

Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025

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Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025

Submission to the Education, Arts and Communities Committee

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Introduction

1. Thank you for the opportunity to provide a submission on the Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025 (**the Bill**).
2. The Queensland Human Rights Commission (**the Commission**) is an independent statutory body established under the *Anti-Discrimination Act 1991*, with functions under that Act and the *Human Rights Act 2019* (**Human Rights Act**) to promote an understanding, acceptance, and public discussion of human rights in Queensland. This submission has been approved by the Acting Deputy Commissioner of the Queensland Human Rights Commission.
3. The Commission's submission focussed on the two central proposals in the Bill:
 - a. enabling police to issue Police Protection Directions (**PPD**) to persons reasonably suspected of committing domestic violence; and
 - b. permitting courts to impose an electronic monitoring condition on a respondent to a Domestic Violence Order (**DVO**).
4. Domestic and family violence has devastating impacts on families and communities and prevention and appropriate responses must remain a priority for the Queensland Government. However, these proposals raise a number of practical and human rights concerns.

Summary

5. The Human Rights Act provides a useful framework to support robust decision-making. It seeks to ensure legislation is effective and does not create more harm than is necessary to achieve its purpose.
6. Under the Human Rights Act, human rights may be subject to 'reasonable limits that can be demonstrably justified in a free and democratic society based on human dignity, equality and freedom'.¹ In deciding whether a limit on human rights is reasonable and justifiable, a number of factors must be considered. First the nature and purpose of the limit on rights must be consistent with a free and democratic society and there must be a rational connection between the limitation on rights and the legitimate purpose.² Additionally, there must be no less restrictive and reasonably available alternative and the limit on rights must be proportionate taking into account the importance of the purpose of the limitation and the importance of preserving the relevant rights taking into account the nature and extent of the limitation.³

¹ *Human Rights Act 2019* (Qld) s 13(1).

² *Human Rights Act 2019* (Qld) s13(2)(c).

³ *Human Rights Act 2019* (Qld) s13(2) (d)-(g).

7. Both the PPD framework and the electronic monitoring pilot will place significant limits on human rights.

PPD framework:

8. The PPD framework would enable police to impose significant restrictions on a person's human rights – including, for example, banning contact with a person or excluding someone from their home – for up to 12 months without court oversight. The PPD framework places significant limits on the following human rights, protected by the Human Rights Act:
 - a. the right to recognition and equality before the law (section 15);
 - b. freedom of movement (section 19);
 - c. freedom of expression (section 21);
 - d. freedom of association (section 22);
 - e. the right to property (section 24);
 - f. the right to privacy and reputation (section 25);
 - g. cultural rights (sections 27 and 28); and
 - h. the right to liberty and security of person (section 29).
9. The Commission's key concerns with the PPD framework are that the impacts on human rights are exacerbated by:
 - a. the likelihood that PPDs will be issued with conditions that are excessively onerous, inappropriate, or impractical;
 - b. a failure to properly address and account for the problem of misidentification of victim-survivors as the respondent;
 - c. the lack of procedural fairness; and
 - d. the lack of evidence that the framework will necessarily achieve efficiencies.

Electronic monitoring pilot:

10. The electronic monitoring pilot will place significant limits on the rights of the monitored respondent, including on the freedom of movement (section 19 Human Rights Act), association (section 22 Human Rights Act) and on their privacy (section 25 Human Rights Act). Monitored respondents may also face stigma which could lead to loss of employment, disengagement from education or training, and social isolation.
11. The Commission's key concerns with the electronic monitoring pilot are that the impacts on human rights are exacerbated by

- a. ineffective technology;
- b. net-widening impacts;
- c. the risks associated with providing and aggrieved with a safety device; and
- d. a lack of holistic supports to accompany electronic monitoring.

Recommendations

PPD FRAMEWORK	
1	Commencement of the Bill should be delayed pending completion an independent review of efficiency within the QPS to identify alternative opportunities to improve efficiency which are less restrictive of human rights.
2	At a minimum, to mitigate against the risks that police officers will issues PPDs containing conditions which are inappropriate and unjustifiably limit human rights, the Bill should be amended such that PPDs may contain standard conditions only. Non-standard conditions including no-contact, cooldown, ouster, and return conditions will therefore only be permitted to be attached to a PPN, which must be reviewed by a court within twenty-eight days.
3	If the Bill progresses without amendment, the government must take steps to ensure police officers are adequately trained in relation to domestic and family violence. Specifically, the commencement of the PDD framework should be delayed pending a review of the impact of recent improvements to domestic and family violence (DFV) training.
4	<p>To give QPS time to implement cultural change, the Bill should be delayed pending:</p> <ul style="list-style-type: none"> A. implementation of the <i>Commission of Inquiry into Queensland Police Service responses to domestic and family violence</i> (Commission of Inquiry) recommendations to address cultural issues within the QPS, including to establish an independent Police Integrity Unit, and B. review of the QPS response to the Strengthening the Service review and implementation of critical recommendations.
5	<p>To ensure avenues of review are accessible, the Government should:</p> <ul style="list-style-type: none"> A. include amendments in the Bill to ensure Legal Aid Queensland is legislatively permitted to provide assistance to persons seeking to review a PPD, and

	B. provide additional funding and resources to Legal Aid Queensland and other Community Legal Centres to ensure they have sufficient capacity to support persons who seek review of a PDD.
6	<p>If the Bill is to proceed in its current form, the Bill should be amended to require that the following factors related to efficiency are considered as part of the proposed statutory review of the PPD framework:</p> <ul style="list-style-type: none"> the impacts on police time associated with issuing PPDs, any increase in breaches of PPDs and any corresponding increases in police time managing said breaches, the number PPDs for which there is an application for review by QPS or by courts, and the efficiency burdens associated with managing the review, and how any efficiency benefits have led to improved responses to domestic violence.
ELECTRONIC MONITORING PILOT	
7	To minimise the impact on human rights, the Bill should require that electronic monitoring be restricted to monitoring of entry to exclusion zones and not involve continuous tracking.
8	Additionally, the regulation making power should be removed from the Bill to ensure parliamentary oversight of any sharing of tracking information.
9	The trial should not proceed until adequate technology has been identified and demonstrated to be sufficiently effective.
10	Where a court imposes an electronic monitoring condition, there must be a requirement to explain the nature of electronic monitoring to the aggrieved victim-survivor and any named persons to assist them to understand the limitations of electronic monitoring.
11	Prior to any extension of the pilot, a review should be conducted which examines the efficacy and impacts of electronic monitoring including any impacts on education, employment, and health outcomes and any offending both during and after electronic monitoring is removed including offending not related to domestic violence.
12	The government should provide sufficient detail on the functionality of a 'safety device' to allow the public to properly consider the risks and benefits of this proposal.
13	Safety devices should not have the functionality to track the precise location of a respondent and provide that precise location to an aggrieved, and devices should not

	be provided to an aggrieved where there is a risk that the device will lead to the identification of the aggrieved or the respondent's location by a civilian.
14	To ensure electronic monitoring leads to sustained improvements in safety for victim-survivors, electronic monitoring should be accompanied by holistic supports including case management, employment support, housing support, counselling, and behaviour management programs.

PPD Framework

Background

12. Currently, the Domestic and Family Violence Protection Act 2012 empowers police officers to issue a Police Protection Notice (**PPN**).⁴ A PPN contains standard conditions which require that the respondent not commit a DFV offence against a named person.⁵ It may also include non-standard conditions including 'cool-down', 'no-contact', 'ouster' and 'return' conditions which restrict where the respondent may go and who they can speak to.⁶ It is an offence to breach the conditions of a PPN.⁷ PPNs are taken to be an application to court for a protection order (a DVO). When considering a PPN (as application for a DVO) a court may set aside the PPN, uphold the PPN by imposing a DVO (containing a range of conditions), or dismiss the application.
13. This means, after making a PPN, police must take certain actions to support the court to consider the PPN (as application for a DVO). This requires police to prepare, file, and serve supporting material, and appear in court.⁸ Police have identified that the processes for PPNs can be time and labour intensive.

Impacts on human rights

14. The PPD framework will permit police officers to issue a PPD including standard conditions e.g., that the respondent must not commit domestic violence against the aggrieved and any named persons. An officer will also be permitted to attach non-standard conditions.
15. A PPD containing non-standard conditions will place significant limits on rights protected by the Human Rights Act. For example:
- a. an 'ouster' or 'cool-down' condition could require a respondent to leave their primary place of residence for a period of 12 months potentially rendering the respondent homeless. This will necessarily limit the respondent's right to

⁴ *Domestic and Family Violence Protection Act 2012* (Qld) s 101.

⁵ *Domestic and Family Violence Protection Act 2012* (Qld) s 106.

⁶ *Domestic and Family Violence Protection Act 2012* (Qld) s 106A-107D.

⁷ *Domestic and Family Violence Protection Act 2012* (Qld) s 178.

⁸ Statement of Compatibility, Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025 (Qld) 2.

freedom of movement (section 19 Human Rights Act) and association (section 22 Human Rights Act) and may amount to an arbitrary interference with the right to property (section 24 Human Rights Act).

- b. a 'no contact' condition could restrict a respondent's ability to contact certain individuals or groups (including family and children) and to traverse particular locations. This will necessarily limit the respondent and named parties' rights to freedom of expression (section 21 Human Rights Act); association (section 22 Human Rights Act); and their rights to privacy and reputation (section 26 Human Rights Act). This could additionally impact respondents' ability to maintain employment, access essential services, and participate in social or cultural activities potentially impacting their cultural rights (section 27 and 28 Human Rights Act).

16. The PPD framework will also have a disproportionate impact on Aboriginal and Torres Strait Islander persons who are disproportionately represented as respondents to PPNs and in proceedings concerning the breach of a PPN or DVO, thereby limiting their rights to equality before the law (section 15 Human Rights Act). QPRIME data over 10 years to 2022 shows that First Nations people were overrepresented among people identified by police as respondents to protection orders. In fact, First Nations men were identified as respondents at a rate that was, on average, 6.4 times higher than that for non-First Nations men over the 10 years and First Nations women were identified as respondents on average, 7.7 times more often than non-First Nations women.⁹

Orders containing excessively onerous or impractical conditions

17. In 2022, the Commission of Inquiry identified that officers often feel 'ill-equipped' to respond to domestic and family violence.¹⁰ As a result, there were widespread failures by police officers to act in accordance with legislative frameworks and procedures, failures to appropriately assess risk, failures to pursue criminal charges, and failures to accurately identify the person most in need of protection.¹¹

18. As a consequence, the Commission of Inquiry found that police make protection orders (PPNs) which contain excessively onerous or impractical conditions.¹² The Commission of Inquiry identified 'a consistent theme of conditions that prohibit contact between a respondent and an aggrieved... in impractical situations'.¹³ For example, 'non-contact orders were commonly placed on two people who have ongoing contact due to a

⁹ Judge Deborah Richards, *A call for change: Commission of Inquiry into Queensland Police Service responses to domestic and family violence* (Report, 2002) 222.

¹⁰ Judge Deborah Richards, *A call for change: Commission of Inquiry into Queensland Police Service responses to domestic and family violence* (Report, 2002) 16.

¹¹ Judge Deborah Richards, *A call for change: Commission of Inquiry into Queensland Police Service responses to domestic and family violence* (Report, 2002) 14.

¹² Judge Deborah Richards, *A call for change: Commission of Inquiry into Queensland Police Service responses to domestic and family violence* (Report, 2002) 249.

¹³ Judge Deborah Richards, *A call for change: Commission of Inquiry into Queensland Police Service responses to domestic and family violence* (Report, 2002) 249.

continuing relationship, parenting, or care arrangements, or because of the practicalities of living in a small community'.¹⁴

19. The current legislative framework accounts for these outcomes by requiring that all PPNs be reviewed by a court within twenty-eight days.¹⁵ Queensland Law Society explains:

'While Queensland courts certainly face their own resource constraints, their institutional design prioritises thorough consideration over rapid resolution... Judicial officers can [therefore] develop nuanced orders addressing specific risk factors, property arrangements, child contact provisions, and other complex matters that require careful balancing of competing interests'.¹⁶

20. The proposed PPD framework proposes to remove the critical safeguard of court oversight, and permit police to make protection orders which will remain in place for 12 months without review by a court or other body. This means, where police issue PPDs which contain impractical or excessively onerous conditions, there will not be an opportunity for these issues to be resolved.

21. While the Bill includes some safeguards, including requiring senior officer authorisation and prohibiting officers from making a PPD where it is necessary to protect a child of the aggrieved or a child who lives with the aggrieved from domestic violence,¹⁷ or where the officer believes there is a child protection or family law order in place,¹⁸ this will not prevent police from issuing PPDs which contain impractical or excessively onerous conditions.

22. As noted by Legal Aid Queensland:

'these sections do not adequately deal with the enormous complexity inherent in the interplay between domestic and family violence and family law matters. In LAQ's experience, parties are not always forthcoming about existing [parenting] orders or court proceedings or may not even be aware of court proceedings if they have not yet been served. The potential for a PPD to be made that contradicts an existing family law or child protection order is, in LAQ's view, very high'.¹⁹

23. Additionally, sergeant or senior sergeant authorisation is unlikely to provide any further protection. As one officer reported to the Commission of Inquiry, '[t]he 129 sergeants and

¹⁴ Judge Deborah Richards, *A call for change: Commission of Inquiry into Queensland Police Service responses to domestic and family violence* (Report, 2002) 249.

¹⁵ *Domestic and Family Violence Protection Act 2012* (Qld) s112.

¹⁶ Douglas Anderson, 'DVO change creates problematic shift', *Proctor* (Web Page, 16 May 2025) <<https://www.qlsproctor.com.au/2025/05/dvo-change-creates-problematic-shift/>>.

¹⁷ Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025 (Qld) cl 19 100C (Circumstances when police officer must not issue direction); 100D (Restriction on issuing direction involving child of respondent).

¹⁸ Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025 (Qld) cl 19 100C (Circumstances when police officer must not issue direction); 100D (Restriction on issuing direction involving child of respondent).

¹⁹ Legal Aid Queensland, Submission No 53 to Education, Arts and Communities Committee, Queensland Parliament, on *Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025* (30 May 2025).

senior sergeants deal with so many PPN requests their approval is almost automatic and so largely redundant'.²⁰

24. Where a PPD contains inappropriate or unnecessarily onerous conditions, the PPD is likely to unjustifiably limit the human rights of the respondent and potentially the aggrieved and named persons. Additionally, where conditions are impractical to comply with, respondents may be more likely to breach the PPD,²¹ exposing them to criminal charges and potentially creating additional risks for the victim-survivor.
25. This is likely to have a disproportionate impact on First Nations persons, who as a result of discrimination are overrepresented as respondents to PPNs and in relation to charges for breach of a PPN.
26. At a minimum, to mitigate against the risks that police officers will issue PPDs containing conditions which are inappropriate and unjustifiably limit human rights, the Bill should be amended such that PPDs may contain standard conditions only. Non-standard conditions including no-contact, cooldown, ouster, and return conditions will therefore only be permitted to be attached to a PPN, which must be reviewed by a court within twenty-eight days. (**RECOMMENDATION 2**)
27. If the Bill progresses without amendment, the government must take steps to ensure police officers are adequately trained in relation to domestic and family violence. Specifically, the commencement of the PPD framework should be delayed pending a review of the impact of recent improvements to domestic and family violence (DFV) training (**RECOMMENDATION 3**).
28. Additionally, in proposing legislative amendments or procedural changes to police responses to domestic and family violence, the government and QPS leadership must remain cognisant that QPS has only recently begun a cultural change process. Bias and cultural issues are notoriously difficult to address.
29. In 2024, the Queensland Human Rights Commission undertook a review to improve the recruitment and retention of women, First Nations and culturally and linguistically diverse police (the Strengthening the Service review).²² The review made 36 recommendations to drive equality across the service and assist the QPS to become a service that reflects the diversity of the people it serves. QPS declined certain critical recommendations including a recommendation to establish minimum diversity targets and the implementation of many recommendations is subject to funding.²³
30. Additionally, many of the recommendations made by the Commission of Inquiry to address bias and cultural issues within the QPS are yet to be implemented,²⁴ including

²⁰ Judge Deborah Richards, *A call for change: Commission of Inquiry into Queensland Police Service responses to domestic and family violence* (Report, 2002) 376.

²¹ Judge Deborah Richards, *A call for change: Commission of Inquiry into Queensland Police Service responses to domestic and family violence* (Report, 2002) 249.

²² Queensland Human Rights Commission, *Strengthening the Service: Independent Review of Workplace Equality in the Queensland Police Service* (Report, December 2024).

²³ Queensland Police Service, *QPS Response to QHRC Recommendations* (Report, March 2025) 2.

²⁴ Office of the Independent Implementation Supervisor, *Women's Safety and Justice Taskforce Reforms: Biannual Progress Report 4* (Report, May 2024).

the recommendation to establish an independent Police Integrity Unit. As noted by the Commission of Inquiry report, '[t]he problems of sexism, misogyny and racism in the QPS cannot be meaningfully addressed without a robust conduct and complaints system'.²⁵

31. To give QPS time to implement cultural change, the Bill should be delayed pending:

- a. implementation of the Commission of Inquiry's recommendations to address cultural issues within the QPS, including to establish an independent Police Integrity Unit. (**RECOMMENDATION 4A**)
- b. review of the QPS response to the Strengthening the Service review and implementation of critical recommendations. (**RECOMMENDATION 4B**)

Misidentification

32. The Commission is also concerned that the PPD framework will exacerbate existing concerns that police responding to domestic violence incidents frequently misidentify the victim-survivor as the primary perpetrator, including for the purposes of a protection order. This problem has been identified by a series of major reviews and inquiries including the Commission of Inquiry, the Women's Safety and Justice Taskforce, *Hear her voice* report, and by research conducted by ANROWS.²⁶

33. Where police observe a victim-survivor who is angry or severely distressed or who has used resistive violence, if they do not step back to consider the broader context and history of the relationship, they may come to believe that the victim-survivor is the primary perpetrator. As observed by the Commission of Inquiry, this can often occur where police are influenced by gendered stereotypes, including that 'real' victims are passive and cooperative.²⁷

Case study – retrieved from ABC News online²⁸

When Anna called police to report that she'd been assaulted by her partner one afternoon in late 2021, all she wanted was for them to pull him into line — to "tell him off".*

²⁵ Judge Deborah Richards, *A call for change: Commission of Inquiry into Queensland Police Service responses to domestic and family violence* (Report, 2002) 284.

²⁶ Judge Deborah Richards, *A call for change: Commission of Inquiry into Queensland Police Service responses to domestic and family violence* (Report, 2002) 244; Women's Safety and Justice Taskforce, *Hear Her Voice* (Report 1, Volume 2, 9 May 2023) 181, 197; Australia's National Research Organisation for Women's Safety (2020) *Accurately identifying the "person most in need of protection" in domestic and family violence law: Key findings and future directions* (Research to policy and practice, 23/2020) 23, 28-9, 73.

²⁷ Judge Deborah Richards, *A call for change: Commission of Inquiry into Queensland Police Service responses to domestic and family violence* (Report, 2002) 244-245.

²⁸ Hayley Gleeson, 'Tasmania's police family violence orders are supposed to keep victims safe. But experts say they're backfiring on women', *ABC News* (online at 5 March 2023) <<https://www.abc.net.au/news/2023-03-05/tasmania-police-family-violence-orders-misidentifying-victims/102037672>>.

He'd grabbed her and crushed her into a door frame at his home in southern Tasmania during an argument about money, she said, apparently having misinterpreted her "freeze" response as defiance, aggression.

When she eventually broke free, she was so upset about what he'd done that she smashed a hole in the wall with his musical instrument.

"It was really frightening, I'd been asking him to stop and he wasn't saying anything, he wasn't stopping," said Anna, who has autism. "I was telling him that he was hurting me and I screamed. I was horrified, he'd never done anything like that before."

But the officers who turned up didn't allow Anna to make a statement about what happened, she said — or at least not add to her admission she'd put a hole in the wall. Instead, she said, after speaking with her partner, they told her they'd determined that she was "the aggressor" and would be listed as the respondent on a police family violence order (PFVO).

34. Police may also be led to misidentify the victim-survivor by the primary perpetrator.²⁹ As detailed by Engender Equality, perpetrators have been known to use manipulative tactics to have the victim-survivor misidentified as the primary perpetrator.³⁰ For example, perpetrators have been known to initiate calls to police following an incident of violence. When the police arrive, perpetrators capitalise on the distress of the victim-survivor to convince police that the violence is either mutual or was initiated by the victim-survivor. These tactics are particularly successful where the victim-survivor has a mental or physical disability or language barrier which makes it harder for them to communicate their experience to police.
35. Discriminatory attitudes amongst police officers means First Nations and migrant women are most at risk of misidentification.³¹ As noted by the Commission of Inquiry, police misidentification of First Nations women as the perpetrators of violence often occurs as a result of negative stereotypes held by police, including that 'First Nations women are just as violent as men'.³² Additionally, First Nations women's interactions with police can often be strained owing to a distrust in police, which police often mistakenly interpret as aggression.³³ As explained by the North Queensland Women's Legal Service:

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

²⁹ Engender Equality, *Misidentification of the Predominant Aggressor in Tasmania: Practitioner perspectives from Engender Equality* (Research Discussion Paper, December 2022) 8.

³⁰ Engender Equality, *Misidentification of the Predominant Aggressor in Tasmania: Practitioner perspectives from Engender Equality* (Research Discussion Paper, December 2022) 8.

³¹ Judge Deborah Richards, *A call for change: Commission of Inquiry into Queensland Police Service responses to domestic and family violence* (Report, 2002) 244-245.

³² Judge Deborah Richards, *A call for change: Commission of Inquiry into Queensland Police Service responses to domestic and family violence* (Report, 2002) 244.

³³ Judge Deborah Richards, *A call for change: Commission of Inquiry into Queensland Police Service responses to domestic and family violence* (Report, 2002) 244.

*the situation and acting to de-escalate and protect these women, police wrongly assume that their use of [resistive] 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 and charged with contravening orders or other domestic violence offences.'*³⁴

36. Where police issue a PPD to a victim-survivor who has been misidentified as the primary perpetrator, the risks to the victim-survivor will be substantially higher. This is because there will be no court oversight of the order, and therefore no opportunity to identify that the respondent victim-survivor has been misidentified.

37. As noted by Queensland Law Society:

*'Judicial oversight in Queensland Magistrates Courts provides a crucial opportunity to correct these misidentifications before they result in inappropriate orders. When courts review police applications for DVOs, they can consider additional evidence, hear from both parties, and apply specialized knowledge of domestic violence dynamics that may reveal misidentifications before they cause further harm. Removing this oversight by granting police independent issuing authority eliminates this important safeguard in Queensland's protection order system.'*³⁵

38. Tasmania is the only jurisdiction in Australia which permits police to issue protection orders (Police Family Violence Orders (**PFVOs**)) which remain in force for 12 months. In Tasmania, women's legal and advocacy services confirm the PFVO scheme has led to misidentification.³⁶ Indeed, data indicates police issue protection orders against female respondents at more than triple the rate of courts, 'raising questions about whether police are always picking the right perpetrator'.³⁷

39. Where a victim-survivor is misidentified, the consequences can be devastating. Misidentification can isolate the victim-survivor from police, legal and crisis support pathways, substantially increasing risk of harm as a result of continued violence.³⁸ Research by Australia's National Research Organisation for Women's Safety (ANROWS) shows that almost half the women murdered by an intimate partner in Queensland had previously been labelled by police as the perpetrator of domestic violence.³⁹ Victim-survivors who are misidentified may also face criminal charges

³⁴ Judge Deborah Richards, *A call for change: Commission of Inquiry into Queensland Police Service responses to domestic and family violence* (Report, 2002) 246.

³⁵ Douglas Anderson, 'DVO change creates problematic shift', *Proctor* (Web Page, 16 May 2025) <<https://www.qlsproctor.com.au/2025/05/dvo-change-creates-problematic-shift/>>.

³⁶ Engender Equality, *Misidentification of the Predominant Aggressor in Tasmania: Research Discussion Paper* (Research Discussion Paper, December 2022) 11-16.

³⁷ Hayley Gleeson, 'Tasmania's police family violence orders are supposed to keep victims safe. But experts say they're backfiring on women', *ABC News* (online at 5 March 2023) <<https://www.abc.net.au/news/2023-03-05/tasmania-police-family-violence-orders-misidentifying-victims/102037672>>.

³⁸ Engender Equality, *Misidentification of the Predominant Aggressor in Tasmania: Research Discussion Paper* (Research Discussion Paper, December 2022) 11-16.

³⁹ Australia's National Research Organisation for Women's Safety (2020) *Accurately identifying the "person most in need of protection" in domestic and family violence law: Key findings and future directions* (Research to policy and practice, 23/2020).

associated with breach of a PPD where police respond to further incidents of violence and fail to accurately assess the dynamics. In these circumstances a PPD will undoubtedly unjustifiably limit the human rights of the misidentified victim-survivor.

Procedural fairness

40. The PPD framework will significantly undermine the common law right to procedural fairness. While procedural fairness has no fixed content, it typically requires both that a decision-maker give a person the opportunity to be heard before making a decision that affects their rights or interests (the fair trial rule), and that the decision maker is impartial (the rule against bias).⁴⁰ The requirement for impartiality demands that the decision-maker genuinely consider the person's position with an open mind and without prejudgement or any form of bias.⁴¹
41. As discussed above, when responding to a domestic violence incident police officers often have limited time to investigate relevant factors. Additionally, police may experience threats to their own safety. In these circumstances, relevant parties face considerable difficulties communicating their side of the story and police are unlikely to be able to make an impartial assessment of the relevant factors. Any PPD issued in these conditions will undermine all parties' common law right to procedural fairness.
42. Limiting procedural fairness in this manner will have practical consequences. Where police do not afford parties' procedural fairness in the making of an PDD, the parties may perceive the order to be unfair. Research demonstrates that where parties perceive an order or direction to be unfair, they are less likely to comply with it.⁴² As such, there may be an increased likelihood that respondents will breach a PPD, creating increased risks for victim-survivors.
43. At a minimum, to ensure parties are afforded procedural fairness, the Bill should be amended such that PPDs may contain standard conditions only. Non-standard conditions including no-contact, cooldown, ouster and return conditions will therefore only be permitted to be attached to a PPN, which must be reviewed by a court within twenty-eight days. (**RECOMMENDATION 2**)
44. While the parties to a PPD may seek review of a PDD internally by QPS, or by a court, in many cases respondents and named persons will be reluctant to apply to the court to have the order reviewed or revoked.⁴³

⁴⁰ Australian Law Reform Commission, *Traditional Rights and Freedoms—Encroachments by Commonwealth Laws* (Report No 129, December 2015) ch 14, 'Procedural fairness: the duty and its content'; *Plaintiff S157/2002 v Commonwealth* (2003) 211 CLR 476, [25] (Gleeson CJ).

⁴¹ Australian Law Reform Commission, *Traditional Rights and Freedoms—Encroachments by Commonwealth Laws* (Report No 129, December 2015) ch 14, 'Procedural fairness: the duty and its content'.

⁴² Christine Bond, "Procedural Justice in Policing: The Queensland Community Engagement Trial" (Queensland University of Technology, 2014), 78-81.

⁴³ Engender Equality, *Misidentification of the Predominant Aggressor in Tasmania: Research Discussion Paper* (Research Discussion Paper, December 2022; Michael Salter and Kelly Richards, 'The potential introduction of police-issued family violence protection orders in Australia: A critical analysis' (2021) 28(2) *Psychiatry, Psychology and Law* 298, 298–314.

45. There are many reasons people may find it difficult to seek review of a PDD. For example, parties may not know how to find legal or other support or may not have the time or finances to access support to assist with court processes.
46. Misidentified victim-survivors may not wish to engage with the court system because they fear retaliation from their abuser, creating further barriers to reviewing incorrectly issued PPDs.⁴⁴ Research indicates women respondents often feel pressured to consent to orders, as they view this as the safest and easiest option.⁴⁵
47. First Nations persons, who are overrepresented as respondents to domestic violence protection orders, also face unique challenges in seeking review of orders. For example, First Nations women may have a reluctance to engage with the legal system due to ongoing systemic racism.⁴⁶ The North Queensland Women's Legal Service elaborates:

As it is with so many women, First Nations women often do not have the time, resources, reading and writing proficiency, confidence, or emotional energy to contest the making of an order and take a matter all the way to a hearing. We hear that the court process is simply too much to cope with, that there is no point – of course the police will win, that the need to find housing or to care for children is more pressing, or that mental health concerns make it impossible. The fallout is that protection orders are made in circumstances where victims are treated as perpetrators, and further police involvement results in charges that then criminalise these women for trying to survive subsequent incidents of domestic violence.⁴⁷

48. Additionally, if a person seeks review of a PPD, they automatically bring about an application for a protection order against them.⁴⁸ As a result, they risk imposition of a five-year DVO as opposed to a 12-month direction. This is likely to have a chilling effect on applications for review.⁴⁹
49. Lastly, parties to a PPD are likely to face difficulties when seeking legal assistance to support an application to review a PPD. This is because Legal Aid Queensland is not currently funded to support respondents to matters under the DFVP Act. The

⁴⁴ Michael Salter and Kelly Richards, 'The potential introduction of police-issued family violence protection orders in Australia: A critical analysis' (2021) 28(2) *Psychiatry, Psychology and Law* 298, 298–314.

⁴⁵ Michael Salter and Kelly Richards, 'The potential introduction of police-issued family violence protection orders in Australia: A critical analysis' (2021) 28(2) *Psychiatry, Psychology and Law* 298, 298–314.

⁴⁶ Judge Deborah Richards, *A call for change: Commission of Inquiry into Queensland Police Service responses to domestic and family violence* (Report, 2002) 246.

⁴⁷ Judge Deborah Richards, *A call for change: Commission of Inquiry into Queensland Police Service responses to domestic and family violence* (Report, 2002) 244.

⁴⁸ Queensland Council for Civil Liberties, Submission No 18 to Education, Arts and Communities Committee, Queensland Parliament, on *Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025* (28 May 2025).

⁴⁹ Queensland Council for Civil Liberties, Submission No 18 to Education, Arts and Communities Committee, Queensland Parliament, on *Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025* (28 May 2025).

Queensland Council for Civil Liberties, Submission No 18 to Education, Arts and Communities Committee, Queensland Parliament, on *Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025* (28 May 2025).

government has not provided any additional funding to community legal centres – which are already at breaking point – to support them to manage this additional workload.⁵⁰

50. To ensure avenues of review are accessible, the Government should:

- a. include amendments in the Bill to ensure Legal Aid Queensland is legislatively permitted to provide assistance to persons seeking to review a PPD (**RECOMMENDATION 5A**).
- b. provide additional funding and resources to Legal Aid Queensland and other Community Legal Centres to ensure they have sufficient capacity to support persons who seek review of a PPD (**RECOMMENDATION 5B**).

Efficiency

51. The purpose put forward for the limitations placed on human rights is ‘to improve police responses to domestic and family violence by reducing the operational impacts of the current domestic and family violence legislative framework’.⁵¹

52. Reducing the operational burden and improving efficiency within the QPS is a legitimate purpose and the PPD framework could have efficiency benefits.

53. However, it is not clear that the introduction of the PPD framework will result in any significant efficiencies that would justify the serious and significant impacts on human rights.

54. Currently, police are empowered to take action to protect a person from DFV by issuing a PPN. A PPN is taken to be an application for a DVO which must be considered by a court within twenty-eight days.⁵² This means, after making a PPN, police must take certain actions to support the court to consider the PPN (as application for a DVO). This requires police to prepare, file, and serve supporting material, and appear in court.⁵³

55. Conversely, the proposed PPD framework would permit police to impose a PPD for 12 months without court oversight.⁵⁴ While the availability of a PPD will mean police can make a protection order without being required to go to court, the proposed PPD framework is likely to create significant new efficiency burdens. It is not clear whether the PPD framework will result in any substantial net efficiency gain sufficient to justify the considerable limits placed on human rights.

⁵⁰ Queensland Council for Civil Liberties, Submission No 18 to Education, Arts and Communities Committee, Queensland Parliament, on *Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025* (28 May 2025).

⁵¹ Statement of Compatibility, Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025 (Qld) 20.

⁵² *Domestic and Family Violence Protection Act 2012* (Qld) s105.

⁵³ Statement of Compatibility, Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025 (Qld) 2.

⁵⁴ Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025 (Qld) cl 19 (100R Duration).

56. Efficiency burdens associated with the PPD framework will include:

- a. **Any decision to issue a PPD will have a significant impact on police time.** Because a PPD will remain in force for 12 months without court oversight, any decision to impose a PPD will require detailed consideration of a broad range of complex factors. This could include e.g. the nature of the relationship, including any history of violence; the circumstances which led to the incident; the reliability of the relevant parties' evidence; the personal circumstances of the parties; and including the potential impacts of a PPD upon them and any dependents. The investigation and assessment of these factors, and any necessary approvals will have a significant impact on police time.
- b. **Applications for review of PPDs will be common.** Evidence indicates that police already issue PPNs which contain inappropriate or unnecessarily onerous conditions, or which misidentify the primary perpetrator of violence.⁵⁵ If these trends continue, there will be a consistently high number of applications for review of a PPD either internally by the Police Commissioner, or by the courts.⁵⁶ This will create a resource burden for police, courts, and legal and advocacy services. Notably, this has been observed in Tasmania. According to data obtained by ABC news, applications to revoke PFVOs in Tasmania have increased by 102 per cent in the six years to June 2023.⁵⁷
- c. **Lack of procedural fairness will lead to increased breaches and a higher number of call-outs.** As PPDs are issued 'on-the-spot' during domestic violence incidents, respondents may feel they have been denied an opportunity to present their version of events. Where this leads to a perception of unfairness, the respondent may be less likely to comply with the conditions of the order. Not only will this create additional risks for victim-survivors,⁵⁸ but it will create an additional burden for police who are likely to be required to respond to an increasing number of breaches. This will place an additional burden on police time.

⁵⁵ Judge Deborah Richards, *A call for change: Commission of Inquiry into Queensland Police Service responses to domestic and family violence* (Report, 2002) 244, 249

⁵⁶ While the evidence indicates many persons struggle to access avenues of review, particularly those who are most vulnerable, the evidence in Tasmania indicates that when empowered to do so, police issue protections orders at high rates. As such, there can be both high rates of review, and many who will struggle to access review. See Hayley Gleeson, 'Tasmania's police family violence orders are supposed to keep victims safe. But experts say they're backfiring on women', *ABC News* (online, 5 March 2023) <<https://www.abc.net.au/news/2023-03-05/tasmania-police-family-violence-orders-misidentifying-victims/102037672>>.

⁵⁷ Hayley Gleeson, 'Tasmania's police family violence orders are supposed to keep victims safe. But experts say they're backfiring on women', *ABC News* (online, 5 March 2023) <<https://www.abc.net.au/news/2023-03-05/tasmania-police-family-violence-orders-misidentifying-victims/102037672>>.

⁵⁸ Douglas Anderson, 'DVO change creates problematic shift' (2025) *Proctor* (Web Page, 16 May 2025) <<https://www.qlsproctor.com.au/2025/05/dvo-change-creates-problematic-shift/>>; Christine Bond, 'Procedural Justice in Policing: The Queensland Community Engagement Trial' (Queensland University of Technology, 2014), 78-81.

- d. **PPDs will require reinstatement more frequently.** PPDs are proposed to remain in force for 12 months.⁵⁹ Conversely, the default duration for a DVO is five years.⁶⁰ As such, where a PPD is issued (as opposed to a DVO) police are likely to be required to consistently review the circumstances and potentially reissue a PPD. This also creates a gap in protection for victim-survivors, who will not be provided with an avenue for review after a PPD ends, potentially leaving them without protection until they can have police revisit the PPD.
57. If, as a result of these efficiency burdens, it cannot be shown that there is a significant improvement to efficiency, the limits placed on human rights by the proposed PPD framework cannot be justified.
58. If the Bill is to proceed in its current form, the Bill should be amended to require that the following factors related to efficiency are considered as part of the proposed statutory review of the PPD framework:
- a. the impacts on police time associated with issuing PPDs,
 - b. any increase in breaches of PPDs and any corresponding increases in police time managing said breaches,
 - c. the number PPDs for which there is an application for review by QPS or by courts, and the efficiency burdens associated with managing the review, and
 - d. how any efficiency benefits have led to improved responses to domestic violence **(RECOMMENDATION 6)**
59. Additionally, while the purpose of the PPD framework is ostensibly to protect the rights of victim-survivors by improving efficiency and therefore police responses to domestic violence, the public has no guarantee that any efficiencies will result in any direct improvements to police responses to domestic violence. Given this, the significant limits on rights that will occur due to the PPD framework are not proportionate.
60. Moreover, efficiency within the police service could be achieved via myriad approaches. The Statement of Compatibility does not indicate that any other mechanisms, which may be less restrictive of human rights, have been considered. Commencement of the Bill should be delayed pending completion an independent review of efficiency within the QPS to identify alternative opportunities to improve efficiency which are less restrictive of human rights. **(RECOMMENDATION 1)**

Electronic monitoring pilot

Background

⁵⁹ Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025 (Qld) cl 19 (100R(3)(a) Duration).

⁶⁰ *Domestic and Family Violence Protection Act 2012 (Qld)* s 97(1)(b).

61. The Bill proposes to commence a pilot in select court locations during which time the court will be permitted to impose a 'monitoring device condition' on an adult respondent to a DVO. This is intended 'to protect the safety of aggrieved persons and to prevent further violence or harm from occurring by deterring a respondent from coming into contact with the aggrieved and by encouraging the respondent to comply with the conditions of a DVO'.⁶¹

Impacts on human rights

62. Electronic monitoring will have substantial impacts on human rights. Electronic monitoring of respondents to a DVO will limit respondents' right to liberty (section 29 Human Rights Act), freedom of movement (section 19 Human Rights Act), and assembly and association (section 22 Human Rights Act) by restricting where the respondent may go and who the respondent may associate with either because this would necessitate entering a restricted area or because of the limitations of the device (e.g., charging requirements). Cultural rights (section 27 and 28 Human Rights Act) will also be limited where the electronic monitoring prevents a respondent from visiting kin, participating in cultural activities or visiting sites of cultural significance.

63. More significantly, electronic monitoring will substantially limit respondents' right to privacy and reputation (section 25 Human Rights Act) by enabling the systematic collection and storage of information about a person's habits and movements. Through the collection of this data, it will be possible for the relevant government agency to 'build up a picture of the person's religious, political, sexual, and other personal affiliations and associations'.⁶² The undermining of the right to privacy in this manner presents substantial risks that this information will be used for inappropriate purposes, particularly noting the Bill provides for a regulation making power to prescribe with whom this information may be shared.⁶³

64. Typically, electronic monitoring is used to monitor offenders on bail or on parole, as an alternative to remand or custody. In these circumstances, the limitations placed on the rights of the monitored person are typically deemed proportionate because the impact of electronic monitoring on human rights is less restrictive than if the person remained in custody.

65. The electronic monitoring pilot proposed by this Bill will permit courts to impose an electronic monitoring condition on a respondent to a DVO. This means the monitoring condition is not imposed as an alternative to custody. Instead, it represents an additional restriction on an individual who would otherwise remain at liberty within the bounds of any DVO conditions. As such, careful consideration must be given to whether or not the

⁶¹ Statement of Compatibility, Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025 (Qld) 6.

⁶² Statement of Compatibility, Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025 (Qld) 3.

⁶³ Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025 (Qld) cl 15 (66F Information relating to monitoring device condition).

limits placed on human rights by the electronic monitoring of respondents to DVOs are proportionate and least restrictive.

66. To minimise the impact on human rights, the Bill should require that electronic monitoring be restricted to monitoring of entry to exclusion zones and not involve continuous tracking. (**RECOMMENDATION 7**)
67. Additionally, the regulation making power should be removed from the Bill to ensure parliamentary oversight of any sharing of tracking information (**RECOMMENDATION 8**).

Ineffective technology

68. While there is some evidence that electronic monitoring can decrease the likelihood of a respondent breaching a domestic violence protection order, in 2019 QPS trialled electronic monitoring devices in simulated domestic violence scenarios (**the QPS trial**) and found that electronic monitoring devices were successful in triggering an alert only 51 per cent of the time, partially successful 23 per cent of the time, and failed in 26 per cent of the scenarios.⁶⁴
69. If the available technology is not sufficiently effective, the electronic monitoring of respondents to DVOs cannot be justified, as the stated purpose of the limitation—improving the safety of victim-survivors—may not be achieved in practice. The electronic monitoring pilot should not proceed until adequate technology has been identified and demonstrated to be sufficiently effective. (**RECOMMENDATION 9**)
70. Additionally, steps must be taken to avoid a situation in which electronic monitoring of a respondent gives victim-survivors a false sense of security. As noted by ANROWS, there is often a perception in the community that respondents are monitored in real time.⁶⁵ However, electronic monitoring in Queensland is typically limited to electronic alerts when a respondent enters an exclusion zone.⁶⁶ Monitoring unit staff then follow up to initiate appropriate action, which may not occur in time to divert the respondent.
71. Where a court imposes an electronic monitoring condition, there must be a requirement to explain the nature of electronic monitoring to the aggrieved victim-survivor and any named persons to assist them to understand the limitations of electronic monitoring. (**RECOMMENDATION 10**)

Stigma

72. While the Statement of Compatibility identifies that a respondent may suffer psychological and emotional burdens as a result of the stigma associated with wearing a visible monitoring device, the Statement does not consider that the impact of stigma

⁶⁴ Queensland Police Service, *The Domestic and Family Violence GPS-enabled Electronic Monitoring Technology Evaluation Report* (Report, April 2019) 2.

⁶⁵ Heather Nancarrow and Tanya Modini, *Electronic Monitoring in the Context of Domestic and Family Violence* (Report, Australia's National Research Organisation for Women's Safety, 2018).

⁶⁶ Queensland Police Service, *The Domestic and Family Violence GPS-enabled Electronic Monitoring Technology Evaluation Report* (Report, April 2019).

could lead to social isolation, disengagement with employment or education, and impacts on mental and physical health.⁶⁷ Importantly, as identified in ANROWs research, this has the potential to 'compound anger and frustration in offenders, leading them to escalate their violence'.⁶⁸

73. At a minimum, prior to any extension of the pilot, a review should be conducted which examines the efficacy and impacts of electronic monitoring including any impacts on education, employment, and health outcomes and any offending both during and after electronic monitoring is removed including offending not related to domestic violence. **(RECOMMENDATION 11)**

Net widening

74. Electronic monitoring conditions are known to have a 'net widening' effect. That is, persons subject to monitoring will necessarily be exposed to additional charges for minor breaches of the terms of their electronic monitoring order. For example, breaches relating to a failure to charge or maintain the device. Any contravention of a monitoring device condition will expose the respondent to a penalty of three to five years imprisonment.⁶⁹
75. Concerningly, the QPS trial identified that the devices generate false positives which may subject respondents to 'breach-related proceedings based on inaccurate readings when in fact, there was no breach.'⁷⁰ The pilot of electronic monitoring should not proceed until appropriate and adequate technology has been identified which minimises the risk of any false alerts. **(RECOMMENDATION 9)**
76. Additionally, the experience of false and technical breaches may undermine the purpose of the monitoring by increasing risks to victim-survivors. According to the Queensland Council of Civil Liberties 'criminological evidence indicates that the phenomena of false positives greatly increases the resentment the persons wearing the devices feel at the imposition, leading them to question the legitimacy of their conditions. This in turn increased the likelihood of recidivism, undermining the devices' purported deterrent and

⁶⁷ Australia's National Research Organisation for Women's Safety (2020) *Accurately identifying the "person most in need of protection" in domestic and family violence law: Key findings and future directions* (Research to policy and practice, 23/2020) 31.

⁶⁸ Heather Nancarrow and Tanya Modini, *Electronic Monitoring in the Context of Domestic and Family Violence* (Report, Australia's National Research Organisation for Women's Safety, 2018); Cezary A. Kapuscinski, John Braithwaite and Bruce Chapman, 'Unemployment and Crime: Toward Resolving the Paradox' (1998) 14(3) *Journal of Quantitative Criminology* 215, 215–243.

⁶⁹ *Domestic and Family Violence Act 2012* (Qld) s177(2).

⁷⁰ Queensland Police Service, *The Domestic and Family Violence GPS-enabled Electronic Monitoring Technology Evaluation Report* (Report, April 2019) 2, 18.

reformatory benefits'.⁷¹ As result, it is possible that electronic monitoring could lead to domestic violence offending, thereby increasing the risks for victim-survivors.⁷²

Risks of providing aggrieved with a safety device

77. In addition to electronic monitoring of the respondent, it is proposed that an aggrieved victim-survivor and named persons on a DVO be provided with a safety device which will alert when the respondent enters into a particular zone or into the proximity of the aggrieved.⁷³ This proposal presents substantial risks.

78. For example, there is a possibility that particularly in small cities and towns, the designation of exclusion zones could risk revealing to the respondent where the victim-survivor is residing. Alternatively, depending on the precise functionality of the safety device, which has not been explained, this could lead to identification of the location of the respondent leading to further limits on the respondents right to privacy, and potentially to vigilante action taken against the respondent.

79. Although the courts are better equipped to avoid the problem of misidentification of the victim-survivor as the perpetrator, this has occurred in the past. The Women's Safety and Justice Taskforce found that 'deciding who is the person most in need of protection is challenging for some magistrates who, in some instances, misidentify the true victim as the perpetrator. This may occur particularly when a woman does not present as the 'ideal victim'.⁷⁴ Where an electronic monitoring condition is imposed on a victim-survivor who has been misidentified, and a safety device is provided to the perpetrator, the consequences could be disastrous.

80. The government should provide sufficient detail on the functionality of a safety device to allow the public to properly consider the risks and benefits of this proposal.

(RECOMMENDATION 12)

81. Safety devices should not have the functionality to track the precise location of a respondent and provide that precise location to an aggrieved, and devices should not be provided to an aggrieved where there is a risk that the device will lead to the identification of the aggrieved or the respondent's location by a civilian.

(RECOMMENDATION 13).

Holistic supports required

82. In 2021, the electronic monitoring of respondents to family violence orders in Tasmania was independently reviewed (**the Tasmanian review**). The review found that once a

⁷¹ Queensland Council for Civil Liberties, Submission No 18 to Education, Arts and Communities Committee, Queensland Parliament, on *Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025* (28 May 2025).

⁷² Queensland Council for Civil Liberties, Submission No 18 to Education, Arts and Communities Committee, Queensland Parliament, on *Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025* (28 May 2025).

⁷³ Explanatory Notes, Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025 (Qld) 2.

⁷⁴ Women's Safety and Justice Taskforce, *Hear Her Voice* (Report 1, Volume 2, 9 May 2023) 181.

respondent had completed the program, almost half subsequently were involved in a family violence incident.⁷⁵ The review concluded that while electronic monitoring works as a surveillance strategy, it does not provide long term safety for victim-survivors.⁷⁶

83. On the basis of international evidence, the Tasmanian review identified that the positive impact of electronic monitoring may be enhanced with a comprehensive support package and complementary interventions including mandatory treatment strategies (e.g., treatment for substance abuse, and mental health counselling) and case management.⁷⁷
84. Similarly in 2019, a review of the literature for electronic monitoring of domestic violence offenders by ANROWS, concluded that in order to reduce domestic violence offending including after electronic monitoring is ceased, programs which respond to an individual's criminogenic risks and needs should be deployed. This may include employment training support, housing support, and behaviour management programs.⁷⁸
85. If the Bill proceeds, to ensure electronic monitoring leads to sustained improvements in safety for victim-survivors, electronic monitoring should be accompanied by holistic supports including case management, employment support, housing support, counselling, and behaviour management programs. (**RECOMMENDATION 14**)

⁷⁵ Romy Winter et al, *Evaluation of Project Vigilance: Electronic Monitoring of Family Violence Offenders* (Report, Tasmanian Institute of Law Enforcement Studies, University of Tasmania, July 2021).

⁷⁶ Romy Winter et al, *Evaluation of Project Vigilance: Electronic Monitoring of Family Violence Offenders* (Report, Tasmanian Institute of Law Enforcement Studies, University of Tasmania, July 2021) 34.

⁷⁷ Romy Winter et al, *Evaluation of Project Vigilance: Electronic Monitoring of Family Violence Offenders* (Report, Tasmanian Institute of Law Enforcement Studies, University of Tasmania, July 2021) 35.

⁷⁸ Heather Nancarrow and Tanya Modini, *Electronic Monitoring in the Context of Domestic and Family Violence* (Report, Australia's National Research Organisation for Women's Safety, 2018) 78.