



## Speech By **Tim Nicholls**

**MEMBER FOR CLAYFIELD**

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Record of Proceedings, 22 March 2017

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

 **Mr NICHOLLS** (Clayfield—LNP) (Leader of the Opposition) (12.39 am), in reply: In responding to the comments on the Bail (Domestic Violence) and Another Act Amendment Bill 2017, I thank all members for their contribution to this debate which has been about issues which can and do often invoke strong emotion and deep convictions, as they should. It is clear that there remains a strong resolve of the parliament to tackle domestic violence and do what we can to support victims and their families, but we have not heard any justified reasoning or compelling evidence presented by any members of the House as to why this bill in its current form should not be supported in its entirety. We have seen the last-minute amendments presented by the government, and I have to say that it is disappointing that, despite our invitation for any amendments or suggestions for improvement to be provided to us at a much earlier stage, they have been drafted and presented to us for consideration at such a late stage in this debate.

Tonight we have heard a lot of discussion about the apparent lack of consultation on the policy objectives put forward in the private member's bill, but I have to say that it is a hell of a lot more than the consultation and consideration that has gone into the amendments that have been circulated tonight by the government through the Attorney-General, of which there has been none at all. This issue is very important. It is far too important to just rush amendments through on the fly. It is disappointing that the issues canvassed by the Attorney-General in her opening comments and covered in the amendments were not put forward by government members of the committee or contained in the committee report. The whole purpose of holding these committees, having these open hearings and allowing people to make submissions is to present appropriate alternatives and suggestions for improvement or questions in relation to the operation of the legislation, but that has not been done in this case. As I said, despite the opportunity for that to occur, we have not heard anything from the department.

For example, I heard the member for Capalaba reference a domestic violence incident, in particular arson, which took place in his neighbour's place. I was sorry to hear about that, but the government's amendments actually remove the offence of arson, section 461 of the Criminal Code, from the list of offences that would be covered as a relevant domestic violence offence. We have a member talking about it, and then we have an amendment that removes the offence of arson as a relevant domestic violence offence.

In relation to GPS trackers, Labor's amendments also stray outside the recommendations of the *Not now, not ever* report and recommendation 123 which goes against the government's strong concern and caution contained in the committee report about any measures put forward that were outside the road map put forward by *Not now, not ever*. We heard from other government members who felt they were not given enough time to consider all of these issues. Let us not forget the 18 minutes that this parliament was provided with to consider changes proposed by this Attorney-General to the entire way the state votes after 20 years. We had 18 minutes notice, and this government complain that they have not had enough time with a full committee process and a full reporting back process to consider the changes and the legislation that we put forward.

This law and the bill were flagged for weeks before it was actually introduced into the House. It was no secret. On top of that, the committee has had several weeks to consider the bill after its introduction, as I mentioned. Let us not forget the Premier allegedly moved the sitting week back to this week and used the justification that it would allow for this bill to be debated more quickly than it otherwise would have been. On the one hand, they complain about the lack of consultation; on the other hand, they wanted to move the parliamentary sitting week and used the justification that the bill could be debated more quickly. There is no consistency in this government's arguments.

Many of the measures that are considered in this legislation are already in use elsewhere. They form part of the laws in states like New South Wales and Victoria where there is already effective evidence of their use. We have had months of consultation on *Not now, not ever* and that led to recommendations being adopted as part of this bill. There are other objectives that we have put forward in this legislation—the five key objectives that I mentioned—that have been around for years. As I said in my second reading speech, not one departmental representative gave evidence to the committee about why our proposals are ineffective and why government amendments are needed. One would have thought that if the government were so concerned about the changes that we made they would have sent someone from the department along to give evidence to the committee so that the committee could report back to this House before we had the debate on the bill suggesting the changes.

**Mr Walker:** They have a regiment of officers.

**Mr NICHOLLS:** I take that interjection from the member for Mansfield. They have a regiment of officers to be able to do this job. It is a bit rich now to claim that advice from the relevant government department says that our laws will not work or should be amended at the eleventh hour—indeed, at almost the 13th hour, now that we have this debate.

The member for Bulimba talked about this not being a competition about who introduces legislation and which side of politics is better. I simply say that, if that is the view of the member for Bulimba and if that is the government's view, then they should support this legislation. Do not run away from it. Support this legislation. If that is the member for Bulimba's deeply held view, then support the legislation because we have supported theirs. We have constructively and positively supported legislation, action and recommendations and we are doing so tonight again. I simply say that bipartisanship is not a one-way street, except it would seem with the ALP—

**Mr Bleijie:** When it suits.

**Mr NICHOLLS:** Only when it suits. We have had a look over the amendments that have been circulated by the Attorney-General in the short time—

**Ms Fentiman** interjected.

**Mr DEPUTY SPEAKER** (Mr Stewart): Member for Waterford, your objections are not being taken. I ask you to resist interjecting.

**Mr NICHOLLS:** We have had a look over the amendments that have been circulated by the Attorney-General. While we will support a number of those minor amendments, particularly in relation to the commencement of the GPS tracking to allow the practical application—this is a sensible suggestion which we are happy to take up—and in respect of the monitoring role to be taken by the chief executive of the department for the time being responsible for the administration of the legislation as well as the police, we do not agree without due consideration that we should water down the strong measures that are in this legislation to better protect domestic violence victims. We cannot support these changes which are rushed, which have not been subject to discussion and which have not been subject to committee scrutiny. We cannot support changes in these circumstances, given that this legislation has been subject to scrutiny by a parliamentary committee with submissions from 32 other people and key stakeholders and public hearings and after it has been widely canvassed in public debate.

As a husband, as a father of a young daughter, as a Queenslander, I was absolutely shocked and sickened by what happened to Teresa Bradford. We do not need another review to tell us the system has failed yet another victim. We do not need to read another report of a family being torn apart and a life being lost because we failed to act in this place when we had the opportunity. Tonight is that opportunity. Queenslanders deserve a strong response, strong bail laws, and that is what they will get with this legislation if it is supported tonight. As I have said before, we are proposing common-sense reforms that will rebalance the scales of justice in favour of community safety. Who can argue against that? We are proposing a simple rebalancing of the scales of justice, not tied up in legalese or arcane arguments but simply acting to tip the balance in favour of community safety.

I remind the House again that last year 18 Queensland women died due to domestic violence. With more than 22,000 domestic violence protection orders now flowing through the courts each year, we cannot afford not to have stronger laws to protect our victims. It is time for this parliament to act. It

is time to do more and make a difference to these terrible statistics which despite everyone's best efforts seem to be getting worse, not better. I simply urge all members to consider this legislation, consider why it is that they come into this place, what it is they hope to achieve and perhaps when they leave this place what it is they will reflect on that has made the most difference to the lives of people here in Queensland, and to support this legislation here tonight.