




Speech By  
**David Lee**

**MEMBER FOR HERVEY BAY**

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Record of Proceedings, 27 August 2025

## **DOMESTIC AND FAMILY VIOLENCE PROTECTION AND OTHER LEGISLATION AMENDMENT BILL**

 **Mr LEE** (Hervey Bay—LNP) (10.31 pm): I rise to speak to the Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025. This bill makes amendments to legislation as listed in the amendment bill's table of contents. I speak principally today about the bill's amendments to the Domestic and Family Violence Protection Act 2012 and the Evidence Act 1977. This bill amends the Domestic and Family Violence Protection Act 2012 and provides victim-survivors with immediate protection against respondents. The bill proposes to amend the Evidence Act 1977 to expand the videorecorded evidence-in-chief framework.

Domestic violence in all its forms is a blight on our society. Hervey Bay is not impervious to the menace of domestic violence. That is why I am currently collaborating with our local DV Alliance, Centacare and the Wide Bay Women's Network to explore a case management approach, including emergency accommodation.

The Department of Families, Seniors, Disability Services and Child Safety reports a 218 per cent increase in domestic and family violence over the last decade. The Queensland government's Domestic and Family Violence Death Review 2023-24 states that in 2023-24 there were 16 DFV related events in Queensland which, sadly, resulted in the deaths of 19 people. According to the Australian Bureau of Statistics' Personal Safety survey, in 2021-22—

An estimated 4.2 million people aged 18 years and over (21%) have experienced violence, emotional abuse, or economic abuse by a cohabiting partner since the age of 15.

Women are more likely than men to experience violence, and it is often under-reported. The Queensland Police Service's 100-day review report highlights the extent to which our frontline police officers are confronted with cases of domestic and family violence. The QPS Deputy Commissioner, Cameron Harsley APM, has stated that police officers across Queensland respond to a DFV related situation every three minutes.

Clause 19 of the bill provides for the power to issue a police protection direction if they reasonably believe: the respondent has committed domestic violence; a police protection direction is necessary or desirable to protect the aggrieved from domestic violence; none of the exclusions under new sections 100C or 100D apply; and it would not be more appropriate to take action that involves an application for a protection order. A police protection direction must have the approval of a supervising police officer who was not involved in investigating the relevant DV event. The approving officer must hold the rank of sergeant or above and be approved by the Police Commissioner to issue police protection directions.

A police protection direction takes effect when it is served or when a police officer tells the respondent about the direction and its duration. The police protection direction will continue for 12 months from the day it takes effect or until another type of order or notice is made and takes effect.

There is a conceivably small risk of misidentification. However, the bill does provide safeguards: internal police reviews; requirements for documentation and justification; a potential judicial oversight if the direction is challenged; a proper identification of the person in need of protection; and the approval of a senior police officer. The bill requires the minister to ensure the police protection direction provisions are reviewed two years after commencement.

Clause 31 of the bill creates a new offence for contravening a police protection direction, which carries a maximum penalty of 120 penalty units or three years imprisonment. The bill provides that the Police Commissioner must keep a register of PPDs, including PPDs that have been revoked.

New section 192A provides that the statutory review must include consideration of several matters, including whether the police protection direction provisions have improved the efficiency of the exercise of police powers under the act and remains appropriate. The bill also inserts a new part 3—monitoring device conditions—into the Domestic and Family Violence Protection Act. This bill then provides conditions on the imposition of electronic monitoring of high-risk DFV perpetrators and includes, but is not limited to: the respondent is an adult; the court is satisfied that the condition is necessary to protect the aggrieved from domestic violence or a named person; the respondent is not already subject to a monitoring device condition for another purpose, such as for bail or parole; and further matters for court consideration that may be prescribed by regulation.

The electronic monitoring pilot program will be limited to select courts, which will be prescribed by regulation. Court locations will be determined prior to the relevant part of this bill commencing. Courts will be required to consider making an ouster condition or a condition that prohibits the respondent from approaching or attempting to approach the aggrieved or a named person. The pilot will be limited to courts prescribed by regulation.

New section 66G provides that evidence of the imposition of a monitoring device condition or other evidence directly or indirectly derived from the imposition or use is inadmissible in any proceeding other than a proceeding for a DFV offence. New section 66H provides that the electronic monitoring conditions are subject to a sunset clause of two years after the commencement of the bill. This is to allow sufficient time for an evaluation of the pilot before considering further expansion or making the provisions permanent.

This bill will also amend the Evidence Act to mitigate the stress and trauma experienced by victim-survivors from repeatedly speaking about their experience. This bill will expand the videorecorded evidence-in-chief—VREC—provisions for use statewide in both civil and DFV proceedings. The bill removes the requirement that a VREC statement be taken as soon as practicable. This is to recognise that complainants may need time to provide a statement.

The bill provides that complainants can make multiple VREC statements to police. This is to recognise that complainants may need to provide multiple statements over time. The bill inserts a requirement that if any part of a recorded statement is in a language other than English the recorded statement must contain an oral translation of the part in English, or a separate written English translation must accompany the statement.

Clause 45 also removes the statutory requirement that only police officers who have successfully completed a DFV training course may take a videorecorded evidence-in-chief statement. This will provide the QPS more flexibility in meeting the needs of victim-survivors.

Clause 46 provides that complainant consent is only required once, either prior to or at the time of stating the recorded statement. Section 103F(2) also contains a list of matters a police officer must explain to a complainant before or at the time the recorded statement is taken.

The bill amends section 103C of the Evidence Act to expand the application of the VREC framework to summary criminal proceedings and committal proceedings for DFV in all Queensland Magistrate Courts. At present it is only applicable to the Magistrate Court in Ipswich, Southport and Coolangatta. This will allow all courts within Queensland to hear those proceedings.

I commend the Domestic and Family Violence and Protection and Other Legislation Amendment Bill 2025 to the House.