




Speech By
Andrew Powell

MEMBER FOR GLASS HOUSE

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**CRIMINAL LAW (DOMESTIC VIOLENCE) AMENDMENT BILL; CORONERS
(DOMESTIC AND FAMILY VIOLENCE DEATH REVIEW AND ADVISORY
BOARD) AMENDMENT BILL**

 **Mr POWELL** (Glass House—LNP) (12.34 pm): I agree with the previous speaker in saying that the changes we are discussing today do matter. They are appreciable, but there is more to be done. With that introduction, I too rise to comment on the two bills before the House. The Coroners (Domestic and Family Violence Death Review and Advisory Board) Amendment Bill establishes the Domestic and Family Violence Death Review and Advisory Board to review, at a systemic level, domestic and family violence related deaths. The Criminal Law (Domestic Violence) Amendment Bill increases the maximum penalty for breaches of domestic violence orders.

As was outlined by the shadow minister and by many of my colleagues on this side of the chamber, we are broadly supportive of both of these bills. The shadow Attorney-General will, of course, focus on one area where we have some concerns. Our broad support is consistent with the bipartisan approach to implementing the recommendations of the *Not now, not ever* report. As the shadow Attorney-General said, the LNP is proud to have initiated that special task force, which was chaired by Dame Quentin Bryce and which, earlier this year, produced the *Not now, not ever* report.

I will focus my comments specifically on the Criminal Law (Domestic Violence) Amendment Bill and, in particular, the fact that what we are discussing is an increase to the maximum penalty, which is a fantastic start. It is a really good start. However, as the previous speaker said, it is a start and we need to do more. I wish to share an email that I received from one of my constituents. For obvious reasons, I will not identify him. He writes—

I am writing to ask if you would please sponsor an e-petition. I am seeking an amendment to the Domestic and Family Violence Protection Act 2012 as I have a daughter who has been the victim of domestic violence by her ex-partner for the past 20 years. Her mother, sisters and I have all witnessed the trauma she has endured by having to repeatedly apply for protection orders to remain protected. Her ex-partner is relentless and resumes his violence immediately on the expiration of each order by presenting himself on her doorstep and parking her in on the very next day after an order expires. She has to apply for a temporary order prior to the expiry of each order, just to keep him at bay. This situation is also traumatic for all of our family, as we cannot help but expect the worst from him in that he may one day cause her serious harm or death, as he has threatened on many occasions in the past.

No-one should have to live like this. Laws should be made to protect the innocent, not the guilty. So I believe it only fair and reasonable that the onus should be placed on the respondent to have a protection order lifted by application to the court rather than the aggrieved victim to bear the considerable cost, both financial and psychological, of having to apply time and time again for protection.

I am pleased to say that, with the assistance of this constituent, we will be launching an e-petition very soon to see if that change could be considered by the Attorney-General.

I want to keep my comments brief, but before I conclude I will share another story that I received from a constituent. It is one that presents a slightly different perspective on domestic violence. Because of that, I will be clear from the outset: I abhor violence and abuse perpetrated by males. As a husband,

a father of five, a white ribbon ambassador and a former employee of the department of child safety, I believe that such practices are despicable and inexcusable. However, the current focus on domestic violence has brought numerous constituents to me outlining abuses of the existing domestic violence system itself. It is on that basis that I share the following—

As a single working mother of two children, my ex-husband and I do not face a lot of the domestic issues that arise from separation. This is mainly from the fact that my father wrote an agreement, signed by both of us, within a month of our separation. This agreement was to ensure that the children were not kept from either parent, that their needs were met by both parties and that we had an independent drop-off and pick-up venue away from the home.

Now this worked for us well. In fact, when you reached the angry phase of separation it was a God send to have this document. Now separated two years, our children have a healthy, happy relationship with both parents—no courts, no lies, just time to heal and deal and support our children.

As you know, my story is so very different from most. During this same time a male friend of mine had separated from his wife. In the same two-year period there were six domestic violence claims made against him. He lost two jobs as he had to attend court almost fortnightly and the issue of police attending the workplace to serve him.

The first domestic violence application was immediately granted to his ex without any form of evidence—just that she said it had happened. After going to court quite a few times, with strong evidence that he had not committed any of the allegations made against him, he was eventually awarded his own domestic violence order against her.

When they went to trial over those issues he lost his against her because he is a man and does not need to be protected from a woman. She was granted a two-year DVO, to which she has then alleged through police about six breaches, and six times the police have found no breach. He also was not allowed any form of visitation with his then nine-year-old son because she just simply would do not let him. Her words being, 'Take me to court.'

After losing his last job he went to a lawyer and was granted legal aid. They won the court case, giving him back access to his son. He now has every second weekend and half of the school holidays along with phone contact. Fathers have rights as well, but you know the only person really hurt by this nonsense was a nine-year-old child. There was nothing to protect him from the situation—nothing.

The reason for me telling you this story is because I want to know how this can happen. I want to know what is being done to cull the vicious women who use domestic violence as a weapon in separation. What is being done about their false allegations? Why are they not accountable for their false allegations and the waste of police and court funds while other women seriously need to be protected from their abusers? They get missed, they get hurt, they get killed. Their children lose mothers and fathers because nothing is being done to the women who use this as a weapon and treat DV as a joke. There are no repercussions for actions when, in fact, there are—the deaths of women who desperately needed that help and did not get it because the police are wasting their time with false accusations.

I again stress that I am not, for one minute, suggesting every allegation of domestic violence is false, but it is intriguing that a woman in my electorate has come to me with that story, concerned that there are abuses of the current system.

I do hope in our current focus on domestic violence—this important focus that we have on domestic violence—that we look to create a system that protects the innocent, whether they be the man or the woman in the situation.