




Speech By  
**Nikki Boyd**

**MEMBER FOR PINE RIVERS**

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

 **Ms BOYD** (Pine Rivers—ALP) (4.16 pm): This bill is a big step in laying the groundwork for our government's commitment to legislate for a new offence of coercive control. The Women's Safety and Justice Taskforce *Hear her voice* report made 89 recommendations. The standalone offence of coercive control is one, but this bill implements recommendations 52 to 60 and 63 to 66, with further reform to come in the near future. When it comes to violence against women, we know that it is significantly under-reported. We are beginning to gain a greater understanding of the culture of silence that surrounds it. We have come such a long way from the days when the rape of a woman was considered a property crime. Our laws have been made by and for men, and these laws still have men's interests at their centre. While there has been progress, it has been slow and we need to do more to ensure that patriarchal rights are not at the centre of justice, that abused women are not further abused and traumatised through coming forward. We need to create a system where the pursuit of justice outweighs the embedded gendered interests. As legislators we have much work to do, and I look forward to further legislative reform in this space.

We know that if we make only coercive control a criminal offence it will not be enough. Our justice system and the services that sit around it also need reform. We also know that language matters. In listening to victim-survivors, this bill moves to amend the Criminal Code's outdated and inaccurate offence terminology. Some of these terms normalise child sexual abuse or insinuate children are willing participants in the abuse. These terms include 'carnal knowledge', which will be replaced with the term 'penile intercourse' whilst retaining the same definition of the offence. Also, the offence of 'maintaining a sexual relationship with a child' will be changed to 'repeated sexual conduct with a child', better representing the crime and removing the suggestion of consent or equal power. These changes better reflect the seriousness of these offences and take away language that we know is damaging—language that minimises or trivialises these offences.

This bill also better protects domestic violence victims by ensuring that they are protected witnesses and protects them from being cross-examined by the defendant—their perpetrator. If the defendant refuses legal representation then they will lose their right to cross-examine the victim. This protection is also extended to other witnesses of domestic violence. This is a protection that will be built into the system to protect victim-survivors from being traumatised while seeking justice.

Changes through this legislation to the Evidence Act allow for relevant evidence of the history to be considered and the admission of expert evidence during criminal proceedings. This will inform the nature and effects of domestic and family violence. These changes aim to address misconceptions, stereotypes and bias surrounding domestic violence.

These are but a few of the amendments that the legislation will make. These changes will make a real difference. We know that when we talk about breaking the silence we need to do that by and through the law. Long gone are the days when women are considered a man's property under the law. Our laws need to have considerations for women's rights and interests. They need to be able to identify and deal with the complexity of these relationship abuses and must not be used to silence and suppress. I commend the bill to the House.