

DFV NEWSLETTER

FROM THE CHIEF MAGISTRATE'S OFFICE



AUGUST 2026



News

- The new Federal Budget includes a landmark \$182.6 million investment to address the weaponisation of Australia's child support system. The reforms are due to commence on 1 July 2027 and follow findings by the Commonwealth Ombudsman that the child support system was being strategically exploited by perpetrators to continue coercion, control and financial abuse after separation. In Australia, there is \$1.9B in unpaid child support, and up to 90% of women seeking support for domestic and family violence have experienced financial abuse.
- New research presented by [ANROWS](#) identified that up to 56% of the 15 women in Australia who die by suicide each week have experienced domestic and family violence. Coercive control is common, including suicide threats used as a tactic of abuse. Children exposed to violence also face significantly higher risks of self-harm.
- New national data from the [Australian Institute of Health and Welfare](#) identified that 24.3% of Australians escaping domestic and family violence in 2025 were unable to access the accommodation they needed.

In This Issue

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- The [Federal Government](#) is delivering a new training and education package to enhance police responses to family, domestic and sexual violence across Australia. Developed as part of the [National Plan to End Violence against Women and Children 2022 – 32](#), the \$4.1m Commonwealth-funded HEAR training package will be available to police officers in all states and territories. The training is the first of its kind, relying on real case studies to focus on topics such as reducing instances of misidentification, increasing awareness of coercive control, improving recognition of technology facilitated abuse, and responding in a trauma-informed and victim-centred way. The training is offered face-to-face, face-to-screen and through online self-paced learning.

- [Sexual Violence Awareness Month](#) is held during October each year to raise community awareness about sexual violence, promote support options available to people affected by sexual violence and to uphold a clear message that sexual violence will not be tolerated in our community.
- [Recent research](#) identified that, three years after Australia introduced 10 days of paid family and domestic violence leave for employees under the *Fair Work Act 2009*, the uptake is still far below the rates of prevalence. Shame, stigma, fear of job loss or embarrassment inhibit disclosure and access to leave.
- The Federal Government has launched the national [Healthy Men Community Conversations](#) project. This initiative is a series of community conversations across the country, bringing together members of the public, alongside organisations working to support men's health and wellbeing, and those engaged in the prevention of family, domestic and sexual violence. The project aims to connect men and local and national support services, and encourage open conversations about mental, physical and social wellbeing. It will also explore respectful relationships and what it means to be a healthy and connected man.
- New research from the [University of Melbourne](#), found that 44% of the content watched by young men on TikTok contained masculinity-related themes, with some pathways leading from fitness and self-improvement content to harmful messages about women and relationships. The researchers warn that the manosphere has spent years speaking directly to young men's fears and insecurities.
- [Full Stop Australia](#) have produced a printable resource for evidence-based management strategies to reduce the risk of vicarious trauma associated with working in the domestic and family violence areas.
- In March 2026, the Queensland Police Service launched their [Sexual Violence Right to Review Policy](#). A victim survivor of sexual violence may be able to request a review of a decision made about the investigation or prosecution of their matter, including a decision to withdraw or substantially change a charge.

Legislation Update

The [Domestic and Family Violence Protection Rules 2014](#) were recently amended by the [Domestic and Family Violence Protection Amendment Rule 2026](#).

A new Part 3, Division 4A (rr 19AA & 19B) was inserted to provide procedural clarity by establishing notification requirements for particular applications made under the DFVPA. These amendments commenced on 29 May 2026.

Online Training

[Understanding Coercive Control](#)

A free, self-paced, CPD eligible online training for Australian lawyers called Understanding Coercive Control has been launched. This training was co-developed by the Women's Legal Service Victoria and the First Nations Advocates Against Family Violence in partnership with the Women's Legal Service Australia and National Legal Aid. The training builds lawyers' capacity to identify when a client is experiencing coercive and controlling behaviours and to respond in ways that prioritise client wellbeing and minimise unintended harm.

Benchbook Update

The [Magistrates Court Criminal Law Benchbook](#) was updated in May 2026 to include entries for:

- [Contravening a police protection direction](#) (s 177A DFVPA)
- [Engaging in DFV or associated DFV to aid respondent](#) (s 179A DFVPA)

Upcoming Events

21 & 22
August

NJCA Symposium 2026: Memory, Trauma and Evidence and the Courts

Adelaide

21 & 22 August 2026

As courts increasingly deal with cases involving traumatic experiences—from sexual assault and domestic violence to terrorism and war crimes, the reliability of memory evidence has become a central concern for judicial officers, legal practitioners, forensic psychologists, and policymakers alike.

This NJCA Symposium is for the broader legal community. It will bring together leading researchers in cognitive psychology, neuroscience, traumatology, and legal scholarship, together with judges, lawyers and victim advocates to examine the complex relationship between memory science, evidence and judicial practice

17 - 20
Nov

National Family Safety Summit

Doubletree Hilton Hotel, 116 Esplanade, Darwin City

17 – 20 November 2026

The 4th Family Safety Summit has been designed to bring together practitioners, community leaders, policymakers, advocates, lived experience experts, and service providers to explore practical, culturally informed, and community-led solutions to some of the most complex family safety challenges facing Australia today.

The program creates a platform for meaningful dialogue, knowledge exchange, and collaborative problem-solving, with a strong focus on translating evidence, lived experience, and frontline insights into tangible action

Speakers include Dr Anna Body, Sex Discrimination Commissioner and Antoinette Braybrook AM of Djirra.

23 - 26
Nov

STOP Domestic Violence Conference

Hotel Realm Canberra, 18 National Circuit, Barton

23 – 26 November 2026

Hosted by the Australian & New Zealand Mental Health Association, this conference will bring together practitioners, researchers, advocates, government, legal and service system leaders to confront what safety actually requires: risk and lethality prevention, system accountability, culturally safe and inclusive responses and coordinated implementation at scale.

Keynote speakers included Professor Heather Douglas AM and Commissioner Micaela Cronin from the Domestic, Family and Sexual Violence Commission.

Articles & Reports

[Recognising Abuse Beyond Physical Acts of Family and Domestic Violence](#)

Child Death Review Board
May 2026

This summary review examines case studies of six children known to Child Safety in Queensland who died where non-physical acts of domestic violence were present. This review also aims to examine current research and case evidence on non-physical DFV and its impact on the safety of children.

[Children and Young People Roundtable Report](#)

Domestic, Family and Sexual Violence Commission
June 2026

This report presents the outcomes of a national round table in December 2025 where young advocates with lived experience of domestic, family and sexual violence came together to develop a collective statement calling for their voices to be included in the decisions that affect them.

[Improving legal, policy and practice response to the intersection of domestic violence perpetration and child sexual abuse offending](#)

National Centre for Action on Child Sexual Abuse
March 2026

Research on the overlap between domestic violence and child sexual abuse is limited. This report provides an overview of the key findings from research into the intersection between domestic violence and child sexual abuse.

[Sexual offending in Australia 2023–2024](#)

Australian Institute of Criminology
June 2026

The Australian Sexual Offence Statistical collection brings together data on all types of sexual offending from across the country for the period 1 July 2023 to 30 June 2024.

[Lawyers on the Frontline of Coercive Control](#)

Law Institute Victoria
June 2026

Lawyers are often the first professionals to spot coercive control, a pattern of domination that may involve isolation, monitoring, emotional abuse, or financial control rather than physical violence. The article highlights how recognising these subtle but dangerous behaviours is critical to preventing escalation, including homicide risk, and stresses the need for trauma-informed, culturally responsive legal practice.

[“We’re talking about stopping violence before it begins”: Supporting quality engagement with children](#)

Australian Human Rights Commission
June 2026

Almost 40% of Australians aged 16 and over were exposed to domestic violence as children. In this report, more than 300 children and young people in Australia shared what safe and positive relationships look like, whether they learn about relationships and what adults can do better.

[Examining Domestic and Family Violence Typologies Using Queensland Police Data: Differences in Risk of Harm](#)

Journal of Interpersonal Violence
May 2026

The article examines approximately 11,000 Queensland domestic and family violence offenders using police data to identify meaningful subtypes. It finds four distinct clusters: family-only, low-level antisocial, generally violent/antisocial, and a new homicidal group, each showing different patterns of offending and levels of harm. The study concludes that police can use these typologies to better identify high-risk offenders and tailor interventions accordingly.

LJB v Commissioner of Police [2026] QDC 72

Long SC DCJ

27 May 2026

The District Court allowed an appeal against a sentence of six months' imprisonment, with immediate parole, imposed for a common assault (domestic violence offence) committed by a father against his six-year-old daughter, holding that the Magistrate erred by refusing to consider contextual and mitigating information offered by defence counsel on the basis that the appellant had not participated in a police interview. Long SC DCJ found that this approach improperly foreclosed relevant submissions under [s 15 of the Penalties and Sentences Act 1992](#), misunderstood the operation of [s 132C of the Evidence Act 1977](#), and resulted in a denial of procedural fairness, thereby infecting the sentencing discretion. After admitting further evidence on rehearing, including material demonstrating remorse, rehabilitation and the circumstances of the offending, his Honour concluded that imprisonment was unnecessary, and that the community would be better served by not recording a conviction. Long SC DCJ set aside the original sentence and re-sentenced the appellant to a \$3,000 fine with no conviction recorded.

R v UAB [2026] QCA 95

Mullins P, Brown JA, Hindman J

29 May 2026

The Court of Appeal dismissed an appeal against conviction for maintaining a sexual relationship with a child (domestic violence offence), rejecting the argument that discrepancies across the complainant's four s93A statements and two s21AK pre-recordings rendered her evidence unreliable. The complainant, aged between 2 years 4 months and 4 years 4 months during the charged period, gave largely consistent accounts of the appellant's conduct, and the Court held that any inconsistencies were minor, attributable to her young age, literal language, and limited understanding, and did not undermine her credibility. The Court noted that some "*fantastical narrative*" in the fourth s93A statement had already been acknowledged by the child as untrue, but her core allegations remained stable, including statements such as "*my naughty dad gives me his lolly*" and that he put it "*in my bum*". After independently reviewing the whole of the evidence, the Court was satisfied it was open to the jury to convict beyond reasonable doubt and therefore dismissed the appeal.

R v TBI [2026] QCA 97

Doyle JA, Henry J, Hindman J

29 May 2026

The Court of Appeal dismissed both the conviction appeal and the application for leave to appeal sentence brought by a father convicted of maintaining sexual relationships with each of his two daughters and multiple counts of rape and indecent treatment. The conviction appeal centred on evidence from a witness to whom the appellant admitted penetration, an act he claimed occurred by "*mistaken identity*". The Court held the evidence was properly admitted as corroboration of the complainant's account and that the trial judge's directions, which confined its use to that limited purpose, were adequate. Even if more could have been said, any omission favoured the appellant and could not have affected the verdict. On sentence, the Court held that the 15-year term, imposed for serious, prolonged offending against two young daughters, was well within range given modern sentencing trends, noting comparable cases such as [R v BDU](#) and [R v CCR](#), and therefore refused leave to appeal.

JMA v Meulenbroek & Anor [2026] QDC 85

Loury KC DCJ
17 June 2026

The District Court dismissed the appellant father's appeal against a Protection Order made in favour of his former wife and their two sons, finding no denial of procedural fairness and confirming that the Magistrate's conclusions were open on the evidence. Loury KC DCJ accepted that, although some allegations were not proven, the appellant engaged in a pattern of coercive, controlling, emotionally abusive and sometimes physically abusive behaviour towards the children, particularly C, over several months, including excessive forced study regimes, demeaning comments, hitting walls, and telling C to kill himself, as reflected in recordings and statements to police. This conduct caused the aggrieved to fear for the children's safety and amounted to domestic violence under the amended DFVPA. Loury KC DCJ held there remained a real risk of future domestic violence given the appellant's limited insight and the children's ongoing dependence, making the Protection Order necessary and desirable.

WHK v Commissioner of Police & Anor [2026] QDC 86

Long SC DCJ
17 June 2026

This decision concerns an appeal against a Magistrate's decision to make a protection order under [s 42 of the DFVPA](#) immediately after convicting the appellant of breaching a temporary protection order. Long SC DCJ found that the Magistrate failed to comply with [s 42\(5\) of the DFVPA](#) which requires giving the offender, prosecutor, and (where practicable) the aggrieved a reasonable opportunity to present evidence and make submissions because the Magistrate did not identify the evidential basis for acting under s 42, did not articulate what domestic violence was relied upon, and proceeded despite confusion about the existing temporary order and the parallel civil proceeding.

Long SC DCJ also noted irregularities in the making and recording of the final order. As a result, the protection order and any dismissal of the police protection notice were set aside, and the matter was remitted to the Magistrates Court.

Sailor v Commissioner of Police [2026] QDC 89

Morzone KC DCJ
23 June 2026

The District Court allowed an appeal against conviction after finding that the appellant's 14 guilty pleas, some for domestic violence offending, were vitiated by confusion, inadequate legal advice, and improper inducement. Morzone KC DCJ held that the pleas were not a free, informed, or unequivocal admission of guilt, noting the appellant's poor English, limited communication with his solicitor, absence of written instructions, and his evident confusion during the bulk arraignment which was illustrated when he responded "To one of them" when asked to plead to 14 charges.

Morzone KC DCJ accepted evidence that the appellant was pressured to plead guilty on the false expectation of immediate release, despite such an outcome being legally impossible. Because these circumstances created a miscarriage of justice, His Honour vacated all guilty pleas, set aside the convictions and sentences, and remitted the charges to the Magistrates Court to be dealt with according to law.

R v MFC [2026] QCA 122

Bond JA, Doyle JA, Henry J

3 July 2026

The Court of Appeal dismissed an appeal by a man convicted of indecent treatment and rape of his two step-grandchildren, rejecting all three grounds advanced. The Court held that the verdicts on counts 4 and 5 were not unreasonable, despite the complainant MJ initially denying but later explaining that he had once told his mother “*It was all a lie*”, noting the jury could rationally view this as fear-based reluctance rather than true recantation.

It also refused leave to adduce “new evidence” from the appellant’s wife (the children’s grandmother), finding her account including the alleged statement “It’s ok Pop. I know that’s all you were doing” was available at trial, strategically disadvantageous, and not capable of raising a reasonable doubt when considered with the trial evidence. Finally, the Court rejected the argument that complainant KA’s evidence was too confused to support counts 1–3, concluding that her interview, assessed as a whole, identified distinct occasions consistent with the prosecution particulars. The appeal was therefore dismissed, and the application to adduce further evidence refused.

CYQ v WWY & Ors [2026] QSC 165

Davis J

8 July 2026

In this judicial review decision, Davis J held that even if police fail to comply with [s101\(1\)\(b\) of the DFVPA](#) by not making a reasonable attempt to contact and speak with the respondent before issuing a Police Protection Notice, the defect does not invalidate the PPN for the purpose of [s112 of the DFVPA](#), nor does it deprive the Magistrates Court of jurisdiction to hear the resulting protection order application.

Davis J followed MAB v Magistrate Hackett, emphasising that the Act’s protective purpose would be undermined if technical non-compliance by police nullified domestic violence proceedings, particularly where police could have alternatively commenced proceedings by filing an application under [s32 of the DFVPA](#). The temporary protection order made by the Magistrates Court therefore remained valid, and all prerogative relief sought by the applicant was dismissed.

CEE v CNH (No 2) [2026] QDC 91

Heaton KC DCJ

10 July 2026

The appellant in this matter appealed against a decision of a magistrate who again dismissed the appellant’s application for a protection order against her former husband. Heaton KC DCJ reviewed the extensive affidavit material, the schedule of 40 alleged acts of domestic violence, and the magistrate’s detailed findings, noting that only a small number of acts were accepted as domestic violence and that both parties’ credibility was problematic.

The appellant argued multiple error, including failure to apply the “necessary or desirable” test, failure to consider mandatory [s37\(2\) DFVPA](#) factors, economic abuse, systems abuse, child-related impacts, and failure to consider additional emailed material, but Heaton KC DCJ held that the magistrate had properly assessed the evidence, applied the statutory test, and made permissible findings. The emailed allegations were not properly before the court and carried no weight. Ultimately, His Honour found no legal, factual, or discretionary error and dismissed the appeal.

[R v ACC \[2026\] QCA 131](#)

Bowskill CJ, Boddice JA, Henry J
17 July 2026

The Court of Appeal dismissed the appellant's appeal against his conviction for one count of domestic-violence strangulation, holding that the jury's guilty verdict on count 1 and acquittal on count 2 were not logically inconsistent.

The Court found that both the complainant and her mother gave clear, credible evidence of at least one episode of two-handed neck pressure that restricted the complainant's breathing, and that the jury was entitled to reject the appellant's account of an accidental, momentary slip.

The acquittal on count 2 was capable of being reconciled with the conviction: the jury may have accepted the complainant's evidence overall but given the appellant the benefit of the doubt on whether the second, shorter episode met the criminal standard. As the verdicts could be rationally reconciled, the appeal was dismissed.

[DGC v Commissioner of Police & Anor \[2026\] QDC 100](#)

Porter KC DCJ
21 July 2026

Porter KC DCJ allowed the appellant's appeal against the making of a protection order after finding that the Magistrate had unlawfully made final variation orders on 18 September 2025 when the matter was listed only for mention, and in circumstances where the appellant's absence was caused by administrative errors and conflicting dates given by the registry. The Magistrate proceeded without considering the evidence, without applying the statutory criteria in [s 91 of the DFVPA](#), and without giving reasons, instead re-imposing a 2024 variation order that had already been set aside on appeal.

Porter KC DCJ emphasised that there is no power to make "default" domestic violence orders, that final orders cannot be made at a mention, and that Magistrates are bound by District Court precedent. The variation order was set aside, and the variation application dismissed, bringing the proceedings to an end.

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.