




Speech By
Hon. Shannon Fentiman

MEMBER FOR WATERFORD

Record of Proceedings, 19 April 2016

PRIVATE MEMBERS' STATEMENTS

Domestic and Family Violence

 **Hon. SM FENTIMAN** (Waterford—ALP) (Minister for Communities, Women and Youth, Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence) (10.29 am): I am pleased to advise the House that after many months of consultation on the review of the Domestic and Family Violence Protection Act, cabinet yesterday endorsed further legislative reforms as we push forward with implementing the recommendations of the *Not now, not ever* report. A bill will now be prepared for introduction to meet our commitment to present legislative changes in the first half of this year.

The Palaszczuk government's No. 1 priority is keeping victims of domestic and family violence safe. We have already delivered significant reforms to strengthen protection for victims and hold perpetrators to account, and there are further reforms regarding aggravation and strangulation before the parliament this week. We have said that we will consider any tool available to us to stop this epidemic, but we will do that in a considered and comprehensive way.

We are privileged to have been given a road map by Dame Quentin Bryce and the task force and, having accepted all 140 recommendations, it is imperative that we focus our immediate efforts on steady and effective implementation. However, we know that outside this process other ideas arise. One such issue is the potential creation of a public disclosure scheme, which would allow people to seek details of their partner's criminal and domestic violence history, known as Clare's law. It is important that we assess all of the social and legal dimensions of any potential scheme, particularly the impact on victims. The costs and benefits of public disclosure schemes will need to be carefully balanced.

In order to ensure that careful, measured consideration is given, I can inform the House that the issue of a domestic violence disclosure scheme will be referred to the Queensland Law Reform Commission for consideration and review. They will be asked to consider whether Queensland's response to domestic and family violence will be strengthened by the introduction of such a scheme. The QLRC can draw on the effectiveness of the scheme currently operating in the United Kingdom and the two-year trial underway in New South Wales, but will also have to investigate why the Western Australian Law Reform Commission and the Victorian Royal Commission into Family Violence recommended against the introduction of such a scheme. The Victorian royal commission report noted—

A perpetrator register scheme is being considered by other jurisdictions in Australia but, because of concerns about the effectiveness of such schemes in ensuring victim safety, and pending the results of a trial in New South Wales, the Commission does not recommend the introduction of such a register.

This is a view that has also been expressed to me by service providers who are telling me that any consideration of such a scheme should be done with caution and with careful attention to any unintended consequences. I thank the members of the Law Reform Commission in advance for their contribution and I look forward to receiving their report.