Assessing the impacts of domestic and family violence sentence reforms in Queensland

May 2025

About The Salvation Army

The Salvation Army is an international Christian movement with a presence in more than 130 countries. Operating in Australia since 1880, The Salvation Army is one of the largest providers of social services and programs for people experiencing hardship, injustice and social exclusion.

The Salvation Army Australia provides more than 1,000 social programs and activities through networks of social support services, community centres and churches across the country. Programs include:

- Financial counselling, financial literacy and microfinance
- Emergency relief and related services
- Homelessness services
- Youth services
- Family and domestic violence services
- Alcohol, drugs and other addictions
- Chaplaincy
- Emergency and disaster response
- Aged care
- Employment services

As a mission-driven organisation, The Salvation Army seeks to reduce social disadvantage and create a fair and harmonious society through holistic and person-centred approaches that reflect our mission to share the love of Jesus by:

- Caring for people
- Creating faith pathways
- Building healthy communities
- Working for justice

We commit ourselves in prayer and practice to this land of Australia and its people, seeking reconciliation, unity and equity.

Further information about The Salvation Army can be accessed at:
https://www.salvationarmy.org.au

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Our commitment to inclusion

The Salvation Army Australia acknowledges the Traditional Owners of the land on which we meet and work and pay our respect to Elders, past, present and future.

We value and include people of all cultures, languages, abilities, sexual orientations, gender identities, gender expressions and intersex status. We are committed to providing programs that are fully inclusive. We are committed to the safety and wellbeing of people of all ages, particularly children. Our values are:

- Integrity
- Compassion
- Respect
- Diversity
- Collaboration

The Salvation Army is a worldwide movement known for its acceptance and unconditional love for all people. We love unconditionally, because God first loved us. The Bible says, “God so loves the world” (John 3:16, RGT). As both a church and charity, we believe all people are loved by God and are worthy of having their needs met. Everyone is welcome to find love, hope, and acceptance at The Salvation Army.

The Salvation Army Australia Territory wishes to acknowledge that members of the LGBTIQA+ community have experienced hurt and exclusion because of mixed comments and responses made in the past. The Salvation Army is committed to inclusive practice that recognises and values diversity. We are ensuring our services affirm the right to equality, fairness, and decency for all LGBTIQA+ people, rectifying all forms of discriminatory practice throughout the organisation.

We seek to partner with LGBTIQA+ people and allies to work with us to build an inclusive, accessible, and culturally safe environment in every aspect of Salvation Army organisation and services. Everyone has a right to feel safe and respected.

Learn more about our commitment to inclusion: <**salvationarmy.org.au/about-us**>

Executive summary

The Salvation Army welcomes the opportunity to provide this submission to the Queensland Sentencing Advisory Council (the Council) in relation to the *Assessing the impacts of domestic and family violence sentence reforms in Queensland* consultation paper.

In this submission, The Salvation Army builds upon our preliminary submission (**Appendix A)** made to the Council in June 2023 where we recommended:

- the implementation of pre-sentencing risk assessments;
- specialist training for justice services on coercive control and non-physical forms of violence and misidentification of victim-survivors;
- embedding dedicated victim-survivor liaisons within the justice system; and
- integrated co-responder models for police responses to family and domestic violence.

We acknowledge that since our preliminary submission, the implementation of embedded practitioner roles within police stations in some areas across Queensland and are welcoming of the impact this is having on frontline responses to family and domestic violence. We highlight however, that misidentification continues to be an issue observed by our frontline services and we reiterate the need for investment into specialist training to combat this.

This submission highlights further areas that we believe will ensure the Queensland sentencing system considers risk associated with persons using violence, and adequately works to protect victim-survivors of family and domestic violence.

This submission covers the need to:

- Focus on accountability and behaviour change during sentencing processes; and
- Improve service coordination and information sharing.

The Salvation Army has made **two** recommendations for the Council to consider. A summary of these recommendations follows on the next page.

Summary of recommendations

Recommendation 1

1.6 The Salvation Army recommends that the Queensland Sentencing Advisory Council recommend the need for significant investment into the availability and development of a broad range of programs to support behaviour change, continuity of service for persons using violence post release, and accountability for persons using violence who encounter the justice system.

Recommendation 2

2.5 The Salvation Army recommends that the Queensland Sentencing Advisory Council recommend the need for strengthened service coordination and information sharing between justice and family and domestic violence services to ensure the safety and wellbeing of victim-survivors during sentencing processes.

1 Focusing on accountability and behaviour change during sentencing processes

1.1 We believe that ensuring the availability of behaviour change opportunities and services to hold persons using or at risk of using violence accountable are critical to the success of sentencing reforms in reducing risk of reoffending and ensuring the safety of victim-survivors.

1.2 In our experience, the availability of behaviour change programs differs according to location, as well as sentencing types and stages – that is, whether a person is on remand, sentenced, or serving time in prison. Our frontline services report, that particularly in regional and remote areas, waiting periods to access behaviour change programs are long, and there are no other options for immediate service linkage, continuity of services following engagement in behaviour change programs, or accountability measures for persons using violence on bail following sentencing. This only increases risk for victim-survivors of family and domestic violence.

1.3 We press the need for increased investment to ensure behaviour change programs are available in a timely manner whenever a person using violence encounters the justice system. We suggest that this should include trials - such as the Disputing Family Violence Program implemented in select Correctional Centres in Queensland - being made widely available across the state.

1.4 In our experience however, and as outlined in the discussion paper, behaviour change programs are only one part of the solution.[1] The needs of persons using violence are not homogenous, and we therefore believe that no single time-limited program will meet the needs or see significant outcomes for all persons using violence. Behaviour change programs must be complemented by intensive, integrated, and ongoing accountability and support mechanisms to best engage persons using violence. Key to this is the development of a broad range of serious risk programs and service options, which are not limited by time or jurisdiction, to engage persons at high risk of reoffending or who are in custody for family and domestic violence offences.

1.5 For example, The Salvation Army in Victoria delivers a range of programs to support men who use violence and are seeking to change their behaviour. These include Men's Behaviour Change, Post Participation Support, Men's Family Violence Case Management, and the Alexis Family Violence Response Model (as outlined in our preliminary submission).

[1]Queensland Sentencing Advisory Council. (March, 2025). *Assessing the impacts of domestic and family violence sentencing reforms in Queensland.* consultation-paper-assessing-the-impacts-of-domestic-and-family-violence-sentencing-reforms-in-queensland.pdf

1.6 Our programs support men to take responsibility for their actions, understand the impact of their behaviour, and develop safe, respectful relationships with their families and children. At the core of all our interventions for persons using violence is a focus on victim-survivor safety. Our goal is to reduce violence and support lasting change through timely, accountable, and respectful engagement with those who use violence.

1.7 There are currently limited service options for persons using violence in Queensland.

Recommendation 1

1.8 The Salvation Army recommends that the Queensland Sentencing Advisory Council recommend the need for significant investment into the availability and development of a broad range of programs to support behaviour change, continuity of service for persons using violence post release, and accountability for persons using violence who encounter the justice system.

2 Improving service coordination and information sharing

2.1 Sentencing reforms must be complimented by strengthened service coordination and information sharing between the justice system and specialist family and domestic violence sector to ensure best outcomes for victim-survivors.

2.2 As outlined in our previous submission, victim-survivors often receive little intentional communication regarding sentencing outcomes (see **Appendix A**). In addition to this causing further anxiety in an already stressful and emotional period, a lack of updated and timely information regarding sentencing outcomes can make it difficult for frontline services when it comes to knowing how to best support victim-survivors during this time.

2.3 The Salvation Army believes that to ensure the safety of victim-survivors during sentencing processes, coordinated service responses between justice – including court, corrections and police - and specialist family and domestic violence services must be strengthened.

2.4 Improved information sharing and coordination between justice and family and domestic violence services not only ensures effective identification, assessment and management of risk to victim-survivors, but allows our services to implement supports paramount to ensuring victim-survivor safety and wellbeing. We particularly press the need for clarification and coordination regarding:

- Who maintains responsibility to provide information to victim-survivors regarding court hearings and release information. We suggest the need for this information be delivered directly from Corrections to the victim-survivor, and where involved, service providers, to ensure timely interventions to support victim-survivor safety. Where there are no service providers involved, we also suggest the need for established measures within Corrections or Police to provide follow-up support options to victim-survivors.
- The role of the Court in determining release and bail dates. We have seen examples of release and bail being set during Christmas breaks, or right before a weekend, which does not allow for family and domestic violence services to plan for and support victim-survivor safety. We press the need for corrections to consider not granting bail close to service shut down periods to reduce risk to victim-survivors of family and domestic violence.

Recommendation 2

2.5 The Salvation Army recommends that the Queensland Sentencing Advisory Council recommend the need for strengthened service coordination and information sharing between justice and family and domestic violence services to ensure the safety and wellbeing of victim-survivors during sentencing processes.

Conclusion

2.6 The Salvation Army thanks the Queensland Sentencing Advisory Council for the opportunity to provide a written submission to this review.

2.7 The Salvation Army would welcome the opportunity to discuss the content of this submission should any further information be of assistance. Further information can be sought from government.relations@salvationarmy.org.au.

The Salvation Army Australia Territory

May 2025

Appendix A The Salvation Army's preliminary submission

Submission to the Review of Sentencing for Sexual Violence Offences and Aggravating Factor for Domestic and Family Violence Offences

June 2023

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Appendix A About The Salvation Army ..... Error! Bookmark not defined.

Our Commitment to Inclusion

The Salvation Army Australia acknowledges the Traditional Owners of the land on which we meet and work and pay our respect to Elders, past, present and future.

We value and include people of all cultures, languages, abilities, sexual orientations, gender identities, gender expressions and intersex status. We are committed to providing programs that are fully inclusive. We are committed to the safety and wellbeing of people of all ages, particularly children.

Our values are:

- Integrity
- Compassion
- Respect
- Diversity
- Collaboration

Learn more about our commitment to inclusion: <**salvationarmy.org.au/about-us>**

The Salvation Army is an international movement and our mission is to preach the gospel of Jesus Christ and to meet human needs in his name without discrimination.

More information about The Salvation Army is at **Appendix A**.

Executive Summary

The Salvation Army welcomes the opportunity to provide this submission to the Queensland Sentencing Advisory Council in relation to the Review of Sentencing for Sexual Violence Offences and Aggravating Factor for Domestic and Family Violence Offences (the Review).

The Salvation Army operates family violence services in almost all states and territories across Australia. It is from the experiences of our clients, as well as those of our frontline staff, that we have approached this submission.

In our response, The Salvation Army has considered the following terms of reference outlined by the Queensland Government Attorney-General:

- *Advise on the impact of the operation of the aggravating factor in section 9(10A) of the Penalties and Sentences Act 1992 or in the sentencing outcomes for all domestic violence related offences including for charges involving non-physical violence and coercive control.*
- *Identify any trends or anomalies that occur in application of the aggravating factor in section 9(10A) of the Penalties and Sentences Act 1992 or in sentencing of domestic violence-related conduct generally that create inconsistency or constrain the sentencing process.*
- *Examine whether section 9(10A) of the Penalties and Sentences Act 1992 is impacting victims' satisfaction with the sentencing process and if so, in what way.*

The Salvation Army acknowledges the introduction of the 'aggravating factor' in legislation in 2016, which aims to ensure offences in the context of family violence are treated more seriously.[2] According to our frontline experience, further changes need to be made to ensure the Queensland sentencing system effectively considers perpetrator risk and adequately protects victim-survivors of family violence.

This submission has been structured around four key recommendations, which we believe can work to further minimise perpetrator risk and prioritise the safety of victim-survivors of family violence throughout the sentencing process.

A summary of these recommendations follows on the next page.

[2] Queensland Sentencing Council. (2023). *Sentencing of domestic and family violence offences in Queensland.* https://www.sentencingcouncil.qld.gov.au/__data/assets/pdf_file/0004/766678/background-information-sentencing-a-domestic-violence-offence.pdf.

Summary of Recommendations

Recommendation 1

1.7 The Salvation Army recommends that the Queensland Sentencing Advisory Council consider implementing a pre-sentencing risk assessment for alleged perpetrators of family and domestic violence.

Recommendation 2

1.16 The Salvation Army recommends that the Queensland Sentencing Advisory Council implement specialist training for police, prosecutors, and judicial staff on non-physical forms of violence and ensure it is repeated regularly.

Recommendation 3

1.20 The Salvation Army recommends that the Queensland Sentencing Advisory Council embed a dedicated victim-survivor liaison within the justice system to ensure communication and support regarding sentencing outcomes.

Recommendation 4

1.25 The Salvation Army recommends that the Queensland Sentencing Advisory Council develop a co-responder model for police responses to family and domestic violence where family violence specialists or social workers can address perpetrator risk by providing support for women and improving the processes for them.

1 Minimising Risk to Victim-Survivors

1.1 The Salvation Army believe that adequate assessment of perpetrator risk not only supports sentencing but supports improved understanding of risk and family violence within the system as a whole. We urge that an improved understanding of the nature of family violence situations is crucial to ensuring that offences are considered and responded to appropriately in sentencing.

1.2 The Salvation Army suggest the following interventions as starting points for improving consideration of the risk to, and safety of, victim-survivors of family violence both prior to and throughout sentencing processes in Queensland. We propose that these changes will impact how perpetrator risk and family violence are considered, explored, and defined within justice processes.

Implementing Pre-Sentencing Risk Assessments

1.3 The Salvation Army's family violence services in Queensland report concern for victim-survivor safety due to limited consideration of risk prior to perpetrator sentencing. In our experience, perpetrators are often sentenced and then receive immediate release with limited assessment of the risk this poses to victim-survivors of family violence. For example, a perpetrator may be charged, serve time on remand, before being sentenced and released on the same day without pre-assessment, or communication with the victim-survivor.

1.4 The Salvation Army urges the need for greater pre-sentencing assessment in Queensland. We draw attention to pre-release reports utilised by Victoria and New South Wales to determine suitability for community corrections orders.[3]

1.5 For example, legislation in New South Wales requires that assessments by community corrections officers are considered prior to sentencing.[4] These reports include information related to the perpetrator's background, education and employment situation, an assessment of the issues contributing to the offending behaviours, relevant sentencing information, and a review of the perpetrator's suitability for community-based sentencing options.[5] These assessments are also considered by the NSW State Parole Authority and Commonwealth Attorney-General in determining the perpetrator's suitability for parole, in addition to the availability of suitable accommodation, and support services to reduce recidivism likelihood.[6]

[3] Victoria Legal Aid. (2023). *Community corrections orders*. https://www.legalaid.vic.gov.au/community-corrections-orders#pre-sentence-reports.
[4] NSW Government Corrective Services NSW. (2023). *Court advice and pre-release reports.* https://correctiveservices.dcj.nsw.gov.au/community-corrections/court-advice-and-pre-release-reports.html.
[5] Ibid.
[6] Ibid.

1.6 Implementing a pre-sentencing assessment or report in the state of Queensland would ensure that pre-sentencing and sentencing decisions appropriately consider the risk to the safety of victim-survivors and the broader community of a perpetrator returning.

Recommendation 1

1.7 The Salvation Army recommends that the Queensland Sentencing Advisory Council consider implementing a pre-sentencing risk assessment for alleged perpetrators of family and domestic violence.

Training for Justice Services on Coercive Control and Non-Physical Forms of Violence

1.8 The Salvation Army urges the need for greater education and understanding of non-physical forms of violence to ensure their consideration in determining family violence offences and sentencing outcomes.

1.9 In Queensland, 'domestic violence' refers to a behaviour or series of behaviours that are both physical, and non-physical in nature, including threatening and coercive behaviours.[7] In our experience, Queensland legal processes are not adequately identifying the use of non-physical forms of violence. Ultimately, this means these forms of violence are not reflected as a 'domestic violence offence' and do not contribute to identifying patterns of behaviour, or identification as an aggravating factor.

1.10 Greater education and training is required across the justice system to ensure non-physical forms of violence, including coercive control, are better understood and considered, and instances of violence correctly interpreted, in the sentencing process. Understanding the true nature of family and domestic violence will provide health, social and legal systems with a more accurate means to understand the impact of the offences collectively and respond appropriately.

1.11 The police form a crucial part of the frontline service system, with family and domestic violence taking up a large part of their day-to-day work. An initial positive interaction with police is recognised as having a significant impact not only on the safety of victims, but also on whether they decide to report further victimisation.[8]

1.12 When police respond to a family and domestic violence call out it is crucial that they have the knowledge to identify and appropriately respond to both non-physical and physical forms of violence.

[7] Queensland Sentencing Advisory Council. (2023). *Sentencing of domestic and family violence offences in Queensland: Information Sheet.* https://www.sentencingcouncil.qld.gov.au/__data/assets/pdf_file/0004/766678/background-information-sentencing-a-domestic-violence-offence.pdf.

[8] Australian Law Reform Commission. (2010). Family Violence – A National Legal Response (ALRC Report 114). https://www.alrc.gov.au/wp-content/uploads/2019/08/ALRC114_WholeReport.pdf.

1.13 Our experience shows that police training and responses remains critical and that outside the specialist family violence sector, there is limited understanding of what coercive control is, how it has contributed to the incident, and how best to respond. We draw attention to the Law Enforcement Conduct Commission's *Review of NSW Police Force responses to domestic and family violence incidents,* which highlights the need for targeted, regular, and mandated training of police officers in family violence process and procedures to ensure all police officers have the expertise and skills to respond effectively to family violence.[9]

Misidentification of victim-survivors as perpetrators

1.14 The misidentification of victim-survivors as perpetrators of family and domestic violence can occur in a range of contexts, but it primarily occurs where victim-survivors are misidentified on a domestic violence order or face criminal charges. Many of our clients report that the misidentification impacts their trust in the police and often makes them reluctant to report further instances of violence.

1.15 Treating victim-survivors of violence as perpetrators not only undermines confidence in the legal system and justice response, but it also denies victim-survivors appropriate support.[10] It is important that police responses reflect their understanding that family and domestic violence is a pattern of behaviours as opposed to a one-off instance of violence.

1.16 This could be achieved through specialist training to reduce the misidentification of victim-survivors, particularly people with Aboriginal and/or Torres Strait Islander backgrounds. This training needs to include the neo-colonial context of violence and how this can lead to violent resistance and reluctance to cooperate with police during investigations.

Recommendation 2

1.17 The Salvation Army recommends that the Queensland Sentencing Advisory Council implement specialist training for police, prosecutors, and judicial staff on non-physical forms of violence and ensure it is repeated regularly.

Communicating with Victim-Survivors

1.18 The Salvation Army's services identify a lack of intentional communication with victim-survivors of family violence regarding sentencing outcomes. In our experience, being unable to obtain information on these outcomes causes further anxiety to victim-survivors in an already stressful and emotional period.

[9] Law Enforcement Conduct Commission. (June 2023). *Review of NSW Police Force responses to domestic and family violence incidents.* https://www.lecc.nsw.gov.au/prevention/prevention-reports/review-of-nsw-police-force-responses-to-family-and-domestic-violence-incidents.

[10] Nancarrow, H, Thomas, K, Ringland, V & Tanya, M. (2020). Accurately identifying the 'person most in need of protection' in domestic and family violence law. Australia's National Research Organisation for Women's Safety. https://20ian81kynqg38bl3l3eh8bfwpengine.netdna-ssl.com/wp-content/uploads/2019/10/Nancarrow-PMINOP-RR.3.pdf.

1.19 We acknowledge the Queensland Government's Victim Information Registrar, where eligible people can register to be informed of sentencing outcomes for offenders.[11] This system is not always suitable for communication with victim-survivors, who are entitled to information only if a perpetrator has been sentenced for a period of imprisonment for an offence or are under the supervision of Queensland Corrective Services.[12] Victim-survivors are unable to access information where a perpetrator has not been sentenced or does not meet these criteria.

1.20 The Salvation Army recommends the implementation of a dedicated liaison person for victim-survivors in the Queensland justice system who can provide updated information regarding sentencing outcomes of perpetrators, including release and sentencing dates.

Recommendation 3

1.21 The Salvation Army recommends that the Queensland Sentencing Advisory Council embed a dedicated victim-survivor liaison within the justice system to ensure communication and support regarding sentencing outcomes.

Integrated Responses to Family Violence

1.22 The Salvation Army believe that a collaborative approach is inherent to addressing perpetrator risk for victim-survivors of family violence, which is highlighted as a foundational element in the Queensland Government's *Domestic and Family Violence Prevention Strategy 2016 – 2026.*[13]

1.23 We have seen great benefit from participating in co-responder models in other jurisdictions, where family violence specialist or social workers are able to provide support for women and improve the process for them. Our services continue to see victim-survivors that do not feel safe about reporting to police.

1.24 Embedding family violence specialists within police units, who could empower, advocate for, and refer victim-survivors to services, would assist with recognition of gender-driven family and domestic violence. There is also potential to improve engagement with Aboriginal and Torres Strait Islander victim-survivors if Aboriginal Liaison Offices also had dedicated family violence leads within their services.

1.25 We draw attention to the Alexis Program that The Salvation Army runs in Victoria and recommend that the Queensland Government considers making resources available to roll out a similar program.

[11] Queensland Government. (2021). *Victim Information Register – Adult Offenders*. https://www.qld.gov.au/law/your-rights/victim-rights-and-complaints/victims-registers/adult.
[12] Ibid.
[13] Queensland Government. *Domestic and Family Violence Prevention Strategy 2016-2026.* https://www.publications.qld.gov.au/ckan-publications-attachments-prod/resources/008db60d-06e9-4702-bb87-48be367edf93/dfv-prevention-strategy.pdf?ETag=ef56a614ca32eedadca2acffc3f37578.

1.26 The Alexis Program is a family violence response model that embeds family violence specialists within the police force and has been shown to reduce recidivism by up to 85 per cent.[14] It should be noted that whilst the Alexis Program is achieving good outcomes, the program would further benefit from additional investment in case management for the perpetrator as well as the victim-survivor and their children.

1.27 The Salvation Army's Alexis program in Victoria also acts as an example of embedding support for victim-survivors in the justice system.

Alexis Program – a family violence response model

The Alexis family violence response model is a targeted approach to violence in 'recidivist households', that is, families that have had three or more police attendances for family violence in the preceding 12 months or where police assessed a possible likelihood of further violence. It seeks to create a multi-disciplinary integrated response team by embedding a specialist key worker with family violence expert knowledge within a targeted police family violence unit.

Through the Alexis Program, the specialist key worker aims to:

- Strengthen integration between police and services
- Reduce the incidences of police attendance where there is a history of recidivism
- Prevent escalation of risk to women and children by intervening early
- Promote successful and ongoing engagement in mainstream services.

An evaluation of the Alexis model by RMIT University in 2017 found that it resulted in an 85 per cent reduction in police callouts in the 12 months following exit from the program. The success of the Alexis Program can be attributed in part to the program's role in providing case coordination support and service integration for families.

Recommendation 4

1.28 The Salvation Army recommends that the Queensland Sentencing Advisory Council develop a co-responder model for police responses to family and domestic violence where family violence specialists or social workers can address perpetrator risk by providing support for women and improving the processes for them.

[14] Harris, L., Powell, A. & Hamilton, G. (2017, August). Alexis – Family Violence Response Model. School of Global, Urban and Social Studies RMIT University. https://www.sarmy.org.au/Global/SArmy/Social/vsppu/Resources/SALV0006_Alexis%20Report_Online.pdf.

2 Conclusion

2.1 The Salvation Army thanks the Queensland Sentencing Advisory Council for the opportunity to provide a written submission to the Review of Sentencing for Sexual Violence Offences and Aggravating Factor for Domestic and Family Violence Offences.

2.2 The Salvation Army would welcome the opportunity to discuss the content of this submission should any further information be of assistance. Further information can be sought from government.relations@salvationarmy.org.au.

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