



Honourable Yvette D'Ath MP
Attorney-General and Minister for Justice
Minister for Training and Skills

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Mr Neil Laurie
The Clerk of the Parliament
Parliament House
Cnr Alice and George Streets
BRISBANE QLD 4000

Dear Mr Laurie

I refer to Petition No. 2374-15, tabled in the Queensland Legislative Assembly on 27 October 2015, seeking to draw the attention of the House to the increase in the incidence and severity of domestic violence in the community.

In regard to the petitioners' request to increase penalties for breaches of domestic violence orders, I can advise that on 15 October 2015, the Queensland Parliament passed legislation to increase maximum penalties for breaches of domestic violence orders reinforcing the seriousness of this conduct. The *Criminal Law (Domestic Violence) Amendment Act 2015* (the Amendment Act) amends section 177(2) of the *Domestic and Family Violence Protection Act 2012* (DFVP Act) to increase maximum penalties by providing that:

- if the respondent has previously been convicted, in the last five years, of an offence under the DFVP Act or another domestic violence offence, the maximum penalty is five years imprisonment or 240 penalty units (previously, the maximum penalty was three years imprisonment or 120 penalty units); and
- if the person is otherwise convicted of an offence under the Act, the maximum penalty is three years imprisonment or 120 penalty units (previously, 2 years imprisonment or 60 penalty units).

The amendments to increase the maximum penalties for breaches of domestic violence orders commenced on assent on 22 October 2015.

The Amendment Act also enables notations to be made against charges and convictions for criminal offences to indicate that they occurred in a domestic and family violence context. Currently, convictions for criminal offences committed in the context of domestic and family violence are recorded like any other crime, not recognising the specific nature of the abuse. From 1 December, these changes will ensure the domestic and family violence context of criminal offending is clear on the face of charges and an offender's criminal history.

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Petitioners also sought an increase in police powers to deal with breaches of domestic violence orders.

The Queensland Police Service (QPS) enforces legislation and engages in programs to prevent domestic violence and works with many other agencies and community organisations to address this issue.

While QPS currently has a number of proactive programs in place to prevent domestic violence, it is important to recognise the issue is not just a policing concern. Addressing the issue of domestic and family violence continues to be an ongoing high priority for the QPS, however, domestic violence is a community issue with wide ranging negative impacts and as such, requires a whole of community response. In recognition of this, the Government has taken immediate action to address domestic and family violence by accepting all 140 recommendation of the Special Taskforce on Domestic Violence in Queensland (the Taskforce) in its report – *Not now, not ever: putting an end to domestic and family violence in Queensland* (Taskforce Report). The Taskforce Report includes a number of recommendations to improve policing of domestic and family violence matters.

In respect of the petitioners' request to increase support for victims of domestic violence through the victims of crime support scheme, I can advise that the Department of Justice and Attorney-General commenced a statutory review of the *Victims of Crime Assistance Act 2009* (VOCA Act) in October 2013. The Taskforce recommended that the Government continue the review of the VOCA Act to ensure appropriate financial compensation for victims of domestic and family violence at (recommendation 95). I will table the review report in Parliament in the near future.

In addition to the Taskforce recommendation, Government made an election commitment to ensure all victims of domestic violence can access financial assistance even where the domestic violence is non-physical in nature. You will be pleased to know that victims of domestic and family violence can currently access assistance under the VOCA Act. As well as providing financial assistance to victims of acts of violence, Victims Assist Queensland (VAQ) currently helps victims of any type of offence (not just those for personal violent offences) by referring them to specialist support services such as counselling services. As at 30 June 2015, VAQ referred a total of 4,738 people to counselling services, including those provided by Relationships Australia Queensland, DV Connect and Bravehearts.

Yours sincerely



YVETTE D'ATH MP

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