



Inquiry into Family, Personal and Sexual Violence Legislation Amendment Bill 2025

Answer to question on notice

Asked by: Mr Taimus Werner-Gibbings MLA

Addressed to: YWCA

Redirected to:

Reference: Legal Affairs

Hearing: 20 March 2026

In relation to: Domestic and family violence

Question received: 20/03/2026

Answer Due: 30/03/2026

(1) Your organisation has previously backed the introduction of Family Violence

Safety Notices. Which aspects of the FVSN framework as it stands in this Bill do you

support, is there anything you'd like to see strengthened?

(2) From your experiences supporting those affected how do you see them improving

immediate safety for victims?

YWCA Canberra: The answer to the Member's question is as follows:

- 1) As noted in YWCA Canberra's written submission and testimony we offer qualified support for the introduction of Family Violence Safety Notices. Giving ACT Policing the option to respond to a situation of domestic violence and escalating harm through the issuing of an enforceable order will provide some assurance to those in need of protection that the escalating risk can be immediately dealt with.

We note the 14-day FVSN period is a considerable time for a police-issued order to be in place and active without judicial oversight and where a respondent may be removed from the house, employment or transport during that period. There should be a requirement for any police issued Family Violence Safety Notice to be resolved by a court with urgency. As the FVSN scheme is a police-issued notice, a subsequent judicial hearing should be advanced by ACT Policing with the consent of the person in need of protection. We reiterate that

without triggering an automatic judicial hearing, the FVSN scheme could become prone to misuse and increase instances of perpetrator misidentification.

We urge that these underlying problems with the proposed FVSN scheme be resolved through the issuing of a notice triggering a judicial court hearing, as is the model in other jurisdictions.

- As noted in our evidence to the Committee, feedback from our Domestic Violence Support Service on the existing scheme, which requires police to apply for a protection order through the ACT Magistrate's Court is often beset with application delays and inaccessibility during the operation of the afterhours scheme. Depending on the time of the day an application is made to the Court, a hearing may not be listed until the following day – meaning there is a window of time where no enforceable order is in place. Further, where protection orders are approved by a Court there are significant delays to those orders being served upon respondents, often more than weeks. This also places the person in need of protection without any enforceable protection orders during a time of heightened risk to their safety. The FVSN scheme will provide police with an option to respond to the immediate need taking into account the nature of the incident and the evidence at hand. However, as noted about without an automatic judicial hearing to either approve longer term orders or amend the existing FVSN the system could potentially be weaponised or become ineffective.

Approved for circulation to the Standing Committee on Legal Affairs

A handwritten signature in black ink, appearing to be 'A. Brown', written on a white rectangular background.

Signature:

Date: 23.03.2026

Answering Entity