



Speech by

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DOMESTIC VIOLENCE (FAMILY PROTECTION) AMENDMENT BILL

Mr FELDMAN (Caboolture—ONP) (12.01 a.m.): In rising to make my contribution to this debate tonight, I firstly wish to pay tribute to the men and women of the Queensland Police Service for the magnificent job that they perform—at most times under pressure and in adversity—in dealing with domestic violence. I especially pay tribute to those police officers who have paid the ultimate price of their lives for attending domestic violence situations. There is no such thing as a simple domestic situation. Coming from 25 years in the Queensland Police Service, I have been through the whole ambit of what used to happen. Police used to have to go to these situations and wind up either cajoling or soliciting a complaint in respect to assault, aggravated assault or assault occasioning bodily harm, or somehow making some sort of an arrest under the Vagrants, Gaming and Other Offences Act for some offences committed within or close to a public place.

The Domestic Violence (Family Protection) Act was probably one of the better pieces of legislation to come out of this Parliament in a long time. It actually took a lot of the pressure off police attending those domestic situations. Police were able to utilise the provisions of the Act to actually take someone away when there was the risk of further domestic violence happening or when gross domestic violence had occurred. In my time in the Police Service, I attended incidents when there had been single homicides. I attended three double homicides and two multiple homicides in relation to domestic violence, and none of them are pretty. Both parties tend to treat a lot of things, especially children, like their property—like they have no soul, they have no feeling. I attended one incident in Deception Bay where the child was stabbed simply because one party did not wish the other party to have that particular piece of property—and that is all that small 8-month-old child meant to that couple. It is sad. It is quite horrific. And it does leave scars on one's memory. As I said, domestic violence is not an easy issue. It is not an issue that is easily solved with pieces of legislation, but it is legislation that gives police the ability to be able to control a situation.

I heard the member for Caloundra talk about men's rights and accommodation for men. That, too, might be an aspect that needs to be addressed, because I have seen situations in which men have been taken away by the police and locked up for four hours. Unfortunately, in the whole process, the whole truth of the situation involving that family has not really been elicited from either party; and unfortunately, the man goes back to get his tools of trade or to get a vehicle that he needs for his own work and winds up being locked up again.

At Redcliffe, certain days are set aside for the hearing of domestic violence matters. I remember that, in my time, it was Thursdays. If a person was pinched on a Friday, sometimes he could not go anywhere near his place of residence again until the following Thursday. That was part of his conditions of bail and part of the conditions set down on the domestic violence order or temporary order. In those circumstances, I believe that there needs to be provision for either party to go back home to actually retrieve whatever property or tools of trade are necessary to allow them to continue with their particular business of the day. I actually thought that issue may have been addressed within this legislation, but unfortunately those sorts of things have not been addressed and perhaps they need to be.

Domestic violence describes a situation in which one partner in a relationship uses violent and abusive behaviour in order to control and dominate the other partner, usually via physical, sexual or psychological abuse, forced social isolation or economic deprivation. Domestic violence is a continuing

problem in our community. Unfortunately, our community is turning out to be a more violent place. It affects between one in three and one in five Australian families. Domestic violence sometimes remains largely a hidden crime. In my time in the Queensland Police Service, I served in West End, Woodridge, Caboolture and Deception Bay, and it tended to be one of the high priorities in all those areas, and it was given a high priority, as well. While the statistics themselves are staggering, they can never really portray the reality of domestic violence in our communities.

Unfortunately, women are the most common victims of domestic violence, mainly because of their limited ability to injure a man physically, and in most cases their social and financial dependence makes them a little more vulnerable. However, over the last five years, the trend of domestic violence against men has increased significantly. The stereotype of men always being the perpetrators and women always being the victims is becoming a controversial issue—considering that the number of domestic violence applications by men in Queensland has risen from 12% in 1994 to 17% in 1998. Perhaps there needs to be a little redress towards considering all aspects of domestic violence.

People of all ages, from all racial, cultural, religious, socioeconomic, educational and professional backgrounds are subjected to domestic violence. Abusive partners also come from these diverse backgrounds. Many people are unaware of, or underestimate, the extent of domestic violence in our society and the impact that that domestic violence has on their partners. Many abused partners suffer extreme psychological trauma, and the effects on the victims are devastating. These include physical effects, ranging from bruising—and as I said before—to murder; psychological effects, such as constantly living in fear and uncertainty; nervous disorders and anxiety; and dislocation from family and friends and their broader social environment.

In homes where domestic violence occurs, children are also at high risk of suffering physical and emotional abuse, whether or not they are directly abused. By witnessing or experiencing domestic violence, children suffer significant emotional and psychological trauma said to be similar to that experienced by victims of child abuse. Between 50% and 70% of men who abuse their female partners also physically abuse their children, and there is a high correlation between the number of men who abuse their partners and those who also sexually abuse female children in family situations.

With parents as role models, children learn significant messages about behaviour, relationships and sex roles. When living in a home where domestic violence occurs, the children come to believe that—and this is taken from the report of the Queensland Domestic Violence Task Force—

- it is acceptable for men to abuse women, and vice versa;
- violence is an effective way to relieve stress, solve problems and to win arguments;
- it is possible to love and inflict pain all at the same time;
- inequality in relationships is normal; and
- there are few, if any, consequences for violent acts.

This inappropriate role modelling passed onto the next generation creates a vicious cycle. Boys who witness violence perpetrated against their mothers are more likely to abuse their female partners as adults than are boys raised in non-violent homes. Children exposed to domestic violence experience emotional and behavioural problems—and these, too, were contained in the report of the Domestic Violence Task Force—for instance—

- low self-esteem;
- repressed feelings of fear, anger, guilt, and confusion;
- increased levels of anxiety;
- stress-related physical ailments;
- increased internalised problems, such as depression;
- poor school performance;
- poor attendance at school;
- running away from home;
- aggressive language and behaviour;
- adolescent boys abusing their girlfriends; and
- higher risks of alcohol and drug abuse and juvenile delinquency.

I recall reading an article in relation to domestic violence which involved drug and alcohol abuse. This article appeared in a medical journal in England. It stated that domestic violence also increased the rate of suicide in that age group.

When we look at the alarming occurrences of domestic violence within the home—in particular the effect it has on children—it is no wonder that many of our youth today feel helpless and lost. Many people view domestic violence as a private problem in which others should not interfere. 18% of

Australians consider domestic violence to be a private matter, deeming that what happens behind closed doors is none of their business. 83% agree that most people turn a blind eye to its occurrence. As a police officer, I know that that is the reality because very few neighbours used to ring up. However, with increased interest in this matter, a lot of neighbours—especially close neighbours—ring up to report violence. Quite often the person who rang was not someone from the household or someone who was closely associated with the household.

Because of that view, domestic violence continues, with many Australians unwittingly accepting it as a "normal" occurrence within the home. As a result, our homes and families continue to be the setting for some of the most dangerous and life-threatening violence ever experienced. One cannot forget that domestic violence affects between one in three and one in five Australian families. Therefore, it is imperative that prevention be just as important as attending to the dilemma.

A range of individual and community responses is required to bring an end to domestic violence. Being aware of the issue and how we can respond sensitively to people directly affected by violence is one strategy. Being prepared to challenge inappropriate comments and the myths around domestic violence, which we often hear, is another.

Access to accurate and up-to-date information is essential to help address the issue, as well as changing the attitudes and beliefs about how men and women should relate in intimate relationships. Largely, batterers believe that they have a right to enforce their will on their partners, and it is this perception that definitely needs to be changed.

In addition, school curricula specifically addressing the issue may help to identify some children who are suffering in silence, giving them the chance to help themselves via services such as counselling and cognitive behaviour therapy. By educating the next generation about positive attitudes and values that foster equal and non-abusive relationships, the domestic violence cycle may be broken.

As the Minister advised, this Bill is the result of a comprehensive review of the Domestic Violence (Family Protection) Act over the last four years. Key organisations involved in the area of domestic violence have, over the years, called for urgent amendments to be made to this Act. These organisations thus contributed to the review process. I commend the Minister on the extensive consultation process carried out in the drafting of the Bill. The amendments will certainly strengthen and improve the operational efficiency of the Domestic Violence (Family Protection) Act.

I agree with what has already been said about the term "knowingly" and trying to prove it within the context of the court situation. We must remember the avenues that offenders use to cajole others. It is a question of whether they actually knew that they had been served and whether they knew or did not know what was contained in the domestic violence application. It is a question of whether they knew, or do not know, what is contained in the orders. They get out of the matter by saying that it was not sufficiently explained by the clerk of the court, the magistrate or the police officer serving the orders. The police had to organise themselves in an effort to overcome that situation. The police found that they had to get the person involved to sign the order to say that he understood it and that he actually read it. Police officers had to hope that the documents were safeguarded when they were returned to the court.

Many of the new provisions provide additional safeguards and protection to persons escaping domestic violence, such as the ability of courts to notify employers of the existence of domestic violence orders where their employees have access to weapons through their employment. I know a few police officers who had orders served on them. Those serving officers had to be placed in different operational positions so that they did not need access to their own firearms.

Leaving a violent partner does not necessarily mean an end to violence. In some cases, violence and harassment escalates during separation and can result in serious injury—sometimes death—and therefore these provisions are credible. It is a happy situation that we have other legislation in relation to perpetrators following people.

One Nation supports these legislative changes as a positive step towards addressing domestic violence as a major community concern. Any hope for change in the future depends on perpetrators taking responsibility for their actions, victims receiving the protection they require, and the community at large taking the responsibility for condemning acts of domestic violence.

One Nation thanks the Minister for bringing these provisions to the floor of the Parliament. In closing, I commend the Bill to the House.
