



AASW
Australian Association
of Social Workers

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The Research Director
Legal Affairs and Community Safety Committee
Parliament House
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To whom it may concern

The Australian Association of Social Work (AASW) Queensland Branch, commends the Queensland Government for its commitment to implementing the legislative changes recommended by the Special Taskforce on Domestic and Family Violence.

As per our original submission to the Special Taskforce, the AASW (Qld Branch) supports the proposed amendments to the *Penalties and Sentences Act 1992* to make provision for domestic and family violence to be an aggravating factor on sentencing (as per Recommendation 118). Making domestic and family violence an aggravating factor recognizes that there is a pattern of coercive control in domestic and family violence situations and this allows the court to consider the perpetrators history when sentencing sending a strong message that this type of conduct is unacceptable.

The AASW (Qld Branch) also supports the amendment to the *Criminal Code* to create a particular offence of strangulation in a domestic setting. As we discussed in our original submission to the Special Taskforce, our members have had grave concerns for some time about the use of non-fatal strangulation in domestic violence situations. It is now well documented that as violence escalates the use of non-fatal strangulation increases and has been recognized as a predictive risk factor for an increase in physical violence and for homicide. While the Taskforce notes the Bar Association of Queensland's point that non-fatal strangulation can be captured in the existing attempted murder, assault, bodily harm and grievous bodily harm offences, we support the Taskforce's recommendation for a separate offence to highlight the seriousness of this behaviour in a domestic setting.

Due to the shortness of the timeframe for submissions, the AASW does not have capacity to consult with members with the expertise in the area to comment on the proposed amendments to the *Penalties and Sentences Act 1992* and the *Youth Justice Act 1992* to allow a court to receive submissions regarding sentencing in criminal cases. We therefore urge you to consult with relevant peak organisations in relation to this important point.

The AASW (Qld Branch) would also strongly recommend the need for a parallel process to continue that not only sees a focus on legislation but also on societal wide attitudinal and behavioural change regarding attitudes to violence as discussed in our original submission. Furthermore, that appropriate education and support programs are developed and supported that has a focus on prevention and early intervention, along with the appropriate funding

necessary to work with victims of violence and perpetrators of violence. This latter is particularly important as increasing demand is experienced across the sector.

The AASW (Qld Branch) thanks the Government for the opportunity to provide input into this important legislative change process. We look forward to the opportunity to continue to be involved.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Fotina Hardy', written in a cursive style.

Dr Fotina Hardy

Fotina Hardy (BSW, M Comm; Doc Soc Sci)

MAASW (Acc)

President Queensland Branch

Australian Association of Social Workers