Queensland Sentencing Advisory Council Consultation Paper: *Assessing the impacts of domestic and family violence sentencing reforms in Queensland*

Submission by Legal Aid Queensland

21 May 2025

Introduction

Legal Aid Queensland (LAQ) welcomes the opportunity to provide a submission to the Queensland Sentencing Advisory Council ('QSAC') addressing the questions raised in the Consultation Paper: Assessing the impacts of domestic and family violence sentencing reforms in Queensland.

LAQ provides input into State and Commonwealth policy development and law reform processes to advance its organisational objectives. Under the *Legal Aid Queensland Act 1997,* LAQ is established for the purpose of "giving legal assistance to financially disadvantaged persons in the most effective, efficient and economical way" and is required to give this "legal assistance at a reasonable cost to the community and on an equitable basis throughout the State". Consistent with these statutory objects, LAQ contributes to government policy processes about proposals that will impact on the cost-effectiveness of LAQ's services, either directly or consequentially through impacts on the efficient functioning of the justice system.

LAQ always seeks to offer policy input that is constructive and is based on the extensive experience of LAQ's lawyers in the day-to-day application of the law in courts and tribunals. This submission calls upon the experience of LAQ's lawyers in Criminal Law Services, the largest criminal law practice in Queensland, and the Public Defenders Chambers. LAQ believes that this experience provides LAQ with valuable knowledge and insights into the operation of the justice system that can contribute to government policy development. LAQ also endeavours to offer policy options that may enable government to pursue policy objectives in the most effective and efficient way.

The submissions also draw upon the experience of LAQ's Civil Justice Services lawyers in the Human Rights, Anti-Discrimination and Employment Unit (**HRADE**), who regularly provide specialist advice and representation to complainants in discrimination, sexual harassment and vilification matters under both State and Commonwealth legislation.

Submission

Question 1:

a) **What has been the impact of current sentencing laws, which require a court in sentencing a person for a domestic violence offence to treat the fact that it is a domestic violence offence as aggravating, on court sentencing practices?**
   i. **If you think the aggravating factor has changed court sentencing practices, in what specific ways have they changed?**
   ii. **If you think it has not changed court sentencing practices, what are the potential reasons for this?**
b) **What measures are important to assess the impact of this reform?**
c) **What factors could be impacting the operation of this reform?**
d) **Are there any other important considerations or research we should be aware of?**

The experience of LAQ's criminal practitioners is that the requirement to treat the fact that an offence is a domestic violence offence as aggravating, is a foremost factor for a sentencing court, and is something that has become more and more frequent since the insertion of section 9(10A) *Penalties and Sentences Act 1992* (Qld) ('the PSA'). It is routinely mentioned in sentencing remarks for such offences, whether directly or indirectly, as is the general and specific denouncement of domestic violence offending. LAQ practitioners have also observed the courts placing increased emphasis on a defendant's criminal history specifically in relation to domestic violence related offences, and careful scrutiny is being applied. This is consistent with the conclusions of QSAC, that courts seem to be using custodial penalties and longer custodial sentences more frequently.[1]

However, in assessing the specific impact of this reform, it must be borne in mind that a sentence is arrived at via an instinctive synthesis approach, to allow for appropriate discretion to be exercised by a sentencing judge. In many cases the impact of that sentencing factor is unquantifiable. Factors which may influence the ultimate sentence imposed also include the conglomeration of charges for which an offender is being dealt with. It is not uncommon for an offence involving domestic violence to also be dealt with alongside other offences which do not involve domestic violence, but are objectively more serious, and other sentencing factors may require more emphasis. Consistency in application of sentencing principles is achieved by treating different cases differently.[2]

Further, section 9 of the PSA has been amended no less than 11 times since section 9(10A) was inserted in 2016.[3] This contributes to the complexity of the court's role to impose a sentence that appropriately reflects each of those relevant factors.

---

[1] Queensland Sentencing Advisory Council, *The impact of domestic violence as an aggravating factor on sentencing outcomes* (Research Brief, 1 May 2021), 1.
[2] *Hili v The Queen* (2010) 242 CLR 520 at [49].
[3] Amending Acts: 2016 No. 38 s 61; 2016 No. 62 s 273; 2017 No. 17 s 258 sch 1; 2017 No. 8 s 101 sch 1; 2019 No. 15 s 9; 2020 No. 15 s 163; 2020 No. 32 s 53; 2023 No. 1 s 80; 2023 No. 23 s 165; 2024 No. 5 s 83; 2024 No. 47 s 70

There is also an inherent difficulty in attributing changes in court sentencing practices to this specific legislative change, particularly considering the vast reforms relating to domestic and family violence (DFV) since the Special Taskforce on Domestic and Family Violence in Queensland (*'the Bryce Report'*). Regard must also be had to the broader social activity surrounding DFV. The Women's Safety and Justice Taskforce was asked to examine coercive control, and undertook extensive public consultation and released Hear *her voice – Report One – Addressing coercive control and domestic and family violence in Queensland* on 2 December 2021. The Independent Commission of inquiry into Queensland Police Service responses to domestic and family violence delivered its report *A Call for Change* in November 2022. The *Domestic and family violence prevention engagements and communications strategy* also outlined an approach to creating cultural changes across Queensland from 2016-2026, including engagement and communication strategies aimed at raising awareness and understanding about the nature and impacts of DFV.[4] Each of these have had a role in increasing community awareness of DFV and arming the community with knowledge and referral pathways, which have flow on effects in the justice system. For example, an increase in the number of complainants prepared to make a complaint, and a willingness by police to proceed to charge.

A further relevant factor for consideration is the impact of the *Bail (Domestic Violence) and Another Act Amendment Act 2017* (Qld). This amending legislation inserted section 16(2)(f) into the *Bail Act 1980* (Qld) adding the specific consideration of a police officer or court when assessing whether there is an unacceptable risk when considering whether to grant bail:

f) if the defendant is charged with a domestic violence offence or an offence against the Domestic and Family Violence Protection Act 2012, section 177(2)—the risk of further domestic violence or associated domestic violence, under the Domestic and Family Violence Protection Act 2012, being committed by the defendant.

The show cause provisions of the *Bail Act 1980* (Qld) were also amended to include where certain offences are also a *domestic violence offence*, or where an offence against section 177(2) of the *Domestic and Family Violence Protection Act 2012* (Qld) is charged.[5] This has the effect of placing defendants with those circumstances of outlining why their detention is not justified.

In the experience of LAQ's practitioners, as a direct result of these amendments, those facing domestic violence charges, including charges for contravening orders, have been increasingly refused bail by police or when first brought before the court.

LAQ has noticed that those on remand for domestic violence related offences are spending more time on remand. In arrest courts, LAQ practitioners have experienced some reluctance by a court to proceed with a sentence when a matter is first before it. This can be because further information is requested regarding the previous convictions of the defendant, or they

[4] Department of Families, Seniors, Disability Services and Child Safety, '*DFV prevention engagement and communication strategy'* (Web Page) <]https://www.families.qld.gov.au/our-work/domestic-family-sexual-violence/end-domestic-family-violence/our-progress/shifting-community-attitudes-behaviours/dfv-prevention-engagement-communication-strategy>.

[5] Meaning of 'relevant offence in *Bail Act 1980* (Qld) s 16(7).

wish to ensure that a victim has the opportunity to provide a victim impact statement or make submissions in relation to the variation of a domestic violence order (where dealing with a contravention offence[6]). This is consistent, for example with Magistrates Court Practice Direction 1 of 2025 following the introduction of the Summary DV List in Brisbane. However, the hesitation in finalising a domestic violence related charge in an arrest court, in LAQ's experience, is not limited to the Brisbane jurisdiction.

As a result, LAQ practitioners have identified an increased number of defendants with pre-sentence custody to be dealt with in sentencing proceedings. The other impact of being on remand, is that rehabilitation programs to assist with treatment and support services that might otherwise assist with housing, employment, drug and alcohol, health, or other social needs are not available for un-sentenced prisoners.

LAQ submits that the impact of this sentencing reform cannot be assessed by specific reference to any reduction or otherwise in crime, re-offending rates, or victim satisfaction. It would be difficult to discern the cause of those outcomes as being the result of this reform as opposed to other legislative reforms or community awareness.

The experience of LAQ practitioners in relying upon the exceptional circumstances exception within s 9(10A) of the PSA is mixed. While in cases such as *R v Renee Helen Blockey*[7] exceptional circumstances were found where Ms Blockey was both a victim and perpetrator of domestic violence, LAQ practitioners note that the finding of exceptional circumstances is approached with circumspection in the absence of supporting evidence. In the context of representation by a duty lawyer, there are significant practical hurdles to overcome to meet the requirements of s9(10A).[8] Supporting material may be difficult to obtain or may not be available (at all or within a reasonable time). This threshold also impacts on those defendants from already vulnerable and disadvantaged backgrounds without opportunity to obtain material in support of those submissions or who may have difficulty (for various reasons) communicating them. It also affects those named as the aggrieved who are subject to cross-orders, or who are misidentified. Commonly, the issue is the causative link to the offending but it is difficult to establish without supporting material/evidence.

Question 2:

a) **What has been the impact of increased maximum penalties for contravention of a DVO on court sentencing practices?**
    i. **If you think the increase to maximum penalties has changed court sentencing practices, in what specific ways have they changed?**
    ii. **If you think the increase in maximum penalties has not changed court sentencing practices, what are the potential reasons for this?**
b) **What measures are important to assess the impact of this reform?**
c) **What factors could be impacting the operation of this reform?**

[6] Pursuant to *Domestic and Family Violence Protection Act 2012* (Qld) s 42.
[7] *R v Renee Helen Blockey* (Supreme Court of Queensland, Bond J, 5 November 2020).
[8] The same difficulties arise with respect to the mitigating circumstance in s 9(10B) *Penalties and Sentences Act 1992* (Qld).

d) Are there any other important considerations or research we should be aware of?

The experience of LAQ's practitioners is that the sentencing practices for contravention of a domestic violence order (DVO) have changed since the Bryce Report and the increased maximum penalties, and that sentencing courts are likely to impose more significant penalties than they once would. LAQ's concerns as to whether those changes can be attributed to this specific reform are as outlined in the response to Question 1. Additionally, sentencing practices, in LAQ's experience, are often impacted by:

- Pre-sentence custody: Pre-sentence custody is often a factor in contravention sentences, particularly considering the increased number of defendants on charges of this nature refused bail (see response to Q1). In some cases, the declaration of that pre-sentence custody would result in a sentence that might be unjust for the circumstances. That may result in a sentence that, on the face of it, results in a sentence out of touch with community standards, however that is more a responsibility for accurate reporting. It is not the role of the court to ensure that the criminal history is an accurate record – but to impose a sentence that is just.
- the availability of behavioural change programs. In some jurisdictions within Queensland this is less of an issue, but in others there can be a 3-4 month wait before being able to commence a course. As noted above, it is also not available while the defendant is on remand. LAQ anticipates that a further barrier will be the preclusion of defendants on remand from participating in the Court-based perpetrator diversion scheme, introduced by the *Criminal Law (Coercive Control and Affirmative Consent) and Other Legislation Amendment Act 2024* (Qld) which is to commence as a pilot program in Brisbane.

In LAQ's experience, sentencing courts are certainly recognising the varied behaviour that can constitute domestic violence, and submissions as to a breach being 'trivial', 'lower level', or being of a 'technical nature' (which were once more frequently made) are almost always met with staunch criticism from the court. It is frequently remarked that where the offence is aggravated, it is much more serious. LAQ's practitioners have also noted that it is becoming more frequent for Victim Impact Statements to be placed before the court, and for a Magistrate to read into the record parts of a Victim Impact Statement.

It is important to keep in mind, however, that the sentencing process needs to account for a wide variety of human behaviours and conditions. For example, in one case the defendant was subject to a domestic violence order that prohibited him from attending the aggrieved person's residence. The defendant was advised by a third party that the aggrieved was not at home, and he attended to retrieve his sleep apnoea machine. The aggrieved was unaware of the defendant's attendance at the home, until they checked the home's CCTV, which is when the breach was reported to the police.

That most stand-alone contravention of a domestic violence order charges are dealt with in the Magistrates Courts, means that most of the useful appellate authority in relation to this offending is from the District Court. There is often a divergence in case law, dependent on the individual circumstances of each case, which makes it difficult to confidently rely upon. In

LAQ's experience, sentencing courts express significant reluctance to act on case authority from prior to these amendments.

The recent Court of Appeal decision in *CDL v Commissioner of Police* [2024] QCA 245 has provided the clearest endorsement as to how courts sentence persistent domestic violence offenders and confirms that a clear cultural shift within the criminal justice system has occurred. It has not changed the position that previous convictions for the same offence are aggravating, particularly if it reveals a continued attitude of disobedience against the law.[9] However it has provided a clear authority for lower courts to confidently rely upon. The nature of the contraventions in *CDL* are of the category that are not uncommon in the Magistrates Court (though no two cases are exactly alike), and since its publication, LAQ's practitioners have noted consistent references to the decision in sentencing.

Question 3:

a) **Is the current aggravating factor – that says a court, when sentencing a person for a domestic violence offence, must treat the fact it is a domestic violence offence as aggravating (unless there are exceptional circumstances) – compatible with rights protected under the *Human Rights Act 2019* (Qld) ('HRA') and relevant human rights instruments, such as the UN Convention on the Right of Persons with Disabilities.**

   Specifically, is this requirement and other sentencing provisions in the PSA as these apply to the sentencing of domestic violence offences compatible with these rights?

   If any part of how the aggravating factor works, or other sections of the PSA, is not compatible with human rights, what changes would improve compatibility?

Under the HRA, a court does not constitute a public entity when it is exercising a judicial power or acting in a judicial capacity. On that basis, it could be argued that the current aggravating factor set out in section 9(10A) of the PSA does not trigger the protections of the HRA.

However, LAQ notes that, under section 5(2)(a) of the HRA, the HRA *does* apply to a court or tribunal, to the extent the court or tribunal has functions under part 2 and part 3, division 3.

Under part 3, division 3, the courts are bound by the interpretive provision set out under section 48 – that is, all statutory provisions must, to the extent possible that is consistent with their purpose, be interpreted in a way that is most compatible with human rights.

Part 2 of the HRA contains all the specific rights that are protected. Where a court's function includes applying or enforcing any of the human rights that relate to the court proceedings, the HRA may apply. While no Queensland case law yet exists on the scope of this protection, the Court of Appeal in Victoria has held that the right to a fair hearing and rights in criminal

[9] *Penalties and Sentences Act 1992* (Qld) s 9(10); *Veen v The Queen [No 2]* (1988) CLR 465 at 477-478.

proceedings protected under the Victorian equivalent of the HRA applied directly to courts and tribunals when exercising their functions.[10]

In LAQ's view, section 5(2)(a) of the HRA suggests that there is at least a possibility that the aggravating factor mandated by the PSA may trigger the protections of the HRA. In that case, there would be a potential incompatibility between section 9(10A) of the PSA and some of the human rights protected, including:

- Protection of families and children (section 26 of the HRA). For example, an individual subject to being sentenced under section 9(10A) of the PSA could argue that the mandatory aggravating factor, resulting in a longer sentence, was incompatible with their right to family life.
- The right to a fair hearing (section 31 of the HRA). For example, the individual being sentenced under section 9(10A) of the PSA could argue that their right to have "the charge or proceeding decided by a competent, independent and impartial court" was contravened as the decision maker was bound by the mandatory aggravating factor and was therefore not "independent and impartial".

The incompatibility that (arguably) exists between the aggravating factor requirement in the PSA and the rights protected under the HRA flows from the use of the word "must" in section 9(10A), which removes discretion from the decision maker. Although it is noted that this section includes the qualifier "unless there are exceptional circumstances", it is LAQ's view that this is not broad enough to prevent potential arguments being made in support of contravention of human rights.

LAQ recommends that, to approve compatibility with human rights, the word "must" should be amended to "may" (i.e. "the court *may* treat the fact that it is a domestic violence offence as an aggravating factor"). This would allow more discretion on the part of the decision maker and allow section 48 of the HRA to apply more effectively.

Question 4:

What key issues should the Council consider when reviewing changes in sentencing practices resulting from Queensland domestic violence sentencing reforms, particularly regarding their impact on:

a) Aboriginal and Torres Strait Islander peoples;
b) Women and girls;
c) People from other cultural backgrounds;
d) People with disability or a mental illness;
e) LGBTQIA+ people; and
f) People from other marginalised and vulnerable groups or communities.

Siloed approaches to the criminal justice system, often overlook the fact that the law must also operate to protect the most vulnerable and disadvantaged: - the long-term victim-survivor of domestic and family violence for example, First Nations persons are disproportionately

[10] *De Simone v Bevnol Constructions* (2009) 25 VR 237; [2009] VSCA 199

engaged with the criminal justice system. The current statistics for Queensland prisoners are that over a third of all Queensland prisoners are First Nations persons while more than half of all incarcerated women are Indigenous.

Rigidity in legislating sentencing for DFV is apt to adversely affect those already disproportionately affected by over-policing, disadvantage, and vulnerability. It can lead to the mitigatory factors present in these groups to become disproportionately less relevant, and injustices occurring. Criminalised interventions also offer limited opportunity for what will actually end DFV: perpetrator accountability, attitudinal change, and behavioural change. Caution must be employed where criminal law initiatives are held up as solutions to complex societal issues. LAQ's experience is that, despite improvements in funding and community awareness over the last decade, education and support services that assist DFV victims and perpetrators are under-resourced.

It is uncontroversial that there are still significant improvements within the criminal justice system to be made for the needs of Aboriginal peoples and/or Torres Strait Islander peoples to be addressed. Further, the statistics quoted by QSAC in the consultation paper note that Indigenous females have the highest victimisation rate for DFV-related offences against the person, followed by Indigenous males, and non-Indigenous females.[11]

The targets set in 2020 by the Close the Gap national agreement included that, by 2031, adults and young people are not overrepresented in the criminal justice system.[12] Data relating to both Outcomes 10 and 11 indicate those needs continue to be unmet. Nationally, the rate of Aboriginal and/or Torres Strait Islander prisoners has increased over the last five years for adults,[13] and over the last four years for children.[14] In Queensland specifically, the rate of Aboriginal and/or Torres Strait Islander young people in detention on an average day has increased from 37.8 per 10,000 in the baseline 2018-19 year, to 41.1 per 10,000 in 2023-24.[15]

Access to justice for Aboriginal peoples and/or Torres Strait Islander peoples is impacted by historical and contemporary failings both within and outside of the justice system in Australia.[16] In terms of those factors proximate to the criminal justice system; legislation, policies and

[11] Queensland Sentencing Advisory Council, *Assessing the impacts of domestic and family violence sentencing reforms in Queensland* (Consultation Paper, March 2025), 6.
[12] Commonwealth of Australia, Department of the Prime Minister and Cabinet, *Closing the Gap Target and Outcomes* (July 2020) Outcomes 10 and 11.
[13] Productivity Commission, *Closing the Gap Information Repository Dashboard: Socio-economic outcome area 10: Aboriginal and Torres Strait Island adults are not overrepresented in the criminal justice system* (12 March 2025)
[14] Productivity Commission, *Closing the Gap Information Repository Dashboard: Socio-economic outcome area 11: Aboriginal and Torres Strait Islander young people are not overrepresented in the criminal justice system* (12 March 2025)
[15] Productivity Commission, *Closing the Gap Information Repository Dashboard: Socio-economic outcome area 11: Aboriginal and Torres Strait Islander young people are not overrepresented in the criminal justice system* (12 March 2025)
[16] See Productivity Commission, *Closing the Gap Information Repository Dashboard: Socio-economic outcome area 11: Aboriginal and Torres Strait Islander young people are not overrepresented in the criminal justice system,* Historical and ongoing target context (12 March 2025)

practices, discrimination, over-policing, poverty, ignorance of cultural protocols and obligations, communal responsibilities, and rapid responses in relation to wrongful activity are just a few of the areas of difference for Aboriginal and/or Torres Strait Islander people in their quest for justice.

These issues are often compounded in rural and remote areas, where options and support services are also limited. LAQ's practitioners in North Queensland note that a significant proportion of in-custody clients, including those presenting in the watch-house as fresh arrests, are Aboriginal and/or Torres Strait Islander peoples.

Greater emphasis must be placed on strengthening relationships with community access points in remote communities, and increasing legal services in remote areas to ensure DFV duty lawyer services are provided in all court jurisdictions, with regular training opportunities provided to those practitioners.

It can also be more difficult to strictly comply with conditions that prohibit being within a certain distance of the aggrieved person in smaller communities, for example Palm Island. Impractical conditions set respondents up to breach their order.

Women and girls who are misidentified as perpetrators of DFV by police or other systemic interventions are at greater risk of isolation from system responses, stemming from reluctance to engage with police, or being subjected to criminalisation through being named as a respondent in a protection order or charged with offences.

Similarly, those who suffer from a disability or mental illness, and those who fall short of a cognitive impairment, may genuinely find the conditions of a DVO confusing, resulting in a contravention. This is also applicable to those who require an interpreter. LAQ practitioners often see conditions which prevent the respondent from contacting or seeing the aggrieved person unless permission is given in writing. A condition that prohibits the respondent from attending the aggrieved person's house often does not have the same exception. There are also sometimes inconsistencies between the conditions of a bail undertaking and a DVO.

For this vulnerable group of defendants, they can often be further disadvantaged in sentencing proceedings where there is limited or no opportunity for supporting material or evidence to be admitted which may otherwise see a court place more emphasis on mitigatory factors, including their own experience of domestic and family violence. This is particularly so where they appear in custody. In LAQ's experience, there is often a reluctance from the courts to place any significant weight on these factors in the absence of supporting material. There are also challenges in achieving bail, for example, for an older child living with a parent whom they have offended against, who does not have any other feasible accommodation.

Question 5:

Are there any anomalies or complexities that affect the sentencing of domestic violence offences? If yes, what are some potential solutions?

The complexity of the human relationship, infused with emotions, cultural differences, and behaviours, is one which often struggles to be accounted for in a strict accounting of penalty. It is unamenable to scientific dissection. It requires flexibility to afford the most just outcome. The complexities in these relationships were, for example, examined recently in *REH v MIH* [2025] QMC 13, a decision regarding applications for the making of a domestic violence order where police appeared for both applicants, each arguing their aggrieved was the most in need of protection. The judgment details the complex relationship between REH and MIH, acutely noting that they were both victims of domestic violence, and perpetrators of domestic violence, against each other.

Some of the complexities in sentencing for domestic violence offences have been outlined in the responses to the previous questions. While aggravating factors in sentencing appear to be applied routinely, LAQ's practitioners report mixed outcomes with respect to the corresponding mitigating provisions (for example, section 9(10B)). This may be impacted by the ability to prepare and provide the supporting material required by the court to confidently mitigate the sentence imposed, particularly in lower court proceedings and where time is of the essence. Anecdotally those provisions are more routinely applied in higher court proceedings.

Further, aside from noting increased pre-sentence custody in relation to domestic violence related offences as discussed in the response to Question 1, while on remand a defendant is ineligible to participate in programs. This results in lost opportunities for rehabilitation and submissions relating to those.

LAQ also notes the Court-based perpetrator diversion scheme introduced by the *Criminal Law (Coercive Control and Affirmative Consent) and Other Legislation Amendment Act 2024* (Qld) is to commence as a pilot program in Brisbane. It has a very limited application. LAQ remains concerned that by limiting the scheme to persons never convicted of an offence involving domestic violence it eliminates access to the scheme by potentially worthy candidates. Other candidates may be disincentivised to participate in the program, when they may be faced with a fine if they plead guilty to the charge.[17]

Question 6:

Are there any other issues relevant to this review you would like to raise with us?

LAQ notes the introduction of the Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025. The Bill proposes to introduce a Police Protection Direction (PPD), 'where a police officer considers it is appropriate for a matter not to proceed to court.[18] The PPD is not required to be considered by a court, and as a result there is serious risk of the misidentification of DFV victims, and "leave a person without protection, subject to

[17] See Queensland Sentencing Advisory Council, *Assessing the impacts of domestic and family violence sentencing reforms in Queensland* (Consultation Paper, March 2025), 26 – the most common penalty for a contravention of a DVO (non-aggravated) was a monetary penalty, followed by a recognisance.

[18] Explanatory Notes, Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025, 4.

criminalisation and systems abuse from the perpetrator, restrict freedom of movement or association, damage reputation and create long-lasting stigma…".[19] Should this Bill pass with the intended amendments, it will circumvent the oversight and assistance mechanisms in place for when Police Protection Notices are issued. There is also risk, for all respondents, but particularly those that may require interpreters, that the police officer may not have fully explained the conditions that the respondent is now bound by. The introduction of PPDs is likely to compound systemic issues for vulnerable and disadvantaged people, and result in more people appearing before the court charged with a contravention offence.

Further, it would be artificial to correlate sentencing statistics for domestic violence related offences to victim satisfaction. Victim satisfaction is inherently tied to the individual's experience, starting with community attitudes and values, experience in reporting to police, the level of support and information provided by prosecuting bodies and victim support services, and delays in court proceedings, which are not attributable to the defendant.

Organisation	Legal Aid Queensland
Address	44 Herschel Street Brisbane QLD 4001
Contact number	07 3917 0414
Approved by	Nicky Davies, Chief Executive Officer
Authored by	Nikki Larsen, Senior Lawyer (Policy and Law Reform), Criminal Law Services; Jacob Montford, Senior Discrimination Lawyer, Civil Law Services; Jessica Wray, Lawyer, Civil Law Services; Jessica Dean, Principal Lawyer (Strategic Policy)

[19] Explanatory Notes, Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025, 6.