




Speech By  
**Amanda Camm**

**MEMBER FOR WHITSUNDAY**

---

Record of Proceedings, 21 February 2023

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

 **Ms CAMM** (Whitsunday—LNP) (12.29 pm): Today I rise to contribute to the debate on the Domestic and Family Violence Protection (Combating Coercive Control) and Other Legislation Amendment Bill 2022. It contains amendments that have been long-awaited by many and, sadly, by far too many who have to live with domestic and family violence. I refer to the diverse range of women, men and children whom domestic and family violence impacts. It impacts First Nations women, professional women, women from culturally and linguistically diverse backgrounds, women with disability, women with different sexual preference or orientation, women every day living out their lives—women like me and like other women in this House.

In 2021-22 the Queensland Police Service recorded 139,000 domestic and family violence occurrences. Research tells us that up to 80 per cent of DV at times is not reported. This is particularly relevant to violence that is non-physical, social, financial and psychological—things like gaslighting, which is a form of psychological manipulation by which perpetrators manipulate their victim by placing self-doubt in their mind.

I am all too aware that there are many people who understand domestic violence firsthand in such a way that they cannot explain because it is part of their normal, everyday life. There are also many who cannot share their story or their experience. Sadly, too many across our state have lost their lives as a result of domestic and family violence. We have all witnessed one family who channelled their grief and their loss to become Queensland's most visible advocates of coercive control, the Clarke family. Domestic and family violence took their grandchildren and their own daughter, who did not know what coercive control was. In fact, Hannah did not recognise the behaviours of her then husband that, by nature, were the definition of coercive control. When I speak with members of the legal fraternity, I hear that it is all too common, unfortunately, that victims of domestic and family violence do not understand what coercive control is.

While this bill aims to address the recommendations from the Women's Safety and Justice Taskforce and the need for a specific offence, this bill contributes to expanded definitions that will support further legislation, as part of a further tranche of reforms, to introduce a new, standalone offence of coercive control. We understand that the government will introduce that as part of the reform agenda. The LNP will not be opposing and in fact will be supporting these amendments today—amendments to the Criminal Code that rename, modernise and strengthen the offence of 'unlawful stalking' to 'unlawful stalking, intimidation, harassment or abuse'.

I note the committee's recommendations. I also note the chair's personal views that instances of DV in his opinion have not increased but that the willingness of those aggrieved to come forward has grown. I agree that when victims of domestic and family violence have a greater awareness of what it is they do come forward. However, when I speak to police officers, teachers, health professionals and services across the state, I only hear comments that cases are increasing. As the issues of cost-of-living pressure, the housing crisis and the societal issues of drug and alcohol abuse and violent

pornography now able to be accessed by children of all ages and adults are more widespread than in any generation before, there is evidence not only that violence is increasing but also that the occurrences of physical, psychological and emotional violence are in fact increasing.

The history of domestic and family violence and the degradation of women and children in their own homes in Queensland is shameful. For too long this has happened behind closed doors. For too long serious abuse was belittled as being 'another domestic'. For too long victims have spoken up only to be silenced and for too long we have said, 'Enough is enough.' The Premier herself has said that the time is right for action. Except there is one thing: she said that on 18 August 2015. She has been in power for that long and what have we achieved as a state? There have been countless reports, yet no evaluation of any measures that have been enacted. This is an issue on which we want to work with the government. I think we all agree that we want to see women and children protected from this insidious violence, but we will not stand by. While we will support amendments, it is also our job to call out when the government continues with words and very little action.

The Queensland Audit Office report *Keeping people safe from domestic and family violence* was nothing short of damning. As it reminds us all, when we talk about this system and services, the outcomes of ineffectiveness are sometimes tragic, resulting in tragic situations and circumstances. It is important to reflect on this report as we debate this legislation, because it is essential to ensure that the changes before us are monitored and that they work. We know too well that the stakes are high if they do not. The legal fraternity, police and services in the sector are all very concerned that the need for education and funding is enormous. In particular, the need to engage and consult further with services that support both our Indigenous and our cultural communities is critical.

We already have an over-representation of Indigenous women currently dealing with domestic and family violence. This has been raised directly with me by organisations such as the Bangle Foundation as well as Indigenous leaders in Far North Queensland. The Audit Office found a lack of evaluation of domestic and family violence initiatives to the point that the department even stopped collecting expenditure data in 2019, so the department does not know how much it has been spending on domestic and family violence initiatives since 2019. I repeat: the department does not even know how much it has been spending on initiatives to prevent and educate about domestic and family violence across our state. The report found that prior to that only four per cent had been spent on prevention measures. This is very concerning when we want to see and witness a societal change, introduce further reform, enhance laws and give police and the judiciary further powers. We—I say 'we' as a collective—need to do a whole lot more. It is disturbing when the government is allocating only four per cent on prevention measures, education and perpetrator programs.

Couple this with other findings. The department does not know the use, detail or outcomes of the RESPECT program and as a result has no idea whether the program has been effective or whether it is even a useful resource. The department does not track perpetrator programs. The government does not collect data on attendance rates, completion rates or waiting lists for perpetrator rehab programs. It also does not know how many perpetrators reoffend after they have completed rehabilitation programs.

Queensland Corrective Services cannot confirm how many domestic and family violence perpetrators have been in Queensland's prisons and has no permanent programs for rehabilitating domestic and family violence perpetrators in Queensland prisons. The department has not reviewed the placement of high-risk teams since 2016. It does not analyse data to determine which local government areas are most in need. Some areas with the greatest DV rates in the state do not have high-risk teams. Once again the lack of police training was pointed out, especially for those assigned to specialist DV roles. Finally, the introduction of choking, suffocation or strangulation in a domestic violence setting as a specific offence in 2016, following the *Not now, not ever* recommendation, has not been measured in terms of how effective it has been in preventing subsequent violence. To date, the Queensland Police Service has had low conviction rates for this offence.

It is the single biggest reform that is required. It should be a priority for this government. I received a phone call today from a lawyer who is acting for a woman with domestic and family violence as part of her life and they have little confidence in the law as it currently stands.

I raise these points because, as members can see from the final one, it is vital that when this House introduces measures and makes decisions to reform and change definitions we monitor them to ensure they work and are effective. It cannot be that we bring these in, make an announcement and then walk away. That has happened time and time again. Some of these measures will work—and I hope they do—but some may not. Some may put even more pressure on the victim. Some may have unintended consequences. These need to be identified and reformed in a timely way to ensure that we have the best legislation and measures in place to do what we can to protect victims.

As I said, the LNP will be supporting these amendments today, but we want to see a system that recognises the gendered nature of domestic violence and does not put all the burden on the victim but works to prevent and rehabilitate perpetrators and, in particular, provides early intervention—all leading to a safer Queensland. In terms of the specifics of these measures, there are several that I will comment on.

The first is modernisation of the sexual offence terminology. I understand many stakeholders—and I note the Attorney-General addressed this as well—hold concerns around the choice of terms in modernising this terminology. I too share their concerns, as I am sure many in this House do. The idea of modernising this language is to stop sanitising the gravity of the offence. Adults do not have sexual relationships with children. Any kind of sexual relationship an adult has with a child is child abuse.

I would love to have seen the word ‘abuse’ in the title of the offence; however, I understand the need to ensure there is every chance of a successful conviction and that that is not put at risk by changes in terminology that would have an impact and unintended consequence for victims. While conduct does not grasp the gravity of the abuse it does take a step away from the word ‘relationship’. The changes to the definition of ‘carnal knowledge’ are clearly piecemeal and rushed. We need wholesale changes to this section of legislation to give clarity to sexual offences with children. I understand the legal history in Queensland but for victims and modernisation greater reform needs to be explored.

Evaluating measures will be particularly important for the cross-application changes. We know many victims are misidentified as the perpetrator, particularly those from a First Nation background. While we support this measure, it must be tightly monitored to ensure we are not further traumatising victims through misidentification.

I hold similar concerns for the resourcing of Legal Aid with the expansion of the class of protected witnesses. In *Hear her voice* systems abuse was well documented. Where there is a perpetrator who is unrepresented in court and is further exerting control over a victim through cross-examination it needs to be ruled out. However, given the lack of data on this, I am concerned that Legal Aid Queensland will have to wait until the problem appears before it will get assistance from the government. While I note the Attorney’s announcement of further funding, Women’s Legal Services has expressed the concerns they have about the strain this will put on their services when they are already not able to answer and respond to 30 per cent of inquiries. We know this will put additional strain on the system and if it leads to further delays it will create more trauma and potentially be a deterrent to victims coming forward. We call on the government to monitor and ensure that there are no gaps left.

There will also need to be additional resources for police. Any expansion of definitions leads to an increased need for resources to respond to that. *A call for change* was a sobering read. We know the majority of police are out there doing the right thing to protect and serve our community. It is concerning when we ask questions of the police minister about the current full-time-equivalent resources and recruit numbers that are not going in the right direction and we are introducing reforms such as that coming with coercive control that our already under pressure police resources will not be helped with this situation. The Queensland Police Union also stated that they envisage needing an extra 500 officers with the rollout of these reforms. We certainly need to support them as this task will be large. Without a doubt, this responsibility lies at the feet of the police minister but also lies with all of us when we are speaking with our local services.

As I said before, the LNP will support the amendments contained in the bill but it will mean nothing if there is no follow through. We call on the government to ensure that genuine action, genuine resourcing and genuine education is carried out and that they plan, deliver and evaluate so that we can ensure a safer Queensland for women and children.

If possible, I would like the Attorney to address the issues around the implementation supervisor. The *Hear her voice* recommendations outline the need for an implementation supervisor. There was an announcement late last year that someone had been appointed in an acting role. We would like clarification that a permanent appointment has been made because this tranche of reform and that which is to come will require that appointment to ensure the reform is carried out.

It was raised by victims who have grave concerns as we look to the additional stages of reforms regarding coercive control that proof beyond reasonable doubt is already challenging enough in the system when there is physical abuse, and at times horrendous physical abuse. There are real concerns that domestic violence legislation already addresses coercive control and that it has been very challenging for police to prosecute. We have seen that already with the strangulation laws. Without a doubt, what is raised by many across the state is that if this reform is not handled properly victims will be the ones who pay the ultimate price.

On behalf of the LNP, I acknowledge Sue and Lloyd Clarke. I also acknowledge the advocacy of Councillor Fiona Cunningham, who I know has worked very closely with the Clarke family. This is a milestone for their advocacy for their daughter, Hannah, and her three children. Let us remember that there is far more to do and that it sadly took such a graphic tragedy to occur in a suburban community to see action. It should not take so long.