

DFVDRAB implementation updates as at 30 June 2024

Annual Report 2018-19		
RECOMMENDATION	GOVERNMENT RESPONSE	IMPLEMENTATION UPDATE <i>'as at 30 June 2024'</i>
Recommendations 1 to 14 and 16 have been implemented with the responses being published in earlier implementation updates.		
<p>Recommendation 15 - That the Queensland Government review the operation of the <i>Domestic and Family Violence Protection Act 2012</i> to strengthen the ability of the court to impose conditions within a protection order with respect to financial arrangements. Any review should consider:</p> <ul style="list-style-type: none"> relevant provisions from other jurisdictions, in particular the legislation in Victoria the need to address the economic barriers that victims face in leaving an abusive relationship, as well as the continuing impact of prior economic abuse the need to implement cultural change within the judiciary and the legal services system to promote the use of existing provisions that intersect with the family law system. 	<p>Accept in principle The <i>Domestic and Family Violence Protection Act 2012</i> currently provides a broad discretion for courts to impose any conditions deemed necessary to protect aggrieved person/s. Work will be undertaken by the Department of Child Safety, Youth and Women and the Department of Justice and Attorney-General to identify potential legislative and non-legislative solutions that meet the intent of this recommendation. This will include promotion of the existing provisions that are available to address economic barriers and intersection with the family law system.</p> <p>The Department of Housing and Public Works will be undertaking work to address the economic barriers that victims face by increasing access to safe, secure housing. This includes the expansion of flexible assistance packages, head leasing and capacity building in housing service centres to support clients experiencing DFV.</p> <p>Lead agency: Department of Justice and Attorney-General</p>	<p>The Queensland Government's response to the recommendation is implemented.</p> <p>As at 30 June 2024 the Attorney-General and Minister for Justice and Minister for the Prevention of Domestic and Family Violence responded:</p> <p>Following recommendation 15, the Queensland Government has reviewed the operation of the <i>Domestic and Family Violence Protection Act 2012</i> to strengthen the ability of the court to impose conditions within a protection order with respect to financial arrangements. The recommendation highlighted the need to address economic barriers that victims face in leaving abusive relationships, and the continuing impact of economic abuse. In considering relevant provisions from other jurisdictions, DJAG has completed an interjurisdictional analysis of relevant legislative provisions concerning the making of financial conditions in civil domestic violence proceedings, including a review of relevant Victorian legislative provisions. This interjurisdictional analysis indicated that Queensland's legislative framework for conditions relating to personal property is consistent with most Australian jurisdictions, with some variations in approach.</p> <p>DJAG consulted with legal and domestic and family violence stakeholders in early 2024 on options to amend the <i>Domestic and Family Violence Protection Act 2012</i> to further strengthen the ability of the court to impose conditions within a protection order with respect to financial arrangements. Results of consultation indicated that any legislative change may have unintended consequences for victims. The <i>Domestic and Family Violence Protection Act 2012</i> currently provides a broad discretion for courts to impose any conditions deemed necessary to protect aggrieved person/s. Having regard to the issues raised in consultation, legislative change is not proposed to implement the intent of this recommendation.</p> <p>To address economic barriers, the Department of Justice and Attorney-General (DJAG) has published online information to assist people leaving abusive relationships requiring support regarding brokerage and financial support. Other government agencies have also contributed to assisting women facing economic barriers. The (then) Department of Communities, Housing and Digital Economy introduced several initiatives such as the Flexible Assistance Package to support women experiencing domestic and family violence facing financial hardship to access goods, services and sustain housing; the Domestic and Family Violence Helping Hand Headlease to assist women and their children experiencing domestic and family violence into private rental housing; and a One-off Rental Grant of 2 weeks rent, 4 weeks interest and fee-free Bond Loan, or help to find and apply for a place to rent.</p> <p>To address the need to promote the use of existing provisions that intersect with the family law system, Magistrates continue to be provided with targeted professional development opportunities on domestic and family violence and the intersection of family law including at the Annual Domestic Violence Conferences, and Childrens Court Conferences.</p>



		<p>As at 31 December 2023 the Attorney-General and Minister for Justice and Minister for the Prevention of Domestic and Family Violence responded:</p> <p>Following recommendation 15, the Queensland Government has reviewed the operation of the <i>Domestic and Family Violence Protection Act 2012</i> to strengthen the ability of the court to impose conditions within a protection order with respect to financial arrangements. The recommendation highlighted the need to address economic barriers that victims face in leaving abusive relationships, and the continuing impact of economic abuse.</p> <p>To address economic barriers, the Department of Justice and Attorney-General (DJAG) has published online information to assist people leaving abusive relationships requiring support regarding brokerage and financial support. DJAG continues to consider further opportunities to work with agencies and financial institutions to strengthen support for victims fleeing violent relationships. Other government agencies have also contributed to assisting women facing economic barriers. The (then) Department of Communities, Housing and Digital Economy introduced several initiatives such as the Flexible Assistance Package to support women experiencing domestic and family violence facing financial hardship to access goods, services and sustain housing; the Domestic and Family Violence Helping Hand Headlease to assist women and their children experiencing domestic and family violence into private rental housing; and a One-off Rental Grant of 2 weeks rent, 4 weeks interest and fee-free Bond Loan, or help to find and apply for a place to rent.</p> <p>To address the need to promote the use of existing provisions that intersect with the family law system, Magistrates continue to be provided with targeted professional development opportunities on domestic and family violence and the intersection of family law including at the Annual Domestic Violence Conferences, and Childrens Court Conferences.</p> <p>In considering relevant provisions from other jurisdictions, DJAG has completed an interjurisdictional analysis of relevant legislative provisions concerning the making of financial conditions in civil domestic violence proceedings, including a review of relevant Victorian legislative provisions. This interjurisdictional analysis indicated that Queensland's legislative framework for conditions relating to personal property is consistent with most Australian jurisdictions, with some variations in approach.</p> <p>Legislative amendments to strengthen the ability of the court to impose conditions within a protection order with respect to financial arrangements has been considered as part of the Queensland Government response and implementation of the Women's Safety and Justice Taskforce recommendations.</p> <p>The Department of Justice and Attorney-General intends to consult with legal and domestic and family violence stakeholders in early 2024 on options to amend the <i>Domestic and family Violence Protection Act 2012</i> to further strengthen the ability of the court to impose conditions within a protection order with respect to financial arrangements.</p>
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