

Proclamation – Domestic and Family Violence Protection and Other Legislation Amendment Act 2025

Human Rights Certificate

Prepared in accordance with Part 3 of the *Human Rights Act 2019*

In accordance with section 41 of the *Human Rights Act 2019*, I, the Honourable Amanda Camm MP, Minister for Families, Seniors and Disability Services and Minister for Child Safety and the Prevention of Domestic and Family Violence provide this human rights certificate with respect to the proclamation made under the *Domestic and Family Violence Protection and Other Legislation Amendment Act 2025* (the Amendment Act).

In my opinion, the Proclamation, as tabled in the Legislative Assembly, is compatible with the human rights protected by the *Human Rights Act 2019*. I base my opinion on the reasons outlined in this statement.

Overview of the Subordinate Legislation

The Proclamation fixes 1 October 2025 for the commencement of certain provisions in the Amendment Act. This includes amendments to the *Domestic and Family Violence Protection Act 2012* (DFVP Act) to support the electronic monitoring pilot of high-risk domestic and family violence perpetrators by enabling particular courts to impose a monitoring device condition when making a domestic violence order.

The Proclamation fixes 1 January 2026 for all other provisions not yet in force and not otherwise commenced under the proclamation, including to:

- provide a regulation-making power to enable criteria for the approval of providers for the Approved Provider List to be prescribed by regulation.
- provide a framework for the issuing of police protection directions (PPDs).
- amend the *Evidence Act 1977* to simplify, streamline and expand the video-recorded evidence-in-chief (VREC) framework statewide.
- make consequential amendments to the DFVP Act related to the PPD framework; and to clarify that a VREC statement can be used in civil proceedings under the DFVP Act.
- make consequential amendments to the *Explosives Act 1999*, the *Family Responsibilities Commission Act 2008*, the *Penalties and Sentences Act 1992*, the *Police Powers and Responsibilities Act 2000*, the *Residential Tenancies and Rooming Accommodation Act 2008*, the *Weapons Act 1990* and the legislation mentioned in schedule 1 of the Amendment Act.

Human Rights Issues

A Human Rights Statement of Compatibility was tabled with the Domestic and Family Violence Protection and Other Legislation Amendment Bill 2025 and covers the provisions of the Amendment Act being commenced by proclamation. The Statement of Compatibility explores the potential impacts on human rights that may arise from the reforms, and notes that the purpose of the reforms are to:

- in the case of the Electronic Monitoring pilot, reduce the risk of future domestic violence from occurring against an aggrieved person and their children, by monitoring a respondent's compliance with the conditions of a domestic violence order.
- in the case of the expansion of the VREC framework, assist victim-survivors of domestic and family violence to give their best evidence in court by minimising the trauma caused by re-telling their experiences in court; and to improve police responses to domestic and family violence by reducing the operational impacts of the current legislative framework; and
- in the case of the PPD framework, improve police responses to domestic and family violence by reducing the operational impacts of the current domestic and family violence legislative framework. By improving police efficiency, the capacity of the police to respond to domestic and family violence will be increased.

The Statement of Compatibility asserts that any limitations to human rights that arise from the amendments are reasonable and demonstrably justifiable in a free and democratic society based on human dignity, equality and freedom.

This proclamation sets the commencement dates for the provisions of the Amendment Act and as such, no new human rights issues are raised.

Human rights relevant to the subordinate legislation (Part 2, Division 2 and 3 *Human Rights Act 2019*)

In my opinion, the proclamation to commence the provisions of the Amendment Act does not engage or limit human rights.

Conclusion

I consider that the proclamation is compatible with the *Human Rights Act 2019* because it does not limit human rights.

AMANDA CAMM MP
Minister for Families, Seniors and Disability Services
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