

# DFV NEWSLETTER

FROM THE CHIEF MAGISTRATE'S OFFICE



NOVEMBER 2025



## In This Issue

- News
- Upcoming events
- Reports & articles
- Practice directions
- Legislation updates
- Forms
- Case law updates

## News

- A [review into DVConnect](#) was commenced in December 2024 following reports of unanswered calls and delays from those in domestic and family violence crisis. The review identified that, at its lowest, the service was only answering calls to its WomensLine 41.9% of the time. Almost four times as many people also abandoned calls to DVConnect between July 2023 and March 2025. The service has since improved following intervention with DVConnect – between April and June 2025, the WomensLine response rate has increase to 74%. The Government has also committed to opening a new 24/7 crisis line in North Queensland to be delivered by July 2026.
- The [Beaudesert Magistrates Court](#) building at 29a Anna Street, Beaudesert was officially opened on 17 September 2025. Amongst other things, the new facility features a security checkpoint and dedicated safe spaces for victims of domestic and family violence with direct access to courtrooms and dedicated video conferencing facilities.
- The [Office of the Victims' Commissioner](#) is reviewing the [Charter of Victims' Rights](#) to assess how well it meets the diverse needs of victims of crime in Queensland. The second consultation paper will be released in January 2026. The Commissioner will provide a report to the Minister by December 2026.
- The [Office of the Director of Public Prosecutions \(Queensland\)](#) released a new website in September 2025. Amongst other things, additional information regarding the [victim liaison service](#), [victim's rights](#), [support services](#), [special witness provisions](#) and [victim impact statements](#) has been published.

- The [Victorian Law Reform Commission](#) are currently considering whether reforms are needed in Victoria to ensure that children continue to have the protection of a Family Violence Intervention Order when they turn 18, unless the orders are varied, revoked, or discharged. The Commission has prepared an [Issues Paper](#) as part of the first stage.
- New statistics from the [Queensland Family and Child Commission](#) revealed 500 calls for domestic and family violence assistance are made each day in Queensland. This represents one in every eight calls made to police.
- Recent data released by the [Australian Bureau of Statistics](#) identified an increase in victims of domestic and family violence homicides Australia wide in 2024 (175 victims) compared to the previous year (161 victims). Domestic and family homicides comprised of 39% of all recorded homicides in 2024.
- A [recent report](#) commissioned by Step Steps, Victoria’s domestic violence crisis line, has found that the family violence system in Victoria remains predominantly adult-centred and failed to recognise young people as victim-survivors in their own right.

## Upcoming Events

<p>6 Nov</p>	<p><b><a href="#">Sentencing of Sexual Violence Offences: Competing Interests of Justice</a></b>            Michael Whincop Memorial Lecture            6 November 2025, 5:30pm            Banco Court, QEII Courts Building, 415 George Street</p> <p>Sentencing of sexual violence offences has in recent times attracted growing attention. This lecture from Professor Elena Marchetti of Griffith University will discuss competing interests of justice in this space, focusing on recent Australian reviews of sentencing of sexual violence offences and proposed government reforms.</p>
<p>7 Nov</p>	<p><b><a href="#">Immigration Law - Accessing the Family Violence Provisions</a></b>            In Touch            7 November or 19 December 2025, 10am - 11am (AEDT)            Online</p> <p>This session explores how the family violence provisions in the Migration Act can be accessed, provides information on legal protections available for individuals on temporary partner visas and how family violence can impact their immigration status.</p>
<p>25 &amp; 26 Nov</p>	<p><b><a href="#">South West Domestic and Family Violence Forum</a></b>            25 &amp; 26 November 2025            Charleville Racecourse Complex</p> <p>The forum will bring together a diverse group of professionals from across the South West DFV community services and broader stakeholders to share knowledge and experience, as well as collaborate to address the unique challenges facing rural and remote communities. The forum will focus on health &amp; DFV support services, education and broader DFV stakeholders in the legal space.</p>

## Reports & Articles

### [Legal Aid Queensland Annual Report \(24/25\)](#)

Legal Aid Queensland  
September 2025

In 2024-25, duty lawyers in the Specialist Domestic and Family Violence Courts assisted 16,435 people appearing before the court for civil domestic and family violence matters. Legal Aid further operated domestic and family violence duty lawyer services in 24 other court locations around Queensland.

### [The Use of Intimate Partner Violence Among Australian Men](#)

Australian Institute of Family Studies  
June 2025

This research explores the use of intimate partner violence amongst Australian men, including factors that may reduce the likelihood of such behaviours. A public health approach is taken that considers the power of improving men's health and wellbeing in relation to preventing intimate partner violence.

### [Domestic Violence and the Role of Imprisonment as a Response: Men's Post-Conviction Talk about Strangling Women](#)

Current Issues in Criminal Justice  
June 2025

This article considers how men imprisoned for non-fatal strangulation, a serious domestic violence offence, describe their acts, conviction, and imprisonment in Queensland.

### [Queensland Police Service Annual Report \(24/25\)](#)

Queensland Police Service  
September 2025

The report outlines new initiatives commenced by the QPS Domestic, Family Violence and Vulnerable Persons Command, additional DFV training for prosecutors, embedded DFV specialist practitioners at QPS stations

## Practice Directions

### [Practice Direction No 1 of 2025 \(Amended\)](#)

This amended Practice Direction supports legislative amendments from the [Criminal Justice Legislation \(Sexual Violence and Other Matters\) Amendment Act 2024](#).

Amendments have been made to Paragraphs 25, 27 & 28 of the Practice Direction.

## Forms

As a result of amendments to the [Oaths Act 1867](#) by the [Justice and Other Legislation Act 2023](#), several forms have been updated on the Queensland Courts website:

- [Form DV01](#) – Application for a protection order
- [Form DV04](#) – Application to vary a domestic violence order
- [Form DV4A](#) – Application to vary a recognised interstate order
- [Form DV09](#) – Application to vary or revoke an intervention order
- [Form DV14A](#) – Application to register New Zealand order in Queensland
- [Form DV16](#) – Application to vary or revoke the registration of interstate order
- [Form DV16A](#) – Application to vary or revoke the registration of New Zealand order
- [Form DV21](#) – Affidavit of person service
- [Form DV25](#) – Affidavit
- [Form DV35](#) – Application for declaration of a DVO to be a recognised interstate order
- [Form DV38](#) – Application for substituted service order
- [Form DV39](#) – Affidavit of attempted personal service
- [BA11](#) – Affidavit of justification

# Legislation Updates

## [Penalties and Sentences \(Sexual Offences\) and Other Legislation Act 2025](#)

The [Penalties and Sentences \(Sexual Offences\) and Other Legislation Act 2025](#) was passed by Parliament on 17 September 2025.

Relevant amendments to the [Penalties and Sentences Act 1992](#) commenced on **1 November 2025** and include:

- Expanding the purpose of sentencing to include recognising the harm done by the offender to a victim of the offence ([s9\(1\)\(ca\)](#)).
- Introducing a statutory aggravating factor for sentencing offenders who are convicted of sexual assault or rape against children aged 16 or 17 years ([s9BA](#)).
- Qualifying the use of good character evidence in sentencing of persons convicted of sexual offences ([s9\(3A\)-3\(D\)](#), ([6A](#)) and ([7AA](#))).
- Clarifying that no inference may be made by the court about harm caused to a victim by an offence from the fact that a victim impact statement was not given ([s179K\(5\)](#)).

## [Evidence Amendment Regulation \(No 2\) 2025](#)

The [Evidence Amendment Regulation \(No 2\) 2025](#) was approved by Her Excellency the Governor to commence on 20 September 2025.

This regulation amends the [Evidence Regulation 2017](#) to, amongst other things, expand the pilot of the sexual offence expert evidence panel to the Childrens Court in existing pilot locations to enable panel members to give evidence about the nature of sexual offences and factors that might affect the behaviour of victims in sexual offence criminal proceedings.

For further information about the Sexual Offence Expert Evidence Panel, Magistrates may review the training presentation by the Expert Evidence Program Team given in October 2025.

## [Domestic and Family Violence Protection and Other Legislation Amendment Act 2025](#)

The [Domestic and Family Violence Protection and Other Legislation Amendment Act 2025](#) was passed by Parliament on 28 August 2025.

Relevant amendments to the Domestic and Family Violence Protection Act 2012 (DFVPA) which commenced on **1 October 2025** include:

- An [electronic monitoring pilot](#) for high risk DFV perpetrators in the initial pilot locations of Townsville and Caboolture Magistrates Court areas who are in custody.
- Technical amendments to the DFVPA as to the maintenance of the [Approved Provider List](#).

The amendments are complemented by the [Domestic and Family Violence Protection Amendment Rules 2025](#) which prescribes the locations and other eligibility conditions for the initial pilot.

The DFV Bench Form for Magistrates has been updated to account for the new electronic monitoring device conditions.

Relevant amendments to the DFVPA and the [Evidence Act 1977](#) which will commence on **1 January 2026** include:

- The introduction of Police Protection Directions (PPDs) to enable a police officer, in certain circumstances, to administratively issue a 12-month protection direction without filing an application for a proceeding with the court. There are provisions which allow parties to apply for a review of the PPD to both the Commissioner of Police and the Magistrates Court.
- Simplification and expansion of the Video Recorded Evidence in Chief (VREC) framework statewide to support complainants in prosecutions for DFV offences.
- Clarification that a VREC statement can be considered in civil proceedings under the DFVPA.

## [R v Sturgess \[2025\] QCA 150](#)

Flanagan & Brown JJA & Ryan J  
19 August 2025

The appellant was convicted of the murder of his estranged wife. He admitted that he struck her in the back of the head with a sledgehammer. The question for the jury was whether the appellant intended to kill or cause grievous bodily harm to the deceased. One ground of appeal related to the admission of evidence of prior violence against the deceased and the use of that evidence by the prosecutor to suggest murderous intent. The Court of Appeal held that the evidence of prior domestic violence was correctly admitted as background. The appeal against conviction was dismissed.

## [RJL v MCP \[2025\] QDC 117](#)

Kefford DCJ  
22 August 2025

In this case, Kefford DCJ considered an appeal against the refusal of a Magistrate to make a protection order in favour of the appellant. The respondent is a lawyer, and the appellant was a former client of his legal firm. At the contested hearing, the respondent denied any sexual or romantic relationship with the appellant. The Magistrate ultimately found that there was no relevant relationship between the parties as defined in s13 DFVPA. Kefford DCJ held that, whilst the appellant honestly and genuinely believed she was in an intimate relationship with the respondent, the evidence was not sufficient to establish on the balance of probabilities that there was a relevant relationship. The appeal was dismissed.

## [GSX v NJP & Anor \[2025\] QDC 122](#)

Grigg DCJ  
1 September 2025

Grigg DCJ considered an appeal from cross applications for domestic violence protection orders. The Magistrate had dismissed the appellant's application while granting the respondent's application. On appeal, Grigg DCJ rejected the appellant's claim of bias but found that the Magistrate erred in failing to treat certain conduct by the respondent, such as a unilateral breach of parenting orders, blocking the appellant's vehicle in a car park and other intimating behaviour, as domestic violence within the meaning of the DFVPA. The decision to dismiss the appellant's application was set aside and the matter remitted for hearing before a different Magistrate, with each party to bear their own costs.

## [BJR v BF \[2025\] QDC 131](#)

Loury KC DCJ  
18 September 2025

In this decision, Loury KC DCJ set aside a protection order made in the Atherton Magistrates Court. The Magistrate had listed the matter for mention only but proceeded to make a final order in the appellant's absence, without reason and without considering an earlier protection order made in the appellant's favour in the Gympie Magistrates Court as required by law. Her Honour found that there had been a denial of procedural fairness to the appellant and an error of law in not providing reasons or considering the merits of the case. The appeal was allowed, the protection order set aside and remitted for hearing before a different Magistrate.

## [MZR v Commissioner of Police \[2025\] QDC 132](#)

Dearden DCJ  
19 September 2025

The District Court allowed an appeal against conviction for contravening a domestic violence order. The prosecution had alleged that the appellant breached the order by sending an email to the aggrieved. The appellant argued that his solicitor advocate failed to properly put his case to a key witness that she had sent the offending email without his knowledge or consent. Dearden DCJ held that this omission breached the rule in *Browne v Dunn*, denying the appellant a fair opportunity to challenge her credibility. New evidence, including a statutory declaration from a counsellor confirming the witnesses' prior admission, was admitted. The appeal was allowed, the conviction set aside and the matter remitted for retrial before a different magistrate.

## [BEV v Commissioner of Police \[2025\] QCA 182](#)

Bond & Brown JJA & Williams J  
26 September 2025

The applicant sought leave to appeal against his sentence of two months imprisonment, with 67 days' time served, for contravening a domestic violence order. He argued that imprisonment and the resultant mandatory recording of a conviction were manifestly excessive. The Court of Appeal refused leave, finding that the District Court had properly exercised its sentencing discretion given the applicant's repeated breaches of the order, his offending while on probation and community service orders and the seriousness of the domestic violence offences. Attempts to rely on new psychological evidence and technical arguments about notice of prior convictions were rejected, as the appeal was strictly confined to the material before the District Court. The application was dismissed.

## [R v MEQ \[2025\] QCA 186](#)

Bowskill CJ, Bond JA & Doyle JA  
8 October 2025

The Court of Appeal dismissed an appeal against conviction for four counts of rape and one count of indecent treatment of a child under 12, committed by the appeal against his daughter. The complainant was aged between five and eight years old at the time. The complainant did not disclose the offending until approximately 12 months after it ended. The complainant's evidence was that she was scared of the appellant and therefore did not say anything earlier. The appeal alleged a miscarriage of justice due to the trial judge's failure to direct the jury that delayed complaint was relevant to the complainant's credibility. The Court held that s103ZZ(2)(c) of the *Evidence Act 1977* does not impose a mandatory obligation to give such a direction unless sufficient evidence justifies it, and that the trial judge's directions complied with statutory requirements under ss103ZZ(2)(a), (b) and 103ZZB. The Court found no error and dismissed the appeal.

## Quick Links

- [Earlier editions of DFV Newsletter](#)
- [Domestic and Family Violence Protection Act 2012 Benchbook - October 2025](#)
- [National Domestic and Family Violence Benchbook - June 2023](#)
- [Domestic and Family Violence Protection Act 2012](#)
- [Domestic and Family Violence Protection Rules 2014](#)
- [JVL Domestic Violence Material](#) \*
- [DFV Resources, Magistrates Intranet](#) \*
- [QSIIS sentencing data](#) search page (search DFVP Act) \*
- [Queensland Judgments](#) – Online search page \*
- [Women's Safety and Justice Taskforce](#)

\* NB - Links to pages on the Magistrates Intranet are not publicly accessible.