

Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025.

Full Stop Australia Submission

Full Stop Australia thanks the Education, Arts and Communities Committee for inviting us to make a submission on the *Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025* (the **Bill**).

Due to capacity constraints, we have only been able to comment on aspects of the Bill that would establish a framework for police protection directions.

If you require further information about the matters raised in this submission, please contact Emily Dale, Head of Advocacy, at emilyd@fullstop.org.au or 0406 339 500.

About Full Stop Australia

Full Stop Australia is a nationally focused not-for-profit organisation which has been supporting victim-survivors of sexual, domestic, and family violence since 1974. We started as Sydney Rape Crisis Collective—the first service in Australia dedicated to delivering services to, and advocating for, survivors of sexual violence. Today, we perform the following functions:

- Provide expert and confidential telephone, online and face-to-face counselling to people of all genders who have experienced sexual, domestic, or family violence, and specialist help for their supporters and those experiencing vicarious trauma.
- Conduct best practice training and professional services to support frontline workers, government, and the corporate and not-for-profit sectors.
- Advocate for laws and systems better equipped to respond to, and ultimately prevent, sexual, domestic and family violence.

Our work is guided by the lived expertise of over 850 survivor-advocates in our [National Survivor Advocate Program \(NSAP\)](#). The NSAP gives victim-survivors of sexual, domestic and family violence a platform to share their experiences to drive positive change. Through the NSAP, survivor-advocates can access opportunities to share their stories in the media, weigh in on Full Stop Australia's submissions to Government, and engage directly with Government, businesses and other stakeholders. We are committed to centring the voices of victim-survivors in our work and advocating for laws and systems that genuinely meet their needs.

Comments on the Bill

Full Stop Australia supports the objectives of keeping perpetrators of sexual, domestic and family violence in view, and enabling police to take timely action to keep people experiencing violence safe.

However, we have concerns about how the framework for police protection directions (**PPDs**) established by the Bill would operate in practice. These are detailed below.

In addition to the points below, we have had the opportunity to review an advance draft of QSAN's submission on the Bill, and support consideration of the important issues raised in that submission.

Risk and impacts of misidentification may be exacerbated under the PPD framework

There have been several recent reports¹ identifying systemic failures with the Queensland Police Service (**QPS**) response to domestic and family violence (**DFV**)—including ‘failures by police to act in accordance with legislation and procedures, appropriately assess risk, pursue criminal charges and accurately identify the person most in need of protection.’² While these failures do not occur in all cases, their repeated identification across multiple reports demonstrates that police practice in DFV matters is inconsistent and, at times, deeply flawed—raising serious concerns about the potential for the PPD framework to entrench harmful practices.

Of particular concern is the systemic risk of misidentification of the person most in need of protection. In its 2016–17 Annual Report, the Queensland Domestic and Family Violence Death Review and Advisory Board reported that ‘in just under half (44.4%) of all cases of female deaths subject to review, the woman had been identified as a respondent to a DFV protection order on at least one occasion. Further, in nearly all the DFV-related deaths of Aboriginal and Torres Strait Islander peoples, the Board noted the deceased had been recorded as both respondent and aggrieved prior to their death.’³

In our view, this context necessitates continued oversight of DFV policing by the Courts. The PPD scheme, which removes this oversight in relevant matters, could elevate the risks and impacts of misidentification. The PPD scheme presumes police are capable of reliably identifying the person most in need of protection, which evidence demonstrates is not the case in a significant number of matters.

We do not think the goal of ‘improv[ing] efficiencies for police responding to DFV and reduc[ing] the operational impacts of the current DFV legislative framework’⁴—the stated objective of the PPD scheme—justifies the removal of oversight over policing, which could exacerbate risks for people most in need of protection. The scale of the DFV crisis is immense and tragic. We

¹ See, for example, A Call for Change: Commission of Inquiry into Queensland Police Service responses to domestic and family violence (2022); Women's Safety and Justice Taskforce: Hear Her Voice (Report 1) (2021).

² A Call for Change: Commission of Inquiry into Queensland Police Service responses to domestic and family violence (2022).

³ Domestic and Family Violence Death Review and Advisory Board: Annual Report (2022–2023). Queensland Government.

⁴ Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025, Explanatory Note.

acknowledge the operational burden this places on QPS. Nonetheless, the goal of improving operational efficiency should never override the objective of keeping people experiencing violence safe. It is unclear that the proposed PPD scheme sufficiently prioritises the safety of victim-survivors, given established evidence about systemic failures in policing, particularly in relation to misidentification.

Evidence about the impacts of misidentification suggests that the negative consequences of the PPD framework would be especially great for:

- People from Aboriginal and Torres Strait Islander communities.
- People from culturally and linguistically diverse backgrounds and communities.
- Victim-survivors with dependent children.

Finally, we acknowledge that the Bill contains provisions which '[prevent] a police officer... from issuing a PPD if there are indications that both persons in the relationship are in need of protection, and the person who is most in need of protection cannot be identified,'⁵ which is intended to operate as 'a safeguard against misidentification of the primary aggressor.'⁶ Unfortunately, this safeguard is only enlivened if a police officer first identifies that there is the risk of misidentification—which does not always occur in practice. The fact that misidentification has been found to be a systemic and widespread issue demonstrates the need for ongoing oversight of policing.

The PPD framework risks normalising shorter protection periods for victim-survivors of DFV

The PPD framework also risks normalising shorter protection periods for victim-survivors of DFV.

The *Domestic and Family Violence Protection Act 2012* (Qld) specifies the duration of domestic violence orders (**DVOs**) as follows:

- Orders may continue for any period the court considers necessary or desirable to protect the aggrieved from domestic violence.
- If no period is specified, a period of five years will apply.
- If a period of less than five years is ordered, the Court must be satisfied there are reasons for doing so—and will be required to give reasons why an order of less than five years was made.⁷

Meanwhile, PPDs may only operate for up to 12 months.

⁵ *Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025*, Explanatory Note.

⁶ *Ibid.*

⁷ *Domestic and Family Violence Protection Act 2012* (Qld), s 97.

Although the PPD framework is designed to operate alongside DVOs, we are concerned that, in practice, introducing PPDs as an option might result in police opting to issue a PPD rather than apply for a DVO or issue a police protection notice (**PPN**) (which acts as an application for a DVO).

While there are some safeguards against this—for example, the Bill requires police who are contemplating issuing a PPD to consider whether it would be more appropriate to apply for a DVO in certain circumstances,⁸ the views and wishes of the aggrieved person about this,⁹ and whether additional powers of the Court under the DVO framework are necessary for safety¹⁰—there remains room for discretion, with the Bill offering limited guidance on matters police must consider to determine whether a PPD or DVO is most appropriate. The Bill also provides that even where certain risk factors apply—for example, where police consider the respondent could cause serious harm, or that the powers of the Court are needed to adequately prevent harm—police may still elect to issue a PPD rather than apply for a DVO.

We are concerned about a situation where police are incentivised to issue PPDs rather than applying for DVOs or issuing PPNs,¹¹ because doing so would result in less administrative burden. This risk seems particularly acute given the well-documented, systemic failures in policing DFV referred to above.

If the issue of PPDs as an alternative to DVOs becomes normalised, victim-survivors could be exposed to more risk of harm due to the shorter duration of PPDs. The *Not now, not ever: Putting an end to domestic and family violence in Queensland* report recognised the importance of longer protection periods. That report recommended increasing the standard duration of DVOs from two to five years, to increase safety for victim-survivors, reduce re-traumatisation and remove the need for attendance at as many court events.

⁸ *Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025* s 100B(2)(c).

⁹ *Ibid*, s 100B(2)(d).

¹⁰ *Ibid*, s 100E(1)(a)(ii).

¹¹ As PPNs are subject to Court oversight, they ultimately require police to prepare, file and serve supporting material and appear in Court, resulting in more administrative burden than PPDs.