




Speech By
Hon. Charis Mullen

MEMBER FOR JORDAN

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**CRIMINAL LAW (COERCIVE CONTROL AND AFFIRMATIVE CONSENT) AND
OTHER LEGISLATION AMENDMENT BILL; CRIMINAL CODE AND OTHER
LEGISLATION (DOUBLE JEOPARDY EXCEPTION AND SUBSEQUENT
APPEALS) AMENDMENT BILL**

 **Hon. C MULLEN** (Jordan—ALP) (Minister for Child Safety, Minister for Seniors and Disability Services and Minister for Multicultural Affairs) (6.29 pm): I am very proud to add my voice to the support of the cognate bills before us. In particular, I wish to make a contribution in relation to the Criminal Law (Coercive Control and Affirmative Consent) and Other Legislation Amendment Bill. I commend the Attorney-General and Minister for Justice on the significant body of work which is seeking to make change, as the parliamentary report noted—changing how we think about and treat consent and changing how the criminal justice system responds to coercive or controlling behaviour.

I am really pleased to see the amendments to an affirmative model of consent. As the mother of teenage girls, I saw it as my responsibility to educate my daughters early around the issue of consent and am so pleased that we now will have stronger laws in Queensland around this really important matter. Not everyone has the privilege of education by an overbearing mother. I note the committee's recommendation that the Queensland government, in collaboration with the Department of Justice and Attorney-General, the Department of Education, Queensland Police Service, Queensland Health and of course our peak bodies from the domestic and family violence and sexual violence support sector, as well as First Nations and multicultural organisations, looks at developing and implementing an education campaign that includes material that is age-appropriate, culturally sensitive and suitable for persons with impaired capacity to support these proposed reforms. We recognise, of course, that this campaign must also increase awareness about the abusive nature and legal implications of technology facilitated abuse.

I now turn to coercive control. Journalist Jess Hill at the launch of the Criminalised Coercive Control Campaign said—

... criminalising coercive control will not magically fix ... justice system ... police, courts, family law ... but criminalising coercive control will replace the broken lens we have on domestic abuse: instead of seeing a collection of incidents, it will make visible the system of abuse that endangers—and even kills—so many women ...

As a government we have recognised that our systems do not always consistently protect victims of domestic and family violence and sexual violence. We took that important step of establishing the Women's Safety and Justice Taskforce to independently examine coercive control and review the need for a specific offence of domestic violence and the experience of women across the criminal justice system. As has been noted many times in this parliament, the response to the taskforce's request for submissions was overwhelming. In fact, over 700 submissions were made of which 500 were from brave individuals sharing their lived experiences. As the taskforce report outlined, they were from all socio-economic backgrounds. Many were from First Nations women as well as women from culturally

and linguistically diverse backgrounds, those with disability, sex workers and people who identify as LGBTIQ+. Some were from men, a reminder that, exceptionally, women can also be perpetrators. Many victim-survivors described their experiences of coercive control as the most harmful aspect of their abusive relationship. The majority of submissions to the taskforce supported criminalisation and ultimately so did the taskforce. Its report set out a framework for the proposed legislation as part of 89 important recommendations to reform the domestic and family violence service and justice systems.

The bill proposes to amend the Criminal Code by establishing the criminal offence of coercive control. The offence applies when a person commits domestic violence against a person they are in a relationship with on more than one occasion with the intention of coercing or controlling that person, and the conduct would be reasonably likely to cause that person harm. The offence will be limited to those in a domestic relationship, which uses the relevant 'relationship' definition from the Domestic and Family Violence Protection Act 2012. The bill also adopts the definitions of 'domestic violence', 'economic abuse' and 'emotional or psychological abuse' that are broadly consistent with the act.

The offence criminalises conduct of an adult where: the person is in a domestic relationship with another person; the person engages in a course of conduct against the other person that consists of domestic violence occurring on more than one occasion; the person intends the course of conduct to coerce or control the other person; and the course of conduct would, in all the circumstances, be reasonably likely to cause the other person harm. 'Harm' is defined in the bill to mean any detrimental effect on the person's physical, emotional, financial, psychological or mental wellbeing, whether temporary or permanent. The prosecution is not required to prove that the person intended each act of domestic violence that constitutes the course of conduct, when considered in isolation, to coerce or control the other person.

We know that coercive control is at the core of domestic and family violence. As the Minister for Child Safety, Seniors and Disability Services and Minister for Multicultural Affairs, I see the daily intersection that domestic and family violence plays in my portfolio—whether it is children exposed to terrible violence, elder abuse perpetrated by family members, violence towards Queenslanders with disability or the cultural lens that sometimes allows domestic and family violence to remain in the shadows of our communities. As individuals, we may see it through the lived experience of family or friends. As members of parliament, we see evidence of it from the many brave constituents we represent and who seek our help.

As always when speaking on domestic and family violence within my community, I wish to pay tribute to the incredible organisations, services and individuals who are there for victim-survivors. I want to particularly acknowledge Amie Carrington and the incredible team from the Domestic Violence Action Centre who service the Ipswich part of my electorate. I also wish to recognise the team from the Centre for Women & Co, based in Logan, who provide outreach services to Flagstone and Greenbank, growing parts of my electorate.

I want to acknowledge our police—in my electorate, the officers working in the Goodna, Springfield and Jimboomba stations. I do not ever underestimate the incredible workloads and challenges that our police face, especially when it comes to domestic and family violence matters. I am proud that our government is making a significant investment to deliver new initiatives including more victim liaison officers, more domestic and family violence support workers in police stations, more specialist domestic and family violence officers, and more specialist police prosecutors.

I continue to advocate for Ipswich to be considered for a specialist domestic and family violence court—something that I know is strongly supported by my fellow Ipswich MPs. At a local level, I wish to thank some of our terrific law firms who support domestic and family violence victims through the legal process. In particular, I highlight the dedicated work of Kath Manby and VM Family Law in Greater Springfield.

We all recognise how important it is to prevent domestic and family violence in our community, but is it our government, the Miles Labor government, that is tackling one of the greatest social issues that our state, and indeed our nation, is facing. We are undertaking major reform because we know that every step will bring us closer to the end of domestic and family violence in our community. Today's bill is a major step as we make coercive control a criminal offence and ensure that all victims have full control of their lives—as it should be. I commend the bill to the House.