

## Queensland Government's implementation updates to recommendations arising from the *Domestic and Family Violence Death Review and Advisory Board 2020-21 Annual Report*

Recommendation	Responsible agency as at 30 June 2023	Implementation update
<p><b>Recommendation 1</b> That the Queensland Government explore opportunities to improve service collaboration and the coordination of support provided to families, particularly children, bereaved by a domestic and family violence death. This should consider existing approaches to postvention support for those bereaved by suicide or homicide.</p>	<p>Department of Attorney – General</p> <p>Queensland Health</p> <p>Queensland Police Service</p> <p>Department of Child Safety, Seniors and Disability Services</p>	<p>The recommendation is accepted.</p> <p>The Queensland Government's response to this recommendation is in progress.</p> <p>As at 31 December 2022 the Attorney – General and Minister for Justice, Minister for the Prevention of Domestic and Family Violence, and Leader of the House, the Minister for Health, Mental Health and Ambulance Services and Minister for Women, the Queensland Police Service and the Department of Child Safety, Seniors and Disability Services responded:</p> <p>Early-stage planning to implement this recommendation commenced.</p> <p>In 2023, the Department of Justice and Attorney-General will begin targeted consultation with government agencies and funded services who support victims of homicide and domestic and family violence, including child victims, to identify collaboration opportunities and shared approaches to services for bereaved children and families.</p>

**Recommendation 2**

That the Queensland Government implement the recommended policy and practice reform proposed by Australia’s National Research Organisation for Women’s Safety (ANROWS) in its report “Accurately identifying the person most in need of protection in domestic and family violence law”.

This should include creating guidance for police and courts on identifying the person most in need of protection that is informed by international models and approaches in other jurisdictions.

Taking into account recent case law, this should also extend to the consideration of potential legislative amendments to strengthen existing provisions designed to ensure the identification of the person most in need of protection in proceedings under the Domestic and Family Violence Protection Act 2012.

Department of Attorney – General  
  
Queensland Police Service

The recommendation is accepted.  
The Queensland Government’s response to this recommendation is in progress.

As at 31 December 2022 the Attorney – General and Minister for Justice, Minister for the Prevention of Domestic and Family Violence, and Leader of the House, and the Queensland Police Service responded:

The *Domestic and Family Violence Protection (Combatting Coercive Control) and Other Legislation Amendment Bill 2022* (DFVP Bill) was introduced to Queensland Parliament on 14 October 2022. The DFVP Bill implements a range of recommendations from the first report of the Women’s Safety and Justice Taskforce (Taskforce), *Hear her voice: Addressing coercive control and domestic and family violence in Queensland* (first report). This includes a number of amendments directed at ensuring identification of the person most in need of protection.

In response to recommendation 56 of the first report, the Bill amends the principles for administering the *Domestic and Family Violence Protection Act 2012* (DFVP Act), making it clear that the person who is most in need of protection in the relationship must be identified, and only one domestic violence order should be in force unless there are exceptional circumstances and clear evidence that each person in the relationship is in need of protection from the other.

The Bill also strengthens the court’s response to cross applications and the making of cross orders against victims of domestic and family violence (DFV) by:

- a. requiring applications and cross applications to be heard together;
- b. requiring the court to consider whether to make arrangements for the safety, protection or wellbeing of the person most in need of protection;
- c. requiring the court to identify the person most in need of protection in the context of the relationship as a whole; and
- d. only allowing the court to make one order to protect the person most in need of protection, unless there are exceptional circumstances, where there is clear evidence that each of the parties in the relationship are in need of protection from each other.

The Bill also provides legislative guidance to magistrates in determining the person most in need of protection. This legislative guidance is included as a definition within the DFVP Act and was developed from the recommendations and

comments of the Domestic and Family Violence Death Review and Advisory Board and through consultation with DFV stakeholders. Magistrates will receive professional development on the legislative guidance and 'the person most in need of protection' at the Annual Magistrates Conference scheduled for May 2023.

The Queensland Police Service has addressed this recommendation through the development and implementation of a dedicated online training product on coercive control rolled out in 2021-22. The training focuses heavily on providing guidance to Queensland Police Service members regarding the accurate identification of the person most in need of protection in situations where there are mutual allegations of violence. The training product is a mandatory requirement for completion by all Queensland Police Service members.

Roll out of a three-day face-to-face *DFV: Holistic Approach* course commenced state-wide from August 2022. The course content has been informed by internal and external reviews of domestic and family violence policing practices, policies, and procedures, and includes a strong focus on cultural enhancement along with a focus on a holistic investigation to accurately identify the person most in need of protection. The course is being completed by all police officers up to and including the rank of Superintendent, and civilian employees who have contact with members of the public. This course utilises de-identified case studies, lived experiences and body worn camera footage recordings to support deeper learning of the aspects of culture that impact on the policing of domestic and family violence incidents broadly and focus on recognition and response to coercive control and patterned approaches employed by perpetrators.

Implementation activities will now occur in preparation for commencement of the Bill as passed, including training for police, lawyers and court staff, professional development for judicial officers, system changes, updating of forms, policies and procedures, court rules and judicial bench books. The *Domestic and Family Violence Protection Act 2012* Benchbook will be updated following commencement of the legislation.

The Queensland Police Service will continue to develop training and education products in line with these principals to support the accurate identification of the person most in need of protection. The Queensland Police Service will continue to engage and consult with Department of Justice and Attorney-General to support legislative amendments to strengthen existing provisions, including in-field access to guide and support decision-making to identify the person most in need of protection in line with legislation.

**As at 30 June 2023 the Attorney – General and Minister for Justice, Minister for the Prevention of Domestic and Family Violence and the Queensland Police Service responded:**

	<p>The <i>Domestic and Family Violence Protection (Combating Coercive Control) and Other Legislation Amendment Act 2023</i> (DFVP (CCC) Act) was passed on 22 February 2023 and will commence in the second half of 2023. The DFVP (CCC) Act strengthens existing laws to address the patterned nature of coercive control. Amendments to the Domestic and Family Violence Protection Act 2012 (DFVP Act) require the person most in need of protection in the relationship to be identified and only one domestic violence order should be in force unless there are exceptional circumstances and clear evidence that each person in the relationship is in need of protection from the other. New section s22A of the DFVP Act provides legislative guidance to magistrates in determining the person most in need of protection in a relevant relationship.</p> <p>The new laws strengthens the court’s response to cross applications and the making of cross orders by requiring cross applications (an application by each party) to be heard together and requiring the court to consider whether arrangements are necessary for the safety, protection, or wellbeing of the person most in need of protection (for example, allowing the person most in need of protection to give evidence outside the courtroom).</p> <p>Activities to give effect to the new laws are being progressively rolled out in the lead up to commencement. This includes training for police, lawyers and court staff, professional development for judicial officers, system changes, and updating of forms, policies and procedures, court rules, and judicial bench books.</p>
--	---

**Recommendation 3**

That the Queensland Government explore the development of an approach to triage and case management for domestic and family violence cases before the Magistrates and District Courts to identify those that are complex, high risk or that involve cross applications for protection orders. This should seek to ensure that all relevant evidence is available to inform judicial decision-making, beyond the information gathered by police at scene at a point of crisis.

This approach should focus on identifying all relevant information and enable the gathering of additional information where gaps are identified to support judicial decision-making. It should also take into account what is known about systems abuse, and the inherent disadvantage that many victims of domestic and family violence face in their interactions with the justice system as well as existing models operating in other jurisdictions or courts.

Department of Attorney – General  
  
Queensland Police Service

The recommendation is accepted.  
The Queensland Government’s response to this recommendation is in progress.  
  
As at 31 December 2022 the Attorney – General and Minister for Justice, Minister for the Prevention of Domestic and Family Violence, and Leader of the House and the Queensland Police Service responded:  
  
Multiple recommendations of the Women’s Safety and Justice Taskforce – *Hear Her Voice Report One* intersect with the intent of the Domestic and Family Violence Death Review and Advisory Board’s recommendation, including:

- roll-out of additional High-Risk Teams (Recommendation 18);
- review of the DFV Information Sharing Guidelines (Recommendation 20);
- promoting the use of the Common Risk and Safety Framework (CRASF) or aligned risk assessment tools to improve Queensland’s approach to recognising, assessing, and responding to DFV and coercive control (Recommendation 21);
- implementing a whole-of-government education and training framework (Recommendation 23);
- development and implementation of a Statewide Court DFV Safety Plan (Recommendation 49); and
- development of a trauma-informed and intersectional strategy for Court Services Queensland and Community Justice Services (Recommendation 51).

Further recommendations related to legislative reform are also important for exploring a triage and case management model for Magistrate and District Courts.

Development of a research paper exploring best practice in domestic and family violence risk triage and case management within the court system has commenced. Findings of this research paper will inform an options paper. Early consultation with key stakeholders including the Federal Circuit and Family Court of Australia on the Lighthouse Model identified during initial research has commenced and will help to inform the options paper.

The DFV Live List project has commenced and aims to develop and implement a custom application (app) to manage the safe and timely coordination of services to parties attending court for DFV matters. The DFV live List solution will be enterprise wide using contemporary technology products to deliver a robust, efficient, consistent, and secure solution. DFV Live List solution (Phase 1) will be deployed into Beenleigh Magistrate’s Court by July 2023.

	<p>In response to recommendations in the Taskforce's first report, the <i>Domestic and Family Violence Protection (Combatting Coercive Control) and Other Legislation Amendment Bill 2022</i> (DFVP Bill) as passed includes amendments in relation to criminal and domestic violence histories to support judicial decision-making.</p> <p>The Bill as passed includes a requirement for a respondent's criminal and domestic violence histories to be provided to the courts to help determine the risk to the aggrieved and whether to make a protection order; and to assist in best tailoring the conditions of the order to keep the victim safe. The Bill as passed provides that the court must consider the respondent's criminal and/or domestic violence history when making a protection order. The court may consider the respondent's criminal and/or domestic violence history when making a temporary protection order, when making or varying a domestic violence order by consent or when varying a domestic violence order if the court thinks it is relevant to do so.</p> <p>The Bill as passed also amends the <i>Penalties and Sentences Act 1992</i> to provide that the history of domestic violence orders made or issued against an offender, other than orders made or issued when the offender was a child, may be considered by a sentencing court when determining an offender's character.</p> <p>Implementation activities will now occur in preparation for commencement of the Bill as passed, including training for police, lawyers and court staff, professional development for judicial officers, system changes, updating of forms, policies and procedures, court rules and judicial bench books. The <i>Domestic and Family Violence Protection Act 2012</i> Benchbook will be updated following commencement of the legislation.</p> <p>The DFV Live List project has commenced and aims to develop and implement a solution to manage the safe and timely coordination of services to parties attending court for DFV matters.</p> <p><b>As at 30 June 2023 the Attorney – General and Minister for Justice, Minister for the Prevention of Domestic and Family Violence and the Queensland Police Service responded:</b></p> <p>The first key milestone in progressing this recommendation has been completed, with a research paper developed on best practice in domestic and family violence risk triage and case management within the court system.</p>
--	--

	<p>DJAG will continue to progress implementation of the following recommendations of the Women’s Safety and Justice Taskforce that support the intent of this recommendation with consultation with the Chief Magistrate and Chief Justice on potential options for implementing a case management and risk triage approach within Courts:</p> <ul style="list-style-type: none"><li>- roll-out of additional High-Risk Teams (Recommendation 18);</li><li>- review of the DFV Information Sharing Guidelines (Recommendation 20);</li><li>- promoting the use of the Common Risk and Safety Framework (CRASF) or aligned risk assessment tools to improve Queensland’s approach to recognising, assessing, and responding to DFV and coercive control (Recommendation 21);</li><li>- implementing a whole-of-government education and training framework (Recommendation 23);</li><li>- development and implementation of a Statewide Court DFV Safety Plan (Recommendation 49); and</li></ul> <p>development of a trauma-informed and intersectional strategy for Court Services Queensland and Community Justice Services (Recommendation 51).</p>
--	---

<p><b>Recommendation 4</b></p> <p>That the Queensland Government trial and evaluate the use of the Domestic and Family Violence Capability Assessment Tool for Alcohol and Other Drug Settings in alcohol and other drug treatment and harm reduction services in multiple trial sites across Queensland.</p> <p>This should include both government and non-government organisations with input from the peak body for alcohol and other drug services and domestic and family violence services within the trial sites.</p>	<p>Queensland Health</p> <p>Department of Justice and Attorney – General</p>	<p>The recommendation is accepted in principle.</p> <p>The Queensland Government’s response to this recommendation is in progress.</p> <p>As at 31 December 2022 the Attorney – General and Minister for Justice, Minister for the Prevention of Domestic and Family Violence, and Leader of the House and the Minister for Health, Mental Health and Ambulance Services and Minister for Women responded:</p> <p>Queensland Health has commenced engagement and consultation with the Queensland Network of Alcohol and Other Drug Agencies to develop a strategy to trial and evaluate the use of the <i>Domestic and Family Violence Capability Assessment Tool for Alcohol and Other Drug Settings</i> in Queensland Health delivered and funded alcohol and drug treatment and harm reduction services. The agencies continue to meet regularly to progress this work.</p> <p>Queensland Health and Queensland Network of Alcohol and Other Drug Agencies will finalise a strategy to trial and evaluate the use of the <i>Domestic and Family Violence Capability Assessment Tool for Alcohol and Other Drug Settings</i> and will identify government and non-government organisations to participate in the trial. Once this process is complete implementation of the trial will commence.</p>
---	--	---



<p><b>Recommendation 5</b></p> <p>That the Queensland Government commit to designing a model for a peak body for domestic and family violence services to further the objective of increased integration and workforce development, undertake broader sector advocacy, and support the successful implementation of government policies and reforms.</p>	<p>Department of Justice and Attorney – General</p>	<p>The recommendation is accepted.</p> <p>The Queensland Government’s response to this recommendation is in progress.</p> <p>As at 31 December 2022 the Attorney – General and Minister for Justice, Minister for the Prevention of Domestic and Family Violence, and Leader of the House responded:</p> <p>In response to this recommendation, the Department of Justice and Attorney-General (DJAG) has undertaken staged consultation with the specialist domestic and family violence service (DFV) sector to inform procurement of a fit-for-purpose peak body.</p> <p>A Request for Quote and Evaluation Plan to engage a facilitator to undertake consultations with existing networks on the organisational model of an integrated DFV peak body was released to market on 21 December 2022.</p> <p>Consultation with existing networks and interjurisdictional scanning will be completed in early 2023 to assist in the development of a proposed operating model for the peak body.</p> <p>The operating model requirements – as informed by the consultation- will be released as part of the procurement processes for the peak in the second half of 2023. DJAG is working with the DFV sector to support them to participate in reform activities until the Peak is established.</p>
--	---	---

**Recommendation 6**

That the Queensland Government explore trauma informed options to improve the accessibility, availability and acceptability of longer- term supports for victims and their children beyond the point of crisis to support them to rebuild their lives. There should also be consideration of the longer-term support needs of perpetrators of domestic and family violence to embed ongoing behavioural change and improve protective outcomes for victims and their children.

Department of Justice and Attorney – General  
Department of Children Youth Justice and Multicultural Affairs  
Queensland Corrective Services

The recommendation is accepted.  
The Queensland Government’s response to this recommendation is in progress.  
  
As at 31 December 2022 the Attorney – General and Minister for Justice, Minister for the Prevention of Domestic and Family Violence, and Leader of the House, Minister for Fire and Disaster Recovery and Minister Corrective Services and the Department of Child Safety, Seniors and Disability Services responded:  
  
The accessibility and availability of longer-term supports for victim-survivors of domestic and family violence is being considered as part of the Government response to recommendation 13 of the Women’s Safety and Justice Taskforce (WSJT) Hear Her Voice - Report One (development of a whole-of-government domestic and family violence service system strategic investment plan). The five-year investment plan is being developed in consultation with other Queensland Government agencies and informed by a refreshed audit of domestic and family violence services and supports funded across the Queensland Government.  
  
Implementing this recommendation in relation to perpetrators aligns with the Government’s response to recommendations 25 to 28 of the WSJT Report One, including the implementation of a network of perpetrator responses. As part of implementing these reforms, and to further build our understanding of what works for perpetrator intervention and how best to ensure safety for victim-survivors, work is underway to implement a number of trials.  
  
Through the development of the five-year investment plan, DJAG will continue to work with the sector to explore service delivery models and ways that the Queensland Government can contribute to further building the capacity and capability of the sector, including to meet the longer term needs of victim-survivors of DFV. Perpetrator intervention trials will be evaluated and will inform the design of a statewide perpetrator network and development of a perpetrator risk continuum.