




Speech By  
**Corrine McMillan**

**MEMBER FOR MANSFIELD**

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Record of Proceedings, 22 February 2023

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

 **Ms McMILLAN** (Mansfield—ALP) (2.55 pm): This is the story of someone close to me—

For years, actually until Hannah and her girls were killed, I did not realise that what I'd been dealing with was called coercive control. Seven years ago, I received threats that my then partner would kill himself if I didn't take him back; insist that I share my phone location; threaten to keep my child if I didn't talk to him; tell horrible lies in court about things I had apparently done to him—to try and get me to stop having a protection order enacted. Since the day I told my then partner to leave, I (and my daughter) still deal with coercive control as a constant in our lives. My daughter is terrified of her father; direct physical abuse has stopped because I stood my ground and spent \$27,000 in the family and magistrate court systems; but the control continues and affects our emotional and mental health and I worry it is deeply affecting my daughter's self-esteem and her ability to trust herself and those adults she's meant to be able to rely on, like school teachers and her principal—because of the fear of the repercussions this will cause to her the following week if she tells anyone anything about what goes on in his home.

This is the story of a victim of domestic and family violence. She too is the victim of a man who attempted to place a retaliatory order against her twice with no evidence—only his intent to control, to cause fear, to intimidate and to destroy her self-confidence and self-worth. Disgracefully, the federal family law court insists that the nine-year-old child involved, despite having a domestic violence order against her father, visit him every second weekend. This incongruence between the state domestic violence specialist court and the federal family law court must be addressed.

Coercive control is a pattern of deliberate behaviours perpetrated against a person to create a climate of fear, isolation, intimidation and humiliation. It robs an individual of their identity, independence and ability to seek help. Coercive control is a scourge on our society. It has been an issue for too many years which, up until recent years, has gone ignored and unchecked. Many would argue that it is reflective of the broader power imbalance evident in western society and our earliest understandings of gender, namely, the social construct of gender. Social constructs are learned from an early age. Both male and female young people are not immune. From a young age behaviours are learned. These behaviours are gendered and reinforced by stereotypes, modelling and expectations. It is acknowledged that continued education such as the Respectful Relationships Program in state schools is needed if we are to move forward with these reforms to make women and girls feel safe and able to call out domestic and family violence. The harm that men have perpetrated, and continue to perpetrate, on women and children in our community cannot be underestimated. There will continue to be devastating consequences for families and communities if we do not work diligently towards solutions.

The Domestic and Family Violence Protection (Combating Coercive Control) and Other Legislation Amendment Bill 2022 was introduced into the Legislative Assembly by the Hon. Shannon Fentiman MP, Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence and referred to the Legal Affairs and Safety Committee on 14 October 2022. The bill lays the foundations for ensuring the introduction of a new coercive control offence—expected to be introduced in the second stage of legislative reform by the end of 2023—and

will be effective in reducing domestic and family violence and mitigating any unintended consequences, particularly in relation to the misidentification of the primary aggressor and the experience of First Nation women and girls.

Some of the key issues raised during the committee's examination of the bill include: identifying the person most in need of protection, including addressing the risk of misidentifying victim-survivors as perpetrators; removing restrictions regarding the admission of evidence in the history of the domestic relationship; and providing the court with the discretion to give jury directions that address misconceptions and stereotypes about domestic violence. I had the wonderful opportunity to work with the Hon. Justice Margaret McMurdo during my time as principal of Glenala State High School in Inala. Justice McMurdo worked tirelessly to support the many young women in my school, to inspire them and to encourage their aspiration. Justice McMurdo, like me, understands these social constructs more broadly at play for these girls—as well as the impact of poverty, colour, ethnicity, indigeneity and opportunity. She has worked tirelessly over many years to address the inequities in our society, and for this she should be commended.

Last year the Palaszczuk government established the independent Women's Safety and Justice Taskforce, ably led by the Hon. Margaret McMurdo, which brought together experts from various fields related to domestic and family violence. In their report *Hear her voice*, the task force examined coercive control and reviewed the need for a specific offence. They made 89 important recommendations for reforming domestic and family violence service and justice systems. These findings and recommendations build upon the government responses to previous landmark reports, including the *Not now, not ever* report.

This bill does not include the new offence of coercive control but sets the scene and lays the foundation. The bill gives effect to those recommendations which the task force considered critical ahead of the introduction of the criminal offence. The bill implements recommendations 52 to 60 and 63 to 66 of the task force's first report. The bill's amendments to the Criminal Code, the Domestic and Family Violence Protection Act 2012, the Evidence Act 1977, the Penalties and Sentences Act 1992 and the Youth Justice Act 1992 will work towards combating coercive control by strengthening Queensland's current response and by laying the groundwork to criminalise coercive control. The Queensland government has committed to introducing a second stage of legislative reform that will include a coercive control offence by the end of 2023.

Sadly, my loved one is not alone. Retaliatory orders are common for women in Queensland. Amendments are also made to clarify the intent and process for a court to hear and decide cross-applications to ensure the person most in need of protection is identified and protected. The task force heard that the Domestic and Family Violence Protection Act is not operating as intended and cross-applications are sometimes used by perpetrators as a means of continuing to control and intimidate victims, resulting in domestic violence orders being made against victims of domestic and family violence. Like other complex issues in Queensland, our communities turn to their government, the Palaszczuk Labor government, to intervene, to challenge culture and constructs in order to protect those affected, and to establish laws that address inequities, including domestic and family violence. Coercive control is at the core of domestic and family violence.

Every member of this chamber is committed to addressing the scourge of domestic and family violence in our society, particularly because of its impact on our Queensland women and children. Every member looks forward to a future society that is equal for all and safer for our women and children. More than this, we look forward to a society where women and children, particularly girls, live without fear and where they are able to prosper and achieve their full potential.

The Palaszczuk government is committed to preventing domestic and family violence from occurring in our communities, and that is why one of our election commitments was to legislate against coercive control. The task force recommended that a standalone offence of coercive control be introduced. However, they were very clear that, prior to the introduction of a standalone offence, system-wide reform is necessary to ensure sufficient services and supports are in place across the domestic and family violence service and justice systems. This bill delivers on the undertaking and prepares for the introduction of a standalone offence of coercive control. I am proud to be part of this government, which works diligently and consistently to improve the lives of women and children in Queensland. It is because of this government that their lives will be better. I commend this bill to the House.