



Speech by

**KAREN STRUTHERS**

**MEMBER FOR ARCHERFIELD**

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**DOMESTIC VIOLENCE (FAMILY PROTECTION) AMENDMENT BILL**

**Ms STRUTHERS** (Archerfield—ALP) (11.36 p.m.): One of the most significant human rights achievements of the past decade in this State is the public recognition and protection that is now given to domestic violence survivors by the police and criminal justice system. Therefore, I am ever ready, willing and able to support the Minister in introducing this Bill, which will keep improving on the achievements of the past decade.

Firstly, I wish to correct the record, though. The member for Indooroopilly stated this his Government led the charge against domestic violence. I need to set the record straight. It was a number of key refuge women in the early eighties who really led the charge and in fact had to drag some members of the coalition Government of the day kicking and screaming to the table to talk about this issue. I admit that Minister Sherrin was probably the most sympathetic of the lot, but it was very difficult to get Ministers Chapman, Nelson and others to actually see that what people were trying to achieve was not to break up families but to make them much safer. It is unfair to say this his Government led the charge, because his Government was a significant problem in the eighties. Queensland was 10 years behind the other States in introducing domestic violence legislation. I admit that, once the gate was opened and things occurred, good programs were put in place in Queensland, but it was the Labor Government that has given rise to Queensland now being one of the leaders in the nation in terms of Statewide coordinated networks of service responses and effective legal responses.

The amendments in this Bill are essential tools in improving the enforcement of domestic violence orders. They will help the police to do their job effectively and they will enhance the safety of women, children and some men who are subjected to intolerable verbal, sexual and physical abuse. Early in my working life I had the pleasure of working with many committed women in Government and non-Government organisations, survivors of abuse, sympathetic police, lawyers, health practitioners and others who were also keen to break the silence on domestic violence. I had the displeasure of meeting many unsympathetic community members, police, offenders and others who wanted to keep domestic violence as a private matter between intimate partners and family members. Times have changed. The majority of sensible, fair-minded Queenslanders will not tolerate any form of violence against family members and welcome strong legal remedies to the problem.

The Domestic Violence (Family Protection) Act of 1989 was a great milestone, but as can be expected a number of weaknesses in the legislation emerged. Many police and domestic violence workers have been particularly keen to sort out shortcomings in the Act. One of these related to the interpretation of the word "knowingly" in section 81 of the Act. The police have been reluctant to issue prosecutions for breaches of protection orders because of the difficulty in proving that the respondent was aware of the contents of the protection order. This was clearly unsatisfactory.

The definition of "spouse" has also needed clarification and broadening. As the Minister and the member for Indooroopilly have stated, one young woman was refused a protection order because she was under 18 years of age. The magistrate appeared to believe that she did not fit the definition of a "woman". In my humble opinion, the decision of the magistrate to deny a protection order on these grounds not only displayed poor judgment in relation to female physical and emotional development but, importantly, was an act of inhumanity.

**Mr Lucas:** Also ridiculous in law.

**Ms STRUTHERS:** I take that interjection from the member for Lytton.

Many other improvements have emerged through the community consultations that the Minister has instigated. The amendments that the Minister has introduced will go a long way to remedying the procedural problems with the initial Act. I will not detail these as the Minister has covered them well.

We have lots of important legislation on the Notice Paper, so I will cut my contribution but end with some acknowledgments. I want to pay tribute to the committed staff of the Domestic Violence Policy Unit within the Department of Families, Youth and Community Care. The manager, Heather Nancarrow, has devoted around 20 years of her life to combating domestic violence. It is probably about time she got a life, but she has certainly worked hard with a wonderful team. Raelene Di Re, Sue Coxon, lawyers and others who have been part of that team have worked hard to make the legislation workable and to ensure that Queensland has a Statewide coordinated service network to tackle domestic violence. There are also numerous police, legal practitioners and non-Government workers who have played a big role in the success of the domestic violence laws in Queensland and in making sure that victims of abuse are safe and supported. The efforts of these people are often undervalued and rarely publicly acknowledged. So I am pleased to seek the indulgence of the House to give them a much deserved public rap.

I applaud the provisions of this Bill. I trust that police and criminal justice agents will now have clearer powers to ensure the safety of domestic violence survivors now and into the future.

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