

# DFV NEWSLETTER

FROM THE CHIEF MAGISTRATE'S OFFICE



FEBRUARY 2026



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## News

- The Australian Communications and Media Authority has introduced the [Domestic, Family and Sexual Violence Consumer Protection Industry Standard 2025](#). From July 2025, telecommunications providers must reverse disconnections or suspensions for customers affected by domestic and family violence. Full obligations will apply to large providers from 1 January 2026 and to smaller providers by 1 April 2026. This ensures safer, more reliable services for victim survivors, reducing the risk of isolation or financial harm when phone and/or internet access is disrupted.
- From 31 January 2026, the [DFV Electronic Monitoring Pilot](#), currently operating in Townsville and Caboolture has been expanded to include respondents who are not in custody and those involved in private applications. Under the pilot, courts may order a respondent be fitted with an electronic monitoring device, worn on the ankle, which monitors their location to ensure compliance with protection order conditions.
- The Office of the Director of Public Prosecutions has launched a new portal allowing victims of crime to access up to date information about cases handled by the office. The new system is available 24/7 and provides details such as upcoming court events and outcomes. In addition, the new [Victim Liaison Service contact centre](#) (1800 845 110) operates between 7am and 8pm on weekdays.
- The [Commonwealth House of Representatives Standing Committee on Social Policy and Legal Affairs](#) has established a new inquiry into the relationship between domestic, family and sexual violence (DFSV) victimisation and suicide, and into how Australian governments can ensure the DFSV death toll is accurately recorded.

- The [Queensland Government](#) will commission a study by [Australia's National Research Organisation for Women's Safety \(ANROWS\)](#) on misidentification in DFV settings. The study is intended to provide the government with an evidence-based understanding of the issue which was identified during the committee process for the introduction of Police Protection Directions.
- The [Queensland Government](#) has committed funding for an upgrade to the Maroochydore Courthouse. The works will include construction of a new safe room with direct access to a courtroom, as well as security upgrades to the courthouse entry.
- The [Queensland Law Reform Commission \(QLRC\)](#) is conducting a review of the scope, operation and suitability of the [Evidence Act Law 1977 \(Qld\)](#). The QLRC has been asked to consider the need to modernise and simplify the legislation without diminishing existing rights or safeguards. The review will examine areas of law including the hearsay rule, the opinion rule, the examination, cross examination and re-examination of witnesses, the admissibility of statements and representations and the tendency and coincidence rule. The review commenced in December 2025, with the final report and recommendations due to be provided to the Attorney-General by 1 December 2027.

## Upcoming Events

|                        |  |
|------------------------|--|
| <p>22<br/>March</p>    | <p style="text-align: center;"><b><u><a href="#">Understanding Pathways to Safety: Brisbane DFV Forum 2026</a></u></b><br/>5 May 2026<br/>Brisbane Convention &amp; Exhibition Centre</p> <p>This one-day forum aims to enhance participants' knowledge of, and engagement with, the domestic and family violence services and programs across the Brisbane region. The agenda will feature short service presentations, keynote speakers, and a series of specialist workshop sessions exploring key topics in domestic and family violence including perpetrator intervention, violence prevention and recovery for young people, centering lived experience, and the gendered drivers of violence in First Nations communities.</p> |
| <p>20 - 21<br/>May</p> | <p style="text-align: center;"><b><u><a href="#">Queensland Indigenous Family Violence Prevention Forum</a></u></b><br/>20 &amp; 21 May 2026<br/>Mackay Entertainment &amp; Convention Centre</p> <p>The Queensland Indigenous Family Violence Prevention Forum has been held for over 20 years. The Forum provides an opportunity for services and organisations supporting Aboriginal and Torres Strait Islander people experiencing domestic, family, and sexual violence to share knowledge, exchange best practice and promote improved service delivery.</p>   |
| <p>28 - 29<br/>May</p> | <p style="text-align: center;"><b><u><a href="#">Darkness to Daylight Challenge Run 2026</a></u></b><br/>28 - 29 May 2026<br/>Brisbane Parliament House Grounds,</p> <p>This event raises vital funds for frontline DFV services and awareness across Queensland. It includes a 110km overnight walk/run, symbolising the lives lost to DFV each year, as well as a 10km run and a 3km walk on the morning of 29 May 2026.</p>   |

# Legislation Update

## **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.

Key amendments to the [Domestic & Family Violence Protection Act 2012](#) and [Evidence Act 1977](#), which commenced on 1 January 2026, include:

- The introduction of [Police Protection Directions \(PPDs\)](#), enabling a police officer, in certain circumstances, to administratively issue a 12-month protection direction without filing a court application.
- New provisions allow parties to apply for a review of the PPD to both the Commissioner of Police and the Magistrates Court.
- A new offence of [contravening a PPD \(s177A\)](#) has been added to the DFVPA, carrying a maximum penalty of 120 penalty units or three years imprisonment.
- Simplification and expansion of the Video Recorded Evidence in Chief (VREC) framework statewide to support complainants in DFV prosecutions
- Clarification that a VREC statement can be considered in civil proceedings under the DFVPA.

The [Domestic and Family Violence Benchbook](#) and [Criminal Law Benchbook](#) will be updated to reflect these amendments.

Additional bench forms and guidance will be provided to assist Magistrates with applications for reviews of PPDs.

# DFV Prevention Month

Each May, Queensland observes Domestic and Family Violence Prevention Month to raise community awareness and send a clear message that DFV in families and homes will not be tolerated.

The theme for 2026 is "Together Queenslanders can prevent domestic and family violence." A list of DFV Prevention Month events can be found on the [Queensland Government website](#).

## New Forms

The following new forms and guides for reviewing a Police Protection Direction have been created for public use and are now available on the Queensland Courts website:

- [Form DV59A](#) – Application for a Court Review of PPD
- [Form DV59B](#) – PPD- Respondent Application for Protection Order
- [Guide DV59C](#) – Guide to Completing an Application for Court Review of a PPD

A template order (**Form DV60** – Order on Application for Court Review of a Police Protection Direction) has also been created for use by Magistrates.

Amendments have also been made to the following existing forms and guides:

- [Form DV01](#) – Application for a Protection Order
- [Guide DV01A](#) – Guide to Completing an Application for Protection Order
- [Form DV4](#) – Application to Vary a Protection Order
- [Form DV4A](#) – Application to Vary a Recognised Interstate Order
- [Form DV14A](#) – Application to Register New Zealand Order in Queensland
- [Form DV01C](#) – Confidential Contact Details Form
- [Form DV21A](#) – Statement of Police Service
- [Form DV21B](#) – Corrective Service Statement of Service

# Articles & Reports

## [Domestic and Family Violence Death Review and Advisory Board Annual Report 2024-25](#)

September 2025

This report outlines the activities undertaken by the Domestic and Family Violence Death Review and Advisory Board for the year ending 30 June 2025 in fulfilling its legislative functions. It includes a review of DFV-related homicides involving wilful fire setting and a general analysis of DFV-related homicides between July 2020 and June 2025.

## [Office of the Director of Public Prosecutions Annual Report 2024-25](#)

December 2025

The report notes a substantial increase in matters received by the ODPP during 2024-25. The office received 72,023 charges for consideration, 19% above the five year average. Over this period, the offence of choking, suffocation or strangulation has seen an average annual increase of nearly 18%. The overall conviction rate for 2024-25 remained high at 90.1%

## [Victim-survivors' reflections on best practice in restorative justice for domestic, family and sexual violence](#)

Australian Institute of Criminology  
October 2025

This study addresses the gap in knowledge regarding the design and implementation of restorative justice programs for domestic and family violence offending. Victim survivors interviewed for this report identified the convener's skills and expertise, program flexibility and a sense of support in addressing diverse justice needs as critical to effective restorative justice in this context.

## [Prioritising Privacy to Keep Victims Safe: Review of the Queensland Police Service](#)

Office of the Information Commissioner  
December 2025

The Office of the Information Commissioner reviewed the Queensland Police Service's handling of personal information of domestic and family violence victim survivors, including the disclosure of this information to offenders.

## [Inquest into the Deaths of Lizzie Reuben and Isei Navutovuto](#)

Coroners Court of Queensland  
November 2025

This inquest examined the long history of domestic violence between Lizzie Reuben and Isei Navutovuto, the response by the Queensland Police Service (QPS) and Queensland Ambulance Service to a welfare check, and a subsequent fire at their home in Ayr that led to their deaths. The inquest found that the QPS response was "less than optimal," highlighted a systemic reluctance by victims and families to disclose threats, and noted that the QPS has since implemented extensive DFV training reforms.

## [Domestic, Family and Sexual Violence Commission Yearly Report](#)

Australian Government  
October 2025

This second annual report to Parliament provides 30 recommendations for priority activities over the next 12 months to support the outcomes of the [National Plan to End Violence Against Women and Children 2022-2032](#).

## [Harm in the Name of Safety](#)

RMIT University & Beyond Survival  
August 2025

This research draws on evidence from 225 Victorian frontline workers about their experiences of police responses to family violence. It concludes that alternative, community-based response pathways for victim-survivors of domestic and family violence are urgently needed.

## [Aboriginal Women Sharing Their Work: Conversations Inside a Women's Domestic and Family Violence Shelter](#)

Australian Social Work  
September 2025

The article suggests that culturally grounded practices and identities are critical in supporting Aboriginal women experiencing domestic and family violence. It highlights the need to recognise and strengthen Aboriginal workforce contributions within DFV service settings as part of more effective and culturally safe responses

## **[CHE v Commissioner of Police \[2023\] QDC 265](#)**

Kent KC DCJ

31 March 2023 (published on 14 November 2025)

The District Court dismissed the appellant's appeal against his conviction for contravening a domestic violence order after he forcefully grabbed his 14-year-old daughter's arm, causing bruising. The Magistrate rejected the defence of reasonable domestic discipline, finding that the appellant acted in anger rather than in correction.

The District Court held that the verdict was open on the evidence and was not unreasonable. The appellant's additional ground of appeal, that his trial was unfair because his lawyer allegedly promised a "fresh trial" if acquittal failed, was also rejected. Kent KC DCJ accepted the solicitor's evidence that only appeal rights were explained, supported by contemporaneous written instructions showing that the appellant freely chose not to give or call evidence.

Ultimately, no legal or factual error was established, and the appeal was dismissed.

## **[Yeuell v Yeuell \[2025\] QDC 164](#)**

Porter KC DCJ

25 September 2025 (*ex tempore*)

The applicant appealed against the dismissal of his protection order application for non-appearance and the associated costs order. Porter KC DCJ found that the Magistrate erred in awarding costs, as [section 157 of the DFVPA](#) only permits costs in limited circumstances, which did not apply in this case.

However, there is no statutory right of appeal against a dismissal for non-appearance under [section 38\(2\)\(c\) of the DFVPA](#), meaning the costs order could not be appealed independently. His Honour noted that, while the order was made without jurisdiction, any challenge would need to be pursued in the Supreme Court by way of judicial review.

Ultimately, the appeal was dismissed, with no order as to costs.

## **[XKP v Queensland Police Service \[2025\] QDC 152](#)**

Grigg DCJ

24 October 2025

The District Court allowed an appeal against a conviction for breaching a domestic violence order. The alleged offending involved an email sent to the aggrieved that fell outside the permitted contact conditions. Grigg DCJ found procedural unfairness due to late and insufficient particulars provided by the prosecution, the denial of an adjournment request, and mid-trial amendments by the prosecution that expanded the scope of the charge.

The appeal was allowed, the conviction set aside, and the matter remitted for retrial.

### **R v HDB [2025] QCA 210**

Bond, Boddice and Doyle JJA

31 October 2025

The applicant pleaded guilty to unlawful stalking, a domestic violence offence, and was sentenced to nine months' imprisonment, with parole eligibility after three months. He applied for leave to appeal his sentence.

The 57-year-old applicant had harassed and threatened his former partner over a three-week period in December 2020, sending abusive messages and threatening to expose her involvement in bestiality. He carried out these threats, causing significant psychological harm and reputational damage to the complainant.

The applicant argued that the sentence was manifestly excessive and that the sentencing judge had confused harm caused by his actions with the complainant's own offences. The Court of Appeal held that the sentence was well within discretion, given the seriousness of the conduct, the breach of trust, and the public humiliation caused. No error was identified, and the application for leave to appeal against sentence was refused.

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### **R v Woolla [2025] QSCPR 37**

Henry J

6 November 2025

This case concerned an application to exclude covertly recorded conversations between the defendant and an undercover police officer while the defendant was detained in a watchhouse following his arrest for the alleged murder of his partner.

Henry J held that the evidence had been improperly obtained and should be excluded. Police had secured a magistrate's extension of the defendant's detention for the purpose of conducting a formal, overt interview under [Chapter 15 of the Police Powers and Responsibilities Act 2000 \(Qld\)](#), but instead deployed an undercover agent to question him covertly, circumventing statutory safeguards, particularly those protecting Indigenous suspects. His Honour found that admitting the evidence would be unfair to the defendant and contrary to public policy, especially as the admissions contributed little to an already strong circumstantial case. The Court ordered the exclusion of the undercover conversations from the defendant's trial.

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### **Legal Services Commissioner v Pennisi [2025] QCAT 432**

Judicial Member McMeekin, Member Macpherson & Member Lamont

10 November 2025

The Tribunal found that the respondent legal practitioner engaged in serious professional misconduct by drafting and sending a 13-page emotionally manipulative and coercive letter to his client's former wife, despite knowing she was protected by a domestic violence order prohibiting any direct or indirect contact from the client.

The letter included declarations of the client's "*unconditional love*," accusations that she had prioritised her parents over her child, and extensive emotional pressure. It had no legitimate legal purpose and was plainly intended to assist the client in circumventing the protection order. The Tribunal held that the respondent knowingly facilitated a breach of the order, reinforced by his request that the client indemnify him on the same day, showing no regard for the harm to the aggrieved, who experienced the communication as coercive and distressing in the context of prior controlling behaviour.

The Tribunal characterised the conduct as a "*very serious*" example of professional misconduct because it exploited the authority of the legal profession to undermine the protective purpose of domestic and family violence legislation and the safety of a vulnerable person.

## **MAB v Magistrate Hackett & Anor [2025] QSC 299**

Ryan J

11 November 2025

The Supreme Court of Queensland refused an application to invalidate a Police Protection Notice (PPN) and set aside a temporary protection notice. The applicant argued that the PPN was invalid because police issued it without prior contact, allegedly breaching [section 101\(1\)\(b\) of the DFVPA](#).

Ryan J held that, although the PPN was technically non-compliant, the DFVPA framework provides that a PPN is “*taken to be*” an application for a protection order regardless of such deficiencies. The Court emphasised that the protective purpose of the DFVPA prioritises victim safety over strict procedural compliance. Ryan J found no error in the Magistrate’s decision and noted that any declaration of invalidity would lack practical utility, as police could simply reapply for a protection order.

The application was refused.

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## **[R v MEY \[2025\] QCA 225](#)**

Bond JA, Bleby AJA and Williams J

14 November 2025

The Court of Appeal refused an application for leave to appeal against sentence for one count of sexual assault (a domestic violence offence) and two counts of assault with intent to commit rape (domestic violence offences). After pleading guilty, the applicant was sentenced to concurrent terms of two years and four and a half years’ imprisonment, suspended after serving 15 months.

The applicant argued that the sentence was manifestly excessive, relying on various comparable authorities and distinctions between attempted rape and assault with intent to commit rape. The Court held that the sentencing judge had properly exercised discretion, considering the seriousness and persistence of the applicant’s sexually violent conduct towards his de facto partner, the aggravating effect of domestic violence under current legislation, and the significant harm described in the victim impact statement. Given these factors and the limited relevance of older comparable cases that did not reflect recent legislative changes, the Court concluded that the sentence was neither unjust nor excessive and dismissed the application.

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## **[R v RBP \[2025\] QCA 228](#)**

Boddice & Brown JJA & Henry J

14 November 2025

The Court of Appeal refused an application for leave to appeal a 12-year sentence imposed for 23 counts of rape, one count of sexual assault, and one count of stupefying to commit an indictable offence, all alleged as domestic violence offences.

The Court held that the sentencing judge had properly assessed the extremely serious, prolonged, and degrading nature of the offending, which occurred over six occasions when the complainant was unconscious or barely conscious. The offending involved multiple offences, the use of a stupefying drug, and other violent and humiliating conduct, much of which was filmed.

The sentencing judge gave significant weight to the applicant’s guilty pleas but noted that he demonstrated no remorse or insight. The applicant’s prior criminal history, including previous sexual offending, further reduced mitigation. The Court of Appeal concluded that the 12-year sentence was within the appropriate range and was neither unreasonable nor plainly unjust.

## **[DGE v REU \(No 2\) \[2025\] QDC 180](#)**

Allen KC DCJ

21 November 2025

In this decision, Allen KC DCJ set aside the Acting Magistrate’s dismissal of the appellant’s protection order application, finding that the appellant—who was self-represented and assisted by an interpreter—had been denied procedural fairness. The Acting Magistrate had wrongly prevented him from cross-examining the respondent regarding her selective translation of a crucial text message.

Although the Acting Magistrate later made findings about whether the respondent’s omission of parts of the text message was intentional, doing so after refusing cross-examination further compounded the denial of a fair hearing. The appeal was allowed, the decision set aside, and the matter remitted to a differently constituted Magistrates Court for determination.

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## **[FEQ v Commissioner of Police \[2025\] QDC 186](#)**

Allen KC DCJ

1 December 2025

The appellant’s appeal against conviction for breaching a domestic violence order was allowed. Allen KC DCJ found that, although the Magistrate was entitled to accept evidence that the appellant spoke insulting words during a child handover, the Magistrate’s reasons did not adequately explain why that behaviour met the statutory definition of “emotional or psychological abuse” under [sections 8 and 11 of the DFVPA](#).

On rehearing, His Honour found no evidence that the aggrieved was offended by the appellant’s conduct, nor sufficient evidence that the conduct, in the context of the overall relationship, amounted to emotional abuse capable of constituting domestic violence. Accordingly, His Honour was not satisfied beyond reasonable doubt that the protection order had been contravened and entered a verdict of not guilty.

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## **[Legal Services Commissioner v Donnelly \[2025\] QCAT 516](#)**

Judicial Member McMeekin, Mr Perrett and Mr Revell

4 December 2025

This matter concerned an application for disciplinary orders against a legal practitioner for unsatisfactory professional conduct and professional misconduct. In a domestic violence proceeding, the practitioner acted for the respondent to the protection order and prepared an affidavit that annexed explicit nude photographs of the aggrieved, depicting genital and buttock regions, without taking steps to redact, limit, or otherwise protect the sensitive material. The practitioner did not seek directions from the court regarding how the material should be handled prior to filing.

The Tribunal accepted that the images had legitimate forensic relevance but held that filing them in an unredacted state demonstrated a serious failure to exercise the independent forensic judgment required under rule 17.1 of the [Australian Solicitors Conduct Rules 2012](#). The Tribunal emphasised the DFVPA’s focus on protection, dignity, and minimising harm to victims. Ultimately, the Tribunal found that the manner of filing potentially constituted an act of domestic violence in itself and amounted to professional misconduct.

## **DDJ v Queensland Police Service [2025] QDC 194**

Kahler DCJ

9 December 2025

The District Court allowed an appeal against sentence for contravening release conditions, contravening a domestic violence order, and two offences of using a carriage service to menace, harass, or cause offence.

Kahler DCJ held that the Magistrate had failed to properly account for the appellant's 30 days of pre-sentence custody, gave disproportionate weight to deterrence, and imposed imprisonment for low-level offending where no violence or threats were involved. The contraventions of the release conditions and protection order were considered at the very bottom of the scale of seriousness.

Given the early pleas, limited and dated criminal history, and time already served in custody, His Honour held that the sentences of three and four months' imprisonment, albeit suspended, were manifestly excessive. Procedural fairness was also found lacking, as imprisonment had not been reasonably indicated as a possible sentence at first instance.

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## **Jackson v Queensland Police Service [2025] QDC 199**

Morzone KC DCJ

10 December 2025

The District Court allowed an appeal against sentence for 14 offences, including contravening a domestic violence order, common assault, stealing, fraud, possessing a knife in a public place, breaching bail conditions, obstructing police, and possessing suspected stolen property.

Morzone KC DCJ found that the Magistrate erred by imposing a cumulative one-month term of imprisonment and a \$6,000 restitution order without properly considering the appellant's financial capacity, and by relying on irrelevant personal experiences when assessing harm. These errors rendered the sentence excessive.

The Court set aside both the cumulative term and the restitution order and resented the appellant to three months' imprisonment for the stealing charge, to be served concurrently with all other terms. The balance of the Magistrate's other orders was confirmed.

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## **R v JM [2025] QChC 21**

Rafter SC DCJ

12 December 2025

The Children's Court of Queensland held that indictments before it can properly charge offences as domestic violence offences and that [section 12A of the Penalties and Sentences Act 1992](#) applies to children through the [Youth Justice Act 1992](#).

The defendant was convicted of ten counts of rape against his sister. He was sentenced to probation and suspended detention, with no convictions recorded. The Court ordered that the offences must still be entered on the defendant's criminal history as domestic violence offences.

Rafter SC DCJ departed from the earlier authority in [GEPI v The King \[2024\] QChC 13](#), reasoning that the legislative framework—particularly [section 564\(3A\) of the Criminal Code](#) and [section 12A of the Penalties and Sentences Act 1992](#)—was intended to apply consistently to children. This approach serves important public purposes, including accountability, victim protection, and accurate domestic violence statistics.

## [Kent v Commissioner of Police \[2025\] QDC 211](#)

Morzone KC DCJ  
19 December 2025

The District Court allowed an appeal against sentence, finding that while it was not unjust to activate the appellant's one-month suspended sentence for drug offending, the Magistrate's imposition of a six-month head sentence for contravening a domestic violence order was excessive and outside the permissible range.

The three contraventions involved breaches of a non-contact condition by the appellant, who resided at the aggrieved's address for three days and made phone calls and text messages to the aggrieved. On re-sentencing, Morzone KC DCJ reduced the sentence to one month imprisonment for each contravention, adjusted concurrency and cumulation to reflect totality, recognised 19 days of presentence custody, and fixed the appellant's parole release date as the date of judgment.

## Quick Links

- [Earlier editions of DFV Newsletter](#)
- [Domestic and Family Violence Protection Act 2012 Benchbook](#)
- [National Domestic and Family Violence Benchbook](#) – August 2025
- [Domestic and Family Violence Protection Act 2012](#)
- [Domestic and Family Violence Protection Rules 2014](#)
- [DFV Resources for Magistrates](#) \*
- [DFV Bench Forms for Magistrates](#) \*

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