



Speech by

**Mark McArdle**

**MEMBER FOR CALOUNDRA**

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## **SPECIAL CIRCUMSTANCES COURT; DOMESTIC VIOLENCE**

**Mr McArdle** (Caloundra—Lib) (9.35 pm): I want to talk tonight about the special circumstances court, Court No. 3, in the Magistrates Court in Brisbane. As I understand it, the court has been operating since May 2006. It deals with people who are homeless, alcoholics or drug addicted. As most people know, the traditional courts simply do not have the time and their case load is so heavy that they cannot provide the services that these people need on a regular basis.

This court deals with those people who really should not be in the judicial system. They are caught by their own circumstances. To qualify for the court a person needs to plead guilty to a public order offence and have an impaired capacity at the time that offence was committed. The court itself offers support and understanding. I will quote from an article that appeared in the 'Focus' segment of the *Courier-Mail* on the weekend of 24 and 25 February. The defendant Dave appears before the court. The article states—

'I had my shoes stolen and I had blisters and couldn't walk,' he tells the court, his voice breaking with emotion. 'I went to the police for help but they couldn't help me. I got angry. I have been divorced. I have had my antidepressant medication stolen. I have had my mobile phone stolen, my socks stolen. It's been rough for the past four months. I'm trying to get into rehab for alcohol abuse but I can't get in because I have a court matter before me. People don't understand.'

This court is trying to find the reasons that people such as Dave are committing these offences. This court with a team of experts is trying to assist these people so their lives get back on track. I am not quite certain when the evaluation of this court is to occur. In my opinion this government needs to be commended for what it has done. It has put in place a court that is assisting the most vulnerable people in this state. For that, it needs to be commended.

I now move to the issue of domestic violence—a topic I have spoken on many times in this House. I would like to see a domestic violence diversion court established in a similar vein to the drug diversion court and the special circumstances court. This would be a court that actually looks at the issues and why domestic violence occurs and assists perpetrators to work through those issues. There are many perpetrators and also victims who do want to reconcile. The courts at this point in time do not allow for that to occur. If we could have a system in place that assists couples to get back together with the appropriate help, it may well do a lot of good for the family, for the children and also society as a whole. One could certainly see Legal Aid, Queensland Health, the Department of Housing and the police department being heavily involved in assisting these perpetrators deal with their issues so that they can get on with their lives under court supervision and perhaps, at the end of day, the husband and wife or the partners could re-form their relationship and live together with their children. I would ask the government to consider establishing a domestic violence diversion court.

Time expired.