




Speech By  
**Ali King**

**MEMBER FOR PUMICESTONE**

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## **DOMESTIC AND FAMILY VIOLENCE PROTECTION (COMBATING COERCIVE CONTROL) AND OTHER LEGISLATION AMENDMENT BILL**

 **Ms KING** (Pumicestone—ALP) (4.20 pm): I rise to speak in support of the Domestic and Family Violence Protection (Combating Coercive Control) and Other Legislation Amendment Bill 2022. Before I begin my contribution, and at the request of her friends, I remember Janet Guthrie, a proud black woman living in Bongaree, who was taken from her children, her family, her friends and her community violently last week. Rest in power, Janet. In remembering Janet, I acknowledge the disproportionate dangers and greater complexity faced by Queensland's culturally diverse and First Nations women.

It is distressing and bewildering that so many people save their most cruel and repulsive behaviour for those they claim to love most or to have loved. Like so many people in this chamber, I have had these situations play out for people close to me. I will never forget the distress of wondering how and what we could do to keep somebody I love very much safe. Like that person, I was helpless to do anything except hope that things would get better and that somehow she could be protected. While that was a long time ago, the shadows cast are long and dark and the impacts continue today.

Since 2015 our Palaszczuk government has worked tirelessly to peel back layer upon layer of the challenges around domestic and family violence. It is not an easy space to work in. From implementing all 121 recommendations of the *Not now, not ever* report, to the Women's Safety and Justice Taskforce's reports 1 and 2, to the Commission of Inquiry into Queensland Police Service responses to domestic and family violence, our government's work has been unrelenting. We created the standalone offence of non-lethal strangulation in 2016, and within a year at least 800 people had been charged. We have invested over \$1.3 billion since 2015 in prevention and support services. I think it is a bit rich for the LNP to criticise our government's work when the last time they got their hand on the reins they cut \$380 million from family and community services, including domestic and family violence services, in their very first budget.

Tragically, as much as our government attempts to do, there is always more needed. I often think of journalist Jess Hill's groundbreaking book *See What You Made Me Do* and her feedback from victims that exposure to anti domestic and family violence advertising campaigns made their violent partners more angry and more likely to hurt them rather than less. It is hard to understand, but as Ms Hill notes—

... statistics tell us something that's almost impossible to grapple with: it's not the monster lurking in the dark women should fear, but the men they fall in love with ...

One of the things we have learned so tragically in recent years is that for many that fear does not need to be regular physical violence to be very real. Many victims of coercive control are never physically assaulted until the moment they are attacked with intent to kill, but the threat of harm to themselves and their children, their loved ones or their pets is woven through every moment of their lives. They may not recognise themselves as victims of domestic and family violence, even as they live

in fear that one day their partner will kill them. This bill is essential because it grapples deeply with even more layers of that complexity, recognising that coercive control is intrinsic to most domestic and family violence.

The task force noted in particular that one of the most concerning aspects of contemporary domestic and family violence trends is the ability for perpetrators to weaponise court proceedings and orders as an ongoing form of abuse. Clause 30 of the bill specifies that except in exceptional circumstances only the person most in need of protection should be granted a DV order, and that the assessment of which party is in most need of protection should be made in the context of the relationship as a whole. This recognises the reality of systems abuse where a perpetrator uses the legal process to continue to control, harass, harm and intimidate a victim. This change is especially important for First Nations women who commonly face being incorrectly identified as perpetrators.

Clause 34 provides magistrates with guidance in how to determine which party to a relationship is most in need of protection in the context of cross applications, based on the recommendation of the Queensland Domestic and Family Violence Death Review and Advisory Board. Judicial officers face significant uncertainty in the emerging understanding and increasing litigation of domestic and family violence, so these changes are welcome. Clause 49 allows the court to make a costs order against a person they determine has engaged in systems abuse or legal abuse. That will be a powerful deterrence measure against a perpetrator who uses these methods.

The bill gives courts discretion to provide directions to a jury that address misconceptions and stereotypes about domestic and family violence to overcome biases we know put victims at an inherent disadvantage in the system. Consistent with the task force recommendations, the bill also facilitates admission of expert evidence about domestic and family violence. Making this expert evidence about the patterned, cumulative and coercive nature of domestic and family violence admissible is important, given the outdated views about this kind of violence are persistent such as that if domestic and family violence was genuine and serious a victim could or should have just left. As Ms Hill states in *See What You Made Me Do*, the question should not be 'Why didn't she leave?', but 'Why did he continue to abuse her even after he promised to stop?'

It is a shame that the member for Hinchinbrook feels offended at the idea that domestic and family violence and coercive control need to be viewed through a gender lens. Personally, what offends me are the statistics that show women and children suffer the most and are at the greatest risk. I am offended that a woman every week is dying at the hands of someone who once claimed to love her. I am offended when a woman leaves her partner, moves away to hide and he relentlessly tracks her down and kills her. I am offended by the deaths of Hannah Clarke and her three children.

I ask members of this House to be very careful when they go down the 'not all men' path. Nobody is forgetting men who experience domestic and family violence, but statistics show this is a profoundly gendered crime. He who sups with the devil should have a long spoon. Like many members of this Assembly, and especially female members, every time I speak on social media or in this House about strengthening domestic and family violence laws or increasing funding or adding programs, I am bombarded by abuse, always from men. When these men do that, they are outing themselves as men who choose to abuse, threaten, disparage and harass women. They bring their personal behaviour towards the women in their lives into stark question. If they feel entitled to abuse, harass, threaten or degrade a female MP, what do they feel entitled to do in the privacy of their own home to the women in their life when they say or do things they do not like?

In conclusion, the Domestic and Family Violence Protection (Combating Coercive Control) and Other Legislation Amendment Bill 2022 takes even more important steps towards protecting Queenslanders from domestic and family violence and holding perpetrators accountable. I thank the Attorney-General for her profound commitment to this work. I thank the Premier for her continued bravery in bringing these measures forward. I commend the bill to the House.