

Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025

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Submission to the Inquiry into the Domestic and Family Violence
Protection and Other Legislation Amendment Bill 2025

To the Education, Arts and Communities Committee,

The Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025 introduces a number of concerning expansions of police power. In this submission, we are primarily concerned with Police Protection Directions (PPD), which give police the power to issue on-the-spot, long term domestic violence orders without filing an application for a proceeding before a court.

In opposing PPDs – and any expansion of Queensland’s carceral system – we establish the racism and sexism of the QPS and their consistent dehumanisation, criminalisation and denial of victimhood of Indigenous women in domestic and family violence (DFV) situations. We demonstrate the role of the QPS in maintaining broader systems of violent abuse that include and facilitate DFV, ultimately positioning the state and QPS as perpetrators of violence against Indigenous women, rather than protectors. This fundamentally abusive relationship underpins our rejection of any expansion of QPS powers and the carceral system. In relation to DFV, we advocate for the defunding and deauthorisation of QPS and the transfer of resources and authority to Indigenous community control.

Justice for Indigenous women cannot be found in the same systems that commit violence against them every day. We engage with this Inquiry as a form of record to publicly expose the risks of this Bill, as well as formally engaging the Committee in a body of work to that communicates the Inquiry’s own complicity in the violence of carceral expansion.

Racism and sexism in the Queensland Police Service

As PPDs represent the further expansion of QPS’ powers, this Committee should know exactly who it is empowering with this Bill and the harm this poses. We foreground this submission with the knowledge that QPS’s racist, sexist culture is not in dispute. Indigenous women and witnesses have endured this violence this since QPS were

founded as a colonising force.¹ QPS's ingrained racism and sexism has been consistently investigated and proven, even by the state that funds it.² This legacy endures today, and was investigated in the 2022 Inquiry into Queensland Police Responses to Domestic and Family Violence, which found:

“Racism is a significant problem within the Queensland Police Service. It manifests in discriminatory behaviours directed towards First Nations employees, employees from other cultural backgrounds and members of the community. Such behaviours are a breach of their human rights... Sexism and misogyny are a significant problem within the Queensland Police Service. It manifests in sexist language and behaviour, bullying, unfair and discriminatory behaviours toward women, sexual harassment, sexual assaults and rape. Such behaviours are a breach of human rights.”³

Accounts of the racism and sexism in QPS below – given by its members – demonstrate just some of the racial and gendered violence of police:

- “We should just napalm Aurukun.”
- “I can see why he does it [violence] to her. If I was in his position I’d do that”; “I don’t know what I would do if I was in his position” [and] “Rape is just surprise sex”.
- “We should drop a bomb on Yarry (Yarrabah) and the communities. Problem solved.”
- “Some officers that I have worked with have been respondents themselves causing them to be further dismissive towards victims of Domestic Violence...”
- “We don’t want to be in the car with the PLOs because then we can’t talk shit about blackfellas.”
- “I receive many complaints of sexual assault from women. 90% of these complaints are completely fabricated or the women have a misunderstanding of rape or sexual assault.”
- “Recruits are being exposed to a culture of racism right from the start.”

¹ ICRR, [Expert Report for the Inquiry into QPS responses to domestic and family violence](#), 2022 pp10-15

² Commission of Inquiry into Queensland Police Service responses to domestic and family violence 2022, [A call for change](#), 2022

³ Commission of Inquiry into Queensland Police Service responses to domestic and family violence 2022, [A call for change](#), 2022

- “A senior male detective approached me, asked to have a read of the statement as he said ‘It’s not a good rape unless you get a half chubb [ie an erection] whilst reading it’.”⁴

The Inquiry noted that QPS failures and violence in addressing DFV was undoubtedly linked with its racist, sexist culture documented above. It confirmed what Indigenous women tell us, that racism and sexism “continue to be to be experienced by victim-survivors who seek help from police”. In the face of this evidence, Queensland Police Union (QPU) President Shane Prior recently praised members’ responses to DFV “we trust you to make the appropriate decisions at the scene...we know that you’re doing an enormously good job”.⁵

Queensland Police Service as perpetrators of violence against Indigenous women

With the introduction of PPDs, this Bill proposes giving police even more power and discretion in DFV situations. This poses an enormous risk of misuse for all victims for DFV, but Indigenous women most acutely. Racism and sexism in QPS is enacted most violently against Indigenous women and gender diverse people. One of the ways this manifests is in the criminalisation of Indigenous women in domestic violence situations. We know that Indigenous women, girls and gender diverse people face higher levels of domestic and family violence, and higher levels of violence overall. They are also more likely to live in over-policed communities and less likely to be believed by police. Accounts from Hannah and Samantha,⁶ Aboriginal women supported by Sisters Inside, show how QPS criminalised them when responding to their DFV incidents:

Hannah: She told us that in one instance where she had suffered serious physical violence at the hands of her ex-partner and his grandson, **the police who attended the scene “threw me down like I was some animal”** with enough force that it ‘broke my glasses’. She was then handcuffed before being transported to hospital. **She was identified as the perpetrator: “they took that side...they didn’t even want to know what happened from me, my version”.** Further, she told us that she wasn’t allowed to have anyone see or talk to her in the watch house. She said this was just one of multiple occasions where she was “abused by police”: “when you’re black you got the bad ones; the officers that will treat you like nothing: throw you around, handcuff you tight, whisper in your ear...every chance they get with an Aboriginal person”. In the end, **Hannah**

⁴ Commission of Inquiry into Queensland Police Service responses to domestic and family violence 2022, [A call for change](#), 2022

⁵ Queensland Police Union of Employees, [Online information session for the Police Union members on DFV Blueprint for reform](#), 25 March 2025

⁶ Names have been changed.

was incarcerated twice as a direct result of domestic violence relationships where she was the victim.

Samantha: “When the relationship broke down he came to collect his things and was physically violent towards me, he held me against a wall with one hand around my throat, and one arm across my body and arm. My sister was there and so was his friend. My sister called the police and they made me give him his property but did not provide any protection to me. **The police told me that it was all sorted and that he was not pressing charges. I was shocked and told them that he had attacked me. They dismissed me and left.** Two days later he was still sending my abusive texts and bruising had come up all over my neck and arms so I returned to the police to press charges and get a protection order. I showed the police woman the messages, and she advised there was little she could do as **the officers who came after the assault had listed me as the aggressor as he had told them I had refused him access to my apartment to collect his things and that I had been to prison. As she looked at the extremely visible bruising across my neck she told me that it was his word against mine,** and that I had been in prison and he had no criminal history. If he pressed charges also it may affect my suspended sentence. She advised that they could not do anything further. **I will never go back to the police for help again.** The police have shown that they do not believe me because of my criminal history.”⁷

The 2022 Commission of Inquiry confirmed what Hannah and Samantha’s accounts show: QPS harms, rather than protects Indigenous women who are victims of domestic violence.

Routinely, [First Nations] women are not listened to and are treated insensitively by officers. **They are treated like the problem and not as the vulnerable people they are.** So many times, instead of trying to understand the situation and acting to de-escalate and protect these women, police wrongly assume that their use of violence should be categorised as domestic violence. **This leads to police protection notices being issued, protection orders being sought, or First Nations women being arrested**

⁷ Sisters Inside and ICRR, [Joint submission to the Commission of Inquiry into Queensland Police Service responses to domestic and family violence](#), 2022

and charged with contravening orders or other domestic violence offences.⁸

Expanding police powers in domestic violence exposes more Indigenous women to criminalisation and incarceration. In Queensland, almost every woman and girl who is incarcerated has also been a victim of abuse or violence. For example:

- Up to 98% of women prisoners had experienced physical abuse;
- Over 70% have lived with domestic and family violence (DFV);
- Up to 90% have experienced sexual violence; and
- Up to 90% have survived childhood sexual assault.⁹

Being a victim of domestic and family violence exposes Indigenous women to criminalisation because they are consistently denied victimhood by individual officers and the criminal legal system. This is deeply connected to QPS racist and sexist perceptions of victim behaviour.¹⁰ Dr Nancarrow, CEO of ANROWS explains:

At times, officers have a **dismissive attitude towards women who do not fit the stereotype of the ‘ideal victim’**. This can manifest in situations where the victim-survivor does not cooperate with police, returns to the relationship or refuses to leave the relationship, or uses resistive violence. **Such attitudes can leave victim-survivors unprotected or result in them being misidentified as the perpetrator** in the relationship.¹¹

This expression of racism and sexism - often labelled ‘misidentification’ by advocates – demonstrates how Indigenous women are overpoliced as offenders, but underpoliced as victims. This is particularly stark in couples where only one partner is Indigenous, as one Aboriginal woman explains,

⁸ Commission of Inquiry into Queensland Police Service responses to domestic and family violence 2022, [A call for change](#), 2022

⁹ Human Rights Law Centre & Change the Record, Over-represented and Overlooked: The crisis of Aboriginal and Torres Strait Islander women’s growing over-imprisonment (2017) 13,17; Stathopoulos, M. & Quadara, A., Women as Offenders, Women as Victims: The role of corrections in supporting women with histories of sexual abuse, (Women’s Advisory Council of Corrective Services, 2014); D Kilroy, Women in Prison in Australia (Presentation to National Judicial College of Australia and ANU College of Law, 2016).

¹⁰ Commission of Inquiry into Queensland Police Service responses to domestic and family violence 2022, [A call for change](#), 2022 p.245

¹¹ Commission of Inquiry into Queensland Police Service responses to domestic and family violence 2022, [A call for change](#), 2022

I was already convicted in their eyes I know because that's how they treated me, and **as a black woman against the white man too they—nobody wants to hear your story, they're going to believe the white man.**¹²

If the perpetrator was Indigenous, the police would take firm action to protect the aggrieved, but if the perpetrator was non-Indigenous the police would deem the First Nations woman as the respondent and take action against her.¹³

The denial of Indigenous women's victimhood and testimony is tragically narrated in the cases of women who die as a result of domestic violence. A 2017 review of domestic and family violence related deaths in Queensland found that almost half of the women killed had been identified as a respondent to a DFV protection order on at least one occasion. In the case of Indigenous women, that number rose to 100% of deceased women recorded as "both respondent and aggrieved prior to their death."¹⁴ What this means is that, in the state of Queensland in that time period, not one Indigenous women who died as a result of family violence was ever seen as an innocent victim.

The criminalisation and refusal of Indigenous women's victimhood in DFV callouts directly contributes to their hyper incarceration in Queensland. This has escalated sharply over the past ten years, and continues to rise with the constant introduction of new laws that expand the carceral system, including those that claim to 'protect' women, such as coercive control.¹⁵

The state as abuser

Giving police even more power in DFV situation poses a serious risk to Indigenous women and gender diverse people. This is because, in relation to Indigenous women, the QPS are perpetrators rather than protectors. This reality of racial and gendered violence by QPS is the product of the structural relationship between police and First Nations people in Queensland, in which police have been key agents of colonisation and enforcers of racial order. QPS continue to be complicit in the violent experiences of Indigenous women, their direct relationship with Indigenous women, girls and gender diverse people is particularly coercive, hierarchical and racially violent. In the case of brotherboys, sistergirls, queer community members and Indigenous people with

¹² Sisters Inside and ICRR, [Joint submission to the Commission of Inquiry into Queensland Police Service responses to domestic and family violence](#), 2022

¹³ Commission of Inquiry into Queensland Police Service responses to domestic and family violence 2022, [A call for change](#), 2022, p.247

¹⁴ Queensland Government, 'Domestic and Family Violence Death Review and Advisory Board - Annual Report 2016-2017 (courts.qld.gov.au)' (2017).

¹⁵ ABS Prisoner numbers and prisoner rates by Indigenous Status and sex, States and territories, 2006-2020.

disability, this violent relationship is further compounded by QPS queerphobia and ableism.¹⁶

Like domestic violence itself, police violence covers a spectrum. It moves from symbolic harm such as racial stereotyping to direct, fatal physical violence. This violence is not only perpetrated by individual police officers, but the criminal legal system and the state itself. It often manifests as exactly the kind of subtle entrapment described as coercive control - using isolation, surveillance, financial scrutiny, gaslighting, refusal of care and threats to children e.g. removal. Together these forms of violence create a matrix that entraps Indigenous women. Exactly as with DFV, the most foundational violence is the fracturing of trust and reality that takes place when you are harmed by those whose claim to care for and protect you.

Criminalisation of Indigenous women in DFV circumstances also likely contributes to the high rates of violence against them. When perpetrators know that police will not believe Indigenous women, will deny their victimhood and likely criminalise them, a culture of impunity is created. This means that people can perpetrate violence, including domestic and family violence, against Indigenous women and know they are safe from legal consequences.¹⁷

Any attempts to change the rates of domestic violence experienced by Indigenous women must fundamentally confront the violent relationship between Indigenous women and the state and its agents. PPDs and other carceral responses to DFV, only empower the perpetrators in this relationship.

The violence of carceral responses to DFV

Having considered the evidence of Indigenous women's experiences of racial and gendered violence at the hands of police, the Committee must ask: does this Bill expand the authority of the police and the state over women's lives, especially over the lives of First Nations women? Does it increase the resources allocated to police in the name of that authority? If the answer is yes, then this legislation will reproduce and increase violence against Indigenous women. Giving police access to an additional power that can be deployed against Indigenous people will lead to further injustices and compromise the safety of Indigenous women and girls. This is not a risk that can be

¹⁶ Sisters Inside, [Submission to the Inquiry into Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025](#), 2025; Commission of Inquiry into Queensland Police Service responses to domestic and family violence 2022, [A call for change](#), 2022

¹⁷ National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls*, 2019; Amy McQuire, Sisters Inside and ICRR, [Submission to the Inquiry into missing and murdered First Nations women and children](#), 2023

managed (with training, or careful framing of legislation) but a fundamental flaw of approaches seeking to address DFV through criminalisation.

Carceral responses consistently fail to decrease or prevent DFV because they do not address the conditions that create crime.¹⁸ Apart from the harm that carceral responses pose to victims, expanding police powers allows policymakers to avoid taking action on the underlying issues that drive and enable violence. This includes many state service failures that keep women isolated and trapped in abusive relationships – lack of housing, community support and social services. Instead of enabling victim/survivors to determine their own lives with support to leave violent relationships on their own terms, responses like PPDs further empower police to control women’s lives.

The provenance of the PPD proposal raises important questions about the Bill’s underlying intentions to sustain the carceral system, rather than help victim/survivors. PPDs and other policies first appeared in the Queensland Police Union’s Blueprint for DFV.¹⁹ Within a matter of months, the proposal went from government and stakeholder lobbying to a public campaign, to a parliamentary petition, to being included in this Bill.²⁰ As DFV experts have noted, PPDs are not the result of evidence-based research to support victims and risk further endangering victim/survivors. Some DFV sector experts lobbied by QPU, including the Victims Commissioner, reported concerns that the Blueprint proposals “do not transparently reflect the concerns previously raised by experts.”²¹ So, why is the QPU designing Queensland’s DFV legislation? These efforts appear to be part of the national campaign to retain and recruit police by reducing ‘unappealing’ parts of the job – paperwork and DFV callouts.²² President of the QPU Shane Prior, addressed members about this campaign:

“we did not join this job to be administration officers in uniform...you staying in this job is my focus and my priority...[with this campaign] we need to save our frontline, because if we keep doing what we’re doing, we’re not going to have a

¹⁸ Goodmark, L. (2018). Decriminalizing domestic violence: A balanced policy approach to intimate partner violence (Vol. 7). Univ of California Press.

¹⁹ Queensland Police Union, Make DFV a Crime Blueprint, Version 6, 19 February 2025

²⁰ Queensland Parliament, Make DFV a Crime e-petition, 13 February 2025

<https://www.parliament.qld.gov.au/Work-of-the-Assembly/Petitions/Petition-Details?id=4205>

²¹ Office of the Victims’ Commissioner, [Statement from the Victims’ Commissioner](#), 17 February 2025

²² Police Federation of Australia, [Recruitment and Retention Report](#), 2024; Police Federation of Australia, Official Campaign Launch, 2024 <https://pfa.org.au/official-campaign-launch/#:~:text=PFA%20Chief%20Executive%20Scott%20Weber,health%20workers%20and%20defence%20personnel>.

frontline...if we do not do this, I have grave concerns for the future of policing in Queensland.”

Despite employing the language of concern about DFV in its public-facing campaign, both the Blueprint and Prior’s briefing make clear that this reform is concerned with growing the QPS, far more than it is about the safety of victim/survivors. QPS growth is in the interest of the Crisafulli government, whose crime policy platform and election promises are only achievable with an expanded police force. Knowing the harm this proposal will inflict on victim/survivors, QPU’s willingness to risk harm on victim/survivors to sustain the growth of QPS is a clear demonstration of their self-serving priorities, their disdain for victim/survivors and inappropriateness as responders to DFV.

Defunding police and funding communities

Given the reality of QPS as perpetrators, rather than protectors of Indigenous people, removing police removes a perpetrator from an abusive relationship. QPS must be defunded and deauthorised in relation to DFV. The QPS have shown that they are fundamentally unable to respond to DFV in a way that does not cause further harm. In finding a non-violent approach to addressing violence, we must reject policing-based solutions which only increase harm. Removing police from these situations also protects victim/survivors from the ongoing abuse, violence, criminalisation and entrapment that they experience in interactions with the QPS. An approach is needed that examines harm in all its forms (particularly that enacted by the state) in order to address the conditions that produce violence and marginalisation. Non-carceral approaches focus on addressing the social issues that are at the root causes of DFV, rather than incarceration and the intensification of harm. Abolition asks how we address problems in a way that doesn’t inflict further damage in our communities.²³

Communities are already employing their own non-violent responses to harm. Given that police have long failed Indigenous peoples and communities, Indigenous communities and community-controlled organisations have had to find ways to respond to family violence. They recognise that a police response to what is effectively a social problem does not prevent or solve the issue of family violence. Survivors of family violence indicate that there are very tangible things they are seeking to secure their safety. These things are not greater enforcement, criminalisation and incarceration, but instead focus on social support to build a safe future for themselves and their families, and security from and treatment options for those that have harmed them. These concrete supports include resources to secure new rental properties when leaving a

²³ ICRR, [Expert Report for the Inquiry into QPS responses to domestic and family violence](#), 2022

violent situation, getting paid leave when they have experienced a violent attack, and connecting with support services and others in their community in similar situations. Indigenous women who are survivors/victims of violence do not necessarily want perpetrators incarcerated for a short period of time, because they know perpetrators return to neighbourhoods and communities more violent because of their experience of incarceration.²⁴ Critically, Indigenous women know that becoming involved with police in DFV situations often directly leads to their families being flagged with child protection authorities, exposing them to the devastating prospect of having their children taken away.²⁵ This is a major reason that they do not call police.²⁶ Therefore, giving increased authority to state social agencies is not a solution – these state agencies have long been part of colonial and racial control of Indigenous communities. Instead, real change can only come from community supports, particularly Aboriginal and Torres Strait Islander community control, which already deals with DFV in non-violent, supportive and culturally appropriate ways, without secure funding or recognition.²⁷

For comment on other aspects of the Bill (e-monitoring, VREC and APL) we point the Committee to the submissions of Sisters Inside, and others who propose transformative, non-carceral alternatives. We urge the Committee to reject this Bill and fully acknowledge the QPS as perpetrators of harm against Indigenous women. We are available for further comment to assist the Inquiry.

Sincerely,

Institute for Collaborative Race Research

²⁴ ICRR, [Expert Report for the Inquiry into QPS responses to domestic and family violence](#), 2022 p19

²⁵ ICRR, [Expert Report for the Inquiry into QPS responses to domestic and family violence](#), 2022 pp10-15

²⁶ Sisters Inside and ICRR, [Joint submission to the Commission of Inquiry into Queensland Police Service responses to domestic and family violence](#), 2022

²⁷ ICRR, [Expert Report for the Inquiry into QPS responses to domestic and family violence](#), 2022