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Reference: [REDACTED]

Committee Secretariat  
Education, Arts and Communities Committee

Via email: [REDACTED]

Dear Committee Secretariat

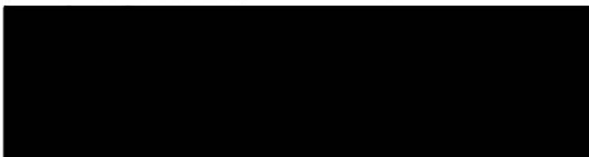
Thank you for the opportunity to provide this submission on the Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025 (the Bill).

The Queensland Family and Child Commission (QFCC) is committed to promoting the safety, wellbeing and rights of every child in Queensland. Through our statutory role, we aim to improve the child protection system and achieve better outcomes for all children and families. We work to ensure the voices of children and young people are heard and acted upon, and that the systems they interact with are responsive, trauma-informed and culturally safe.

Domestic and family violence continues to be one of the most significant threats to the safety and wellbeing of children in Queensland. It is critical that reforms to the legislative framework recognise that children exposed to family violence are not only witnesses to violence but are victims in their own right. The trauma that children experience from violence in their homes has lasting impacts on their health, development, and future relationships.

Thank you for your ongoing work to build a safer Queensland for all families. If you have any queries in relation to this matter, please don't hesitate to contact me directly on [REDACTED] or via email at [REDACTED]

Yours sincerely



**Luke Twyford**  
Principal Commissioner  
Queensland Family and Child Commission

26 May 2025



Queensland  
**Family & Child**  
Commission

Policy Submission

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

May 2025

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## Background

Thank you for the opportunity to provide this submission on the Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025 (the Bill).

The Queensland Family and Child Commission (QFCC) is committed to promoting the safety, wellbeing and rights of every child in Queensland. We work to ensure the voices of children and young people are heard and acted upon, and that the systems they interact with are responsive, trauma-informed and culturally safe. Through our statutory role, we aim to improve the child protection system and achieve better outcomes for all children and families.

Domestic and family violence (DFV) continues to be one of the most significant threats to the safety and wellbeing of children in Queensland. It is critical that reforms to the DFV legislative framework recognise that children exposed to family violence are not only witnesses to violence but are victims in their own right. The trauma that children experience from violence in their homes can have deep and lasting impacts on their mental health, development, and future relationships. The QFCC welcomes many of the Bill's aims, including improving protections for victim-survivors and enhancing justice system processes. I hold concern however that some proposed measures could have unintended consequences for children, particularly those already navigating complex child protection or family law systems.

*“... the consequences of domestic violence manifest in more than shocking news headlines and police reports. It dismantles our families and disrupts our communities. It is the leading cause of homelessness for women, and impacts on our housing, welfare and health systems. It impacts our children’s education. It affects our economy and causes loss of long-term productivity. It affects all of us.”*

– Amplify Blog, QFCC

The QFCC is committed to system improvement for children, young people, and families. In our submission to the Domestic and Family Violence Perpetrator Strategy, we outlined the importance of self-determination, dignity, healing and cultural respect for Aboriginal and Torres Strait Islander children and families experiencing domestic and family violence.<sup>1</sup> These principles must underpin every stage of DFV reform to avoid system harm.

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<sup>1</sup> Queensland Family and Child Commission (2023). *Domestic and Family Violence Perpetrator Strategy*. <https://www.qfcc.qld.gov.au/sites/default/files/2023-09/QFCC%20Submission%20-%20Domestic%20and%20Family%20Violence%20Perpetrator%20Strategy.pdf>

## Police Protection Directions

### Summary

- **Risk of harm to children:** Police Protection Directions (PPDs), while intended to provide immediate safety in DFV situations, can unintentionally harm children—particularly when non-physical abuse is overlooked, or the wrong person is identified as the aggressor.
- **Need for systemic safeguards:** Effective use of PPDs requires real-time access to family law and child protection records, clear enforcement guidance, and specialised, trauma-informed training for police to prevent inappropriate or harmful outcomes.
- **Children's voices must be included:** Since PPDs are issued without court oversight or legal representation, children's perspectives are often excluded. The QFCC stresses that children lived experiences must inform protective measures to ensure their rights, safety, and long-term wellbeing.

The introduction of PPDs is intended to offer immediate protection and improve police responsiveness to domestic and family violence (DFV). Without robust safeguards, however, PPDs may unintentionally cause further harm to children. Although the Bill includes operational provisions to prevent misuse, challenges remain in how PPDs are applied and enforced, particularly in cases involving children.

The Child Death Review Board has found that agencies often fail to recognise all forms of DFV, especially non-physical abuse such as emotional abuse and coercive control. These forms of violence, along with their cumulative impact on children, are frequently overlooked in risk assessments, leading to decisions that do not fully reflect children's lived experiences.

Misidentification of the person using violence remains a serious concern, particularly for Aboriginal and Torres Strait Islander women, who face systemic bias and are overrepresented in both child protection and justice systems. When PPDs incorrectly identify the aggressor, children may be named as protected persons against the wrong parent, potentially undermining protective relationships and leading to harmful interventions such as unnecessary child removal.

Effective protective responses require real-time access to accurate family law and child protection records. The current reliance on self-reporting under *section 100D* of the Bill is insufficient, particularly in high-stress or coercively controlled situations where vital information may be withheld. This could result in the removal of a protective parent or the enforcement of inappropriate orders, placing children at further risk. Additionally, standard PPD conditions may not meet a child's individual safety needs, and the inability to tailor protections could leave children unprotected or cause disruption to family stability. Without clear guidance on enforcement, there is a continued risk of inconsistent or harmful application of PPDs.

The use of PPDs in practice must be supported by clear accountability frameworks that are culturally responsive, and trauma informed. Police officers must also receive ongoing, specialised training, such as through the Safe and Together<sup>2</sup> model, to support accurate identification of the person most in need of protection and to enable holistic risk assessment for the safety of children and families.

<sup>2</sup> The *Safe and Together Institute* was founded by David Mandel in 2006 and aims to achieve paradigm shift in the way domestic abuse is approached by systems when children are involved. The *Safe and Together* model principles are: (i) children are kept safe and together with the non-offending parent, (ii) that systems partner with the non-offending parent as the default position, and (iii) that intervention occurs with the perpetrator of abuse to reduce risk and harm to the child.

Given PPDs are proposed to be issued without court oversight or legal representation, children have no opportunity to participate in decisions that affect them. This raises concerns about whether the protections applied truly reflect the child's lived experience, needs, or wishes.

*"In 2023, the Australian Children Maltreatment Study found that 40% of Australians over the age of 16 experienced exposure to domestic violence during childhood. 40%. That is two in every five children.*

*I am one of them. "*

– QFCC Youth Summit Speaker, age 16

Embedding the voices and lived experiences of children and young people is critical to genuinely promote their safety and wellbeing. Insights from young people with lived experience of DFV highlight the urgent need to close gaps in DFV responses for children, and for lived experience input to directly inform the design and implementation of protective measures that prioritise stability and long-term recovery.<sup>3</sup>

## Electronic monitoring pilot

### Summary

- **Technology alone is not enough:** While technology can provide a sense of safety, it must be supported by comprehensive safety planning, therapeutic services, and culturally appropriate responses to effectively support children affected by DFV.
- **Children need holistic support:** Monitoring does not address the emotional impact or fear children may feel, especially if they remain in contact with the person using violence.

Our recent *Amplify* blog<sup>4</sup>, which explores how DFV is often implicitly condoned by society, and our submission to the Online Safety Amendment Bill 2024<sup>5</sup>, highlight that while technology can offer a sense of security, it must be paired with comprehensive safety planning, therapeutic support, and culturally appropriate responses. Monitoring alone cannot address the fear and instability children may experience, especially if they remain in contact with the person using violence. We strongly advocate for a thorough, child-centred evaluation of the pilot, guided by meaningful engagement with young people who have lived through DFV.

<sup>3</sup> Queensland Family and Child Commission (2024). *Youth Summit: Ruby. Closing the gap on domestic and family violence for children and young people.* <https://www.qfcc.qld.gov.au/ruby>

<sup>4</sup> Queensland Family and Child Commission (2024). *Amplify Blog – Domestic and Family Violence: The only violence implicitly condoned by society.* <https://www.qfcc.qld.gov.au/node/370>

<sup>5</sup> Queensland Family and Child Commission (2024). *Online Safety Amendment (Social Media Minimum Age) Bill 2024.* <https://www.qfcc.qld.gov.au/sites/default/files/2024-11/Online%20Safety%20Amendment%20%28Social%20Media%20Minimum%20Age%29%20Bill%202024%20%5BProvisions%5D.pdf>

## Video-Recorded Evidence-in-Chief

### Summary

- **Support for VREC rollout with caution:** The QFCC supports expanding the Video-Recorded Evidence-in-Chief (VREC) framework to all Magistrates Courts, recognising its potential to reduce re-traumatisation for victims.
- **Concerns over removal of specialist training:** Removing the requirement for DFV-trained officers to record VREC statements contradicts previous commitments to improve police responses through specialised training, risking the quality and victim-centred nature of evidence collection.
- **Safety of children must be prioritised:** Reforms must ensure developmentally appropriate, trauma-informed communication with children and vulnerable witnesses, as inadequate interviews and assessments have historically led to missed or minimised harm.

The QFCC supports the broader rollout of the Video-Recorded Evidence-in-Chief (VREC) framework across all Magistrates Courts and recognises the potential to reduce re-traumatisation and improve outcomes for victims. I note the proposed removal of the requirement for VREC statements to be recorded by officers with specific training in DFV which appears at odds with the Queensland Government's own response to Recommendation 6 of the 2022–2023 report<sup>6</sup>, which noted strengthened DFV-specific training to support the introduction of the *Criminal Law (Coercive Control and Affirmative Consent) and Other Legislation Amendment Act 2024*. These training measures were introduced to ensure victim-centric, high-quality police responses to DFV victim-survivors.

In our 2024 submission on the Criminal Justice Legislation (Sexual Violence and Other Matters) Amendment Bill<sup>7</sup>, we supported similar reforms on the condition that children and other vulnerable witnesses are engaged using developmentally appropriate, trauma-informed communication. The safety and wellbeing of child victims and witnesses must not be compromised for the sake of administrative efficiency. This concern is underscored by findings from the Child Death Review Board (2021), which highlighted instances where harm to children was missed or minimised—often due to inadequate interviewing, incomplete risk assessments, or a failure to consider the full spectrum of harm caused by family violence.

<sup>6</sup> Queensland Government (2024). *Government Response to the Child Death Review Board 2023-24 Annual Report*. <https://www.parliament.qld.gov.au/Work-of-the-Assembly/Tabled-Papers/docs/5825T0446/5825t446.pdf>

<sup>7</sup> Queensland Family and Child Commission (2024). *Criminal Justice Legislation (Sexual violence and Other Matters) Amendment Bill*. [https://www.qfcc.qld.gov.au/sites/default/files/2024-07/Criminal%20Justice%20Legislation%20%28Sexual%20Violence%20and%20Other%20Matters%29%20Amendment%20Bill%202024%20-%20PCMR%20Luke%20Twyford\\_Redacted.pdf](https://www.qfcc.qld.gov.au/sites/default/files/2024-07/Criminal%20Justice%20Legislation%20%28Sexual%20Violence%20and%20Other%20Matters%29%20Amendment%20Bill%202024%20-%20PCMR%20Luke%20Twyford_Redacted.pdf)



## Approved provider list

### Summary

- **Strengthening Oversight and Accountability:** The QFCC supports proposed amendments to enhance regulation of DFV intervention providers through clear approval and monitoring criteria, ensuring service quality and accountability.
- **Focus on Child-Centred, Culturally Safe Programs:** Programs, especially those addressing fathering and behaviour change, must be culturally safe, evidence-based, and focused on children's safety and wellbeing—particularly for Aboriginal and Torres Strait Islander families.
- **Need for Systemic Reform and Child Recognition:** The QFCC calls for cross-agency collaboration, improved training, and culturally informed risk assessments to better recognise and respond to the cumulative harm children experience from DFV, including formally recognising children as victims in their own right.

We welcome the proposed amendments to strengthen the maintenance and oversight of the Approved Provider List (APL) for DFV intervention programs and counselling services. We welcome new regulatory powers that will enable the Chief Executive to set clear approval and monitoring criteria, to promote service quality and accountability.

The Board has previously identified missed opportunities to hold violent parents accountable and to address the risks they pose to children. Programs focused on 'fathering' and behaviour change, particularly those that are culturally safe and evidence-based, offer a promising way to improving child safety and wellbeing. Our findings highlight that fathering practices are often absent from existing interventions, and evaluations rarely measure child-specific outcomes.

*"Fatherhood' can be a significant motivator to encourage fathers to accept accountability and facilitate behaviour change, however fathering practices are not well embedded in men's behaviour change programs and there is limited formal evidence about the effectiveness of programs in improving outcomes for children"*

– QFCC Submission – Domestic and Family Violence Perpetrator Strategy, 2023

The QFCC supports the collaborative approach that the criteria for provider approval and monitoring are developed through consultation with the DFV sector. We emphasise the importance of ensuring that approved programs and services meaningfully address children's needs and lived experiences, especially those of Aboriginal and Torres Strait Islander families, throughout their design, delivery, and evaluation.

Throughout our oversight and research, the QFCC has consistently found that cumulative harm to children from ongoing exposure to DFV is often overlooked. As detailed in our 2021 report, *Reviewing the child protection system's response to violence within families*<sup>8</sup>, many agencies fail to recognise certain types of violence, conduct comprehensive child interviews, or apply culturally informed risk assessments. The annual reports from the Board

<sup>8</sup> Queensland Family and Child Commission (2021). *Reviewing the child protection system's response to violence within families*. <https://www.qfcc.qld.gov.au/sites/default/files/2024-10/QFCC%20A%20review%20of%20the%20systems%20response%20to%20violence%20within%20families%20%28DFV%20Report%29.PDF>



(2022–2024) call for greater cross-agency information sharing, improved training, and reforms that keep perpetrators visible in the system.<sup>9</sup> These lessons must inform the implementation of this Bill, including the need for rigorous monitoring and evaluation.

*“The time for complacency is over, it is imperative that we take immediate action to ensure the safety of the next generation. Because a world where children are empowered with the knowledge of respectful and healthy relationships is achievable.”*

– QFCC Youth Summit Speaker, age 16

The QFCC acknowledges the Queensland Government’s recent response to Child Death Review Board recommendations, including the review of Queensland Police Service operational guidelines and the continued rollout of victim-centric practices. We note that Recommendation 4 of the 2021–22 Annual Report calls for explicit recognition of children as victims of DFV in their own right, and for culturally appropriate responses to children displaying trauma-based behaviours.<sup>10</sup>

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<sup>9</sup> Child Death Review Board (2024). *Annual report 2023-24*. <https://www.qfcc.qld.gov.au/sites/default/files/2025-02/Child%20Death%20Review%20Board%20Annual%20Report%202023-24.pdf>

<sup>10</sup> Child Death Review Board (2022). *Annual report 2021-22*. <https://www.qfcc.qld.gov.au/sites/default/files/2024-08/Child%20Death%20Review%20Board%20Annual%20Report%202021-2022.pdf>