

MAA v SAG [2013] QDC 31 (28 February 2013) – Queensland District Court

‘Emotional and psychological abuse’ – ‘Family law proceedings’ – ‘Protection orders’ – ‘Self-represented litigants’ – ‘Systems abuse’

Case type: Appeal against protection order.

Facts: The appellant and the aggrieved were in a relationship and had 2 children ([6]). During family law proceedings, the aggrieved alleged that the appellant harassed her in numerous ways including: making complaints to government agencies such as the Queensland Ombudsman and Centrelink; filing a Notice of Child Abuse in the Family Court; and applying for a domestic violence order and claiming \$250,000 for damages for perjury, both of which were dismissed ([13]).

The Magistrate granted the protection order. He was satisfied that the applicant committed domestic violence in intimidating and harassing the aggrieved and was likely to commit domestic violence again ([21]).

Issues: Whether the Magistrate erred in granting the protection order.

Decision and Reasoning: The appeal was dismissed. McGinness DCJ held that the appellant’s numerous complaints about the aggrieved were ‘unjustified and an abuse of process’ ([44]). The actions constituted a course of conduct designed to intimidate and harass the aggrieved ([44]).