



Speech By
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PENALTIES AND SENTENCES (DRUG AND ALCOHOL TREATMENT ORDERS) AND OTHER LEGISLATION AMENDMENT BILL

 **Ms BATES** (Mudgeeraba—LNP) (3.54 pm): I rise to make a contribution to the debate on the Penalties and Sentences (Drug and Alcohol Treatment Orders) and Other Legislation Amendment Bill. Queensland has now endured almost three years of a do-nothing Labor government. In 2015 we saw Labor make all sorts of promises to fall into office. One of their key commitments was to bring back the Drug Court, and yet even with this bill the Drug Court still has not been re-established in Queensland. This is despite the Attorney-General saying months ago that she hoped to have the Drug Court up and running by November this year. November is a week away and Labor still have not delivered on their promise.

Why did the Attorney-General bring up the Drug Court in estimates? At that time it was revealed that almost \$1.2 million has been spent on this commitment to date. Despite throwing more than \$1 million at their so-called commitment, not a single person has had their case heard in the Drug Court because it has not actually reopened. It is typical of a do-nothing Labor government in Queensland. Three years in government and there is next to nothing to show for it but a couple of talkfests. This is whilst ice use continues to spiral out of control in regional Queensland.

Today, as the shadow minister for the prevention of domestic and family violence, I want to talk about the bill's changes surrounding strangulation in a domestic setting. Snuck into this bill we see changes to the Evidence Act so that an alleged victim of a strangulation offence under the Criminal Code is afforded appropriate protections in court proceedings in relation to cross-examination. These changes mean in a court proceeding in which the perpetrator is known to have strangled the victim, a self-represented alleged perpetrator is prohibited from cross-examining a protected witness. A protected witness includes an alleged victim in a proceeding for an offence defined as a prescribed special offence.

The changes are designed to ensure that an alleged victim of this offence is afforded appropriate protections in court proceedings. These changes are finally being introduced after three years of Labor doing nothing to protect victims in a courtroom setting. We know that legal proceedings are incredibly difficult for victims and can even serve to retraumatise victims months or years after the violence took place. For too long perpetrators have been able to cross-examine their victims personally, putting them in the horrific position where they have to face their perpetrator in court and answer their questions.

We saw a new offence of attempted strangulation introduced into the Criminal Code in December 2015. This was passed into law in early 2016. Despite having the entire department of legal minds and the resources of government, Labor forgot to make the offence a relevant offence for the purposes of special witness status. For more than 12 months Labor have left victims exposed to the further victimisation of being cross-examined by unrepresented offenders. So much so that the Attorney-General even celebrated the fact that 798 people were charged in the first 12 months of the new offence. In 2016-17 that number has jumped to more than 1,000.

We know that non-fatal strangulation has been identified as an important risk factor for the homicide of women. Study after study has underscored the need to screen for non-fatal strangulation when accessing abused women in emergency department settings. Strangulation is in fact one of the best predictors for the subsequent homicide of victims of domestic violence. One study showed that the odds of becoming the victim of an attempted homicide increase about sevenfold for women who have been strangled by their partner. Victims may have no visible injuries whatsoever yet, because of the underlying brain damage due to the lack of oxygen during the strangulation assault, may have serious internal injuries or die days even weeks later.

Earlier this year under Labor we saw reports in the *Gold Coast Bulletin* of Gold Coast forensic experts being told by Queensland Health not to attend attempted strangulation cases and refer domestic violence victims to emergency departments. According to those reports, confidential emails showed staff were denied a chance to attend training. The report stated that Queensland Health managers said their staff had enough work to do without being asked to take on strangulation cases.

Is it any wonder this amendment has been snuck in the back of the Drug Court bill to try to hide the complete failure of this Labor government once again to protect victims of domestic violence? Labor's shocking record on domestic violence and their inability to protect victims is absolutely appalling. Taking three years to finally protect victims in the courtroom is just not good enough. Only the LNP will deliver and provide safe and livable communities.