




Speech By
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MEMBER FOR WARREGO

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DOMESTIC AND FAMILY VIOLENCE PROTECTION AND ANOTHER ACT AMENDMENT BILL

 **Ms LEAHY** (Warrego—LNP) (5.40 pm): I rise to speak on the Domestic and Family Violence Protection and Another Act Amendment Bill 2015. I want to thank the committee staff for their assistance with the inquiry and the professionalism in which they have undertaken the task assigned to them in the time frame. I also want to thank my fellow committee members from both sides of the House for their participation and consideration of this bill. The bill, as we have heard, seeks to implement a further suite of recommendations made from the *Not now, not ever* task force report—an initiative of the former LNP government. It seeks to ensure that domestic and family violence victims' voices are heard, the framework for how cross-applications for protection orders are dealt with and a requirement for the courts to consider ouster conditions and the use of body worn cameras by police. The task force heard that domestic violence victims often feel that their voices are not heard during court proceedings. Clause 4 seeks to amend section 4 of the Domestic and Family Violence Protection Act to achieve this outcome.

Currently, the Domestic and Family Violence Protection Act provides the court may hear cross-applications together but it does not require the courts to do so. The bill implements task force recommendation No. 99 by requiring the courts to consider cross-applications together, and it defines the terms and procedures for dealing with cross-applications. The court will be allowed to determine who is most vulnerable and in need of protection and whether the protection order is necessary and desirable. I hope that rural and regional victims of domestic violence do not suffer delays in the management of cross-applications. It seems to be a good concept to hear the applications in one court. However, there are issues related to which is the most appropriate court to hear those applications and where parties reside in geographically distant locations—for instance, one in Cunnamulla and maybe one in Toowoomba—it could be problematic or courts may be reluctant to add to the workload of other courts. The committee noted that there would be considerable challenges in rural and regional locations due to the imposts of cross-hearings and I encourage the government to look closely, as addressing these issues will be of benefit to domestic violence victims, be they male or female.

The task force report raised concerns that ouster conditions are not considered often enough. The data presented indicates that approximately 28 per cent of cases from 2012 to 2015 had ouster conditions. The bill requires the court to consider whether to impose an ouster condition for each domestic violence order it makes. Concerns were raised in relation to the practical imposition of ouster conditions, and I fully understand why these concerns have been raised. They were well articulated by the Aboriginal and Torres Strait Islander Legal Service, which stated that the amendments will lead to an increase in the number of ouster conditions imposed and as a consequence may cause an increase in respondent homelessness given that there is a dire lack of available hostels, shelters and accommodation for men in Queensland. One does not have to travel very far out into rural and regional Queensland to see the shortage of appropriate accommodation for domestic violence affected men and women or those parents who have children with them who are affected by domestic violence. It is not

uncommon to find that people have to leave their community to find suitable accommodation and on many occasions they find it very difficult to leave because there is little or no public transport. Although the various services such as neighbourhood centres and church and community groups do their best to accommodate male and female domestic violence victims—and I commend them for their community work—there are limited accommodation options in rural and regional communities and these services are always very stretched and do their best to look after their clients. There are also concerns that there may be an increase in the possibility of breaches of domestic violence orders if someone has nowhere else to go but back to their home, and in many communities this is the case. It was a very good suggestion from one submitter who suggested that there should be increased training and advocacy within the private real estate sector. This may be of assistance in this regard and I would encourage the government to investigate this suggestion, as it would be of assistance to all Queenslanders.

The bill also provides for amendments to the Police Powers and Responsibilities Act that currently makes limited mention of the use of video recordings as there is no provision that expressly authorises the use of body worn cameras by police officers. These amendments provide clarity and make it clear that it is lawful for a police officer to use a body worn camera to record images or sounds while an officer is acting in the performance of their duties. I have no doubt that cameras will be of assistance to police officers in many policing situations. I do wish to tell the House a story, but I do not wish to detract at all from the seriousness of the subject that we are discussing here today. I was having a conversation one day with a police inspector at Charleville who told me how he was parked at a set of crossroads in far western Queensland when an emu raced out of the mulga and smashed into his police car door and wrecked the door. He then had great difficulty in explaining to his superiors how his stationary police car was smashed by a crazed bird in the middle of nowhere. If only the police inspector at that time had had a body camera it would have saved a lot of paperwork and a lot of explanations would have been avoided, and we may even know the fate of the emu. I hope the cameras will also assist those police officers who man one-man police stations across rural, regional and remote Queensland. They, too, deal on a regular basis, unfortunately, with domestic violence matters and they have to attend many of those policing issues on their own on a daily basis. I hope the body cameras are of assistance to them. I commend the bill to the House.