




Speech By
Hon. Mark Furner

MEMBER FOR FERNY GROVE

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**VICTIMS OF CRIME ASSISTANCE AND OTHER LEGISLATION AMENDMENT
BILL; BAIL (DOMESTIC VIOLENCE) AND ANOTHER ACT AMENDMENT BILL**

 **Hon. M FURNER** (Ferry Grove—ALP) (Minister for Local Government and Minister for Aboriginal and Torres Strait Islander Partnerships) (11.50 pm): I rise tonight to make a contribution in this cognate debate, but my focus will be on the private member's bill, the Bail (Domestic Violence) and Another Act Amendment Bill 2016, which was referred to the Legal Affairs and Community Safety Committee for examination on 17 March 2017. As stated in the chair's foreword of the report, committee members and those who appeared before the committee and made submissions were clearly committed to putting a stop to domestic violence. However, the committee was unable to reach a majority decision in recommending the bill be passed.

I commend the chair of that committee, the member for Stretton, also the member for Capalaba and the member for Pine Rivers for their detailed examination and contribution in delivering the report on this particular bill. I also acknowledge the families of the victims of domestic violence who contributed to the consideration of the bill and their courage for coming forward and telling their stories and speaking about the loved ones they have lost. I also acknowledge the many women who have attended my office over the last many years to explain their concerns about domestic violence. I have cried with those women in my office because it is something that is fundamentally important and precious to my heart. That importance and that concentration of passion comes from my position as a White Ribbon ambassador since 2008.

Notwithstanding that, I believe that all of us have a genuine passion in relation to this issue and agree that tackling domestic violence in our society is a priority. We should all come to this chamber with a position of being bipartisan in terms of making sure we get the best outcomes. We also need to have strong, workable laws that protect victims of domestic violence. Our benchmark for laws in regard to domestic violence stem from the special task force on domestic violence in Queensland and its report, *Not now, not ever. Putting an end to domestic and family violence in Queensland*. The Palaszczuk government has methodically, over a period of time, implemented legislation to deal with this particular matter, supported by the LNP opposition in this regard, to make sure that we provide protection for women in our society.

The Bail (Domestic Violence) and Another Act Amendment Bill provides for the defendant to be remanded in custody in circumstances where it has not been practicable to obtain sufficient information regarding the risk posed by the defendant if released on bail. This was considered in detail by many submitters in the hearing. I want to refer to two of those submitters, Micah Projects and Sisters Inside. Representatives from Micah Projects made two fundamental points. They indicated that there needs to be a strengthening of the integrated responses and multiagency information sharing on domestic violence, including use of risk assessment tools, and to elevate and support the management of

high-risk offenders through coordinated community responses that are emerging in Queensland. Micah Projects, in its submission, referred to the Queensland Law Society and a statement by the QLS president Christine Smyth who indicated—

The QLS is of the view the proposed reversal of onus of proof provisions touted by the state opposition when considering the release of an alleged domestic violence offender back into the community would not deliver the intended effect of improving public safety.

Micah Projects have been around for a long time. I remember them appearing before many of the committees I was on in the Senate. They are a competent and well-measured organisation that delivers real base evidence before committees. In their submission they went on to further state—

We share a concern raised by others that placing the onus of proof on offenders in applications for bail can disproportionately impact on disadvantaged people and substantially increase the prison population in Queensland, without achieving its desired effect of targeting and managing the high risk offenders.

I now turn to the other submitter I referred to, Sisters Inside. In their submission they indicated almost all women in prison are survivors of violence and abuse experienced both as adults and children. Recent data published by the Productivity Commission shows that Aboriginal and Torres Strait Islander women are 30 times more likely to be hospitalised as a result of family violence than non-Indigenous women. Furthermore, they went on to indicate Aboriginal and Torres Strait Islander woman are more likely to be in prison for violent offences against abusive partners and family members. Even though the proposed amendments are limited to violent offenders, we are concerned that reversing the presumption of bail will negatively affect women, especially Aboriginal and Torres Strait Islander women, whom those laws are designed to protect—women I am now responsible for under my portfolio as the Minister for Aboriginal and Torres Strait Islander Partnerships.

Ms Bates: That is not what the Aboriginal Legal Service said.

Mr FURNER: Listen to this! The member should listen to the evidence that she hears rather than sit across the chamber and snark and politicise this debate. Sisters Inside referred to data provided by Corrective Services, which showed that in 2014-15 and 2015-16 a breach of the DVP act was the 10th most common offence type for which women were in prison, either on remand or sentence, and in 2015-16 299 women were serving sentences of imprisonment for assault type offences and 36 women were serving sentences for breaches of the DVP act as their most serious offence. They are the unintended consequences as a result of accepting this bill before us tonight that I believe those opposite have not really considered in their examinations.

As parliamentarians we all come into this place with an obligation and that obligation is that none of us should badge debate, badge circumstances in respect of these sorts of issues. I call on those people, regardless whether it be crossbenchers or those opposite, to leave their gutter politics at the chamber door. They should come into this place and have a real debate using the evidence before them but leave those politics at the door. They should come in here with respect and have an ethical discussion about what is best for our society, what is best for women in our communities, and leave their gutter politics at the door.