an estimated around 80 per cent of women do not report DFV incidents inflicted by a partner.⁴

There is a disproportionate rate of violence against Aboriginal and Torres Strait Islander women.⁵ Aboriginal and Torres Strait Islander women are 11 times more likely to die as a result of family violence,⁶ and 34 times more likely to be hospitalised, due to violence.⁷ On average, one woman is killed every nine days by a current or former partner in Australia.⁸ Last year, one woman was killed every four days.⁹

Alarming, Aboriginal and Torres Strait Islander women are also more likely to be misidentified by police as the person who is the aggressor at a DFV incident, rather than the person most in need of protection,¹⁰ along with victims from a Culturally and Linguistically Diverse (CALD) and LGBTQIA+ backgrounds, people with disability, and those with a mental health or substance misuse issues.¹¹

Victim-survivors from Aboriginal and Torres Strait Islander, CALD and LGBTQIA+ backgrounds, people with disability, and Queenslanders living in rural, regional and remote areas, are also particularly vulnerable to violence and face barriers accessing DFV support.¹²

There are identified resource and support gaps for children and young people experiencing DFV in Queensland,¹³ and continued underfunding of DFV services statewide.

Much more must urgently be done to address DFV in our communities and QCOS welcomes the Queensland Government's commitment to reform in this area.

² Queensland Police Service. Queensland Crime Statistics Advance Search based on 'Breach of Domestic Violence Protection Order' as of 16 January 2025. Accessed 16 January 2025: <https://mypolice.qld.gov.au/queensland-crime-statistics/>

³ Minister for Police and Emergency Services Dan Purdie and the Minister for Families, Seniors and Disability Services and Minister for Child Safety and the Prevention of Domestic and Family Violence Amanda Camm. Major reform for domestic and family violence puts victims ahead of perpetrators. 4 April 2025. Accessed 19 May 2025. <https://mypolice.qld.gov.au/queensland-crime-statistics/>

⁴ Australian Institute of Health and Welfare. How do people respond to FDSV? 15 February 2024. 27 November 2024. Accessed December 2024. <https://www.aihw.gov.au/family-domestic-and-sexual-violence/responses-and-outcomes/how-do-people-respond-to-fdsv>.

⁵ Australian Institute of Health and Welfare. How do people respond to FDSV? 15 February 2024. 27 November 2024. Accessed December 2024. <https://www.aihw.gov.au/family-domestic-and-sexual-violence/responses-and-outcomes/how-do-people-respond-to-fdsv>.

⁶ Department of Social Services, Australian Government. 28 November 2024. Accessed December 2024. National Plan to End Gender Based Violence | Department of Social Services. <https://www.dss.gov.au/national-plan-end-gender-based-violence>.

⁷ Australian Institute of Health and Welfare. Family, domestic and sexual violence: Aboriginal and Torres Strait Islander People. 28 February 2025. Accessed 23 May 2025. <https://www.aihw.gov.au/family-domestic-and-sexual-violence/population-groups/aboriginal-and-torres-strait-islander-people>.

⁸ Our Watch. Quick facts about violence against women. 2025. Accessed 23 May 2024. <https://www.ourwatch.org.au/quick-facts>

⁹ Department of Prime Minister and Cabinet. Unlocking the Prevention Potential: accelerating action to end domestic, family and sexual violence. 223 August 2024. Accessed 23 May 2025. <https://www.pmc.gov.au/resources/unlocking-prevention-potential/national-emergency-and-ongoing-national-priority>.

¹⁰ Queensland Law Reform Commission. Review of particular criminal defences: Understanding domestic and family violence and its role in criminal defences. February 2025. Accessed 23 May 2025. [20250218-qlrc-cdr-bp3-final.pdf](https://www.qldrc.com.au/review-of-particular-criminal-defences/understanding-domestic-and-family-violence-and-its-role-in-criminal-defences).

¹¹ Department of Social Services. The National Plan to End Violence Against Women and Children 2022-2032. 2022. Accessed 23 May 2025. <https://www.dss.gov.au/national-plan-end-gender-based-violence/resource/national-plan-end-violence-against-women-and-children-2022-2032>; Queensland Law Reform Commission. Review of particular criminal defences: Understanding domestic and family violence and its role in criminal defences. February 2025. Accessed 23 May 2025. [20250218-qlrc-cdr-bp3-final.pdf](https://www.qldrc.com.au/review-of-particular-criminal-defences/understanding-domestic-and-family-violence-and-its-role-in-criminal-defences).

¹² Department of Social Services. The National Plan to End Violence Against Women and Children 2022-2032. 2022. Accessed 23 May 2025. <https://www.dss.gov.au/national-plan-end-gender-based-violence/resource/national-plan-end-violence-against-women-and-children-2022-2032>.

¹³ Office of the Independent Implementation Supervisor. Fourth progress report. May 2024. Accessed 23 May 2025. <https://www.oiiis.qld.gov.au/home/fourth-progress-report>.

Establishing a framework for police protection directions (PPDs) to improve efficiencies for police

Prioritising efficiency over victim-survivor safety

The safety and wellbeing of victim-survivors must be the number one priority of any DFV reform. The introduction of PPDs prioritises police efficiency over the needs of victim-survivors.

The first stated objective of the Bill described on the Queensland Parliament website is to:

*'establish a framework for police protection directions (PPDs) to improve efficiencies for police responding to DFV and reduce the operational impacts of the current DFV legislative framework. The Bill proposes to empower police officers to administratively issue immediate long-term protection directions without filing an application for a proceeding before a court.'*¹⁴

The Bill's explanatory's notes go on to explain that there is no current framework 'empowering police to administratively issue long-term protection directions without filing an application for a proceeding before court' and that this bill supports 'frontline efficiencies'.¹⁵

PPDs have also been highlighted as an effective way to provide 'immediate protection'.¹⁶ However, existing Police Protection Notices (PPNs) already provide 'immediate protection to the aggrieved, until the matter can be heard and decided by a court'.¹⁷ Therefore, PPDs are not required to address this immediate need.

QCOSS supports measures that will improve police efficiency and build the capacity of the QPS to respond to increasing violence in our community. However, this should not be at the expense of the safety and wellbeing of victim-survivors.

QCOSS strongly opposes PPDs as they are fundamentally designed to save police time and are an efficiency measure that does not prioritize the safety and wellbeing of victim-survivors.

Misidentification of the person who is most in need of protection

Police misidentification at DFV incidents is an ongoing and significant concern. The Queensland Domestic and Family Violence Death Review and Advisory Board found almost half (44.4%) of women murdered in domestic violence-related incidents they had reviewed were identified by police as a respondent, instead of the person most needing protection, at least once in their lifetime.¹⁸ The [A Call for Change: Commission of Inquiry into Queensland Police Service responses to domestic and family violence](#) ('A Call for Change') found 'ongoing concerns' with the issue.¹⁹ Misidentification has been linked to the criminalisation, imprisonment and separation from children, of DFV victim-

¹⁴ Queensland Parliament Education, Arts and Communities Committee. *Domestic and Family Violence Protection and Other legislation Amendment Bill 2025*. Online home page. 2025. Accessed 23 May 2025. <https://www.parliament.qld.gov.au/Work-of-Committees/Committees/Committee-Details?cid=269&id=4519>.

¹⁵ Queensland Parliament Education, Arts and Communities Committee. *Domestic and Family Violence Protection and Other legislation Amendment Bill 2025*. Explanatory Notes. May 2025. Accessed 23 May 2025. <https://www.parliament.qld.gov.au/Work-of-the-Assembly/Tabled-Papers/docs/5825t0399/5825t399.pdf>.

¹⁶ Education Arts and Communities Committee. Public Briefing – Inquiry into the Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025: Transcript of proceedings. 21 May 2025. Accessed 29 May 2025. <https://qcross.sharepoint.com/sites/Policy/Womens%20Equality/Domestic%20and%20Family%20Violence%20Protection%20and%20Other%20Legislation%20>

¹⁷ Queensland Parliament Education, Arts and Communities Committee. *Domestic and Family Violence Protection and Other legislation Amendment Bill 2025*. Explanatory Notes. May 2025. Accessed 23 May 2025. <https://www.parliament.qld.gov.au/Work-of-the-Assembly/Tabled-Papers/docs/5825t0399/5825t399.pdf>.

¹⁸ Heather Nancarrow. Accurately identifying the "person most in need of protection" in domestic and family violence law: ANROWS Research Report Issue 23. November 2020. Accessed May 2025. <https://anrows-2019.s3.ap-southeast-2.amazonaws.com/wp-content/uploads/2019/10/25104930/Nancarrow-PMINOP-RR.3.pdf>.

¹⁹ Judge Deborah Richards. A Call for Change: Commission of Inquiry into Queensland Police Service Response to domestic and family violence (p 44). 21 November 2022. Accessed May 2025. <https://www.qpsdfvinquiry.qld.gov.au/about/assets/commission-of-inquiry-dpsdfv-report.pdf>.

survivors,²⁰ as well as having impacts on employment and housing.²¹ The Bill's explanatory notes themselves state the 'consequences of misidentification can be severe and potentially fatal'.²²

Police Family Violence Orders, which also allow police to issue quasi-judicial DFV orders without a person having to go to court (similar to the proposed PPD measure) in Tasmania, have also been linked to increased misidentification.²³

Feedback from the DFV sector is that misidentification in Queensland is already at concerning levels and PPDs are likely to significantly increase the risk of misidentification occurring, placing some victim-survivors at greater risk and without protection. Common examples provided by DFV services include attempts by women to protect themselves and their children from physical harm being wrongly identified as the person using violence; women from culturally and linguistically diverse (CALD) backgrounds being identified as the person using violence due to cultural and language barriers; women agreeing with the person who is using violence that they are the victim due to fear of further violence.

Services have reported that the QPS implementation of a gender review being undertaken when a woman is identified as the person using violence is not always working and it does not stop misidentification happening in the first place.

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

QCOSS strongly opposes the introduction of PPDs as misidentification of the person who is most in need of protection at DFV incidents commonly occurs, and the introduction of PPD means victim-survivors are more likely to be left without protection.

Over-criminalisation and unintended unfair consequences for Aboriginal and Torres Strait Islander people and other discrete groups who are more likely to be misidentified

Aboriginal and Torres Strait Islander and women from CALD backgrounds, along with people with disability and people from the LGBTQIA+ community, are more likely to be misidentified by police as the primary aggressor at a DFV incident.²⁴ People with mental health issues or issues with drug and alcohol use also face a higher risk of misidentification.²⁵

The Bill's Statement of Compatibility ('the Statement') acknowledges that Aboriginal and Torres Strait Islander Peoples 'are at increased risk of misidentification' and the PPD framework 'may also lead to a greater number of Aboriginal and Torres Strait Islander peoples being sentenced to a

²⁰ Ibid.

²¹ Department of Social Services. The National Plan to End Violence Against Women and Children 2022-2032. <https://www.dss.gov.au/national-plan-end-gender-based-violence/resource/national-plan-end-violence-against-women-and-children-2022-2032>.

²² Queensland Parliament Education, Arts and Communities Committee. *Domestic and Family Violence Protection and Other legislation Amendment Bill 2025*. Explanatory Notes. May 2025. Accessed 23 May 2025. <https://www.parliament.qld.gov.au/Work-of-the-Assembly/Tabled-Papers/docs/5825t0399/5825t399.pdf>.

²³ Engender Equality. Misidentification of the Predominant Aggressor in Tasmania: Practitioner Perspectives from Engender Equality. December 2022. Accessed 30 May 2025. [https://engenderequality.org.au/2023-research-discussion-paper-misidentification-of-the-predominant-aggressor-in-tasmania/#:~:text=This%20paper%20explores%20how%20misidentification%20of%20the%20predominant,aggressor%20in%20the%20investigation%20into%20family%20violence%20offending.](https://engenderequality.org.au/2023-research-discussion-paper-misidentification-of-the-predominant-aggressor-in-tasmania/#:~:text=This%20paper%20explores%20how%20misidentification%20of%20the%20predominant,aggressor%20in%20the%20investigation%20into%20family%20violence%20offending.;); Hayley Gleeson. Tasmania's police family violence orders are supposed to keep victims safe. But experts say they're backfiring on women. ABC News. 5 March 2023. <https://www.abc.net.au/news/2023-03-05/tasmania-police-family-violence-orders-misidentifying-victims/102037672>

²⁴ Department of Social Services. The National Plan to End Violence Against Women and Children 2022-2032 (p 71). <https://www.dss.gov.au/national-plan-end-gender-based-violence/resource/national-plan-end-violence-against-women-and-children-2022-2032>; Queensland Law Reform Commission. Review of Particular Criminal Defences: Understanding Domestic and Family Violence in its Role of Criminal Defences (15). February 2025. Accessed May 2025. https://www qlrc.qld.gov.au/_data/assets/pdf_file/0017/821105/20250218-qlrc-cdr-bp3-final.pdf.

²⁵ Queensland Law Reform Commission. Review of Particular Criminal Defences: Understanding Domestic and Family Violence in its Role of Criminal Defences (15). February 2025. Accessed May 2025. https://www qlrc.qld.gov.au/_data/assets/pdf_file/0017/821105/20250218-qlrc-cdr-bp3-final.pdf

period of incarceration for breaching a PPD'.²⁶ This means PPD are likely to impede Queensland's commitments under the National Agreement on Closing the Gap to reduce the incarceration of Aboriginal and Torres Strait Islander people.²⁷

QCOSS is concerned the Bill's explanatory notes state that PPD's may lead to 'tensions or conflicts within communities, especially if the directions are perceived as unjust or culturally insensitive'.²⁸ Feedback from Aboriginal and Torres Strait Islander DFV services is that PPDs are likely to have adverse outcomes for Aboriginal and Torres Strait Islander Peoples and communities in particular, that and should not be introduced.

While the Statement claims the amendments do not breach the *Human Rights Act 2019 (Qld)* because it does not directly or indirectly discriminate on race, the *A Call for Change* report highlighted a culture of racism in the QPS.²⁹ The likely disproportionate impact of PPDs on Aboriginal and Torres Strait Islander Peoples is a human rights issue.

Services that work within CALD communities warn abusers often exploit victims' dependence on them for visa status, language access, or fear of community ostracism, all of which are factors that are not easily visible to attending officers or reflected in standard police procedures.

QCOSS strongly opposes the introduction of PPDs due to concerns that they will result in over-criminalisation and unintended, unjust consequences for Aboriginal and Torres Strait Islander Peoples and other discrete groups who are more likely to be misidentified.

Appeal concerns – police

The *A Call for Change* report found: 'evidence of a lack of independence in the internal QPS conduct and complaints system, including because of insufficient safeguards to manage conflicts of interest and ensure the independence of investigations'.³⁰ It also stated: 'The conduct and complaints system is not sufficiently accessible, responsive or transparent to ensure community confidence in the QPS'.³¹ While these comments were made in relation to complaints against police officers themselves, when viewed in conjunction with the *A Call for Change* finding of 'clear evidence of a culture where attitudes of misogyny, sexism and racism are allowed to be expressed, and at times acted upon, largely unchecked',³² services have significant concerns around police undertaking appeals on PPDs.

While many police do an excellent job in what is an incredibly complex situation at DFV incidents, and the QPS is working increasingly well with services across the state to address DFV, services have reported that instances of sexism and racism continue to occur.

QCOSS strongly opposes the introduction of PPDs as police overseeing their own appeals is problematic, and the removal of court processes will result in the loss of important oversight of

²⁶ Queensland Parliament Education, Arts and Communities Committee. May 2025. Accessed 23 May 2025. *Domestic and Family Violence Protection Other Legislation Amendment Bill 2025* Statement of Compatibility. <https://www.parliament.qld.gov.au/Work-of-the-Assembly/Tabled-Papers/docs/5825t0400/5825t400.pdf>.

²⁷ Closing the Gap. Closing the Gap Targets and Outcomes: Target 10. Accessed 23 May 2025. <https://www.closingthegap.gov.au/national-agreement/targets>.

²⁸ Queensland Parliament Education, Arts and Communities Committee. *Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025*. Explanatory Notes. May 2025. Accessed 23 May 2025. <https://www.parliament.qld.gov.au/Work-of-the-Assembly/Tabled-Papers/docs/5825t0399/5825t399.pdf>.

²⁹ Judge Deborah Richards. *A Call for Change: Commission of Inquiry into Queensland Police Service Response to domestic and family violence* (p 44). 21 November 2022. Accessed May 2025. <https://www.qpsdfvinquiry.qld.gov.au/about/assets/commission-of-inquiry-dpsdfv-report.pdf>.

³⁰ Judge Deborah Richards. *A Call for Change: Commission of Inquiry into Queensland Police Service Response to domestic and family violence* (p 44). 21 November 2022. Accessed May 2025. <https://www.qpsdfvinquiry.qld.gov.au/about/assets/commission-of-inquiry-dpsdfv-report.pdf>.

³¹ Ibid.

³² Ibid.

police decisions. Police should not investigate other police when complaints are made.³³ A PPD should not be appealed through police.

Appeal concerns – existing barriers

Concerns raised by the DFV sector about proposed PPD appeal processes include the following:

- Because many services are accessed in connection with the court process, removal of this process will reduce the likelihood of victim-survivors accessing support services, as well as people who use violence accessing support programs or undertaking behaviour change programs to address the violent behaviour.
- Appealing PPDs will be difficult, and legal services are not accessible or available for all people. In instances of misidentification, a PPD will put the burden to appeal onto victim-survivors. Additional free legal support must be made available if PPDs are introduced.
- Victim-survivors in regional, rural and remote Queensland do not have the same access to victim support or court support as people in Southeast Queensland. Services have reported some victim-survivors being forced to move over 1,000km from their home because there is no safe place or refuge to go to in their town or community.
- Victim-survivors from refugee or post-conflict backgrounds warn there is fear of police due to previous experiences with state violence, further reducing their likelihood of disclosing abuse or correcting or appealing misidentification.
- Victim-survivor's traumatization as a result of the abuse they have suffered can impede their capacity to defend themselves against a misidentification decision.
- Men are more likely to attend court-ordered behaviour-change programs than a program referred by police. PPDs will therefore see fewer people who use violence address their behaviour, leading to them being more dangerous for the community.

QCOSS acknowledges that some victim-survivors prefer not to attend court. However, others prefer the option of having their matter addressed by the courts. Overall feedback from the DFV sector is that victim-survivors will be worse off, and perpetrators held less to account, as a result of DFV not being dealt with by the courts as it currently is.

QCOSS strongly opposes the introduction of PPDs as removal of court processes will result in the removal of important oversight of police decisions, and reduced opportunity for referrals to support services and behavior change programs, which can occur in court and can be ordered by Magistrates and are more likely to meet the needs of the victim-survivor.

Further incident-based policing

Incident-based police responses to DFV, which treat each incident on a one-off basis, have been identified as being inadequate and inconsistent.³⁴ Queensland has moved away from incident-based policing by introducing coercive control legislation.

DFV services are concerned that the PPDs, will see a return by police to incident-based policing, with officers more interested in expediency rather than taking into account the full context of the

³³ Australian Law Reform Commission. Complaints against police. 11 January 2018. Accessed 23 May 2025. <https://www.alrc.gov.au/publication/pathways-to-justice-inquiry-into-the-incarceration-rate-of-aboriginal-and-torres-strait-islander-peoples-alrc-report-133/14-police-accountability/complaints-against-police/#:~:text=Complaints%20against%20police%20officers%20are,Investigations%20Unit%20in%20Ontario%2C%20Canada>; Judge Deborah Richards. A Call for Change: Commission of Inquiry into Queensland Police Service Response to domestic and family violence (p 44). 21 November 2022. Accessed May 2025. <https://www.qpsdfvinquiry.qld.gov.au/about/assets/commission-of-inquiry-dpsdfv-report.pdf>.

³⁴ Women's Safety and Justice Taskforce. *Hear Her Voice* report one. December 2021. Accessed 23 May 2025 <https://www.publications.qld.gov.au/ckan-publications-attachments-prod/resources/39caeea1-77f5-4317-9179-6a18b01762b1/wsjt-hear-her-voice-report-1-volume-1.pdf?ETag=9311c0b54fc6f68511d4417dcc90427b>.

relationship between those at the incident. Services warn the PPDs could take Queensland a step backwards in addressing and understanding DFV.

QCOSS strongly opposes the introduction of PPDs as the focus on efficiency could see a return to more incident-based policing.

An electronic monitoring pilot for high-risk DFV perpetrators

QCOSS supports measures which enables greater safety for victim-survivors. The evidence about the effectiveness and positive outcomes achieved by electronic monitoring is mixed.

An ANROWS report that analysed electronic monitoring (EM) in the context of DFV for the Queensland Government in 2018 found there were unintended consequences for DFV victim-survivors including:

- A possibility for EM to increase risk.
- That EM could lead offenders to use coercive control, emotional abuse and associates to perpetuate abuse to avoid breaching the EM 'physical' violence and geographical conditions.
- The inadvertent identification of a victim-survivor's whereabouts using exclusion zones.
- Creating a false sense of security for both the victim-survivor and the community, with the expectations of EM exceeding its actual capabilities.
- Offenders potentially using their GPS monitor to deliberately set of alerts to harass victim-survivors.³⁵

However, evaluations of electronic monitoring of DFV offenders in Tasmania, New South Wales and South Australia found there was an increase in safety for victim-survivors while the person who used violence was being monitored.³⁶

A 2019 QPS *Domestic and Family Violence GPS-Enabled Electronic Monitoring Technology Evaluation Report* evaluation warned 'without a concurrent case management strategy to address the causes of DFV behaviour and criminogenic needs, GPS-enabled Technology Monitoring is unlikely to provide a risk reduction effect.'³⁷

QCOSS acknowledges that this trial is part of the Crisafulli Government's election commitments and is therefore highly likely to proceed. Given this, and the potential risks associated with EM, it is crucial that the Queensland Government works with the DFV sector and victim-survivors in the design and delivery of this pilot. This includes completing a risk assessment of the trial, the design of regulation, the policies and processes, and individual case management for victim-survivors and offenders. Similar to PPDs, if the measure is passed without amendment, a legislated review should be included in the Bill, rather than a sunset clause, for the trial.

Queensland Government should work closely with the DFV sector and victim-survivors to co-design regulations for an EM pilot, including the design of concurrent case management strategy if it goes ahead.

The Video Recorded Evidence-in-Chief framework

Based on feedback from the DFV sector, QCOSS supports the rollout of Video Recorded Evidence-in-Chief (VREC) in Magistrates Courts across Queensland, alongside victim-centred training for

³⁵ Heather Nancarrow and Tanya Modini. Electronic Monitoring in the Context of Domestic and Family Violence. ANROWS. 2018. Accessed 22 May 2025. [anrows-electronic-monitoring.ANROWS.pdf](#).

³⁶ Romy Winter et al. Evaluation of Project Vigilance: Electronic Monitoring of Family Violence Offenders. 2021. Accessed 22 May 2025. [LCTP05_10_11_2021.pdf](#); Stewart Boiteux & Adam Terperski. An evaluation of the NSW Domestic Violence Electronic Monitoring program. NSW Bureau of Crime Statistics and Research: Crime and Justice Bulletin Number 255. May 2023. Accessed 22 May 2025. <https://bocsar.nsw.gov.au/documents/publications/cjb/cjb251-300/cjb255-dvem-full-report.pdf>.

³⁷ Queensland Police Service. Domestic and Family Violence GPS-Enabled Electronic Monitoring Technology Evaluation Report. April 2019. Accessed 29 May 2025. <https://cabinet.qld.gov.au/documents/2019/Apr/DFVGPS/Attachments/Report.PDF>

police officers. This reform provides an opportunity to support victim-survivors from being re-traumatised by having to retell their evidence in a court setting. Services have reported the trial of VREC has been successful in the Southport, Cooloolongatta and Ipswich Magistrates Courts. However, QCOSS does not support the removal of the requirement for police officers to be trained to take VREC from DFV victims.

Removal of the Trained Police Officer Requirement

QCOSS has significant concerns about the DFV training requirement for DFV-related VREC being removed. A police officer who takes recorded statements for the purpose of DFV should be trained to do so. The *A Call for Change* report found relying on guiding principles and internal policy was insufficient, and proper DFV training is required:

*'All police have a statutory responsibility to act when a report of domestic and family violence is made to them. To do this well, officers must be appropriately trained in the dynamics of domestic and family violence and the actions they are required to take when responding to such violence.'*³⁸

The importance of adequate police DFV training was also highlighted in the Coroner's Inquest into the deaths of Hannah Clarke and her children, Aaliyah, Laianah and Trey. The Coroner in that case recommended that every police officer participate in an annual, mandatory, face-to-face DFV module as part of the QPS's Operational Skills Training, in addition to the five-day training for specialist DFV police and Police Academy recruit training 'in order to attempt to prevent similar deaths occurring in the future.'³⁹

The Women's Safety and Justice Taskforce *Hear Her Voice* report one also recommended ongoing, evidence-based and trauma-informed training for all QPS frontline officers.⁴⁰

QCOSS strongly supports increasing, and not decreasing, training for police to support them to better address DFV, including when interviewing victim-survivors.

Consent issues

Consent is 'free and voluntary agreement by a person with the cognitive capacity to make the agreement.'⁴¹ Informed consent requires that the individual understands the information being provided.

When working with people from non-English speaking backgrounds support such as professionally trained and culturally appropriate interpreters may be needed to ensure the person is able to provide consent. Feedback provided to QCOSS indicates this is not always the case. Further support for people with disability and mental ill-health may also be required, depending on each person's circumstance. The person must also be capable of giving consent at a particular time, which may not be possible for some victim-survivors due to their trauma reaction at the time consent is being sought (see unintended consequences for victims below).

Ongoing trauma-informed DFV training, including informed consent and cultural competency, is essential for all police officer undertaking VREC from a DFV victim, and for all officers interacting with a DFV victim.

Potential unintended consequences for victims

³⁸ Judge Deborah Richards. *A Call for Change: Commission of Inquiry into Queensland Police Service Response to domestic and family violence* (p136). 21 November 2022. Accessed May 2025. <https://www.qpsdfvinquiry.qld.gov.au/about/assets/commission-of-inquiry-dpsdfv-report.pdf>.

³⁹ Coroners Court of Queensland. Inquest into the death of Hannah Ashlie Clarke, Aaliyah Anne Baxter, Laianah Grace Baxter, Trey Rowan Charles Baxter, and Rowan Charles Baxter (p162). 29 June 2022. Accessed 16 April 2025. https://www.courts.qld.gov.au/_data/assets/pdf_file/0010/723664/cif-hannah-clarke-aaliyah-baxter-laianah-baxter-trey-baxter-and-rowan-baxter.pdf.

⁴⁰ Women's Safety and Justice Taskforce. *Hear Her Voice Report One*. (p567). <https://www.publications.qld.gov.au/ckan-publications-attachments-prod/resources/2867a18a-2aa0-4369-80d6-e278a4992e25/wsjt-hear-her-voice-report-1-volume-3.pdf?ETag=0cea7d2af78e22fdbff6540b8ae876d9>.

⁴¹ *Criminal Code 1899* (Qld) ss 227(3), 229(5), 348.

DFV services have also raised concerns that if VREC is taken at the time of police attending an incident, the victim-survivor could be emotionally heightened, dysregulated and confused, particularly after strangulation or a physical injury. This can portray the victim-survivor in ways that they would not choose if they had had the time to make a more considered statement, and services warn that in court, it can be difficult to reverse these impressions.

QCOSS notes the VREC amendments now allow multiple recordings and for these to be taken at a time that better suits the victim-survivor. Police training will once again be crucial to provide police with the nuanced knowledge and understanding of what will be best for the victim.

Technical amendments to the DFVP Act to strengthen the maintenance of the Approved Provider List

QCOSS supports strengthening of the Approved Provider List (APL) to ensure that services have qualifications and experience to provide support, counselling or an approved intervention program.

QCOSS welcomes the government's commitment that 'matters for inclusion in the regulation' of the APL 'will be delivered in consultation with the DFV sector'.⁴² As a part of the maintenance of the APL, services also should be consulted in the design of the new APL regulation, as well as its delivery. Aboriginal and Torres Strait Islander Peoples and people who from CALD backgrounds must be involved in the design of the eligibility criteria to ensure the criteria does not create barriers to people accessing culturally safe support services.

Conclusion

QCOSS welcomes the Queensland Government's focus on addressing DFV across the state. QCOSS support changes that put the safety of victim-survivors first, including the VREC evidence and changes to the APL list.

QCOSS recognises that EM will likely go ahead given it was a Crisafulli Government election commitment and urges the government to work closely with the DFV sector and victim-survivors in its design and rollout.

QCOSS strongly opposes the introduction of PPDs due to significant risk they pose to victim-survivors.

To address DFV the Queensland Government should:

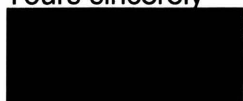
1. Continue to implement the recommendations from the Women's Safety and Justice Taskforce.
2. Invest comprehensively in services including early intervention and prevention, crisis services, shelters, healing and recovery, women's health services and behaviour change programs.
3. Support the continued improvement of policing of DFV including through the implementation of recommendations included in the Commission of Inquiry into Queensland Police Service responses to DFV.
4. Scale up support for the continued improvement of policing of DFV including through the increased implementation of integrated service models including high-risk teams, co-response models and DFV specialists embedded in police stations statewide.

⁴² Queensland Parliament Education, Arts and Communities Committee. *Domestic and Family Violence Protection and Other legislation Amendment Bill 2025*. Explanatory Notes. May 2025. Accessed 23 May 2025. <https://www.parliament.qld.gov.au/Work-of-the-Assembly/Tabled-Papers/docs/5825t0399/5825t399.pdf>.

QCOSS welcomes the Crisafulli Government's commitment to do more to address DFV and encourages comprehensive engagement with DFV services in the development of their new strategy.

Thank you again for the opportunity to provide our submission. We would welcome the opportunity to address the committee to discuss the contents of this submission.

Yours sincerely

A black rectangular box redacting the signature of Aimee McVeigh.

Aimee McVeigh
Chief Executive Officer