




Speech By  
**Peter Russo**  
MEMBER FOR TOOHEY

---

Record of Proceedings, 21 February 2023

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

 **Mr RUSSO** (Toohey—ALP) (12.47 pm): I rise to speak in support of the Domestic and Family Violence Protection (Combating Coercive Control) and Other Legislation Amendment Bill 2022. The bill was introduced into the Legislative Assembly and referred to the Legal Affairs and Safety Committee for detailed consideration on 14 October 2022. The committee tabled report No. 39 on the inquiry on 25 November 2022, with two recommendations arising out of its examination of the bill.

The objectives of the bill are to: give effect to legislative reform in recommendations 52 to 60 and 63 to 66 of the Women's Safety and Justice Taskforce in chapter 3.8 of its first report, *Hear her voice: report one—Addressing coercive control and domestic and family violence in Queensland*; modernise and update sexual offence terminology in the Criminal Code in response to advocacy that the language appropriately reflects criminal conduct; address stakeholder concerns regarding the operation of the sexual assault counselling privilege framework in relation to the standing of counsellors and victims and alleged victims of sexual assault offences; amend the Youth Justice Act 1992 to provide specific mitigatory circumstances relating to domestic violence; amend the Coroners Act 2003 to remove the limitation upon the number of terms of reappointment of the State Coroner and the Deputy State Coroner; amend the Oaths Act 1867 to address issues that have arisen in the implementation of the Justice and Other Legislation Amendment Act; and amend the Telecommunications Interception Act 2009 to enable the Public Interest Monitor to perform the role intended under the international production order scheme in relation to applications for interception.

The committee's first recommendation is that the bill be passed. Recommendation 2 is that the Queensland government develop a consistent evidence-based and trauma-informed framework to support training and education, change management across all parts of the DFV and justice system as soon as possible, and report back on its progress within 12 months of the tabling of this report.

The bill proposes to rename, modernise and strengthen the offence of unlawful stalking throughout chapter 33A of the Criminal Code and other legislation to 'unlawful stalking, intimidation, harassment or abuse'. The task force found that stalking and harassing behaviour towards victims, particularly the electronic surveillance of them and their children, was prevalent in circumstances of coercive control. The committee recommended broadening the type of offending captured by the offence to better reflect the way an offender might use modern technology in this regard, including capturing unlawful electronic surveillance and creating a non-exhaustive list of ways a person can be contacted by electronic and remote means. A number of the submitters supported proposed amendments to rename and modernise the offence of unlawful stalking. The current definition of domestic violence in the act is not clear with regard to the nature of coercive control. The bill amends the definitions of 'domestic violence', 'emotional or psychological abuse' and 'economic abuse' in the DFVP Act to include a reference to a pattern of behaviour.

The department acknowledged that an evidence-based and trauma-informed framework will be introduced across the justice system which is informed by people with lived experience and experts in the service sector, academia and policing, and that training and education for frontline services is being considered to ensure: that they are skilled in identifying a pattern of behaviour, specifically elements of coercive control; that the increased demand for Legal Aid, court and policing resources will be monitored and included in future budget considerations; and that a whole-of-government strategy and action plan is being developed to address concerns about disadvantage and discrimination.

At our public hearing on 17 November, the principal commissioner of the Queensland Family and Child Commissioner, Mr Luke Twyford, summarised the prevalence of domestic violence and coercive control when he said—

... there needs to be recognition that domestic and family violence, coercive control and stalking are not moments, they are not events and incidents that you respond to in a moment or in a half an hour; that each of those things has been built up in someone's life, both the perpetrator and the victim's life, over a long period of time, and that any response has to recognise that it is a long process; it is a journey that you have to take the perpetrator, the survivor victim and the children on.

It is important to test the committee's inclination for change. To not embrace the changes or recommendations in the *Hear her voice* report is to bury our heads in the sand. 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 ignore the issue. My personal view is that instances of domestic violence have not increased, but the willingness of aggrieved persons to come forward has increased. Aggrieved people believe that now they will be listened to because of the courage this government has shown to bring about real social change. This does not diminish the courage of the women who have come forward and those who continue to come forward to report incidents of domestic violence.

We know that it is also the responsibility of men to call out this behaviour. Men can no longer be passive bystanders to domestic violence they know about. They need to step up, speak out and draw attention to behaviour that puts women and girls at risk. While the police have been under intense scrutiny recently because of the behaviour of a few, the fact is that police have embraced change in this area of the law. They are calling out wrong behaviour from within their own ranks and accepting change as they review policy and protocols in how they respond to aggrieved people.

Everyone acknowledges that more education and funding are needed if we are to move forward with these reforms to make women and girls feel safe and able to call out domestic violence. I am proud to be part of a government that does not shy away from an issue that others considered too hard. The government engaged with experts who had the knowledge, understanding and awareness of the trials and tribulations that families have been speaking out about. These experts encouraged the harmed, the vulnerable and the disenfranchised to share their stories. The experts worked with stakeholders and survivors to create a future built on the courage those women and girls displayed. I am proud to say that the government listened and it is acting.

I would like to pass on the committee's gratitude to the individuals, stakeholders and organisations who provided written submissions and shared their stories with us. I would also like to thank our parliamentary staff and the Department of Justice and Attorney-General. I commend the bill to the House.