



Queensland Homicide Victims' Support Group

FAMILY SUPPORT AFTER MURDER INCORPORATED

PO Box 292 Lutwyche QLD 4030

Tel: (07) 3857 4744

Charity ABN 88536686758 IA15369 CH1253

Research Director
Legal Affairs and Community Safety Committee
Parliament House
George Street
Brisbane QLD 4000

26 February 2017

Submission on “Bail (Domestic Violence) and Another Act Amendment Bill 2017”

I write on behalf of the Board of Management and Members of Queensland Homicide Victims' Support Group, Family Support After Murder Inc. to support the intent of the above proposed legislation.

Each year in Queensland an average of 25-30 people are killed in domestic and family violence circumstances (DFV Killing). The emotional and psychological impact of these killings is devastating for the surviving members of the family of both the victim and the perpetrator.

The cost to the community is huge, both in terms of the costs of the destruction caused to family life, such as the psycho-social damage done to children, parents and friends but also the frequent economic loss such as the loss of employment and the ability to manage debt including home mortgage and other household expenses. Many families never fully recover their well-being.

The cost of DFV Killing for the Police, the Courts and the Prison system must be added to the very devastating human costs.

More must be done to stop DFV Killing!

The proposed legislation contains several provisions that in our view are likely to help reduce the incidence of domestic violence, but even more importantly, help reduce DFV Killing in Queensland.

- The reversal of the presumption of Bail for an offender charged with domestic violence, where there is clear evidence of physical violence, will make it more unlikely that persons taken into custody by the police for DFV offences will be able to quickly return to the scene of the alleged offence whilst on Bail. The experience of too many of our members has been that the person subsequently convicted of killing their loved one had been on bail when the murder took place.

In our view there needs to be a balance in the laws of Queensland between the civil rights of unconvicted citizens and the right of domestic violence victims to live without the fear of immediate retribution as a result of making a domestic violence complaint to the Police. In our members' experience, Domestic Violence Orders (DVOs) and/or Bail Conditions imposed by the Courts tend not to deter those who commit DFV Killings.

- The use of tracking devices to help in the enforcement of DVOs may assist in providing authorities and DFV victims with an alert on the approach of a person charged with a DV offence, contrary to the provisions such a DVO. This would allow victims to take measures to protect themselves and the Police to respond.
- The use of the Victims Register and a system to alert domestic violence victims when convicted DV offenders are to be released, either at the expiry of their term of imprisonment or when granted parole, would also allow victims to take measures to protect themselves.

The Board and Members of QHVSG are not lawyers and cannot comment in detail on the wording of the particular clauses in the proposed legislation, but we can and should speak up in support of measures designed to prevent or at least reduce the incidence of DFV Killing. We recognise that civil liberties are an important foundation of our society, but these rights must be balanced against the rights of the victims of family violence to live without the fear of retribution and further physical violence from an aggrieved partner.

We support the proposed legislation.

Yours faithfully

for President Tina Good