



Speech by

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MEMBER FOR CAIRNS

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DOMESTIC VIOLENCE LEGISLATION AMENDMENT BILL

Ms BOYLE (Cairns—ALP) (4.46 p.m.): I compliment you, Mr Deputy Speaker Fouras, on your fine portrait, which was unveiled yesterday. As I was listening to the previous speaker I could not help noticing that your position in the chair this afternoon is very similar to that in which you have been painted for posterity. I do compliment you. It is surely a special time for you.

The important topic at hand this afternoon is domestic violence. Really, what a violent society it is that we live in. Australians would not generally endorse the statement, I suppose, that we live in a violent society. Even if asked, their minds would spring more likely towards violence in the streets—thoughts of murders, drunken fights amongst those in nightclubs or robberies of tourists and others. Some others might think that we meant violence on television or in movies. But the horrible truth we are facing with this legislation and beginning to face in the broader society is that we are violent in our homes and have always been. We are not just violent, either, in terms of a man hitting a woman. Yes, of course, there has been much too much of that—and that has certainly been the majority of the business of the domestic violence legislation to date—but that is only part of the story. We know that there are women who are violent. We know that there are same sex couples in which there is violence. We know that violence extends through other members of the family—even from children towards a mother. Of course, in those close relationships such as informal care relationships, supposedly there can be violence.

The violence sometimes is not just a matter of a punch, a hit or a blow that knocks somebody down. It can be verbal violence—day in, day out—verbal denigration, bullying, intimidation or threats that go on and on. These things damage all those who are involved—not just the victims. The perpetrators themselves are damaged with each occasion on which they commit their habit of violence. A lot of it is about habitual behaviour within a domestic situation. The people doing it probably do not even realise how bad, how ugly and how destructive it really is. It is a failure for most of them in terms of discipline. Where does it come from? We know from research that it comes from their having been privy to such scenes during their growing-up years. The more children are witness to violence of any kind—verbal violence, intimidation, bullying and outright physical violence, whoever it comes from—the more likely they are to accept that behaviour as 'normal' and the more at risk they become for engaging in that violence as an adult. They perpetuate those actions into the next generation. The legislation before the House this afternoon is about taking the next step.

Members on the other side of the House have criticised, as is their wont. As the Premier says, we work, they whinge. That is what they have done again this afternoon. They have found ways in which, in their view at least, the legislation is not perfect. No, of course it is not perfect. This is another step for Queenslanders to face this dreadful scourge we have hidden from view. While we have gone tut-tut about public crimes and about too much violence on TV, there has been too much violence in our own living rooms. Admitting that and taking the next step is all that we can do for now. I have no doubt that we will need to take further steps as the years go by. Other honourable members have put on the record the statistics that give witness to the level of violence, and that is just the tip of the iceberg. They do not account for the habitual abuse and intimidatory behaviour that occurs day in, day out, because that is very hard to survey or quantify.

There are a couple of specific things I want to mention. Over the last couple of years in Cairns there has been particular pressure from men's groups to work with women's groups engaged in dealing with the scourge of family violence and admitting that it mostly involves a male perpetrator, but not in all

cases. They are also working together to admit that if we are to stop this cycle of violence the perpetrators need a lot of direct assistance to do so. Unfortunately, I have to say that some of the women's groups in Cairns have been resistant to this. They seem to be locked into looking after the victim via endless counselling and support for the truly dreadful things that that woman has put up with. While I am not suggesting that we stop providing some level of support, empowering the victims to protect themselves and their children from such incidents in the future is a better strategy. However, the most important move we can take next is to work with the perpetrators, mainly blokes and the few women who are also perpetrators.

I commend the persistence of the men's groups in Cairns, particularly the indigenous men's groups which have taken the lead in this regard and piloted several programs. One program is in Cairns and another is in the cape community of Hope Vale, and these programs are quite successful. They allow men to admit the failures in their behaviour and begin to deal with that as their own problem. While this bill will protect Queenslanders of all ages in their homes from violence, the education program and the community focus will also make it easier for perpetrators to admit their problems and do something about it.

In the end it has to be recognised that we have to give our kids a good start. No matter how good our public schools might be and no matter how much we upgrade our education system, they are not getting a good start if they go home night after night to yelling and abuse, generally as a result of excessive alcohol. Facing and dealing with these problems is what this legislation is trying to achieve. I commend the minister and all staff who worked on this bill, particularly for the consultation undertaken around the state. Sometimes there is resistance not because of the letter of the legislation before us but more because of the reluctance there is in some sectors of our society to face the true level of the problem.

There are a couple of other points I want to mention, and one of those relates particularly to indigenous people. Consultations over the last 18 months or so have indicated a great welcoming from those cultures to the notion of family violence. Domestic violence, particularly man-woman violence, has not been a concept that is as culturally appropriate to them as understanding a whole family context, including extended members of the family, and there is a need to educate the whole system. That is what this bill is about. I was also asked to clarify for a young woman in Cairns why there are domestic violence protection orders when in fact most of the violence that occurs would qualify surely as assault and therefore the perpetrator could be charged under the Criminal Code. The answer is that the circumstances in which the domestic violence takes place are generally quite different. Very often they are in circumstances where there are no other witnesses and, as a result, the high standard of proof required by the courts cannot be met.

The other fact we have to deal with is that there are still women who are reluctant to bring charges against their men for assault or even report their violence at a lower level, because they know that if they do they will be at significant risk of facing a penalty for doing that. They still make excuses for the perpetrators such as, 'Oh, he had too much to drink,' or, 'He'd had a bad day at work,' or, 'He just loses it sometimes,' or, 'Sometimes he can't help himself,' and other such futile, pointless and weak excuses. It is more likely that a person who is treated badly within their own home is likely to take out a protection order for the future at this level rather than pursue it as a case of assault in the criminal courts.

The bottom line for all members is not whether or not we are going to vote in favour of this legislation, because I believe that a majority of members will vote for it and that the legislation will be passed. The important point is that, even though it will pass despite the opposition's resistance, we are all charged as leaders in our various electorates with going forth and selling the message. We need to ensure that all of the people in our communities know that violence in their homes is not okay anymore. No matter who is doing it and no matter who they are doing it to, it is not okay. This legislation is working towards a Queensland in which all of us can feel safe and comfortable in our homes with all of our family members and carers.
