

Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025

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Submission

Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025

Submitted by The DFV Community Advocacy Group

Dear Committee Secretary

As a lived experience group, including individuals both personally impacted by domestic and family violence and professionally engaged in the sector, our insights come from our collective individual experiences and real-world repercussions of system responses (including system failures). We speak not from theory, but from survival and firsthand experience. We welcome reforms, such as the Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025 (“the Bill”), that reduce barriers to safety and increase accountability, but we also caution that protections must be designed with integrity, oversight, and victim agency at their core.

We believe collaboration and centralisation of victim-survivors in the wording and implementation guidelines of the Bill is vital as it is the nuances of legislation wording that currently stands as a barrier to enforcement and victim-survivor safety. This has been a missing piece and a likely explanation for decades of legislative change aimed at accountability but has resulted in an increase in Domestic and Family Violence nationally – the firsthand lived-experience of implementing legislation is omitted from consideration.

Position Statement:

The DFV Community Advocacy Group supports (in-principle) the implementation of **Police Protection Directives (“PPDs”)** as a positive and necessary reform to strengthen responses to Domestic and Family Violence (“DFV”) in Queensland.

The current system continues to fail victims of DFV and their children. Systems abuse has, and continues to, negatively impact members of the DFV Community Advocacy Group and their families. It is clear further measures are required to support the safety of victim-survivors. This support must be immediate and reduce the burden on victim-survivors to progress through the criminal justice system. The PPD offers an avenue for

this to occur but must include extensive safeguards so they do not become another avenue for perpetrators to continue their coercive control.

Police Protection Directives (PPD's) are short-term, immediate protective orders issued by police at the scene of a DFV incident to provide instant safety measures without requiring victim-survivors to initiate court proceedings. PPDs should be aimed at physical and non-physical DFV incidents.

The introduction of PPDs aim to provide automatic and immediate protection for victim-survivors. This means:

1. Victim-survivors would no longer need to attend court or give evidence to obtain a protection order.
2. Victim-survivors would no longer be retraumatised by the court system.
3. The immediacy and effectiveness of **police responses** to DFV incidents would be improved.
4. The operational burden on frontline police would be reduced by streamlining processes and minimising the need for court involvement in the initial stages.
5. Preserve victim-survivor agency by allowing them to engage in further legal processes if and when they choose.
6. Contribute to cultural change within policing and the broader justice system by:
 - a. centring victim-survivor safety and accountability for perpetrators; and
 - b. cutting down on red-tape impacting police officer burnout.

Lessons should be taken from Tasmania Police to guarantee misidentification rates do not increase by ensuring:

1. victim-survivors are given the chance to make a statement about what has happened on the day of the event, and prior; and
2. police are trained in victim-survivor responses to coercive control and violence (fight, flight, freeze, fawn) to ascertain a perpetrator trying to manipulate the system (Deny, Attack, Reverse Victim and Offender "DARVO").

Critical Safeguards and Recommendations:

Critical Safeguards

Standalone PPDs may be ineffective unless supported by:

1. Expansion of co-responder models to facilitate the accurate identification of the person most in need of protection.
2. Comprehensive and ongoing training for police that includes offender image-management, examining the DFV history of those involved (including a review of interstate histories).
3. Strong oversight and governance by qualified DFV experts (e.g. police officers who have completed relevant civilian courses in combination with input from the service sector).

4. Sustainable funding across the DFV service system that will support:
 - a. victim-survivors to seek additional safety through the courts should they wish;
 - b. victim-survivors to recover from violence; and
 - c. perpetrators to effectively change their behaviours by taking responsibility for their actions and making measurable steps to change.
5. A 24-48-hour review period should be implemented to ensure that crucial evidence is not overlooked during the initial callout leading to the misidentification of the person most in need of protection. This is because decision-making at the time of, or immediately after crisis may be impacted by heightened emotions and stress of all involved.

PPD's and related processes must be culturally safe and accessible for Aboriginal and Torres Strait Islander peoples, linguistically diverse communities and marginalised groups including LGBTQIA+ people and people with disabilities.

Recommendations

1. Co-responder models should be expanded **prior** to the full rollout of PPDs to ensure adequate support and integrated service responses.
2. Risk assessment screening must be improved to encompass all dimensions of DFV including both physical and non physical abuse such as coercive control. Coercive control is a well documented precursor to intimate partner homicide and must be treated with equal seriousness.
3. **PPDs must be adaptable and victim-survivor centred:**
 - a. PPDs should be tailored to the individual circumstances of each case, rather than being issued as a standardised response.
 - b. Conditions may include ouster, no-contact, no-approach, and other necessary provisions to maximise safety.
4. Police should have the power to extend orders or PPD in cases where there has been a breach.
5. **Administrative systems are needed to:**
 - a. Enable amendments to orders and PPDs.
 - b. Address misidentification of respondents.
 - c. Introduce a dedicated review pathway to quickly and safely remedy cases of misidentification, including urgent revocation processes, access to legal assistance and support services for misidentified persons.
 - d. Allow for withdrawal or cancellation where appropriate.
 - e. Where a police officer refuses to amend a PPD where it is clear misidentification has occurred, there must be an override pathway that includes input from specialist DFV service providers (such as via the co-responder).
6. Police must continue gender and person-centred review processes, especially where women are identified as respondents.
 - a. A holistic view of the incident context is essential, including:

- i. Whether the individual acted in self-defence; and
 - ii. Whether the behaviour was a response to sustained abuse.
- b. A joint review process should be considered involving an embedded DFV worker or co-responder, to ensure impartiality and avoid internal-only police oversight.
- 7. Specialist legal services must be funded and resourced to assist both victim-survivors navigating the PPD system and individuals seeking urgent correction of misidentification or overreach.
- 8. Specialist support services must be funded and resourced to assist perpetrators to be held accountable and take measurable actions to change their behaviour.
- 9. **Early intervention/behaviour change:**
 - a. When Police attend a DFV incident, and it is the first incident involving the Respondent, police should have the additional power to direct the respondent to attend a **behaviour change program**.
 - b. If the respondent fails to attend the behaviour change program, they should be charged with disobeying a Police Direction.
 - c. Ongoing funding and resourcing of perpetrator behaviour change programs, including programs that provide one on one engagement, where deemed necessary, must be provided to expand access to programs.

We support the extension of the Video Recorded Evidence-in-Chief (“VREC”) in Magistrates Courts across the State.

- 1. This reform supports victims and survivors from being re-traumatised by having to repeat their evidence, including years of coercive control and violence, in court.
- 2. We strongly support the fact that VREC evidence can be gathered over a number of sessions in line with victims’ needs for emotional and psychological safety. The co-responder model would support this trauma informed practice.
- 3. The annual Police DFV training should incorporate a victim-centred, trauma informed practice which supports the use of VREC.

Summary:

PPD’s must be implemented with safeguards to prevent their misuse by perpetrators to engage in further coercive control through systems abuse, including but not limited to, making counter-allegations, engaging in DARVO and gaslighting.

The DFV Community Advocacy Group strongly urges the QLD Parliament to progress this Bill without delay however cautions that appropriate consultation with victim-survivors who have recently, and are currently, navigating systems is required to put appropriate safeguards in place. These reforms have the potential to save lives, disrupt patterns of abuse, in particular post-separation coercive control, and create a more responsive, trauma informed justice system. Victim-survivors deserve protection that is immediate, safe, flexible, just and equitable.

We also strongly support monitoring of high-risk perpetrators and wish to see swift engagement of police and enforcement of breaches, the first time there is a breach. To date this has not been happening, particularly if there are Family Court orders, yet the perpetrator is using those court orders to stalk and menace their victims.

We welcome collaboration to ensure that the Bill does not provide false safety promises to victim-survivors, or another platform for perpetrators to exercise control.

DFV Community Advocacy Group

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