



Introduction

Family violence is unacceptable. It causes serious harm to the health, safety and wellbeing of the adults and children who experience it. As a health regulator the OHO recognise the profound implications of family violence on public health and are committed to responding to family violence in our capacity as a regulator of health service providers¹ (registered and unregistered) in Queensland.

Family violence is generally referred to in Queensland as domestic and family violence. It occurs when one person in a family or intimate relationship uses violence or other kinds of abuse to maintain power and control over the other person. This can include a range of behaviours and actions that aim to control another person physically, sexually, emotionally, psychologically or economically. We recognise the gendered drivers of violence, and that women and children are disproportionately affected and experience more harm. Persons who use family violence are referred to as perpetrators in this position statement, however it is acknowledged some communities use the terms 'people who use violence' or 'people who choose to use violence' instead of perpetrator.

The OHO, Ahpra and the National Boards, Health Professionals Council Authority and New South Wales Health Care Complaints Commission have issued a joint position on family violence by regulators of health practitioners. This statement supports the joint position statement with other regulators in Australia of registered health practitioners.

The role of the OHO

As a regulator and health complaints entity, our role is to ensure that health services in Queensland are provided in a safe and respectful manner and that the conduct of Queensland health service providers, in all aspects of their lives, reflects the trust and confidence the public have in them for the functioning of safe and effective health services.

The OHO is committed to the [Queensland Domestic and Family Violence Prevention Strategy 2016-2026](#) to end family violence in Queensland. The OHO contribute to supporting the outcomes of this strategy, including by:

- taking appropriate regulatory action against health service providers in Queensland regarding family violence allegations, which contributes to ensuring frontline health service providers can recognise, respond and refer appropriately when violence occurs. (outcome 1)
- ensuring an integrated response through notification from Queensland Police Service (QPS) about family violence offences involving health service providers and taking appropriate action. (outcome 3)
- ensuring perpetrators are held to account and receive appropriate sanctions to deter using violence. (outcome 6)

¹ Section 8(a) *Health Ombudsman Act 2013*

Consequences

Family violence can also be a crime and a violation of human rights. It is a gross departure from the ethical standards expected of health service providers that are fundamental to providing safe healthcare. The OHO view allegations of family violence / the contravention of protection orders perpetrated by health service providers as serious conduct that may require regulatory action to be taken in accordance with the *Health Ombudsman Act 2013*.

The Queensland Police Service (QPS) through an agreement with Ahpra and the OHO, notifies and provides certain information to the OHO when registered practitioners are under investigation, charged or convicted of criminal offences in certain circumstances. The OHO may also be notified by the QPS when an unregistered practitioner is under investigation, charged or convicted if the conduct indicates that an unregistered practitioner may pose a serious risk to persons or otherwise in the public interest.

Where the OHO are notified about family violence allegations or criminal offences committed by a person who is applying for registration with a National Board, the OHO will share this information with Ahpra so the Board can consider the applicant's suitability for registration in the profession in the context of Part 7 of the National Law.

The *Health Practitioner Regulation National Law (Queensland)* (the National Law) and respective codes of conduct require that registered health practitioners demonstrate that they are fit and proper persons to hold registration, by upholding the standards of conduct expected of them by their respective board. Proven allegations of family violence may amount to professional misconduct under the National Law. In making any decisions about regulatory action, the OHO will act and make decisions in a way that is compatible with human rights and give human rights proper consideration when making decisions.

Health service providers who deliver health services within Queensland must be aware that engaging in family violence is unacceptable within our society and may potentially have implications for their registration as a registered health practitioner which may include imposing conditions, suspension or cancellation of their registration or their ability to continue to provide health services (unregistered practitioners).

Support for victim-survivors

The OHO are committed to responding to victim-survivors' complaints in a trauma informed way. We encourage any person aware of a health service providers perpetration of family violence to provide information to the OHO. It is important to note that health practitioners may be victim-survivors of family violence and we recognise that they also experience enduring harm and have a right to care and support.

The OHO acknowledges the victim-survivor's perspective, prioritises their safety and protection, and respectfully and sensitively supports them through the health complaint management process in a way that minimises the risk of adding to their trauma or exposing them to risk of harm from the perpetrator, whether this is a health service provider, or a complainant.

We recognise our role in the effort to end family violence by supporting victim-survivors, setting clear expectations of health practitioners, taking regulatory action as appropriate and condemning all forms of family violence.



Key contacts for assistance

How to raise a concern about a health practitioner

Office of the Health Ombudsman – 133 646 <https://www.oho.qld.gov.au/make-a-complaint>

If you experience, see or hear family violence occurring call

Queensland Police Service – in the case of an emergency contact 000, for all other family violence related matters call 131 444 [Domestic violence | QPS \(police.qld.gov.au\)](https://www.police.qld.gov.au)

Family violence information services:

[Home | 1800RESPECT](#) – a national domestic, family and sexual violence counselling, information and support service.

[DVConnect Womensline](#) – 1800 811 811 - helpline for women and their children in Queensland who are experiencing domestic and family violence.

[DVConnect Mensline](#) – 1800 600 636 - a helpline for men in Queensland who are using abuse or experiencing abuse in their family relationships.

[Mensline Australia](#) - 1300 78 99 78 - a national phone and online counselling service for men.

[Kids Helpline](#) – 1800 55 180 - a phone and online counselling service for young people aged 5-25 years.

[Elder Abuse Helpline](#) – 1300 651 192 - free and confidential advice for anyone in Queensland experiencing elder abuse or suspects someone they know may be experiencing elder abuse.

[Support for Aboriginal and Torres Strait Islander peoples](#): 13 YARN – 13 92 76 – a crisis support line for Indigenous Australians.

[Rainbow Sexual, Domestic and Family Violence Helpline](#): 1800 497 212 – a national helpline for LGBTQ+ communities who have recently or in the past experienced family violence.

[National Disability Abuse and Neglect Hotline](#): 1800 880 052 – a national hotline for the reporting of allegations of abuse and neglect of people with disabilities in the community.

[Domestic and family violence | Community support | Queensland Government \(www.qld.gov.au\)](https://www.qld.gov.au)