

Question on Notice

No. 555

Asked on 12 May 2021

MS A CAMM ASKED THE ATTORNEY-GENERAL AND MINISTER FOR JUSTICE, MINISTER FOR WOMEN AND MINISTER FOR THE PREVENTION OF DOMESTIC AND FAMILY VIOLENCE (HON S FENTIMAN) –

QUESTION:

With reference to convictions for offences relating to domestic violence contained in s 12A of the *Penalties and Sentences Act 1992*—

Will the Attorney-General advise (a) the total number of offences recorded as a domestic violence offence in accordance with subsections (2), (3) and (8) and (b) the number of times the court made an order under subsection (4) that the offence is not a domestic violence offence?

ANSWER:

The Palaszczuk Government is committed to stopping all forms of domestic and family violence.

The framework outlined in section 12A of the *Penalties and Sentences Act 1992* formed part of a suite of reforms implemented by the Palaszczuk Government to further protect victims of domestic and family violence and to hold perpetrators to account. Those reforms, which responded to various recommendations in the 2015 *Not Now, Not Ever: Putting an end to Domestic and Family Violence in Queensland* report of the Special Taskforce on Domestic and Family Violence included:

1. increasing maximum penalties for breaches of domestic violence orders under the *Domestic and Family Violence Protection Act 2012* from three to five years;
2. enabling charges for criminal offences to indicate that they occurred in a domestic violence context and providing that convictions for domestic violence offences be noted on a person's criminal history); and
3. amending the *Evidence Act 1977* to ensure the availability of protections for special witnesses apply to all victims of domestic violence.

I am advised that as at 12 May 2021:

- a. the total number of offences recorded as a domestic violence offence in accordance with subsection (2) of s12A of the *Penalties and Sentences Act 1992* was 28,172. The total number of offences recorded as a domestic violence offence in accordance with subsection (3) was 5,400. I am unable to advise the number of previous offences recorded as a domestic violence offence in accordance with subsection (8), as when an order is made under this section, the number of charges to which those orders relate is not recorded in the Courts case management system.
- b. the total number of times the court made an order under subsection (4) that the offence is not a domestic violence offence was 19. Whether an offence is noted as being a domestic violence offence or not will turn on the specific facts of the case before the Court.