

Mr John Quigley; Mr Sean L'Estrange; Mr David Templeman; Mr Peter Katsambanis; Dr Tony Buti; Dr Mike Nahan; Mr Terry Redman; Mr Simon Millman; Mrs Liza Harvey; Ms Libby Mettam; Mr Mark Folkard; Mr Kyran O'Donnell; Ms Emily Hamilton; Mr Terry Healy; Mr Donald Punch; Mrs Lisa O'Malley; Ms Sabine Winton; Ms Janine Freeman; Mr Matthew Hughes

DOMESTIC VIOLENCE ORDERS (NATIONAL RECOGNITION) BILL 2017

Declaration as Urgent

MR J.R. QUIGLEY (Butler — Attorney General) [3.59 pm]: I move —

That in accordance with standing order 168(2), the Domestic Violence Orders (National Recognition) Bill 2017 be considered an urgent bill.

The National Domestic Violence Order Scheme was agreed to by all leaders of states and territories at a Council of Australian Governments meeting in late 2015. It is due to commence operation nationally on 25 November 2017—White Ribbon Day, the international day for the elimination of violence against intimate partners. Unfortunately, Western Australia is lagging behind the other jurisdictions in its legislative preparations. In fact, Western Australia is now the only jurisdiction that is yet to enact enabling legislation. Failure to join the National Domestic Violence Order Scheme in step with other jurisdictions on 25 November 2017 would create practical issues for victims who would rely upon the NDVOS in WA and would certainly cause significant reputational damage to this state. Given that this matter was agreed to at COAG by all states and territories, including Western Australia, in late 2015, but was not enacted by the previous administration, it is imperative that Parliament deal with this matter as expeditiously as possible. Given the time constraints and the importance of this bill, it needs to be endorsed by both houses of Parliament as a matter of priority. Accordingly, the government seeks to have this bill declared an urgent bill for the purposes of debate in this chamber.

MR S.K. L'ESTRANGE (Churchlands) [4.02 pm]: I am seeking, through the Leader of the House, an explanation of why this matter is urgent.

MR D.A. TEMPLEMAN (Mandurah — Leader of the House) [4.03 pm]: The Attorney General has highlighted very clearly the reason the Domestic Violence Orders (National Recognition) Bill 2017 needs to be passed by this place by November—to comply with the agreement made at COAG. This agreement was signed by the previous government at a COAG meeting attended by the appropriate minister. We need to see this bill through this house and into the other house, and passed, so that we can comply with the agreement made by all states and territories by the November date that the Attorney General highlighted. The Attorney General has moved that this bill be declared an urgent bill for those reasons, and in order for the Parliament to deal with the bill, we have moved it to be the first item of business today. This was pre-empted by the Attorney General in his second reading speech last week, when he alluded to the fact that he would be bringing this motion to declare the bill urgent, and requesting that the chamber deal with it, for the reasons given.

MR P.A. KATSAMBANIS (Hillarys) [4.05 pm]: The opposition agrees that domestic violence is an extremely important topic, and the creation of a national recognition scheme for domestic violence orders, through the passage of the Domestic Violence Orders (National Recognition) Bill 2017, is important. As much as this is urgent, it is also very important to get these matters right. The history of this proposal is littered with good intent and the pushing back of dates. It was originally proposed to be introduced way back in December 2015, and then the agreement referred to by the Attorney General, made in December 2015—it was not an intergovernmental agreement; I think it was an agreement of good intent—was that it be introduced by November 2016. The dates keep getting pushed back. Be that as it may, there is currently an intent that this scheme start running nationally by November 2017, but already, one state, Victoria, has indicated that it is highly unlikely to be either ready for or happy with that commencement date, and it may just sit back and watch what happens with its introduction in the other states. There are question marks about funding and the actual mechanics of the scheme. A word used a couple of times in the Attorney General's second reading speech related to the operationalisation of the scheme—in other words, the mechanics of the scheme. There are still significant question marks about that, and concerns about how we move from the ad hoc state-based systems today to an interim solution in November 2017, and a supposedly better system, hopefully, by 2019. In relation to urgency, I would say it is just as important to get it right as it is to get it through urgently.

Irrespective of that, the opposition recognises that there is significant goodwill in getting some scheme ready by November 2017. It recognises that, in order to do so, we need this bill to be passed. The mechanics of the other place may mean that it needs to take a bit of time in the other place, perhaps being considered by a parliamentary committee, looking at this national scheme legislation. We understand that there is some level of urgency. To indicate good faith, however, both sides of the house have to actually treat this as an urgent bill, once we start debating it urgently. From the opposition's perspective we are proposing, in good faith to the government, that we have one speaker on the bill. The government has already had the Attorney General speak to the bill, and perhaps it will have one or two other speakers. The National Party may wish to speak as well. Rather than delay this bill through the process of the house, let us get it into consideration in detail as soon as we can. There are a few questions we would like to have clarified,

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and then we can move it on. If it is truly urgent, let us demonstrate that in the way that it is debated in the house. If that is the case, let us show good faith. Obviously, the opposition does not have the capacity to mandate that, but we are putting it to the government in good faith. The government says that this bill is urgent. We accept that there is a level of urgency around this if it is to be ready by 25 November, so let us not delay it any further. Let us have a debate that is comprehensive yet quick, rather than a dragged-out debate, and let us get it to the other place today.

DR A.D. BUTI (Armadale) [4.09 pm]: I would like to contribute to the debate on the motion to declare the Domestic Violence Orders (National Recognition) Bill 2017 an urgent bill. In regard to what the member for Hillarys stated, the declaration of the bill as urgent should not deny the right of members to speak on a very important issue. I know the trick that the member is playing; it is not very transparent, actually. Many members on this side of the house have a great interest in this issue, and may want to make a contribution to the debate. It is interesting that the member for Hillarys talks about urgency and what is urgent. We are seeking to make this an urgent bill so that we can catch up with the other states that have already agreed to the national scheme. It is also important that we pass this legislation in time for the International Day for the Elimination of Violence Against Women, which coincides with national White Ribbon Day. We are considering this bill very seriously. The Attorney General has brought this on as an urgent bill because he sees the need for it to be passed as soon as possible. But that does not deny the right of members to speak on it. We are not denying the right of the opposition to speak on this bill. Obviously, I am not sure how many people on the opposition side are interested in this bill, but if they are interested and want to speak, I am sure that the government is prepared to allow them to speak.

Mr P.A. Katsambanis: You're better than this. Do not verbal people on this side.

Dr A.D. BUTI: How could I verbal opposition members when I did not say anything about them?

This bill does three key things. It defines the orders that are recognised under this bill that relate to domestic and family violence. It does not relate to all restraining orders, but to those that are granted in the context of family and domestic violence. The bill sets out the legal consequences of that recognition and, importantly, provides for the sharing of information between jurisdictions.

As we all know, we live in a federation and, as a result, each state has a right to enact laws in the criminal and civil justice systems. But that creates its problems, including that if a person takes out a restraining order in Western Australia and moves to another jurisdiction, they have to go through the process again. For a victim of domestic or family violence to take out a restraining order can be a very harrowing experience. We do not want to increase the level of trauma experienced by victims or survivors of family or domestic violence. This bill makes a lot of sense. The member for Hillarys has indicated that there is general support for the contents of the bill, and that is much appreciated.

The scheme is quite a comprehensive national scheme. It looks at orders that are made by the courts and the police, but, as I said, it relates only to those in family and domestic violence scenarios.

Ms A. Sanderson interjected.

Dr A.D. BUTI: This is the motion —

Mr P.A. Katsambanis: We are talking on the motion to suspend standing orders.

Dr M.D. Nahan: We have given you a lot of latitude.

Dr A.D. BUTI: Sorry; I know and I was going to hang myself! I totally agree that it is an urgent bill for the reasons that I —

Several members interjected.

Dr A.D. BUTI: The points that I made about the importance of the bill are also relevant to why this is an urgent bill. We need to debate and pass it so that we can catch up with our counterparts in other jurisdictions and to ensure that the legislation is in place before the International Day for the Elimination of Violence Against Women.

DR M.D. NAHAN (Riverton — Leader of the Opposition) [4.13 pm]: We accept that the Domestic Violence Orders (National Recognition) Bill 2017 has a degree of urgency. We need to get it passed by 25 November. We need some time for the upper house to send the bill to the Standing Committee on Uniform Legislation and Statutes Review because it is uniform legislation; there is no doubt about that. I put to the other side that we can debate it. The government can have as many people speak on it as it wants, but let us get it done today. We will stay here till 10, 11, 12, whatever the government wants, to get it through today. The government says that the bill is urgent. Urgency means time-dependent. Let us get it done today. The government requests that the bill be declared urgent; we accept the importance of getting it passed by 25 November. I put it to the government that we will vote on its side to get it through as urgent as long as the government stays as long possible to get it through tonight. That is

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an indication that the government is being honest about the nature of the bill's urgency. The member for Mandurah is not here right now to make those decisions, so you can.

MR J.R. QUIGLEY (Butler — Attorney General) [4.15 pm] — in reply: The Leader of the Opposition is pointing at me to make the decision. I am not the Leader of the House. I moved that the bill be declared urgent so it did not have to lie on the table for 21 days. I am in no position as the Attorney General to put binding orders on any member here. This bill is urgent because it has been —

Several members interjected.

The ACTING SPEAKER: Members, thank you! Member for Carine!

Mr D.C. Nalder: You don't have support.

Mr J.R. QUIGLEY: Call for a division and we will see how much support I have!

The bill is urgent because the scheme was agreed to in December 2015; all of last year there could have been some forward motion on this, but there was none at all. Then when we came into government this year, we started getting pressed straightaway from media and other groups concerned about this bill and what the position would be in Western Australia. So we sent this matter to the Parliamentary Counsel's Office as a priority. Parliamentary Counsel has had a lot of work to do in this new administration and that is why it needs to come on urgently.

I stress that this is not a bill like "sell the ports" or "sell Western Power" whereby we are driven by ideology. This bill has been promoted by the Turnbull federal government to give more facility to the victims of domestic violence to retain protection from the orders that courts have given them in other jurisdictions. We should see this bill through in an expeditious fashion. I am not a person here in this Assembly who can give orders to other members about how much time they can use. The member can direct that to anybody else. I bring in this bill in good faith. This bill was not drafted so I got the Parliamentary Counsel's Office on to it. I brought it forward as expeditiously as I could, after completing the drafting in the winter break, and here we are. I thank the Leader of the Opposition for his concurrence.

Question put and passed.

Second Reading

Resumed from 9 August.

MR P.A. KATSAMBANIS (Hillarys) [4.18 pm]: I am the lead speaker for the opposition. Right at the outset, the opposition indicates that we support the Domestic Violence Orders (National Recognition) Bill 2017 and wish it a speedy passage through Parliament. We also wish the national regime to which this bill gives effect a speedy introduction, and wish it all the best in its operations.

Domestic violence is a serious issue that for generations was not treated with the seriousness that it deserved and, from some parts of our community, there were attempts to sweep it under the carpet and pretend that it did not exist. We now live in a far more enlightened era. Over the last few decades, our society has recognised the damage caused by domestic violence and has brought in measures to help combat domestic violence. Every measure that we can bring in to help combat domestic violence at all levels of our society is to be encouraged. The intersection of the criminal justice system with violence orders is a small, but important, component in combating domestic violence. It is not the be-all-and-end-all to pass this legislation and create these registers, but it is an extremely important protection. The opposition recognises this, the government recognises this and the whole of our society is starting to recognise this.

In the last Parliament, we amended the Restraining Orders Act to ensure that specific domestic violence orders are available in Western Australia. This is an evolving area. We need to continue with strong campaigns to educate potential perpetrators, both men and women, that domestic violence is not an option and not a solution. We need to provide forums to encourage victims and potential victims of domestic violence to seek assistance and protection. We also need to continue with the education campaigns and information that is available to the community to ensure that victims and potential victims of domestic violence are treated with the respect and dignity they deserve. We need to ensure that the community does not act in a way that increases the harm and the hurt but assists victims and potential victims to get out of the spiral of domestic violence and go forward in our society free from that sort of violence. I am sure that in this debate other members will give examples of the changes in public consciousness that have occurred over the last couple of years, with initiatives such as White Ribbon Day, which the minister mentioned earlier. Those initiatives are to be commended, and, hopefully, they will continue to raise awareness about this important issue.

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One important way in which governments across Australia have determined that they can raise awareness about domestic violence is through the creation of a model law framework that will enable domestic violence orders that have been taken out in a particular state to be recognised relatively seamlessly across our Federation. These orders are the rightful domain of sovereign state Parliaments, including the Parliament of Western Australia. These orders have territorial limits based on the territorial limits of the state Parliament in which they are issued. This bill, which gives effect in this state to what is known as the National Domestic Violence Order Scheme, does not in any way impinge on the sovereignty of state Parliaments such as the Western Australian Parliament. In fact, the bill asserts and reinforces the sovereignty of this Parliament to make domestic violence orders for the people of Western Australia.

Mr J.R. Quigley: Correct. That is important, member.

Mr P.A. KATSAMBANIS: I will address that later when I speak about the carve-out in this bill in relation to police orders. In that carve-out, this state is moving away, ever so slightly, from the important principle that only one violence order should be on foot at any one point in time. That recognises the fact that because of the unique nature of some remote parts of Western Australia, there is a need to deviate slightly from the proposed model. I note that other states, such as the Northern Territory, have done that as well. I digress from the point that this bill asserts the sovereignty of Western Australia over domestic violence orders. At the same time, the bill recognises that we live in a Federation. The population of our Federation is relatively mobile. People move from state to state, either temporarily or permanently. In many cases, one option available to victims of domestic violence and their families is to relocate interstate to start afresh and live a new life free from domestic violence. In the past, people who have obtained a domestic violence order in one state or territory are required to register that order again when they arrive at their new place of residence. That not only creates a bit of red tape, but also it may cause the person to revisit recollections that they would rather leave behind them. We should do everything we can to enable victims and potential victims of domestic violence to break away from that violence. We should not cause them to have to revisit that violence in order to assert their right to live a life free of violence. Therefore, the National Domestic Violence Order Scheme is very important. All states and territories are required to introduce enabling legislation based around that model law framework.

As I said earlier when we debated the motion that this be declared an urgent bill, this scheme has been spoken about for a long time. Senator Michaelia Cash, the federal minister responsible for this legislation, and all the states and territories have been working very hard to put this scheme together. It has had its fits and starts, because apart from having this model framework, each state and territory needs to put in place an information technology system based around the court network that will enable these orders to be registered and communicated to the police, the courts and the various other people involved. That includes perpetrators and potential perpetrators of domestic violence. The problem is that most state jurisdictions do not speak to each other very well, if at all. Therefore, in order to make the National Domestic Violence Order Scheme a reality rather than just a series of well-intentioned bills passed across the Federation, we need to build the infrastructure that will enable communication of orders between all the state and territory regimes. That is where there have been significant sticking points. The federal government has provided funding over time for this legislation. As I said earlier, the initial expectation was that the scheme would be rolled out by the end of 2015. That did not happen. A pilot program was then to be run by CrimTrac, involving Queensland, New South Wales and Tasmania, that would wind up by 2016, with the intention that the scheme would be introduced in 2016. That did not happen either. I note from what the Attorney General has said that the intention now is that this scheme will be operational by November 2017. I hope it is, because it is an improvement on what we have currently, and I will get to that in a moment. Still, there is no clarity on that. From what I have heard, it appears that there will be an interim solution, but I do not know what that is backed by. We still do not know whether there is an intergovernmental agreement to empower a body. I think the Australian Criminal Intelligence Commission—the Attorney General can correct me if I am wrong—will be operating the platform when it is finalised, but will it also operate the interim platform? Is there an intergovernmental agreement or at least a memorandum of understanding signed by the responsible ministers or the Premiers through the Council of Australian Governments? If there is, is funding available to make this a reality? That is the sort of information I will seek from the Attorney General in the consideration in detail stage, as well as looking at the operation of specific clauses. The funding is important, because it will determine whether this scheme can have the infrastructures built behind it to make it work. Who is going to pay for the funding? Is it going to be the federal government? Is it going to be a combination of the federal government and the state governments? We need to discuss these matters on an apolitical basis; it does not matter whether the federal government or the individual state governments are Liberal or Labor. We need to look at some of the concerns about the introduction of an interim scheme expressed by Victoria to see whether they are legitimate. The Attorney General can correct me if I am wrong, but I think Victoria, when it introduced its legislation—again late

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in the piece—late last year, was working on the basis that the final infrastructure would be in place by November 2017, and some significant reservations were expressed. It now looks as though the finalised database, if you like, will not be available in November and there will be some sort of interim solution. Is Victoria likely to be happy to be part of the scheme? We have spoken about the migration patterns, and if every state is not on board from the start, it will be a less than perfect scheme.

The scheme contained in the bill of how the domestic violence orders are recognised nationally across state borders looks to work. The definitions define the various orders—what a domestic violence order is, what an interstate domestic violence order is and what a local domestic violence order is. The bill attempts to define the local and interstate law enforcement agencies and what they may be. When the bill is looked at as a scheme, particularly part 2, which refers to national recognition of DVOs, the opposition considers that the scheme proposed is most likely to work. We have some concerns about the operation of clause 14 that are probably again best dealt with in consideration in detail. Our concerns are really about clause 14(5) and (6), which refers to protected persons, which here are really children, how those provisions will operate in practice and whether they are even necessary. Sometimes if they are not necessary but are a nice thing to have, it does not really matter, but we have some questions.

Mr J.R. Quigley: As a safety stop.

Mr P.A. KATSAMBANIS: Yes—almost like a backstop, I guess. The question really relates to clause 14(5), which states —

A DVO is not superseded to the extent that it relates to a protected person who is not a protected person under the new DVO.

The issue is that someone, perhaps a child, may have been included in a DVO, and the applicant for a new DVO—the parent, if you like—may have excluded the children from the DVO, perhaps because they did not think the children required that protection anymore or they may have been dealt with under orders outside the DVO system. We would seek that inherent consistency, but I am sure the Attorney General has an explanation for that.

Mr J.R. Quigley: There might be some orders in the Family Court, you see.

Mr P.A. KATSAMBANIS: In particular, that is why, and that is a broader question that the Attorney General raises of how these orders and their recognition across boundaries will interact with any orders in the family law system. They are the sorts of questions we would have about that part of the bill, but we think that inherently the part works well. Once it is in place and the infrastructure is behind it, a person who has taken out a domestic violence order in any jurisdiction in Australia and then moves to Western Australia, assuming it all comes together well, will be assured that that domestic violence order would be recognised and fully operational here and that an infrastructure would be in place to communicate it to the authorities here without that person having to make some form of application, either for a new order or for a registration of an order in a court. As I said earlier, that may simply bring back memories for people that they just do not want to confront anymore and bring opportunities for nefarious parties to reopen a case that should not need to be reopened.

Part 3 of the bill deals with variation and cancellation of recognised non-local DVOs and, again, operates inherently as a system. I think it operates well. We have some concern about the operational components of clause 26 and how they will relate, but again I think we will probably deal with those in consideration in detail. It is really about the mechanics of the clause rather than whether it is necessary or whether it will work. We think it will work in totality. There will be some jurisdictional issues, but I think they will be overcome by the courts because the courts in these cases always take a view that they ought to protect the party seeking protection from what could potentially be catastrophic harm, and sometimes, as we have seen, unfortunately, even fatal harm. I am sure the courts will iron that out in practice; I put faith in them.

Then there is part 4 relating to the exchange of information. In consideration in detail I will again have some questions. In particular—I raise this right now—I have looked at the definitions of authorities. I have looked at the definition of “local law enforcement agency”, “issuing authority” and “interstate law enforcement agency”, and tried to work out where in that scheme the sharing and exchange of information with the Australian Criminal Intelligence Commission comes into it. As I said, I am not necessarily sure whether there is some overriding governmental agreement or some memorandum of understanding that would allow the state of Western Australia to share information with the Australian Criminal Intelligence Commission, which will be running the database. Hopefully, the Attorney General can answer these questions later, but, as I read the definitions, the Australian Criminal Intelligence Commission is not an interstate law enforcement agency because it is not a police force of another jurisdiction or any other agency of another jurisdiction responsible for enforcement of domestic violence orders in that jurisdiction. The ACIC is not a police force, it does not have any jurisdiction around enforcement of DVOs and it is certainly not a local law enforcement agency, because “local law enforcement

Extract from Hansard

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agency” means the police force of this jurisdiction. We seek some clarity as to whether this bill or any other agreement that exists outside this bill allows our state to provide the information necessary to give effect to this scheme to the body that will be running the backbones of it—that is, the Australian Criminal Intelligence Commission. There may well be a simple explanation. If there is not, there may be a need to consider this in the bill’s passage through the house or at a later stage. That relates to the exchange of information.

There are issues around the certification of evidence and more generally about how applications across state borders will be dealt with to properly allow someone with a legitimate case to make about domestic violence orders to be represented without extraordinary cost. Unfortunately, we know that a small percentage of people seek these orders mainly to advance their relative positions in family law actions. It is an extraordinarily small percentage of cases, but in those cases some people end up being unable to afford to represent themselves. There are circumstances in which people feel aggrieved that they did not have their right to appear in court. That is not just potential perpetrators; it is also actual or potential victims, because, as I read it, an application to vary an order can be made by either party. We have to be careful that by extending the application of an order Australia-wide, we do not disenfranchise anyone from their rightful opportunity to state their case in court. That is all, but it will probably require some funding as well. Again, I seek information from the Attorney General on whether funding is in place to ensure that in practice the implementation of this national scheme will not remove anyone’s right to have their say—that is people on all sides.

Another question that arises is: which orders will be caught under this scheme automatically? That raises another broader question on communication: what will this scheme do and who will be covered by it? As the Attorney General indicated and the bill suggests, the only orders that will fall automatically under the national scheme are orders made after the commencement of the scheme. Currently, 25 November 2017 is the date of best intent when the scheme will be off the ground. It is not a date that is set in stone, and the history of this entire scheme indicates that there is some possibility that, despite the best intentions of everyone involved in the scheme, that date may not be met. Why are we bringing in orders only after that date? Why not pick up other orders? For instance, in Western Australia, I would have thought that 1 July this year would have been an appropriate date, because it is when our new domestic violence order scheme that was brought in last year commenced. That would pick up all those domestic violence orders. We brought in that new scheme primarily to separate domestic violence orders from other violence orders—that was the intent. We have separated domestic violence orders from other orders and given them a head of their own. There is no risk that we would import to the national scheme any violence orders that do not relate to domestic violence and catch other offences.

We have a commencement date that is not set in stone and a new regime in Western Australia that started on 1 July this year, and we will have a new communication strategy around this national scheme whenever it is introduced. I am sure that federal and state governments will rightly state that they have introduced a new you-beaut national scheme that recognises domestic violence orders across the board. The community will hear this in good faith, but people will not see the little asterisk and the statement, “Only for orders after the introduction date, which we think, at this stage, will be 25 November 2017, but we can’t hold our hands on our hearts and say that it will be—but we hope it will be.” People will not read that statement; they will just read that if a person has a domestic violence order and they move interstate, they will be protected by this regime and will not have to worry about it. People with an order in place now will be sadly disappointed because this scheme will not apply to them. I am not a great fan of retrospective legislation, but there are two types of retrospective legislation—one is positive and one is negative. Negative retrospective legislation is usually about changing laws to raise more income for governments. In the main I do not support those. Occasionally, there may be good reasons for such legislation, but I have not seen one yet. Positive retrospectivity will bring more people into this regime. I would have thought that we would consider at least bringing in all the orders from 1 July this year to this regime automatically. It is a simple situation in Western Australia because we changed our regime recently. I understand that it might be difficult in other states; they might think that it is all too hard and bring into the scheme orders only from the starting date. Unless there is some valid reason why we do not have 1 July 2017 as the starting date to automatically recognise family violence restraining orders, I think that is a potential failing of the scheme. I fear that the combination of various governments promoting this scheme—which they should—and a media that picks up on that quick 24/7 news cycle will leave a false impression in the minds of people who took out domestic violence orders prior to the commencement of this scheme. There are probably several solutions to this problem. One solution is to make communication clearer. I understand that, but we know that in practice people listen to only the first bit, not the second bit and especially not the asterisk.

As I said, it seems to me that the commencement date of 1 July 2017 in Western Australia lends itself so obviously to bringing it in as a starting date, especially when we are still not 100 per cent sure that this scheme will be ready

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on 25 November. We could be dragging it out. There is no commencement date. I understand the reasons for that. That is one of the issues that I wanted to highlight.

I hope that the Attorney General can answer the questions I raised earlier about the progress of any intergovernmental agreement or memorandum of understanding, either in his summing up or during consideration in detail. I also want some clarity on the commitments of Western Australia. What sort of funding will we put into this scheme to make it work? What impact will it have on our system? How many people will be utilising this system? How many staff will it take to give effect to this system in Western Australia—to report to the national scheme or, if it is done electronically, to audit that reporting to make sure it is happening? I do not think cost and number of staff should be an impediment, but I think some clarity around it would be important. It is really important that we have clarity on any commitment that we have to pay for the federally continued scheme that will be run by the Australian Criminal Intelligence Commission. We will be contributing to what is effectively a federal agency if we are going to be contributing to it.

The other big questions that still need to be answered—I recognise that this is not in the hands of Western Australia but it is critical to making this scheme work—are: How will the interim system work? How will this interim database work? Will it be run by the Australian Criminal Intelligence Commission? Will all the states agree to share their data from the outset? Will data shared by states be consistent so it makes some sense? How will it then be communicated from the national database to Western Australia? How will that interim system differ from the national database, whenever that will be introduced? I realise the urgency of this legislation has meant that all this is happening in haste and the information flow seems to be trying to catch up with the haste with which the legislation is being introduced. One of the briefings we received today indicated that the dedicated national database—the full strength one, if you like; not the interim one, but the final one—is unlikely to be ready by 2019. If we know anything about government IT procurement systems, that date of two years away is really nothing more than an indication of best intentions and a bit of a wish date. Can the interim system deliver what the dedicated system is going to be delivering or will it only be part of a solution? What will we be getting between the implementation of the scheme and the finalisation of the national database? They are all very important questions, because we should not be misleading the public as to how much we can do here.

One other thing I want to focus on is one of the carve outs that I mentioned earlier and that was also mentioned by the Attorney General in his second reading speech. The model law framework is supposed to be a how-to guide as to how the states implement this. This bill contains one substantial departure from the model law framework. It is intended that no more than one order be in place at the one time right across Australia. That is a laudable aim. Here in Western Australia we have the principle in our legislation of what is known as a police order, which is a short-term restraining order that is used in emergency situations. I think it usually applies for up to 72 hours. Initially, we look at this and ask: why does Western Australia need this carve out, even though Victoria and the Northern Territory have also carved it out of their model law framework? When we look at it closely, we can see that it probably provides two things. In times of dispute or lack of clarity, it allows police to quickly issue an order that stays in place for only 72 hours to protect a victim or potential victim of domestic violence when there is no real clarity of what order exists or the terms of the order. Of course, theoretically, if the national database is working properly, there should be total clarity. The police or a person on the beach should be able to call this up on their laptop in the car or on a portable device and know exactly what is going on. I think the existence of this order protects us if that information flow is not working, but it also adds one other very, very important protection. I am told that police often use these orders in remote communities in particular to calm situations down at a time when they may not have access to databases. They might be out of range or they simply might be in a situation in which access to an online database is not available when they are confronted with a domestic violence situation within a community. That recognises the unique circumstances of policing in remote communities in Western Australia. I think this is one of those carve outs from the model law that will allow our domestic violence order regime to work better in practice than it would have if we had blindly gone with the model law framework without recognising the unique circumstances that exist in our state. I commend that carve out and think again that it shows that when we go down the path of having this sort of harmonisation, it is sometimes better to do it under a model law framework that preserves the sovereignty of states and allows them to pass legislation that is appropriate to their circumstances and, in particular, appropriate to our circumstances in Western Australia.

With these words, I do not want to hold up the passage of this bill any longer than we have to. I think members in this place and members of the public will recognise that the opposition—the Liberal Party—is a strong supporter of anything that will address the issue of domestic violence in our community. As I said, legislation is a part of it. Creating this consistent national domestic violence order scheme will be a small part of that. A larger part of it is changing attitudes and practices in our community. Right across our community across Western Australia, in every suburb, in every town and in every regional area, and right across Australia, we have to change attitudes and practices.

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I want to give us, as society, a pat on the back because I think we have done fantastically well in the last decade or so—probably longer than that—in, firstly, starting to recognise this as a legitimate issue to talk about and, secondly, proposing real reforms that have made a difference. Most of them have come from education and give voice to the voiceless, victims and potential victims and their families, and give them the opportunity to seek protection and find protection. It is not perfect; we can do more, particularly around providing short-term accommodation for victims of domestic violence and providing them with a range of services, including the treatment and ongoing support they require. We have also started changing attitudes amongst perpetrators and potential perpetrators—that this is simply something one does not do. It is not a solution to anything and it is not welcome in our society. Domestic violence is an absolute no-no. I think we have done pretty well as a society, but we do have further to go. That is why we have things like White Ribbon day on 25 November and all the campaigns that state and federal governments and community groups have put out there. I welcome the fact that they are going out into areas where young men are prevalent—sporting groups in particular—and other groups that young men frequent. If we are going to get this through to one group and bring about an intergenerational change in attitude, we are going to get it through to men of all ages, but particularly young men.

The opposition wishes speedy passage for the Domestic Violence Orders (National Recognition) Bill 2017, which is why we facilitated the motion brought on by the government. We have highlighted some of the concerns and issues, not because we want to derail the passage of the bill, but because we want to ensure that the National Domestic Violence Order Scheme operates as effectively as possible to protect victims and potential victims of domestic violence and to ensure that, as much as possible, we reduce, minimise and hopefully eventually eliminate domestic violence.

DR A.D. BUTI (Armadale) [5.01 pm]: I rise to talk to the Domestic Violence Orders (National Recognition) Bill 2017. I thank the member for Hillarys for his comments. I am not so sure we have done that well in this area; the statistics do not record that, but he raised some interesting points that I am sure the Attorney General will respond to either in his response to the second reading debate or during consideration in detail.

I would like to start by quoting from the Attorney General's second reading speech —

This national scheme is intended to enhance victim safety and perpetrator accountability by providing consistent, instantaneous legal protection across jurisdictional boundaries. It is also intended to spare victims the perceived time and effort associated with the existing cross-border registration process. For those victims of family and domestic violence who find themselves having to move interstate to escape their perpetrators, this will provide them with seamless legal protection on the road to starting a new life in a new place.

That is really the gist of the bill before the house. I will just quote the next paragraph —

The introduction of a national approach is emblematic of how this nation's perception of, and response to, family and domestic violence has changed for the better in recent times. Family violence was once a dark secret, albeit a poorly kept one. To the extent that victims were protected by the law, justice responses were uneven and often inadequate.

Obviously the Attorney General was correct when he stated that we have come some way. When I came to this house in 2010, domestic and family violence were not really on the political horizon. The national discussion has improved, as has the discussion within this state, and there has been improvement through some of the legislative reforms that have happened, but we still have a long, long way to go. The statistics tell us that, every week, at least one or two women in Australia are killed as a result of domestic violence situations. We cannot be proud of those statistics and while they remain as they are, we cannot say we are doing a good job. There has also been an increase in instances of domestic and family violence. Arguably, some of that is due to the fact that there is better perception and recognition of the crime of domestic violence, and victims are more willing to report it to police. In some respects, the police are now responding in a better manner than they did in the past, but an increase in reporting cannot be the sole answer to an increase in the number of such crimes. Last year there was a 100 per cent increase in deaths due to domestic violence in Western Australia. That cannot be as a result of increased reporting, because obviously murders generally are reported. There has been a 100 per cent increase in murders as a result of domestic violence in Western Australia, which shows that we still have a very, very long way to go. We, as legislators and members of the executive, need to ensure that we continue to fight the curse and scourge of domestic violence in our society.

The member for Hillarys went through the basic structure of the bill before the house, and the extract I quoted from the Attorney General's second reading speech really provides us with a concise summary of what is before the house. This bill seeks to ensure that Western Australia participates in the National Domestic Violence Order

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Scheme, which of course should assist in the better protection of victims of domestic violence. However, let us rest assured that issuing a violence restraining order is not necessarily a great protection for victims of domestic violence. As we know, there have been many cases in which violence restraining orders have been in place and have been breached. One such tragic case was that of Andrea Pickett in Western Australia a few years ago. There was a violence restraining order in place against her former partner, but it made no difference. Therefore, we have to see the issuing of violence restraining orders as only part of the whole scheme that is before us in trying to deal with this scourge and blight on our community.

Over the last few years at least, the crime of family and domestic violence has increased more than any other crime in Western Australia, and I assume that that is probably also the case nationally. It is a crime that has increased in numbers and we cannot put it all down to an increase in reporting, as I pointed out with regard to the homicide rate. In some respects, this bill is only a small part of what we need to do, but it is very important because we want to make it easier for people to be able to be protected, to the extent that a violence restraining order can provide protection, wherever they may live in Australia. If a Western Australian victim of family and domestic violence wishes to move interstate, they should be able to carry a restraining order with them. Likewise, if someone from interstate comes to Western Australia, they should be able to bring a restraining order with them. There is a very important safety issue here as well. If a person from Western Australia has a restraining order against a perpetrator and then moves to New South Wales, for instance, and has to instigate that process again, the perpetrator has to be served with the order again, and is then going to know that the victim is in New South Wales. This will hopefully reduce the ability of a perpetrator to know when their victim has moved interstate. I think that is actually an incredibly important part of this scheme. It will allow victims to have greater ability to move around Australia without their perpetrator knowing where they have moved to, because that in itself is a traumatising experience.

As I mentioned in my earlier speech, when I did not realise we were debating the urgency motion, this bill seeks to do three main things: to find which orders are recognised under the scheme; to set out the legal consequences of recognition; and to provide for information sharing between jurisdictions. To take the third element first, the member for Hillarys made some important comments, but I am sure that we, as an advanced, civilised federal system will be able to work through the process for how that communication is to happen. If all states and territories are going to buy into the system, they all have a vested interest in ensuring that it works properly and I do not think that it is beyond us to ensure that happens. I understand that the issue of sharing information can be problematic at times but it is very important to track perpetrators of domestic violence and to know what offences they have committed. One hopes that this sharing of information will also ensure that we are sharing perpetrators' criminal histories in this area. It is important that we signpost the activities of perpetrators of domestic violence. By signposting that information, hopefully, law enforcement agencies across Australia will have a better capability to ensure that victims and survivors of domestic violence are protected from their perpetrators. If we are able to track perpetrators and track where victims have moved to, we can ensure that proper services are provided to those victims. Part of the problem for survivors of domestic violence is the re-traumatising effect of having to retell their stories. If we can ensure that the sharing of information is not particular to just the restraining order scheme, that knowledge will be available so that better support services can be provided to survivors and perpetrators' movements can be tracked. That would be incredibly important. Statistics and studies have shown that if people have committed family or domestic violence, there is an increased likelihood that they will repeat that, so it is important that we deal with that.

This is only a small part of what we need to do in this area. Last year, before the end of the last Parliament, the government, after many years of hibernation in this area, finally introduced a quite significant bill to this house called the Restraining Orders and Related Legislation Amendment (Family Violence) Bill 2016, which introduced a number of measures that we, as the then opposition, had been advocating for for a number of years. That was important. The Western Australian scheme for restraining orders in family and domestic violence situations is a great improvement on what we once had but we need to continue to work on that.

Mr Acting Speaker, can I have an extension of time?

The ACTING SPEAKER: Extension granted, member, but you still have eight minutes to go.

Dr A.D. BUTI: Yes, but I might forget.

The ACTING SPEAKER: We do not want to miss out, do we?

Dr A.D. BUTI: On my track record today, I will.

[Member's time extended.]

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Dr A.D. BUTI: When the previous government introduced its restraining orders and related legislation amendment last year, I and other members of this house agreed that it was very sensible that it defined family violence in the bill's definitions, using the definition in the commonwealth Family Law Act. I also think that there needs to be a definition of intimate relationships because family violence can include violence between brothers or an uncle and a nephew. That violence is awful and should be dealt with in the criminal system, but there is a difference between those relationships and relationships between intimate partners. I think that there is a need to distinguish between those two types of relationships because it is important to distinguish the way that we treat those two types of relationships and the violence that occurs within them. The issue of statistics is also involved. Complaints are made that we should not see family and domestic violence as a gender issue and that victims of family violence include males. There is no doubt that males are victims of family violence, but when we look at intimate partnership violence, the victims are overwhelmingly female. The statistics bear that out; that is, the victims of intimate domestic violence are overwhelmingly female. There are a small number of males, but when we look at physical violence—these are not alternative facts—the statistics are black and white on this issue. Overwhelmingly, the victims of intimate partner violence are females. Only last week I was in the gym and Channel 24 was on the television. It reported that a male in Queensland had been sentenced to, I think, life imprisonment for stabbing his female partner to death. The next story related to a husband in the ACT who killed his wife by stabbing her 50 times. One stab wound was so severe that it went through her body. I do not know—one is one too many—how many males are victims of domestic violence from female partners. A few years ago, an Ombudsman Western Australia report was done on restraining orders and domestic violence offences. In the 30 domestic violence murders that the report examined, 12 victims were male, which was incredibly high. Of those 12 fatalities, a number were male on male. I do not have the statistics in front of me, but I think there may have been three or four cases that were female on male, but those females had been victims of continual violence on the part of the male who was then deceased. I wish that we could get away from the need for certain groups to keep asking, "What about male victims?" Male victims do need to be catered for, but the facts bear out that this is a gender-related crime, particularly if intimate relationships are looked at. If we take it over the whole family relationship, in which there are uncles and brothers, for example, there is a slight difference, but not when we come down to intimate relationships. Although that is not necessarily important in the issuing of restraining orders, I think it is important in our overall treatment of the issue of domestic and family violence.

The McGowan Labor government has made some significant initial responses in this field. We have appointed the first Minister for Prevention of Family and Domestic Violence, Hon Simone McGurk, which is a very significant step. Part of the problem with policy formation in this area is that family and domestic violence covers many portfolios. It involves the Attorney General, the Minister for Police, the Minister for Health, and the Minister for Housing. The Minister for Education and Training would also have some say because of the need for kids to move from school to school as a result of having to flee domestic violence. Because so many different ministers need to be involved, we have not had a coordinated, comprehensive response to this issue. A Minister for Prevention of Family and Domestic Violence can have a coordinating role, and take the lead, ensuring that we do not have a silo mentality or a piecemeal response. Besides appointing the minister, we have also joined the national Our Watch program, which is one of the most important initiatives, because it seeks to drive a cultural and behavioural change. I agree with the member for Hillarys, that we have made significant gains. I see two police officers in the gallery. I am sure that they would attest to the change in the way in which the police service treats domestic violence, although they are quite young. Many years ago, domestic violence was basically treated as occurring behind closed doors, and the police would not get involved. That is not the case now. In the Armadale area it is probably the highest priority that the police have, and unfortunately that is because it is a crime that they deal with more than any other. Up to 70 per cent of police time is taken up dealing with domestic and family violence.

The Minister for Prevention of Family and Domestic Violence, Hon Simone McGurk, also announced that the government would provide paid domestic violence leave for public servants, which I think is an incredibly significant step. It is only a small step, but it is incredibly important to ensure that victims of domestic violence can take the necessary leave. Last week, the minister also announced the RSPCA pet crisis program. That is important for a number of reasons. Firstly, there is a link between domestic violence perpetrators and cruelty to animals and, secondly, some victims of domestic violence have felt trapped because they do not want to leave their pets behind. That is a very important step. This government will roll out many other initiatives in the coming three or four years in attempting to prevent domestic violence. In the end, that is what we want to do—prevent family and domestic violence. We will never get rid of it; we just need to reduce it as much as possible, and provide support to the survivors. The scheme provided for in this bill is important. The Attorney General has already mentioned why this is an urgent bill. It is important that we catch up with some of the other jurisdictions, and seek

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to establish this as a national scheme from 25 November this year, which will mark the international day for the elimination of violence against women, also known as White Ribbon Day.

As members of Parliament, all of us have come across survivors of family violence. On Sunday, we held an event to raise money for a number of women's refuges. In the week before that, I was asked why I had such a strong commitment to this area. Someone asked me quite a confronting question: had I been a victim, or had I grown up in a domestic violence scenario? The answer was that I had not. If father had a temper, he never showed it to my mother; it would most probably have been shown to me or my siblings if we were naughty. Thank goodness, I never grew up in a situation like that. It goes back to a time when I was travelling. No country, state or territory is free from this terrible crime. I was travelling through Central America, and I had dropped off some laundry to be washed at a laundry in Mexico. It was not a laundromat, but rather a place where the laundry was left to be washed and ironed. When I came back to pick up the washing, I witnessed a man beating, presumably, his wife. About three weeks later I was on a bus in Nicaragua, and once again I saw a bloke physically assaulting a woman. I felt powerless to do anything about it, but that was something that stayed in my mind. For a while in Armadale before I became a member of Parliament, I was on the management committee of Starick Services, which is a fantastic women's refuge service in the eastern metropolitan area, so I understood a few of the issues. As a local member, unfortunately, in Armadale, a number of survivors of family and domestic violence have come to see me. It is very difficult to provide advice or help in the area. That is where my passion and commitment to the issue comes from. It is fantastic to be a member of a government that is taking the issue seriously. We have appointed a dedicated minister to the area, and a number of other initiatives have been instigated in the first four or five months of the McGowan government. I look forward to the government taking action on a number of other areas of family and domestic violence that we took to the election.

The member for Hillarys made some very important comments in his contribution to this debate, and I am sure that the Attorney General will respond in due course. I am not trying to verbal the member, but I do not think we can have any sense of confidence that we have done a good job so far. The statistics do not tell us that. We have a long way to go. I am not trying to verbal the member; I am not saying that he is saying that we do not have a long way to go.

Mr P.A. Katsambanis: It is a matter of the glass half full or the glass half empty.

Dr A.D. BUTI: I do not think we are even halfway there. The glass is three quarters empty—or is it the other way around?

Mr P.A. Katsambanis: It is still a quarter full, is it not? I think it was empty 20 years ago.

Dr A.D. BUTI: As I quoted the Attorney General as saying, the introduction of this scheme shows how the response to family and domestic violence has changed for the better in recent times. He said, in the second reading speech —

Family violence was once a dark secret, albeit a poorly kept one. To the extent that victims were protected by the law, justice responses were uneven and often inadequate.

Yes, we have made some improvements. We do not have the situation anymore in which police would not even respond to an incident of domestic violence. We have improved there, but we have a long way to go. If we see a 100 per cent increase in domestic and family violence murders, we have an incredibly long way to go. As I said, part of the increase in the statistics is due to the increase in reporting, but not when it comes to homicide. That increase is not due to an increase in reporting.

Mr P.A. Katsambanis: Didn't I say all that? Didn't I say that we have come a long way and we've still got a long way to go. That's basically what I said.

Dr A.D. BUTI: I did not say that the member did not say those things, but he was also saying that we could probably congratulate ourselves, or words to that effect.

Mr P.A. Katsambanis: No, I said we should give ourselves a pat on the back, because sometimes we can see things as glass half empty all the time.

Dr A.D. BUTI: Maybe the member is right, in the sense that this government can see that and has appointed a minister in that area, and is taking some great initiatives. I remember sitting on the other side and, time and again, asking the Minister for Police, who was also the Minister for Women's Interests, questions about family and domestic violence, and her responses were disgraceful. The local newspaper in Armadale sought a response from the Minister for Police —

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Mr P.A. Katsambanis interjected.

The ACTING SPEAKER (Mr I.C. Blayney): Thank you, member. Carry on.

Dr A.D. BUTI: I remember the Minister for Police's responses were incredibly inadequate. When the *Armadale Examiner* sought a response from the minister about the increase in family and domestic violence, the minister referred the journalist to the then Minister for Child Protection. She said that it was nothing to do with her and that it was all in the jurisdiction of the Minister for Child Protection. For the Minister for Police and the Minister for Women's Interests to respond in such a manner was appalling. When the journalist then went to the then Minister for Child Protection, Hon Helen Morton, the minister said it was not her issue and that it was a police issue. The record of the previous government in this area is appalling. I admit that they saved a little bit of face at the last moment by introducing amendments to the restraining order legislation last year. That legislation contained some good measures in response to the Law Reform Commission's report that had been released at least two or three years prior to that. It was introduced at the eleventh hour, and it was only because we had been pushing the government time and again to do something.

MR D.T. REDMAN (Warren-Blackwood) [5.31 pm]: On behalf of the National Party, I rise to make some comments on the Domestic Violence Orders (National Recognition) Bill 2017. I am not the lead speaker in this area, but, unfortunately, the member for Central Wheatbelt, who would have taken this up today, is unable to do so given its urgent nature. I admit up-front that I have not had the chance to have a briefing. Because of the urgent nature of the bill, a briefing was offered to National Party members at lunchtime yesterday or thereabouts. I was in transit from my electorate, so, unfortunately, I could not make the briefing. Therefore, I will rely heavily on my notes when I speak about the nature of the bill.

Right from the outset I acknowledge the member for Armadale, who has very strong views in this area. When I was the Minister for Corrective Services and I introduced legislation on satellite tracking technology, the member for Armadale across the chamber was very eager to extend that technology to the issues of domestic violence. Maybe that is something for another debate on another day. I think everyone in this place finds domestic violence abhorrent. Therefore, I welcome anything we can do as members of Parliament, even if it means supporting the government, to take the necessary steps to put in place processes that, hopefully, over time reduce the impact of domestic violence on victims.

I refer to a couple of statistics that I think all of us find confronting. Nevertheless, they are important to acknowledge. One in three women has experienced physical or sexual violence perpetrated by someone known to her. I find that amazing. Over the course of 12 months, on average, one woman is killed every week by her current or former partner. Again, that is a pretty confronting statistic. Indigenous women and girls are 35 times more likely to be hospitalised due to family violence than the wider female population. Again, that is a very staggering statistic and one that is somewhat in line with the public debate on the cashless welfare card. There are some different views in the community, but, again, in those particular communities that have very challenging circumstances, it is a strategy of breaking the nexus. As the minister I supported that and I supported the federal government in those initiatives with state support for mechanisms for the trials in Kununurra and Wyndham. Again, it will be interesting to see how that discussion publicly plays out. I am also told that one in four children in Australia is exposed to domestic violence. No child should be exposed to, nor have the experience of, domestic violence in any way, shape or form.

As the Attorney General highlighted, this bill is the product of a Council of Australian Governments decision in December 2015 to implement a national interjurisdictional recognition scheme for domestic violence restraining orders, with legislative effect to be given from the first half of 2016. This enabling bill gives effect to that decision. It will remove the need to register domestic violence orders across jurisdictional boundaries. The bill covers a number of things that have been mentioned by other members. It defines what orders are recognised under the national scheme. It defines the consequences of a DVO being recognised under the national scheme and, of course, it supports the operationalisation of that scheme. Some of the concerns that have been raised relate to putting the operations into effect. The Attorney General has identified concerns in the second reading speech. Essentially, the legislation establishes a framework under which the cross-jurisdictional application of DVOs can take place.

The concept of a cross-jurisdictional DVO is a good idea and will allow greater collaboration between WA Police and other states, hopefully, leading to much better outcomes. An important facet is that if an interstate DVO is breached in Western Australia, the offender will be penalised through the WA court system. New orders raised can supersede old orders and orders can be varied in any jurisdiction. A number of operational orders can put into effect a system so that if people move across borders, they are tracked and followed. Hopefully, as the member for

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Armadale highlighted, if people go to another state to get away from a perpetrator, the system is able to track that and put in place consequences should those orders be breached.

The National Party has a few concerns, which are shared by the Attorney General, as mentioned in the second reading speech. In his second reading speech, the Attorney General alluded to the lag between the implementation of the framework and the finalisation of the automated system. That is one issue and, secondly, I refer to the potential that the state has in signing up to an ambitious scheme that has an information technology platform. We know what ambitious IT platforms are like; the Office of Shared Services was a classic example of that. It can go awry very quickly, but that does not take away the intent of what this enabling bill is trying to achieve in putting into effect what was effectively a COAG decision. Of course, another issue that was highlighted in the second reading speech is that the formal processes would come into play on 25 November this year but the information-sharing platform will not be delivered until 2019. Therefore, manual processing will be required, which may well have some undesirable outcomes if the process has any flaws.

The only additional comment I make is about the isolated nature of many regional communities. These things work very well when they are on a platform in some of the bigger centres, but the more isolated people are, the more difficult it can be; sometimes the intent of a law does not extend very well to those corners of the state and the necessary resourcing to support this legislation will be very important. From our perspective, we are concerned about the impact on regional Western Australia, although I do not care where domestic violence issues occur; they remain abhorrent.

The Nationals will support this bill. We are certainly pleased that the government has brought it forward on the legislative agenda. We are certainly hopeful that the predicted issues with the technology do not come to fruition and the scheme is implemented smoothly. Most importantly, we are hopeful that the scheme will make DVOs easier to track, meaning that the police and courts will have a better understanding of where offenders are. When implemented correctly, this bill will, hopefully, make a difference to the lives of the victims who have been impacted by domestic violence.

MR S.A. MILLMAN (Mount Lawley) [5.39 pm]: I also rise to speak on the Domestic Violence Orders (National Recognition) Bill 2017. I thank those members who have made a contribution to this debate. In particular, I thank the member for Hillarys for indicating on behalf of the opposition that, by and large, the opposition will be supporting this bill. I also thank the member for Warren–Blackwood for articulating the position of the Nationals on this bill. He did a commendable job in the absence of a formal briefing, and I am grateful to him for the contribution that he made on behalf of the Nationals this evening.

I also thank the member for Armadale for his contribution. It is fair to say that the member for Armadale is a passionate advocate on this issue. He outlined a number of issues. He particularly commended the McGowan Labor government for the work it is doing to address family and domestic violence. The member for Armadale mentioned that he attended a function last Sunday afternoon to raise awareness of, and much needed funds for, community organisations that are tackling family and domestic violence in the community. Mention has been made of the organisation Starick. It was a real privilege to hear Leanne Barron, the chief executive officer of Starick, talk to us at that afternoon tea. I will come later to the work that Starick does in the community. The reason I bring this matter to the attention of the chamber is that the afternoon tea on Sunday was testament to the hard work of the member for Armadale on this issue. I also commend the former member for Darling Range, Tony Simpson, who worked with the member for Armadale to highlight this issue and promote a charity bike ride from Busselton to Perth called Ride Against Domestic Violence. That initiative was taken up and supported by people across the political divide. That indicates that notwithstanding the differences of opinion between the member for Hillarys and the member for Armadale, there is general consensus that although a lot has been done to tackle the scourge of family and domestic violence, a lot more remains to be done. Insofar as this bill works to that end, it should enjoy the full support of this chamber and the Parliament. As other members have outlined, this bill brings Western Australia into line with other states and territories as part of a national agreement to recognise domestic violence orders that have been made in Western Australia and other states and territories.

Part of the reason I am so happy to speak on this bill is that, like other legislation that has been debated in this chamber since the election of the McGowan Labor government, it is emblematic of our government's approach to putting the victims of crime back at the centre of our criminal justice system. That is a phrase that members would have heard me use before, whether it be in relation to the McGowan government's meth action plan or our no body, no parole legislation. Therefore, for the third time, I commend the Attorney General for bringing legislation before this chamber that puts victims of crime back at the centre of our criminal justice system.

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I will now outline some of the history behind this legislation. In late 2015, the Council of Australian Governments agreed on this legislation as a necessary and important way forward to give greater strength and coherence to our domestic violence order regime. That is across jurisdictions, obviously. The commonwealth Parliament lacks the constitutional power required to make legislation in this field. Therefore, the Council of Australian Governments agreed to pass complementary legislation to give effect to a national scheme. We have talked about the urgency of this bill. On 16 March 2016, the New South Wales government stated that it would implement this national scheme. On 23 June 2016, the Victorian Attorney General, Martin Pakula, introduced complementary legislation into the Victorian Parliament. On October 2016, the Queensland Parliament assented to legislation to also introduce this national scheme. It is terrific that this legislation is now before this Parliament for debate, and hopefully for passage and assent in the near future.

I spoke earlier about some of the things that have been done by the McGowan Labor government since the election to put victims of crime at the centre of our criminal justice system. The member for Armadale has also spoken about this. We have had, not only commendably, but historically, the appointment of the member for Fremantle as Western Australia's first ever Minister for the Prevention of Family and Domestic Violence. As the member for Armadale has said, this is a terrific initiative because it finally reposes in a member of cabinet the responsibility for tackling what everybody has agreed is a scourge on our community that requires concerted attention and effort. In elevating this concern in the community to cabinet level, we have taken the first step, to use the words of the member for Hillarys, to, hopefully, change attitudes and practices. This one piece of legislation will not resolve what is a terrible aspect of modern society. This one piece of legislation needs to be part of something much greater. Therefore, the McGowan government has elevated responsibility for this issue to a cabinet-level position.

The McGowan government has also signed up to the Our Watch commitment. I will read from the ministerial press release at the time, in which the minister said —

The purpose of Our Watch is to provide national leadership to prevent all forms of violence against women and their children based on sound research and strong and diverse partnerships.

The McGowan government has committed to that, and in so doing it has prioritised this issue in the mind of the community and indicated what it will be doing to address this issue.

The next piece of the puzzle is this legislation, which will give teeth and substance to domestic violence orders that are made not only in Western Australia and across Australian jurisdictions, but also extending to New Zealand.

I now want to talk briefly about some events that have taken place recently as part of the move to promote awareness and tackle this issue. Three weeks ago, my neighbourhood of Mt Lawley hosted a White Ribbon dinner in Beaufort Street. White Ribbon Day is coming up in November. Once a year, the White Ribbon organisation encourages community groups to host a White Ribbon dinner. That dinner is regarded as one of its most important fundraising events. The White Ribbon dinner that was hosted in Mt Lawley was in no small part thanks to some community activists who live in the neighbourhood. They include Katrina Montaut, Hugo Seymour and Stephen Catania. At that dinner, we had the great honour of being addressed by two leading advocates in the area of prevention of family and domestic violence. I want to put on the record who those people are and what they do, and also commend them for illuminating us on some important aspects of the work that is undertaken in this area. The first is Leanne Barron, the CEO of Starick, who I mentioned earlier. Starick is a women's resource centre located in the south eastern suburbs. Starick provides a number of services to victims of domestic violence. It provides safe and secure crisis accommodation for women and children. The CEO advised us that over 75 women and 102 children have been accommodated through this urgent crisis accommodation. In addition to crisis accommodation, it also provides court and legal support, referrals to domestic violence advocates and the ability to refer to the local police stations. It provides information referral and advocacy, counselling, programs and workshops, out-of-school-hour and school holiday programs, art therapy, an annual children's camp and homework support. Just listing the services provided by this organisation shows how endemic the scourge of family and domestic violence is and how widespread its effects can be. The basic activities of daily life are fundamentally altered and shut off to women and children in these circumstances. I commend to the chamber both Leanne Barron and her organisation, Starick.

The second person to address us was Penny Robbins. She is a lead solicitor at the Women's Resource and Engagement Network. This organisation is part of the Northern Suburbs Community Legal Centre. Similar to Starick, WREN provides vital legal support and assistance. Obviously, people caught in this situation need as much advice, assistance, representation and support as they can get, particularly with reference to their legal rights. WREN is a specialist domestic violence unit in the north eastern suburbs of Perth. Its role is to provide wraparound legal and non-legal services in a safe location to assist women and their children who have been victims of family

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and domestic violence. Not only does WREN provide legal support, it provides access to other non-government organisations, support networks and community organisations, and it also provides assistance to people who are financially disadvantaged as a result of family and domestic violence. These organisations work tirelessly and effectively to try to provide support, encouragement, compassion and resources to people who find themselves caught in such situations. In the context of this debate, I wanted to note the fantastic work those organisations do and formally place on the record my commendation of that excellent work.

The event that we held on 28 July to raise funds for White Ribbon and these organisations was one of over 120 held throughout the nation on that night. All of them were directed to the aim of raising awareness and funds for these services. I said on the night that there were events as far afield as New Farm and Palm Beach in Queensland; North Sydney, Erskineville, Liverpool and Wollongong in New South Wales; Lakes Entrance, Pakenham, Mulgrave, Ascot Vale and Hamilton in Victoria; as well as events in Mt Lawley, Fremantle and Geraldton. When speaking to representatives from White Ribbon and guests at the dinner, I wanted to bring to their attention how important it was that we come together as a local community to celebrate the fact that we are taking steps towards tackling domestic violence. That might sound a bit strange so I will extrapolate so that members can understand. It might seem strange to celebrate work done in connection with domestic violence, but the reason I felt it was necessary to spell it out was that research into violence prevention indicates that social isolation can constitute a form of abuse against female partners; however, the same evidence supports the fact that engagement that strengthens relationships with neighbours and community can help to support victims of violence. The example I gave was that of a woman named Simone O'Brien, who was a White Ribbon advocate. She put it simply and powerfully when she said —

“I owe my life to my neighbours. I would not be here today if it wasn't for them. They saved my life. I would encourage everyone to get to know their neighbours. You feel safer knowing who lives near you.”

As I said earlier, in addition to supporting and fostering community engagement, the White Ribbon Night is an important fundraiser and White Ribbon Night is its largest fundraiser.

The member for Warren–Blackwood has already taken the chamber to some particular statistics, but sadly I think they bear repeating. I want to pause on them because they can be so confronting that sometimes we let them wash over us and we do not engage mindfully and thoughtfully with what they are. I will just go through them slowly and I ask that members give due consideration to some of the horrendous numbers I am about to outline. One in five women has experienced sexual violence. One in three women has experienced physical violence perpetrated by a close partner.

[Member's time extended.]

Mr S.A. MILLMAN: Between November 2015 and November 2016, 18 people were killed in Western Australia as a result of domestic homicide. We also know that fewer than 20 per cent of women who experience violence from an intimate partner report it to police; that is less than one in five. Yet, last year alone over 53 000 domestic violence incidents were reported to police. One in five report, yet there were 53 000 reports of domestic violence incidents to police. Irrespective of whether the glass is half full or half empty, more can and must be done in this area. What can we do as a Parliament? What can the McGowan Labor government do? I have already mentioned the appointment of Hon Simone McGurk as the first Minister for Prevention of Family and Domestic Violence and WA signing up to the Our Watch program. We are introducing this legislation so domestic violence orders from other jurisdictions are enforceable in Western Australia. We are investing more than \$20 million to provide additional services and support for victims of family and domestic violence, including additional refuges to increase access to safety for women and children, further interventions to change the behaviour of perpetrators of violence, improving the process for obtaining violence restraining orders to make it easier and less stressful, and improved respectful relationship education in schools. I think these are precisely the things that the member for Hillarys was talking about when he referred to educating people and changing attitudes. Once again, I thank him for the comments he made earlier and I hope he and the opposition support all these initiatives as they come through.

There is another thing that I am particularly proud of, having a background working in employment law. The Western Australian state government is the largest employer in the state—this has not come up yet in the debate this evening—and to tackle family and domestic violence the McGowan Labor government has introduced a provision for family and domestic violence leave into the public sector, which is a landmark move, to bring this issue further into the daylight. Anecdotal evidence from Victoria, where this type of family and domestic violence leave has been available to public sector workers, demonstrates that it not only supports and assists victims of domestic violence, but also encourages more compassionate and robust community response to this epidemic. That

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is logical; that absolutely goes without saying. As soon as we make it part of the conversation, we bring it into the light and we change those attitudes and educate the community about what needs to be done to tackle this issue.

In the time that remains to me I would like to make this comment for the purpose of the record. All the things I have outlined about what the government has done to tackle family and domestic violence form only a part of what the community needs to do, because tackling this problem cannot be consigned to the responsibility of government alone. As is so often the case in a society founded on a sense of community, it is incumbent on everybody to act collectively. My view is that we must act collectively to work on engaging every aspect of the community.

Sitting suspended from 6.00 to 7.00 pm

Mr S.A. MILLMAN: Before the dinner adjournment I was addressing the chamber on not just what we, as a government, can do to tackle the scourge of family and domestic violence, but also what we, as a community, can do to tackle this issue. I was saying that, as is so often the case in a society founded on a sense of community, we must act collectively. We must act collectively by working and engaging with every element of our community, we must act collectively to spread the message that the prevention of family and domestic violence is everyone's responsibility, and we must act collectively to engage supporters from a range of sectors, industries and experiences to share this responsibility. In the time that remains to me I want to make a few comments on the violence restraining order regime as it operates in Western Australia.

[Quorum formed.]

Mr S.A. MILLMAN: As I was saying, we must act collectively, given that we are all participants in a society that was founded on a sense of community. We must act collectively by working and engaging with everyone in the community, and we must act collectively to spread the message that prevention of family and domestic violence is in fact everyone's responsibility.

Having made that point, the next point I would like to make relates to my time as a legal practitioner, when I had the opportunity to act for both applicants of violence restraining orders and respondents to these applications. What I found in the course of my career with these applications is just how incredibly sympathetic and compassionate our Western Australian court system is, whether it is the magistrates, the court officers, Legal Aid WA, the paralegals or the support people. These are difficult, complicated and very stressful proceedings. There is a lot of emotion and feeling involved in these applications. One thing that always struck me was that whether applicants and respondents were represented or unrepresented, the courts and tribunals used their best endeavours to make sure that justice was done between the parties. They would have to take into account some amazing and some very difficult considerations to do with living and working arrangements and access to schools for children in shared domestic environments. Time after time I was impressed with and gratified by the fantastic work done by the WA court system in addressing this. Notwithstanding the comments of the member for Hillarys, I would be confident that no matter the constellation of circumstances faced by our justice system, whether it is the courts and tribunals or the police, they are matters and obstacles that, in the interests of achieving a just and reasonable outcome for the community when it comes to the scourge of family and domestic violence, our criminal justice system, our justice system and our police will be able to overcome.

In the time that remains to me I would just like to return to the point where I started; that is, to place this bill in the context of a wide-ranging strategy from the McGowan government to deal with this issue. When I started I echoed the comments of the members for Armadale and Hillarys in saying that in addressing this, this bill is part of a constellation of efforts that need to be embarked upon. When we see things like the government signing up to Our Watch, or the appointment of a minister responsible for the alleviation of family and domestic violence, or \$20 million being promoted and provided to care and support services, we can see that this is just another way in which the McGowan government is deploying a constellation of responses to this issue in a way that is designed to, and hopefully will, alleviate such a devastating scourge on our community. I commend the bill to the house.

MRS L.M. HARVEY (Scarborough — Deputy Leader of the Opposition) [7.06 pm]: I, too, rise in support of the Domestic Violence Orders (National Recognition) Bill 2017. My experience of this issue through my time as Minister for Police was certainly quite involved. Indeed, if any individual in this place talks to any police officer about what is the most difficult event that they are required to attend, nearly every single one of them will put family and domestic violence at the top of the list. If we look at the statistics, that is often where police officers are at higher risk of personal injury. It is certainly one of those areas in which police officers report a higher level of traumatisation post-attending some of those events, because some of the things they see in those family violence scenarios are the very things that drove them to become police officers in the first place. When police officers walk

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into some of the scenes that they see and the circumstances in which they find families, on a very personal level those officers are often quite badly affected.

Our recently retired police commissioner, Dr Karl O'Callaghan, worked very closely with the former director general of the Department for Child Protection and Family Support, Emma White. Emma was a fantastic director general of the Department for Child Protection and Family Support and had a really good working relationship with police. Indeed, some of the initiatives that were put in place in regional Western Australia were as a result of Emma's advocacy on behalf of victims to try to get a better response from and understanding by the police and the courts of family violence situations and what victims needed and also what the Department for Child Protection and Family Support actually needed in trying to support victims. I was very pleased to see Emma move through the ranks of the Department for Child Protection and Family Support from her role in previously managing regional Western Australia to become director general of that department. Sadly, in a lot of our remote Aboriginal communities there is a much higher incidence of family and domestic violence through various different sets of circumstances. Indeed, the risk to women and children of experiencing a violent incident as a result of a family disturbance in some of those regional and remote communities can be up to eight times higher than the risk for a female living in metropolitan Perth. Sadly, many of those individuals do in fact lose their lives.

There has been a lot of misinformation about what action the previous government took. I was really quite pleased with some of the initiatives we put in place during the term of our government. From a policing perspective, following the examination of the terrible death of Andrea Pickett back in 2009 and the subsequent coronial investigation into her death, a lot of changes were made around the way the police deal with family and domestic violence. One of the initiatives we put in place was the introduction of 72-hour police orders. Those police orders allow officers to issue an interim violence restraining order to order the perpetrator of abuse away from the family home and require that the victim and the perpetrator do not have contact for 72 hours. The 72 hours was arrived at to cover a weekend because these incidents often occur over weekends, on public holidays or those sorts of celebrations when people often have a lot to drink, for example, which often leads to a higher level of violence being perpetrated in those households. One of the failings of the system at the time for Andrea Pickett and her family was that there were no facilities available to accommodate large families. Most of the refuges available to women could only accommodate up to a few children and, indeed, many of the refuges had a rule that they would not take males over the age of 13 years. That put Andrea and her family in a predicament, whereby there were no places to which she could safely flee. If she fled to be with family members, the perpetrator would know all the family members and where they lived. It was almost impossible for her to find a safe haven. Out of that situation, the government at the time moved to put a lot of investment into building additional refuge space specifically to accommodate larger families, so that families with a lot of kids fleeing family violence could find a place to stay and find refuge. In those refuges they could get access to services to help them with self-esteem, resilience, financial management and all the things that they needed to break the cycle of domestic violence.

The other initiative that was put in place in 2009 or 2010 was that we declared—Western Australia Police changed their system—that when a person went missing from a refuge, the refuge would be reclassified to be a person of authority. When a refuge as a person of authority declared a person missing from the refuge it was given the highest priority by police, in order that police could respond in the shortest possible time to try to locate that individual. Obviously, an individual who finds themselves in a refuge escaping family violence is at very high risk if they are at large in the community without support services around them. In 2009, we rolled out the domestic violence co-location model in metropolitan policing. That co-located police and the Department for Child Protection and Family Support—the Department of Housing was sometimes a part of those meetings—and the not-for-profit sector to take a case-management approach to victims of family violence. When a domestic disturbance was identified that progressed to a domestic violence incident report, for example, that individual had a case-management approach from all the agencies tasked with supporting and caring for those people in our community. In 2010, we rolled out that model across the state in regional Western Australia. Indeed, that model has been very successful in ensuring that all the people who might be case managing a particular family are in the loop and understand what might be happening on the ground with that family with respect to new incidences of violence.

It is not perfect; family violence is an imperfect space. Individuals in family violence situations have often been coerced for many, many years. I remember a visit to Zonta House refuge in Bentley, which we funded through the proceeds of crime fund, where I met a victim of family violence, Ms T. First of all, Ms T was brutally assaulted by her husband over a long period. After she escaped from her husband, her son took over that role of being the perpetrator of family violence. I remember Ms T saying that she felt that her time in that relationship, which was really most of her adult life, had stripped her completely of her sense of self belief. She did not call it family violence; she called it family terror. She said that every day of her life she lived in terror not knowing what was

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going to happen to her. She said that the feeling of embarrassment and powerlessness was overwhelming, and she got to a point at which in her mind she thought that she was nothing—that is what she believed. That is the place victims get to that allows them to stay in those relationships. When someone feels they are worth absolutely nothing, the concept of being able to do anything other than stay in that relationship is incomprehensible. Through that proceeds of crime grant allocation we funded about 10 refuges and family violence services. Zonta was doing something quite unique. It had developed workshops for women designed around building self-esteem, helping to rebuild self-confidence and personal resilience. Miss T said that such was the level of trauma she had experienced that she needed repeated returns to those workshops just to sustain her resilience. She was very pleased to see Zonta receive funding from the crime prevention fund because it allowed her to remain resilient and independent, and through that process to prevent herself becoming a victim of family violence again. We know from the statistics that victims are often re-victimised and that perpetrators often have multiple victims. The statistics around the re-victimisation rates of victims of family violence and the perpetrators, which I do not have to hand, are frightening.

The statistics were terrible. I remember the 2015–16 statistics on family violence disturbances. Police were called to something in the vicinity of 53 500 disturbances. As I recall it, around 26 000 of those disturbances were converted into domestic violence incident reports, which is when domestic violence has been identified as an action item for police for those co-located family violence teams to follow-up. The reason for that discrepancy is that people often report a domestic disturbance that—I do not mean to trivialise family violence at all—police tell me sometimes will be two deaf people yelling at the footy who people think are yelling at each other that is called in as a family violence disturbance. Sometimes families are just loud and aggressive in the way that they communicate with each other without necessarily a threat of physical violence being in train. However, when these call-outs were assessed, 26 000 or so were turned into domestic violence incident reports, which is a lot of family violence reports. When I talked with police about those, I was told that the attendance now required and what police are required to do in those circumstances is completely different from where we were five, 10 and definitely 20 years ago. Now, a police call-out to a domestic disturbance for which an incident report is created will sometimes hold two officers in a location for two to four hours and sometimes longer depending on the situation in which they find themselves at that particular domicile. Police do not relish attending these cases, but it is a very core part of their business.

Sadly, my recollection from those statistics is that in 65 per cent of these domestic violence incident reports children were present. We know that the imprint of violence in the home on children early on becomes an imprint on their behaviour and the way that they manage all their emotional disturbances, anger management and all those things. It is an invidious problem. The Deputy Commissioner of Police did a study on one of the major crime families in Western Australia. Looking at the five or six generations of the family tree, multiple incidents of domestic violence and violence generally were found against nearly every single family member. However, when that was flipped and police looked at the victimisation profiles of those individuals, they found multiple incidents of the family members being victims of physical, sexual and other violence. The cycle of violence needs to be broken through better access to parenting, anger management, and trauma treatment programs. That will enable children who have been victims of multiple violent disturbances, sexual violence and whatever it might be to understand and rebuild themselves so they can choose a better pathway. If the only pathway they know is violence, aggression and being demoralised and abused on a daily basis, they will not understand there is a better way to deal with problems and they will seek out violence when they become adults and when they look to choose partners and form relationships with people.

Of those 2015–16 statistics, sadly, 19 people died as a result of family violence. Not all those individuals were women; some were children and men. Sadly, we are also starting to see a lot of violence towards elderly people, which is a new area of family violence that needs to be attended to. As a government, we were working towards ways to try to identify areas in which we were starting to see the perpetration of violence against vulnerable seniors in our community. Through the Department for Child Protection and Family Support, my former colleague the honourable Andrea Mitchell, and prior to her, Hon Helen Morton, were responsible for the expansion, as I said earlier, of refuges and shelters for victims of family violence. We were very pleased to open a new facility in Ellenbrook to cater for larger families. That facility in Ellenbrook ran the Safe at Home program, which was designed to develop emotional, financial and legal skills, and education programs to support families accommodated at the units and the women who are at risk in our community. The Patricia Giles Centre was given the task of running the facility in Ellenbrook and it would do a sterling job there.

In 2015–16, the former government allocated \$34.5 million to deliver services to deal with family violence in Western Australia. That is not an inconsequential amount of money but anybody dealing in the area of family and domestic violence will say it is never enough.

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[Member's time extended.]

Mrs L.M. HARVEY: We also opened the Wooree Miya Women's Refuge, which accommodates 78 women and kids on site. One-third of women there had experienced physical violence since the age of 15. That is horrific to contemplate. The former government was part of the national plan to reduce violence against women and children, which is a 12-year plan that runs from 2010 to 2022. At Wooree Miya, we also incorporated a training facility so women there could achieve accredited vocational training. It started around stress management, parenting, budgeting, nutrition and cooking and progressed into a recognised qualification called "New Opportunities For Women". I was really pleased that program was delivered through a partnership with Central TAFE. The former government was not idle in trying to reduce the incidence of family violence in our community.

Towards the end of 2016, it brought in new legislation around restraining orders and family violence restraining orders. That put the onus onto having the courts consider the history of perpetrators and, from considering that, enter them into a management plan for their behaviour and seek counselling services for anger management. That legislation also introduced an offence for cyberstalking and the distribution of intimate images. It became an offence punishable by up to two years' imprisonment. We focused on maximising the opportunities to engage with perpetrators and have them take responsibility and understand the extent to which their actions inhibited opportunities for their children. We know that children of perpetrators of family violence are less likely to finish school and more likely to be involved in substance abuse and criminal offending. For many perpetrators, understanding the impact on their children is often the only way to connect with them. A behaviour management plan that has them identify the causes of their anger and why they direct it at their female partners is very important if we are going to see a change in the trends in family violence.

The family violence restraining orders legislation was debated in November 2016. I encourage members who are interested in this topic to go back and look at the debate. All sides of the chamber made really good, robust contributions to debate on that legislation. I put it to members in this place that not one member is not passionate about trying to reduce the incidence of family violence in our community. As Minister for Police in the previous government, I had some involvement with the national recognition scheme of violence restraining orders. It sounds like a really great idea, but it was interesting to hear the police perspective at the time. From the perspective of police and the conversations I had with many police officers who deal in this area, their concern was that having a national recognition scheme might introduce some complacency on behalf of victims who think if they travel interstate, they will automatically be protected. If we are reliant on an information technology system that interacts with multiple jurisdictions in order for a violence restraining order notification to flow through seamlessly and notify authorities, we could perhaps be setting up victims to be vulnerable. At the time, the police adviser said to me that they would prefer to recognise violence restraining orders from other jurisdictions but have victims who are being protected by violence restraining orders come to police in each jurisdiction to report, and show their violence restraining order. The VRO will be automatically recognised by the court but there will be a contact point with police, which will mean police can connect those individuals with the appropriate services. Police can also check where they are living and see whether their living environment will make them more vulnerable, for example. Police can look at their housing and connect them with a family violence outreach service so victims can understand who they need to go to when they move to a different state to gain protection if they are worried about something. They will understand who to make contact with and what is available in the Western Australian system, for example, to support victims of family violence versus the New South Wales, Queensland, Victorian or other states' systems. That was one concern raised by police.

Mr D.A. Templeman interjected.

Mrs L.M. HARVEY: I do not have much time, member, so I do not really want an interjection.

The IT system was also raised as a concern. Part of my robust discourse through the Council of Australian Governments meetings was to ensure that the federal government would fund the system upgrades that were needed. In Western Australia, the system is problematic in that issuing a violence restraining order through the court system is not a seamless process. The notification that goes through to police and for police to understand that a VRO has been issued does not flow through seamlessly. It is still a manual handling process. Police then have to serve the violence restraining order on the perpetrator and the victim needs to be notified when the violence restraining order has been served. Both parties need to understand what that means.

Each state had problems. For example, the police IT system operated on a different platform from the court IT system, which operated on a different platform from the child protection IT system, and other outreach services in the not-for-profit sector had their own management systems. The difficulty with a national system to recognise family violence restraining orders is getting all the computers to talk to each other. Anybody who has

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dealt in IT will know that even trying to get small systems to talk to each other is difficult. Big operating systems of government that operate under complex legislation often cannot transfer information seamlessly. I wanted to ensure at the time—I hope the ministers involved in this scheme have done so—that this state would not be disadvantaged.

The number of victims moving interstate who would require this system to work and who would require those protections was not clear. A disproportionate number of violence restraining orders are issued in remote Aboriginal communities, so how will we ensure a seamless transfer of information when often a court will not sit for six to eight weeks? How will the system recognise the different kinds of restraining orders? Will our 72-hour police violence restraining order be recognised in every other jurisdiction or will only a court-ordered violence restraining order receive recognition? How will we categorise all these and make sure that they seamlessly click through all the judicial processes so that perpetrators can be identified by police and the police can ensure that the perpetrators understand that the police in each jurisdiction know that there is a VRO against their name to protect one or multiple victims? How will a victim know for certain that their violence restraining order will be registered under this new system and that the police in the particular jurisdiction know the individual who might be trying to track them down? The person to be protected may be being stalked, for example, by an individual in another state, so that individual would have no record in Western Australia. Even the agreements on sharing criminal records between jurisdictions are incomplete. Different states have different privacy laws around sharing criminal information. That can cause some difficulties with a national scheme like this working.

I do not want to sound negative. I think it is a great idea. I am just highlighting for the house the issues raised in the Council of Australian Governments meetings that I attended that were inhibitors to this scheme being introduced earlier. Let us be clear: all this legislation will do is enable a national scheme to be developed. Unless things have changed significantly in the past eight months, we are a long way from having any of the states agree on the IT platform to manage an important system like this. Police services, judicial services and even government services in each state have different systems and they all think their system is the best. Which system will be the best to protect our victims? How can we ensure that that system is funded so that there is some uniformity of information and uniformity of response to support something as important as a national recognition scheme for violence restraining orders to protect the victims of family violence?

As I have said, the opposition agrees with this legislation. We understand that the government has set a deadline within which to have this legislation enacted. We have no desire whatsoever to delay the passage of the legislation through this house. However, it is incumbent on us to flag the problems and pitfalls that we see in a program like this. We must be mindful all the time in this very emotional area of family violence that every decision needs to be made in the interests of the protection of the victim. Having been through some of the different COAG processes in the past, I am concerned that often senior officials in government are very protectionist about their systems and they forget about the victims they are there to protect. That will be the job of the ministers involved in the implementation of this scheme who now sit on the government benches. I wish them the best of luck with it.

For all the victims of family violence in Western Australia, we need to ensure that we have a robust approach, that we have the appropriate police response and, importantly, that we have and continue to fund support services—there are many of them out there—and education programs so that each and every one of those victims of family violence see a way to strengthen their resolve, build their self-esteem, retrain themselves and make a better choice in their relationship next time.

MS L. METTAM (Vasse) [7.36 pm]: I would like to make some comments in support of the Domestic Violence Orders (National Recognition) Bill 2017, which seeks to provide for, and is a step towards, a national recognition scheme for violence restraining orders. As other members in this place have stated, domestic and family violence is among the saddest and ugliest elements of our times. It knows no income class. It plagues all social statuses.

[Quorum formed.]

Ms L. METTAM: Today, one in six women will suffer physical violence by a current or former partner and one in four women will suffer emotional abuse by a current or former partner. This year, police will receive over 45 000 reports of family violence, which is two and a half times the number in 2004. Over the last 12 months, there have been over 2 300 incidents of domestic violence across the south west region. In over 1 270 of these incidents, there were reports of children being present, which is equally concerning. The statistics also illustrate that there is a peak in the number of family and domestic violence cases over the holiday or summer period between November and January. I understand that local police and other authorities believe that there is a direct link to alcohol use that contributes to these figures.

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Although domestic violence is an issue across a range of demographics, over 85 per cent of victims are female, which illustrates that we still have a significantly long way to go before we can shift a significant cultural problem. There is also a significant financial cost to the community associated with family and domestic violence. In its 2012 survey, KPMG highlighted the fact that the economic cost of domestic violence to the country is \$22 billion a year. It is married with significant social outcomes, such as the social isolation that people feel as a result of being a victim of family and domestic violence, rates of depression, anxiety and homelessness and also the strong link between family and domestic violence with the risk of academic failure. The outcomes and consequences of family and domestic violence are much greater than those very broad statistics that I originally spoke about.

From a local perspective, I referred to the rates of reporting and statistics on family and domestic violence having increased significantly over time; in fact, the rate of reporting has increased two and a half times since 2004. Although these figures are concerning and point to individual tragedies, a lot of positive work is being done in communities to highlight the importance of this issue, the importance of putting the spotlight on these concerns and the valuable role that local communities play in removing the stigma attached to family and domestic violence and illustrating that under no circumstances is family and domestic violence okay.

As the local member for Vasse, over the last couple of years I have been very pleased to welcome former member Tony Simpson and the member for Armadale, Tony Buti, to the electorate for their ride against family and domestic violence. This event was supported by local organisations, including Communicare, the Busselton White Ribbon Committee and the Over 50 Geographe Cycle Club. They are very positive community events that bring people together and put the spotlight on this issue.

One of the more outstanding role models in the Vasse electorate and the community of Busselton is Rob Reekie, who since 2003 has been running a program called Mates, which is a unique program in Western Australia. Rob voluntarily provides 24-hour support for anger management and he provides emotional support and a roof over the heads of some of the persecutors of family and domestic violence. He also helps men who are in situations in which they do not know where to go and are very frustrated. Not all the men that Rob sees are persecutors of family and domestic violence, but a significant number are. Since 2003 he has seen and supported 2 000 men in his home and has raised over \$80 000 towards this cause. Individually, he works about 70 hours a week to support these people who are struggling with depression, anxiety, homelessness and domestic violence. He does an outstanding job in the local community and he should be acknowledged for the great work he has done in an area that would be challenging for many. Last year he was acknowledged with the 2016 WA Regional Achievement and Community Award for his efforts. Rob made some comments to the local paper in response to winning and being acknowledged with this award. He said —

I love what I do everyday ...

Before the awards I did some hard soul searching.

One of the guy's, who I helped 10 years ago, wife recently passed away, he said to me if it had not been for Mates they would never had spent the last seven years together.

Rob Reekie has done an outstanding job in my community of Vasse as have the individuals who work for Waratah, Tuart House and Communicare. I take the opportunity to thank them for this commitment to what is a really important area of improving the lives of too many women and men in our community.

MR M.J. FOLKARD (Burns Beach) [7.46 pm]: I rise in support of the Domestic Violence Orders (National Recognition) Bill 2017 and I thank the house for its time.

I commend our Attorney General for a fantastic piece of legislation. This evening we have heard the members for Hillarys, Armadale, Mount Lawley, Scarborough and Vasse talk to this particular endeavour in support of improving the Restraining Orders Act. This bill introduces a couple of new sections. With my background as a policeman prior to coming to this house, I am very much mindful of the amendments in the bill and of where we stand and where we are today. The bill will bring us into a national scheme. I will relay to the house a specific incident in which we could have used the provisions of the bill to save someone with a young family from the particular intimidation she had gone through. I will come back to that a bit later on.

The bill sets out legal consequences and recognition of orders that are raised in other states within the Federation and it sets out the abilities for information sharing between different jurisdictions. It is a great piece of legislation. But why do we need it?

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I will seek to define “domestic violence”. I will try to put it in layman’s terms using simple language. I will talk about some of the styles of abuse I have encountered over the years and some of the myths about domestic violence. Finally, I will tell another story about domestic violence that may provide a bit of humour in this serious situation.

Before coming to this house, I was working at Morley Police Station. We received a call late on a Saturday afternoon, as I remember, about a lady who was walking in a park. She had a couple of young kids and she was absolutely lost. A complaint came through that she was talking to herself and was in a dazed state. I grabbed a young “conny” and out we went. Sure enough, we found her in the park. She was hysterical, but she had gone past the point of crying and tears and absolute despair. We grabbed her. I took her back to the police station. She could not put a coherent sentence together—that is how exhausted she had become. I got her back to the station, sat her down and started to listen to her story. She was so worried about her two children. This is common in DV, or domestic violence. In the trade it is never called domestic violence; we just refer to it as DV because we encounter so much of it. I recall that the last three homicides I attended were all domestic violence related—all of them. Getting back to the story, I sat her down and we started talking. It took her about three cups of tea and a nice feed of pizza. She had not eaten in about two days, I think, just through her worry. It turned out that she had only just recently arrived in Perth, Western Australia. Her partner was a fairly horrific domestic violence offender. She saw an opportunity to get away from him. She managed to grab some of the household funds, jumped on a plane with her two children and flew from Sydney to Western Australia. She had no family here; she had nothing. All this was an attempt to get away from her husband.

I will talk about it a bit later, but he tracked her. She had previously tried two or three times to get away from him. Everywhere she had gone, he had tracked her, but she could not work out how. When I found her, she kept repeating, “He’ll find me; he’ll find me. What am I going to do? He’ll find me.” Every time she had run away, he had found her and dragged her back into the abusive environment that she had tried to escape from. She could not work out how he was doing it. It was driving her to the point at which she could not think or speak rationally about her distress. I sat down with her and over time she started talking. I was able to get a statement from her. Getting a statement from a victim of domestic violence is one of the key things that poor police officers have to do, because if they do not get ink on paper, it is very hard to get a prosecution up. This is one of the tragedies police face every day when dealing with these horrific situations. I spent hours talking to her and we managed to get a fantastic statement from her. While talking to her, she started to receive texts on her phone from this individual. I read the texts. I started looking in depth at the conversations on the phone. There were threats such as, “I’m going to come over there and take the kids off you. I’m going to kill myself. I’m going to take the kids away from you.” Horrific things were being texted to her. This was all part of the intimidation that this individual was doing to this poor woman. During our conversation she produced a violence restraining order. It was taken out at Liverpool Local Court. It was a fantastic document. It looked like it had been served—great! I read all that and thought, “How am I going to get this bugged?” I went back and made a couple of phone calls. The VRO that was in place, which had been served properly in New South Wales, was not worth the paper it was written on in Western Australia. I thought to myself, “How can we fix this?” At the time, we could do nothing because I could not establish whether the court order that was in place in Sydney had practical effect here in Western Australia—and it did not. I could not take the matter to court; I could not charge this individual.

One of the things I picked up on was the fact that he was on a plane on his way to Western Australia. I thought, “Happy days! We may have a chance of getting this bugged.” Before he arrived, I had two of my young connies meet him at the airport. Members who have been to Perth Airport would have noticed there is an Australian Federal Police contingent there. We were lucky—one of the police sergeants there was a mate I had served with in East Timor. After a couple of phone calls to him, we managed to identify what aircraft this individual was coming in on and two coppers met him as he stepped off the plane. So what did we do? I had a statement from this particular individual, but I did not have any ability to charge him with the breaches of restraining order that this woman had taken out. What could we do? In the meantime, we were looking after the kids and I was looking after her welfare, so we took it forward. The good thing about the Restraining Orders Act is that we can ring up magistrates at inconvenient times and take out a restraining order over the phone. The duty magistrate was Kieran Boothman, from memory. He was a fairly knowledgeable individual. He was one of the magistrates who set up our first domestic violence court in Joondalup. He was a very privileged, very learned man. Mr Boothman and I had a conversation over the phone and we were able to get a restraining order drawn up. Great—I had something that I could actually start to work with. After the individual was met at the airport, he was taken in to be interviewed in relation to the breaches. He said nothing, as is his right. He said, “Nuh, I’m not talking to you.” It was his intention to get out to try to find this poor woman and drag her back to Sydney. As I said, I was armed with this violence restraining order that I had obtained over the phone. I served it on him at the airport. Great; happy days. But he was still after her. How many members have the Find My iPhone app on their phone? Probably every other

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Mr John Quigley; Mr Sean L'Estrange; Mr David Templeman; Mr Peter Katsambanis; Dr Tony Buti; Dr Mike Nahan; Mr Terry Redman; Mr Simon Millman; Mrs Liza Harvey; Ms Libby Mettam; Mr Mark Folkard; Mr Kyran O'Donnell; Ms Emily Hamilton; Mr Terry Healy; Mr Donald Punch; Mrs Lisa O'Malley; Ms Sabine Winton; Ms Janine Freeman; Mr Matthew Hughes

person here. That was the instrument he was using to track his partner. She was not particularly electronically savvy and he continually tracked her using this app. I thought to myself that there has to be a better way. Looking at her phone and that sort of stuff, I thought that this guy will continue to go after her. I said, "The only way we can do this is to put your phone in a bucket of water and laugh!" The only way to stop people from using phones to track people is to put the phone in a bucket of water, otherwise they will continue to do it. They will use iPhones, iCloud et cetera to continue to replicate this behaviour. I convinced her. I said, "Let's put your phone in that bucket of water. We'll find you another phone." I notice that this government has awarded a grant to the Patricia Giles Centre to provide practical assistance to victims escaping family and domestic violence. The Pat Giles Centre is a fantastic centre and it was around back then. I managed to get her and the two kids to that centre that night. The perpetrator was walked onto the next plane heading back to Sydney. I spent the next two days trying to work out how I was going to charge this particular individual. It came down to the fact that I could not do it. The violence restraining order that was in place in Sydney was not worth the paper it was written on in Perth. This legislation fixes that. A violence restraining order in Sydney is a violence restraining order that is empowered here in Western Australia. It is a good piece of legislation.

There are some holes in it, but this is not the time to be talking about that. This stuff, this environment, when it comes to violence restraining orders, is something that we must champion. Any improvement is a good thing. It ensures that a restraining order that is empowered over east is empowered in Western Australia. It allows police to enforce them. A restraining order is only ever as good as the enforcement of the officers who stand behind it. It is also important to be mindful that it is only as effective as the support that can be put around the victims of this hideous affliction. And there are many, many victims.

I look across the chamber and I count 10 fine ladies, both members and staff. I saw some figures here tonight that were quoted by everyone. If there are 10 women in this room, history tells me that at least three have been subject to some form of domestic violence. It could be more; it could be less. I will talk about the myths a bit later. But I go back: what is domestic violence? This may unsettle a few people and I apologise for that, but I will be quite blunt. It is a pattern of abusive behaviour through which a person seeks to control or dominate another person. Domestic and family violence occurs when someone in an intimate or familial relationship attempts to gain or maintain power and to maintain control over another through a wide range of abusive behaviours. Domestic violence is one of the leading causes of unnatural death for women aged between 15 and 44. It is horrible; I have been to too many homicides that relate to it.

This abuse can occur in many ways—physical, psychological and verbal. I will go back to the psychological abuse, which is behaviour designed to undermine the sense of self such as name-calling, intimidation and sulking. The one that really gets to me is when they threaten suicide and threaten to take someone's children with them when they do. Having recently attended one of those situations, or worked a weekend when one occurred, I know it is an absolutely horrific thing for the poor officers who attend, not to mention the consequences for the family involved.

Verbal abuse is constant put-downs and name-calling, and making harassing and threatening phone calls. I spoke about a gentleman before. I counted the texts and messages he left in a 24-hour period; there were 935 either calls or texts he had made to the victim of that crime. I do not know how he could physically do that in a 24-hour period, but it was there to be seen.

The physical abuse is the actual threatening, punching, bruising, the slapping and what goes on, including the making of threats, denial of sleep and further. There is also the denial of medical attention, although I have not seen much of that; normally the police take them away.

It has been my experience that social abuse seems to come out in our culturally and linguistically diverse communities. I do not know why. I am speaking from anecdotal experience. This is about controlling an individual in matters such as what they can wear. In the Muslim community some of the violence I have seen is because the women are being told they must wear hijabs; they do not have to. Keeping women away from their families is part of the process, as is preventing them from leaving the house or going to a place of worship—somewhere they can get away from an individual. The abuser might be continually checking up on their victim or phoning them. I have seen that happen.

Sexual abuse also occurs. I will not particularise it, but I will state this: forcing anyone to have sex is a criminal offence, even if the person is your partner. Do not forget that. In some places there is reproductive control. I remember the old phrase "keeping her barefoot and pregnant". That was a form of abuse. It is horrible to use that sort of language and it is a form of abuse.

Then there is financial abuse. I gave an example of that the other day.

[Member's time extended.]

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Mr John Quigley; Mr Sean L'Estrange; Mr David Templeman; Mr Peter Katsambanis; Dr Tony Buti; Dr Mike Nahan; Mr Terry Redman; Mr Simon Millman; Mrs Liza Harvey; Ms Libby Mettam; Mr Mark Folkard; Mr Kyran O'Donnell; Ms Emily Hamilton; Mr Terry Healy; Mr Donald Punch; Mrs Lisa O'Malley; Ms Sabine Winton; Ms Janine Freeman; Mr Matthew Hughes

Mr M.J. FOLKARD: I was up in Kalbarri and I had to go back and recover the financial documents so a woman could survive and get back on to her feet; she needed access to her banking details to get funding et cetera. When someone is stripped of all those details, it is almost impossible for them to stand on their feet, particularly if they do not have family support around them. It is scary.

Another growing abuse trend is stalking, which seems to be a crime of modern significance. We never used to see it years ago, but now people are hanging around others' addresses, trolling them on Facebook, following them and organising unwanted home deliveries. One of the interesting things I encountered was an individual who used to ring his ex-partner's workplace and threaten the workplace so that she would leave that employment. She moved employment three times to get away from this individual, and he continually found her and started making abusive phone calls to her employers, to the point of her employers letting her go. To the credit of the final employer, he started ringing the abuser back and abusing him in the wee hours of the morning. The phone calls soon stopped. Looking after these people is key, and providing support is the way forward.

An emerging trend is technological abuse, which is the use of electronic media to stalk domestic violence victims. I have known of tracking devices to be placed on vehicles, and using, again, the Find My iPhone app to track the individuals is quite common, as are hidden cameras, listening devices and using keystroke software. In one situation we put a camera outside a house because we were really struggling to come to terms with the validity of the complaint of a particular victim. We put the camera outside her house and we tracked the offender coming in. He broke in through the front door of the house—I still to this day do not know how because I never saw any scratches on the door—he would go into the house, move a couple of paintings on the wall and leave. Nothing else would be done. The woman would come home and go absolutely out of her mind because someone had been in her house. We heard it from her so many times and we absolutely battled with, “Come on, this isn't true.” So we put a camera on the front of the house. Guess what? At three o'clock in the morning the bloke turns up, goes to the house, unlocks the front door and walks in. We do not see what he does inside, but sure enough when she gets home from a night at work she again goes off—“Someone has been inside my house.” Sure enough, we go in, we unload the camera and there he is on the recording. We got the buggler. We charged him with 15 counts of breaching a violence restraining order. All he would do was go into the house and move pictures around. It was all about intimidating his ex-partner. It is absolutely horrific.

I will talk about some of the myths surrounding domestic violence; there are a lot. Only a small number in our community experience domestic violence: what a load of crap! It goes right across. It goes from our very rich, most affluent people to our very poor. It is spread. There is not a cluster or a strength. To say that there is more domestic violence in a particular area and not in another is not true. It goes across everywhere. If members were to look at some of the maps the police hold—I used to use them as a tool—it can be shown that in time a whole community, no matter where we are, eventually gets covered with domestic violence incidents.

The second domestic violence myth is that domestic violence happens only in certain cultures or communities. Even that people think along those lines gobsmacks me. It does not matter if someone is black, white or comes from a Muslim or Christian community, domestic violence is everywhere. The third myth is that men are violent in their relationships because they are stressed. No, that is not true. If someone is stressed there are ways to deal with it. I suggest that if someone is stressed there are good people and organisations out there they can talk to; people need to start talking to their doctors et cetera. History tells us it is only an excuse. It not because someone is stressed; it is because they are a perpetrator.

The fourth myth is that it is easy to leave a violent or controlling relationship. I have heard people say, “Come on, you can get out of this.” It is so hard. One of the hardest things is to break the cycle of violence. Having been a policeman, convincing an individual who has been on the receiving end that they have to leave and get out of the house is so hard. They are worried about being threatened if they leave. We are taking them away from their homes. Probably about 10 years ago we were given the police orders. I commend all involved in that in Parliament because it was probably the best piece of powers-related legislation ever given to frontline officers. They gave them to us for 72 hours. I have to be honest with members, if we revisited that it should have been for a week. When we attended a DV incident and served those police orders, a trick was to serve it on not only the offender but also the victim. Two benefits of that were to make sure coppers were seen as being impartial and it sought to stop the behaviours and to break the cycle of violence. When victims feared getting back into the relationship, they would not want to leave, so putting a police order on both parties was a fantastic tool. We have not gone down the road of imposing reciprocal orders, but maybe in the future I would like to see it as something to discuss.

One of the other myths is that some religions support domestic and family violence. I have not seen anything written in any Bible, the Koran or any other religious document showing support for domestic violence. Anyone who says that is kidding themselves and they need to be shown to be the fools they are. Another myth is that

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violent men come from violent homes. That is not true. There may be a relationship between men and being raised in a childhood full of violence, but it is only a contributing factor. It is not what underpins the domestic violence in those situations. Another myth is that all men are violent, but that is not true. I have worked in a violent environment for many years. I am not a violent person; not many policemen are. They see it so often that nothing is more abhorrent to them. The final myth is that there are as many male domestic violence victims as there are women victims. That is crap. I cannot say it any clearer than that. Some of the legislation indicates that 87 per cent of women suffer from domestic violence. In my experience, it is more like 99 per cent. In 27 years of dealing with domestic violence, I can recall only two incidents. I will refer later to two men who were victims of domestic violence. It is always the other way around. I do not know where these statistics are produced, but that is from my own anecdotal, frontline experience.

I have a few more myths that I will not go into, but in finishing I will try to be a little lighthearted. Many years ago, I was stationed at Northam as a very young constable. One night we were called to a domestic situation at one of those old railway houses that members will remember and that had a lovely front lawn. We got to the house and we could hear yelling and screaming coming from inside. A huge gentleman answered the door. If he was six feet 10, I would whistle—he was a monster of a man. We got inside the house. His partner was quite a large lady. In time I got to know her a lot better and she was a fine one. They were yelling and screaming at one another and I somehow ended up in the middle of them. I do not know how that happened and to this day I still scratch my head about it. I was trying to hold him back from her. As I said, he would have been six feet eight inches and it was rough and tumble in the hallway. I remember feeling an arm come flying past my ear, then crack, the woman hit the poor bloke smack on the chin and knocked him clean out. The pair of us fell like a pair of buffaloes. I remember rolling over and seeing him out for the count. I remember picking him up, taking him outside and dressing him up. By then he had started to come around. I thought he had broken his jaw. As I felt around his jaw, it clicked back in. His partner had hit him so hard that she knocked him out and dislocated his jaw. I thought, “Oh, my God!” We picked him up and took him down to the hospital. In those days if I called out the volunteer ambulance it would have taken half an hour to 40 minutes. I put him in the back of the van and got him home. My partner was inside having a chat to the lady involved. We got back in the car and drove him to the hospital. We rang his brother, who came over and we read him the riot act aimed at stopping him from going home for the next 24 hours. We said, “Yep, great, happy days.” I got back in the parked car, looked at my partner and asked what we were going to do. He turned to me and said, “We’re going to call it a draw.” We left it at that. The funny thing was that we never went back to that house ever again. I think the power in that house changed from the day she was able to sort him out and stop that cycle of violence. I say to all members that this is a good piece of legislation and I hope we get it through this house as fast as we possibly can. Thank you for your time.

MR K.M. O'DONNELL (Kalgoorlie) [8.15 pm]: I, too, would like to talk in support of this Domestic Violence Orders (National Recognition) Bill. Like the members for Burns Beach and Darling Range, I am a retired police officer. However, I joined in the 1980s when the phrase domestic violence was never used; there was no such thing as domestic violence. We would go to a domestic. When we attended an incident, we identified that the husband, boyfriend or partner had been violent towards their partner. Many a time the person would not want to press any charges. The only thing we could do then was to entice the partner or husband outside the front gate of the house. Once we could persuade him to talk to us on the footpath, we would grab him and throw him in the back of the van. We would charge him with being drunk under section 53 of the Police Act, one of the worst sections we ever got rid of. That would help the partner have a restful evening because they would not be abused for the rest of the night. It would give the person an opportunity to do something. There were no women’s refuges in those days and it was up to the partner to wait for the husband to come home after court or use the four to six hour chance to bolt.

Times have changed. As my learned friends have said, the police department now puts much time and effort into domestic violence issues. The member for Scarborough was quite correct when she said that when police attended a domestic violence incident they could be there for hours. I went out with a young police officer about 18 months ago when they were short staffed and we had to go to a domestic violence incident. We attended and the bloke said that the wife and kids had gone. In the 1980s we would accept that, get back on the road and move on. However, we cannot take the partner’s word any more so, as police, we would have to drive around and find the partner to ensure she was okay. If it takes half a day, it takes a whole day and the matter is handed over to the next shift. That happens, so in this day and age police see domestic violence as a priority.

There are violence restraining orders, not domestic violence orders. Violence restraining orders can be taken out by anyone, not just a partner but also a family member. Members would probably be surprised to learn that students take them out against school students. Teachers take out VROs out against other teachers. What goes on in the community is mind boggling. I will go quickly through the process of taking out a violence restraining order for

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those who have no idea what happens. If a person wishes to take out a domestic violence restraining order, they must attend the local Magistrates Court. If a juvenile, aged 17 years or younger, wishes to take out one, a parent, family member or guardian must attend with them. They are asked to fill in forms as part of the application, and it is in this area that I hope the legislation can help court staff improve their customer service. At the moment, when a person fills in a violence restraining order form and they put down the guy's name as "Billy Smith", the court staff have to accept that application even if they do not put down a date of birth or an address and whether the subject of the DVRO is male or female. The police then must work out who Billy Smith is and whether Billy is a boy or a girl, and things like that. When I was a police officer, I tried to get the Kalgoorlie court staff to ask questions but they said that they were not allowed to do that; that it is up to the person making the application to put down what they wish. Hopefully, things will change and a heap of more information is put on those forms.

Once the application has been made, the applicant must go to the magistrate and give evidence under oath about what has occurred. The magistrate will ask questions and, if satisfied, will issue an interim restraining order. The subject of the DVRO then has 21 days to object to the interim violence restraining order. Once an interim restraining order is issued, it is emailed to police headquarters and the local police station. Police print it off and, hopefully, with the information supplied, will act on it that day—there and then. The days are gone when police would say, "It is only a restraining order. We won't worry about it." For anyone who does not know, DVROs are a high priority in the police department.

Sometimes when interim restraining orders are emailed to headquarters, they are not entered on the police computer. A running sheet must be attached to the restraining order and if the restraining order is not entered into the computer, the running sheet cannot be updated. That has occurred. We need to ensure, now that DVROs will be recognised Australia-wide, that that does not occur. If a domestic violence restraining order is issued, it must be entered into the computer. Police in every jurisdiction must be able to update those running sheets. I assume running sheets will be attached to DVROs Australia-wide. Running sheets show clearly what action police officers have taken. If nothing is on the running sheet and it is updated eight days later, questions will be asked.

Once a restraining order is served by a police officer, it is emailed direct to headquarters to be updated and the service copy sent back to court. I would like to see improvements in the serving of restraining orders so that we can locate someone on a mine site. This was never an issue with restraining orders in the early days because there were hardly any mine sites. There are a bucketload of mine sites throughout Australia now, especially in Western Australia in very remote areas—they are so remote that police sometimes will not drive out to serve them because time and costs are taken into account. Police try to work out, by rule of thumb, when that person will return to their place of origin. I would like restraining orders to be served over the phone. That can be done now, but only after an application to serve it by phone is made to the court. Forms have to be filled in and applications have to go before a magistrate. But to get magistrates to approve them, police officers have to show everything they have done to try to serve it before they will be allowed to serve it by a phone call. That can take days. If an application is made on a Friday, sometimes the court cannot deal with it until Monday, which means in the meantime the subject of the DVRO may realise that the police have found him and he is on the move again and the police will have to find him again. My firm opinion is that once a DVRO is issued, it should be able to be served by telephone if that can achieve the quickest and easiest result.

Mr B. Urban interjected.

Mr K.M. O'DONNELL: Yes, and he is aware of that.

The police have to go through the process of finding out who the person is. The less red tape police have to deal with, the easier it is to serve DVROs and for the police to carry on with their job.

A member said that domestic violence is passed down and is ingrained in families. The police call it the "circle of life". When I first arrived in Kalgoorlie in 1984, I saw groups of Aboriginals, old and very young people, sitting, drinking, arguing and fighting on verges and in the middle of parks. The kids would watch me arrive and arrest dad for hitting their mum. I would take dad away. The young kid would then put one and one together and think, "When I get older I'll drink. I'll hit my woman if she arcs up. Police will come and take me away. Okay, that's the way life is." I did not believe that that would happen, but it did. I have seen it. It has been very, very disappointing for me to have arrested people, whom I knew as little kids, for committing offences that I had so badly wanted them not to commit.

As the members for Hillarys and Vasse have said, the opposition thoroughly supports this bill. I have said before about various matters that anything that can help the community in any way—I believe this bill will help the community—is a good thing. I commend the government for bringing this bill forward. I will not keep talking, but

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I want to say that I commend everybody who has stood up and spoken on the bill. I have listened to the debate from in this chamber and from my office, and every member has said exactly what I believe in. Hopefully, we will get this bill done and dusted.

MS E. HAMILTON (Joondalup) [8.28 pm]: I rise this evening to make a brief contribution to the Domestic Violence Orders (National Recognition) Bill 2017. Currently, in Western Australia if someone is granted a violence restraining order it has effect only in this state. The bill will mean that every domestic violence restraining order issued in WA is recognised in the rest of the country. Additionally, for those people who move to WA and have been granted a DVRO in another state or territory, that DVRO will be recognised in Western Australia and, more importantly, enforceable across the country. This bill will form part of a national framework.

The rates of family and domestic violence in the community are too high. The flow-on effects of DVROs on individuals and their families are wideranging, from a need for a roof over their head, financial support, legal advice, health appointments and counselling—I could go on.

The bill is the result of an agreement by all leaders at the Council of Australian Governments meeting in late 2015. Following that agreement, a National Domestic Violence Order Scheme was developed. The scheme recognises this matter at a national level and is due to be implemented nationally on 25 November this year to coincide with White Ribbon Day. It is a shame that WA lags behind the rest of the country in its legislative preparedness. WA is, in fact, the only jurisdiction yet to implement this enacting legislation. We need to pass this bill as a matter of priority. It should have already been passed. The previous government could have done all things necessary to bring on this legislation in this place post the COAG decision in late 2015 if had deemed it a matter of priority that needed attention. That did not occur. This government is bringing it forward as one of its first priorities in office. It acknowledges that domestic and family violence is at alarming levels and is not an issue that can be ignored. Last financial year, the police received nearly 51 000 domestic violence incident reports in Western Australia and that in 2016, 19 people lost their lives as a result of domestic homicide. The McGowan Labor government is committed to dealing with this significant issue and has appointed Simone McGurk as Minister for Prevention of Family and Domestic Violence, which shows just how serious the government is. It makes sense that we start to deal with legislative changes that can ensure victims are adequately protected. Although WA is a few steps behind other Australian states, our relevant agencies are preparing to implement the National Domestic Violence Order Scheme “on the ground”. In WA now a victim of family and domestic violence is able to apply for a violence restraining order via the Magistrates Court. An interim order is able to be made by a magistrate. The respondent is given leave to appeal and a hearing is set for the final application. The magistrate then has the ability to make or withdraw a VRO, or an undertaking between parties can be signed. But this VRO is only valid in the state of WA. If a person from WA moves interstate, under the new legislation the government has introduced the VRO will still be valid and enforceable; and likewise for people who have been granted a VRO in a different state but who choose to move to WA, there will no longer be a problem.

Family and domestic violence is not discriminatory. It reaches all corners of our community, across all ages, races and professions. I refer to an article in *The West Australian* titled “Domestic violence at record high”, that states we need a much stronger, coordinated policy framework and response to family and domestic violence. Another article stated that three out of every five assault victims in the state were women. Members have spoken about the overrepresentation of women as victims of domestic violence, but we need to acknowledge that men, too, need support. We also need to keep an eye out for children who are often victims of family and domestic violence.

Anglicare statistics suggest that 34 per cent of homeless people in WA are escaping domestic violence. On any given night, about 9 600 people in the state face homelessness, with another 7 070 living in caravan parks or crowded dwellings. People fleeing violent situations often leave with nothing. Their lives are turned completely upside down and they need support in every aspect of their lives. Those who are able to make it to a local refuge will be provided crisis accommodation and all the things needed to support those first few days and weeks. As I said, women are over-represented in the incidence of domestic violence and it is a sad and sorry truth that children are involved in these cases.

The government has given this bill urgent status. I refer to just one of the many reasons for this—the assault statistics contained in Australian Bureau of Statistics 2016 data. From 2015 to 2016, the victimisation rate for FDV-related assault rose in the Australian Capital Territory, Tasmania and WA. In the ACT it rose 33 per cent to 240 victims per 100 000 people. In Tasmania it rose 10 per cent to 255 victims per 100 000 people. In Western Australia it rose by 12 per cent, which meant there were 792 victims per 100 000 people. The numbers are recorded, and the problem is very prevalent.

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Many not-for-profit organisations do great work supporting victims of family and domestic violence in this space; the work they do is second to none. The women and children who present to refuges have often had terrible experiences, and it is in those initial days that they will start to get their lives back to normal. Joondalup is lucky to have the Patricia Giles Centre, a local women's refuge, and through Labor's Local Jobs, Local Projects initiative I presented a cheque for \$40 000 as a small acknowledgement of the work the centre does for our community. These funds will provide a family holiday camp for women and children escaping family and domestic violence; it will be a safe environment in which these families can reconnect and receive support from counsellors. There will also be funding for new mattresses to replace old and worn ones, and for new bedlinen, pillows and covers, crockery, pots and pans, DVD players, and vacuum cleaners and cleaning products; they seem like trivial items to you and me, but it is very important for a refuge to provide them to people who do not have much at all.

I do not think that anyone disagrees that we, as members of Parliament and more widely community members, have a duty to address this issue. The number of people experiencing family and domestic violence need to start to turn around. We have to consider that family and domestic violence issues are in the worst place right now, because the truth is that the statistics are terrible. We need to ensure that legislation is going to be relevant and that we provide the necessary framework for the legal system. More importantly, we need to ensure that we continue to educate our young people of today about this issue. Our ultimate goal is to prevent this behaviour.

I would like to take a moment to reflect on the work that my colleague in this place Tony Buti does in this space, which was mentioned earlier this evening. I attended a very well-supported high tea yesterday afternoon to support the Ride Against Domestic Violence, a charity ride from Busselton to Perth, that raised much-needed funds for organisations supporting victims of domestic and family violence. It was a great afternoon, with a heartfelt contribution from a strong woman, Judith, who spoke firsthand of her experience at the hands of her ex-husband. More importantly, there was a great turnout and lots of money raised for a very worthwhile cause.

In 2015, a report was released by the Ombudsman titled "Investigation into issues associated with violence restraining orders and their relationship with family and domestic violence fatalities". The report refers to the national plan to reduce violence against women and their children for 2010–2022. It points out that by the end of 2015, the Council of Australian Governments will agree on a national domestic violence order scheme that will be automatically recognised and enforceable in any state or territory of Australia. This legislation will enable that. The plan will develop national standards for how we intervene against perpetrators and hold them accountable. It will enact a national approach to dealing with online safety and the misuse of technology so that we can protect women against newer forms of abuse.

The bill we are debating this evening came about from conversations at COAG and it sends a clear message to the community that the Western Australian Parliament takes the issue of family and domestic violence seriously. It will also potentially increase understanding around the issue and allow for a system that will support victims and their children and families when they move around the country. As a local MP, I will not be alone in saying that all sorts of people contact our office, by walking through our doors or phoning, about a variety of issues. I also know that many of us have heard from local constituents who are struggling or are faced with family and/or domestic violence. They may have called for details of support organisations, where to get a food parcel, or how to access a financial support. These conversations are real; they are happening now with people who are contacting our offices as we speak.

I am looking forward to the implementation of the national database across the country by the end of 2019. The mandatory sharing of information in these matters will only add to ensuring that victims are adequately protected, and that perpetrators are held to account. This government is committed to addressing family and domestic violence. It has joined the national Our WATCH program, driving cultural and behavioural change in WA. It has introduced 10 days' leave for public sector employees experiencing domestic violence and has funded the RSPCA's Pets in Crisis program. This is just the beginning, although I feel that some work is still required to be done. I feel that in addressing the issue of family and domestic violence through the Magistrates Court, we also need to look at the Family Court system in WA and the ways in which these two courts operate. I strongly support this legislation and feel that it brings the system of VROs into the twenty-first century. It makes sense, with advances in technology, that we have a single national database and that WA is brought into line with the rest of the states on this issue. I look forward to further progress on this matter over the coming term. I thank members for their attention.

MR T.J. HEALY (Southern River) [8.39 pm]: I rise to speak on the Domestic Violence Orders (National Recognition) Bill 2017. I refer to my inaugural speech earlier this year when I spoke about the pain and damage that domestic violence causes in my community of Southern River, within the larger city of Gosnells and

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the southeast corridor, which I note with sadness has the highest incidence of domestic violence in the metropolitan area. This bill supports the National Domestic Violence Order Scheme, a Council of Australian Governments agreement to establish a national cross-recognition scheme for restraining orders relating to family and domestic violence.

The bill will enable Western Australia to be part of the national system. It is part of a suite of reforms that the McGowan Labor government has committed to delivering during its term, to change and save lives affected by domestic and family violence. The bill is based on a law framework that was developed by a national working group, and this bill, in conjunction with corresponding laws in other states and territories, will remove barriers to the operation of the scheme in areas such as information sharing. This essentially will ensure that families that are fleeing pain and moving interstate to escape or re-establish themselves will not need to register again and again with multiple courts, which furthers the pain and stress already endured.

I have said before that one of the biggest issues in Gosnells and Southern River is reported and unreported domestic violence. It has been my experience that domestic violence in Gosnells and Southern River drives poverty, unemployment and homelessness, is a block to education and literacy, and leads to disadvantage, drug use and the cycles of crime that imprison my community and lock in cycles of disadvantage. It is my goal as the local member to do more than we do now. I mentioned before that Southern River rests within the larger City of Gosnells and the south-east corridor. We share postcodes and we tragically share the highest incidence of domestic violence—there is disproportionately more family and domestic violence in our suburbs than in the rest of the community. When we incorporate people from culturally and linguistically diverse backgrounds, the figures are even worse. More people die and more people are assaulted by their family members in my community. It is not good enough.

As a teacher in the student services department in a Gosnells school I spent far too much time dealing with what I call the darkness—the effects of young people living in fear, experiencing the daily and nightly terror of domestic and family violence. It involved far too many calls to the Department for Child Protection and Family Support and far too many referrals to our school psychologist and health services. The tragedy of this is that not only do cycles unfortunately repeat themselves, but also the victims often become the next generation's perpetrators. The tragedy is that when a child and their family are involved in family and domestic violence, they also fail at school. Their education suffers, literacy and numeracy standards get worse, drug use skyrockets, other cycles of crime and delinquency take hold and cycles of disadvantage are locked in. I will mention WA Labor's commitments on this more broadly later, but as a teacher, I know how important early intervention and education of our young people is.

WA Labor's commitment and our policy was to identify evidence-based, respectful relationship programs suitable for delivery in schools and to provide funding for the programs to be delivered by an organisation with appropriate expertise. This is brilliant. The City of Gosnells has a passionate advocate in Adelle Cochran as our director of community engagement. When I was a Gosnells councillor, Director Cochran would speak of the positive, capacity-building programs that we could fund, and further fund, to engage in proactive and early intervention work in schools and across the community. If we can roll these programs out, we will see an effect. If we can fund these programs, we will see an effect. If we can support these programs, we will change and save lives. Last year, as a Gosnells teacher and a Gosnells councillor, I was honoured to participate in a forum in which the City of Gosnells, with our Gosnells Older Women's Network (WA) and Starick, invited former Australian of the Year, Rosie Batty, to speak in Gosnells to a packed Don Russell Performing Arts Centre theatre about her experiences and her story. This is one of the first times that Gosnells and south-east corridor police, community services, councillors, schools and organisations have come together to speak about what we can do to continue the conversation and effect real change to break the cycles of domestic and family violence in our community. We need more of this proactive work to change lives. I look forward to working with the member for Fremantle, our state's first Minister for Prevention of Family and Domestic Violence, to help continue the work that has begun and will continue as part of this government. There should be more of these forums in Gosnells and more of these conversations, and there will be. I look forward to working with the minister, local councils, Starick and local representatives to again bring people together as part of an ongoing dialogue and strategy.

I want to mention some amazing advocates in this space. The first is Nicola Coleman, whom I was able to work with when she was a community health nurse in Armadale and Gosnells. A domestic violence survivor herself, she led the way in developing a book, *Broken to Brilliant*, a collection of stories from domestic violence survivors. She had the book published and she then began the journey to have a copy placed on the beds of every domestic violence shelter in Western Australia. This is an incredible woman. I am happy to announce that her book has won a bronze award in the USA in the self-help category, and it continues to do great work. The feedback that Nicola gets from other survivors who have read the book while in refuges is that it helps those victims in their journey

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back to recovery, and it helps them to not feel isolated. At a recent rally Nicola Coleman spoke bravely about her experiences and said that domestic and family violence should be renamed domestic terror. She said —

“When you look at global terror, everybody can relate to the potential threat,” ...

“Everybody understands that you don't have to have experienced the physical violence to feel terrified. Domestic terror starts with emotional abuse.”

When Nicola spoke to me she related emotional abuse as the first indicator of domestic violence, and that this too often proceeds to physical violence and then murder. The woman who helped Nicola Coleman bring this book together—I will not mention her name—had to flee Western Australia and move to a completely different state and completely change her name and that of her children to protect them. This legislation will keep her and her family safe.

I commend the Women's Council for Domestic and Family Violence Services in WA, in addition to the many incredible individuals who organise and participate in the White Ribbon rallies in WA and the rest of Australia to raise awareness about violence against women and to campaign for perpetrators to be held to account. The council's chief executive, Angela Hartwig, tells us that every death is preventable, and that, on average, 18 to 20 Western Australians are still being killed every year. Inadequate funding of refuges means that one in two women are being turned away. We can all do better than this. I also refer to an esteemed mental health professional, Vanessa Birkinshaw, who works within this field. Vanessa told me of the people she has worked with who have had to flee to different states to avoid violence. After passing this bill, things will hopefully be a little better, but current laws do not support the violence restraining orders being transferred from state to state. She told me that it might be suggested that some women go into hiding, including with their children. It might be suggested that children are homeschooled, which might not be the parent's first preference for education, and that rather than run the risk of being discovered and subjected to further violence, the children, who are often still experiencing trauma, then fall under the radar to receive specialist help from health services. VROs being available and supported from state to state will benefit parents as well as the children who have been affected by violence, as they will therefore be able to access relevant services. I commend Starick in my community for the incredible work it does in saving and changing lives every day. Starick has led the way in providing outreach services to victims of domestic violence. I want to commend the work, as other members have, of Leanne Barron, the chief executive officer of Starick. She leads an incredible team of individuals. I look forward to supporting them and advocating for the work they do in my time in this role.

WA Labor and the McGowan state government is to be commended on its work in this area. I mentioned that we have the state's first Minister for Prevention of Family and Domestic Violence. Well done to the member for Armadale and the Deputy Premier, who are advocates for raising funds and awareness in this space. Matt Keogh, the federal member for Burt, is a passionate parliamentarian on this issue, along with Emma Husar, the member for Lindsay in our national Parliament. I hope we can get Emma to WA for an event and community conversations later this year. I commend the McGowan government for making commitments to address this issue when we were in opposition, and now, in government, we are delivering on that election commitment.

I refer to our policy statement —

A McGowan Labor Government will introduce the most comprehensive package of reforms ... to support people that are victims of family and domestic violence.

We will take a holistic multi-faceted approach to break the culture of violence in our families and communities including important reforms to the justice system, preventative education strategies and ensure a coordinated cross-government approach to the unacceptable rate of family violence in WA.

It is fantastic that our government has signed up to the Our Watch program—national leadership to prevent family and domestic violence. I also commend moves to support the animals of families experiencing domestic and family violence to establish an easy entry pathway for victims' pets to be safely housed away from perpetrators of domestic and family violence.

This bill is important. Raising awareness of this issue is important. Action to address family and domestic violence is important, and I will tell members why. I mentioned earlier the Rosie Batty forum I attended in Gosnells last year. I was part of the Rosie Batty forum and took with me several students from Southern River College who were victims of domestic and family violence. They had heard about this forum and had approached me to take part in it. Our school was more than happy for them to take part. The students told me afterwards that the forum was life changing and that they had no idea that so many others in the community were experiencing this issue just like they were. They found that they were not alone. At the end of the forum, one of my students approached

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Rosie Batty and gave her the biggest hug and told her how much her words had meant to her. That student now fights for others and is part of our cause. Know that together we can change lives. I commend the bill to the house.

MR D.T. PUNCH (Bunbury) [8.52 pm]: I, too, rise in support of the Domestic Violence Orders (National Recognition) Bill 2017 and, in doing so, I think about the tragedy that we have to discuss this bill. The tragedy is that in 2017, victims of violence need to relocate to another jurisdiction to feel safe and that today we still do not have a national system that can provide for continuity of orders to assist in the protection of those people from the perpetrators.

I listened with a lot of interest to the experiences of many members in this house who have spoken on the bill. Some of those experiences are deeply personal; other experiences relate to the lives of the people they represent. I was particularly fascinated by the member for Burns Beach's discussion of his experiences in the police force, and the experiences of the member for Kalgoorlie, with whom I share a similar vintage. It was back in the 1980s when I, as a young social worker, first went out into the wheatbelt and experienced the complete lack of resources that existed to support people who were in tragic circumstances and the willingness and cooperation at a local level of people who worked in rural communities to try to achieve outcomes. Back in those days, the department I worked for was known as the Department for Community Welfare. It was interesting because the structure around what was then considered to be "domestics", as the member for Kalgoorlie mentioned, was very much around traditional notions of power and control and the relationships between men and women and how they were exercised. It was so prevalent in the thinking of the day that, as a young social worker, I can remember receiving an instruction that if I was to assist a woman leaving home because of domestic violence circumstances, I was to advise the perpetrator first. That was essentially about safeguarding the perpetrator's interests in property and his rights in that situation. For a 22 or 23-year-old social worker driving out to a lonely farm at the back of Moora in the depths of the wheatbelt to advise a perpetrator that I was about to assist his partner to relocate to Perth as the only option, it was not something to be taken lightly. In those days, it was not seen necessarily as a police responsibility; it was also seen as the responsibility of social workers in the bush. I confess to the sin that I totally disregarded that instruction. There was no way that I was going to be knocking on the door of a perpetrator to seek endorsement or otherwise about relocation. However, it does say a lot about the values that existed not so long ago around this issue, and those values are still prevalent today; we do not have to dig too hard to find them.

Later on in the 1990s, I came across a similar incident in which a minister of the day—I think by then we had changed our name to the Department of Communities—decided that domestic violence as a concept was not relevant, that we should really be discussing family violence and that it was a relationship counselling matter, not a power-and-control matter. The two things in common with those perspectives were that they were both subjective opinions of the minister of the day, with not a lot of evidence, fact or analysis behind those views. We have come a long way since those days, and I am sure that the member for Kalgoorlie would agree in his own discussions on this bill. We now understand that, quite clearly, this is about an issue of power and control. It is about a family member, or a partner or an ex-partner, attempting to physically or psychologically dominate or harm in many forms—physical violence, sexual abuse, emotional abuse, intimidation, economic deprivation and threats. In my social work career, I even saw many overseas women subjected to threats about migration control and withdrawal of visa support. More recently, we have seen more extreme forms of violence, with the use of accelerants, murder-suicides and the growing issue of social media abuse.

That is a very clinical analysis of domestic violence. I was very impressed with the member for Armadale's comments about injecting the notion of intimacy into this discussion. In doing so, he really went to the heart of the trust and familiarity in family relationships and the fundamental breach of trust that occurs in a climate of violence or even in a climate of the anticipation of violence. As a social worker, I know that the anticipation of what might happen often, in the person's experience, far exceeded the relief felt when it had actually happened, no matter how difficult that was. The anticipation and fear of that door opening and the violence to come had a significant impact through long-term harm and damage to the victim and to the victim's children.

I think the contemporary view today at a policy level and across many agencies is absolutely about the non-acceptability of domestic violence. More and more people are drawing attention to dealing with domestic violence in a totally unambiguous manner, making it clear that it is unacceptable and perpetrators have to be accountable. But there is still a long way to go given the rates of violence and the escalation in the forms of violence that we are seeing. In the 2016–17 financial year, WA Police had a total of 50 755 reports of domestic violence, with nine lives lost. In the south west police district in the same financial year, police received 904 reports of domestic violence assaults, which was 24 per cent of all offences. It is having a dramatic and continuing impact on our community. That is a rate over the year of around 504 assaults per 100 000 people.

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The member for Armadale also referred earlier to the 2015 Ombudsman's report on domestic violence. In that report, it was stated that 72 per cent of victims in the review period were female and that 33 per cent were Indigenous people. As we know from all the evidence, the issue is overwhelmingly about women being subjected to domestic violence. As the member for Mount Lawley mentioned, there are repeated incidents of underreporting, and that figure could be as high as one in five.

Since coming to office in March this year, this government has appointed the first dedicated Minister for Prevention of Family and Domestic Violence. I know that many members on our side have mentioned that fact, but it is absolutely a fundamental principle in the policy direction of this government and evidence of the significance with which we intend to address the matter. The state has joined the national Our Watch program, which aims to drive cultural and behavioural change. We have introduced 10 days' leave for victims of family and domestic violence. That is pretty important from a public sector point of view because it is a leadership role that recognises that people who are involved in these situations have fundamental difficulties in re-establishing their lives and getting balance back in terms of being able to continue in their work role while minimising the damage that has occurred. Providing that leave gives people the space to make considered decisions, get their affairs in order and undertake what actions they may need to take to obtain a restraining order.

This government awarded a grant to the Patricia Giles Centre for practical assistance to victims. It also funded the RSPCA's Pets in Crisis program. It is not just about enabling pets to have a safe place to go; it is fundamental to preserving relationships that children in particular might have with pets. It provides longer term recovery from domestic violence scenarios.

A number of government and non-government agencies provide services to help protect and support victims. In my electorate, I am very pleased to have worked with South West Refuge, South West Community Legal Centre, Waratah Sexual Assault Service, South West Women's Health and Information Centre, Milligan Community Learning and Resource Centre, and Hudson Road Family Centre. Like all services in the non-government sector, they are overwhelmed with demand.

The Ombudsman's report into domestic violence identified nine principles to deal with domestic violence. I think it is important to again put them on the record because they go to the heart of how both government and non-government agencies approach and view the issue of domestic violence. The first principle is that it is recognised that perpetrators use family and domestic violence to exercise power and control over their victims. It is not just a spontaneous burst of anger and it is not because a perpetrator needs a little bit of counselling; it is because of a fundamental exercise of power and control in an intended manner.

The second principle is that victims will resist violence and try to protect themselves wherever possible. The third principle is that victims may seek help to resist violence and protect themselves, including help from state government departments and authorities, and that positive and consistent responses from those authorities and non-government agencies can help prevent and reduce further violence.

The fifth principle is something that I saw time and again in my early years as a social worker; that is, victims' decisions may not always align with the expectations of agencies. This should not reflect on the victim. The victim makes decisions from their own world view, their own fears and anxieties and from their own view of what is possible, and the fact that that might not coincide with what an agency thinks is the best way forward is not something for which we should blame the victim.

The sixth principle is that perpetrators make decisions to act violently—it is a conscious choice. It is not an unconscious choice; it is a conscious act. The seventh principle is that perpetrators avoid taking responsibility for their behaviour and being held accountable. That goes to the heart of the principle that to truly effect change, a person has to accept accountability and responsibility. We have often had that discussion in this house.

The eighth principle is that perpetrators make decisions to act violently. The ninth principle relates to decisive responses by state agencies. Holding perpetrators to account can have a positive impact. We need to recognise that perpetrators can seek to manipulate agencies to maintain power and control over their victims and to avoid being held accountable. In her discussion, the member for Vasse highlighted the importance of dealing with perpetrators on the basis of acceptance of accountability. That principle is so important because too often loopholes in the court system have been used to inflict multiple actions, which have taken the victim back through the story of abuse time and again. That in itself can end up being a form of abuse.

This bill is fundamentally important to those people who have a need to leave one jurisdiction and seek refuge in another. It will define those orders that are being recognised under the scheme so that there will be no ambiguity. It sets out the legal consequences of that recognition. It also provides for information sharing between jurisdictions. It recognises cross-jurisdictional orders made by courts and police which, once recognised, can be enforced in any

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participating jurisdiction as if it were a local order. The bill allows for the prosecution of an order from another participating jurisdiction on the same basis as if it were a local order, which is a fundamentally important principle. It recognises that orders can be varied or cancelled in any jurisdiction and will have effect nationally. It goes to the heart of a victim not having to go through multiple processes.

This is an important bill. I am aware of a circumstance in my electorate of a woman who came to Bunbury from the eastern states seeking a voluntary restraining order in WA only to have it rejected because the perpetrator was in another state. Again, it goes to the heart of the victim having to repeat the story.

The National Domestic Violence Order Scheme was agreed to in principle by leaders at the Council of Australian Governments in 2015 and is due to commence nationally on 25 November. That date is a particularly important and symbolic date—it is not just a date plucked out of the air—because it is White Ribbon Day. It is an important day to demonstrate national unity on this issue and provide an even greater focus on the specific needs of victims seeking refuge. It is also the International Day for the Elimination of Violence Against Women. I think that is a particularly suitable target for us to join the national scheme and be part of the national agenda from that point on.

There is a great deal of preparation for that day on the ground. The information technology platform is still under development. I note the member for Scarborough's comments about that. In another life, I was involved in the development of the working with children employment screening program. It had similar issues in accessing the national database and being able to share information effectively and efficiently. There were enormous problems in arriving at a solution, but those problems were overcome. I have no doubt that this will be a difficult challenge, but I have confidence that agencies nationally can achieve the outcome, notwithstanding system differences.

I agree with the member for Warren–Blackwood's concerns about remote and regional areas. Implementation will need to take into account accessibility in remote areas, although intuitively I would expect that people who move here from the eastern states are likely to locate in major centres. That does not take away from the fact that at the broader level of responding to domestic violence adequately, services and programs in remote areas will need to be very specific to the circumstances of those areas and very much community based in the case of remote Aboriginal communities.

This bill is a small part of our collective response to domestic violence. We all have a shared view about the outcome we want to achieve. It addresses a significant gap that has been recognised nationally and for which other jurisdictions have already taken steps to address. It is not an end in itself, but it will specifically assist victims who cross jurisdictions to seek safety and to start a new life. Victims seek safety in the sense of being able to go to sleep at night with the confidence that there will be no bang on the door, no shouting from the street and no telephone call. In itself, this bill is a positive and important step and it is recognised as such by the support it is receiving in this place.

MRS L.M. O'MALLEY (Bicton) [9.09 pm]: I rise this evening to add my contribution to the second reading debate on the Domestic Violence Orders (National Recognition) Bill 2017. I begin by acknowledging and thanking the members for Kalgoorlie and Burns Beach for sharing their experience of life as police officers and dealing with the issue of domestic violence. I also thank and acknowledge the member for Bunbury for sharing his working life experience as a social worker. I found his contribution particularly moving, especially the opening.

We have come a very long way since the 1980s, but we still have a very long way to go. In speaking to this bill tonight, I would like to begin by addressing the issue of family and domestic violence itself. There are undeniably places where the statistics of the impact of family and domestic violence are higher than those in others, but it is an issue that in some way affects us all. Family and domestic violence is not confined to a postcode or set of postcodes, an income range or a level of educational attainment. On the impact of family and domestic violence in my electorate of Bicton, I will quote a section from my inaugural speech just a few short months ago that has particular relevance to this bill. I said —

I have listened to stories of women who remain trapped in violent and chaotic homes, fearful of what may happen if they stay but too fearful to leave.

In December 2015, the Council of Australian Governments agreed to establish a national cross-recognition scheme for restraining orders that relate to family and domestic violence. This is known as the National Domestic Violence Order Scheme, a national framework to tackle the unacceptably high levels of family and domestic violence. The expedient passing of the bill before us will enable Western Australia to participate in the national scheme. It will assist victims who move interstate or those who move to WA to get on with their lives secure in the knowledge that the existing legal protection established in their home state will travel with them into their new lives, wherever in Australia that may be. When women—women and their children make up the vast majority of victims of family

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and domestic violence—flee violent homes, we as legislators must ensure that protective legislation follows them wherever they may flee to in Australia, or conversely, if they should seek refuge in our state of Western Australia.

I speak to this bill tonight from a woman's perspective. The decision to leave a violent partner is not an easy one; it is complicated, fraught with emotion, and feelings of guilt, fear and danger. It can be difficult to understand why a person would not just leave an abusive relationship. It is challenging to think that breaking up can be more complicated than it seems. There are many reasons why people stay in abusive relationships and it is far more helpful to approach this issue with compassion and understanding than with judgement and disbelief. Leaving an abusive relationship is the time when a woman or her children are particularly vulnerable to serious harm or murder by her partner. The issuing of a restraining order is critical in protecting women and children at this vulnerable time and the passing of this bill is vitally important in enabling the order to travel across jurisdictions—states and territories—without the need for a new application to be made in the new jurisdiction. The passing of this bill, therefore, is vital. There are huge amounts of stress, upheaval and even great danger at the time of leaving a violent partner. Whether a victim of domestic and family violence flees away from our state or to our state, this bill will be of great assistance in the continuity of protection.

We have spoken a great deal this evening about leaving, but it is also important to understand the complex issues for women who stay in violent relationships. There are many reasons, including fear. A woman may be afraid of what will happen if she decides to leave a relationship. If she has been threatened by her partner, she may not feel safe leaving. She may believe that abuse is normal. If someone does not know what a healthy relationship looks like, perhaps from growing up in an environment where abuse was common, they may not recognize that their relationship is unhealthy. It could be fear of being outed. If the victim is lesbian, gay, bisexual, transgender or intersexual and has not yet come out to everyone, their partner may threaten to reveal this secret. Being outed may feel especially scary for young people who are just beginning to explore their sexuality. She may feel embarrassed. It may be hard for a woman to admit to abuse. She may feel she has done something wrong by becoming involved with an abusive partner. She may also worry that her friends and family will judge her. She may have low self-esteem. If she is constantly being put down and her partner blames her for the abuse, it can be easy for a woman to believe those statements and think that the abuse is her fault. She may stay in an abusive relationship hoping that her abuser will change. Think about it—if a person we love tells us they will change, we want to believe them. She may only want the violence to stop, not for the relationship to end entirely.

There could be social or peer pressure. If the abuser is popular, it can be hard for the woman to tell her friends for fear that no-one will believe her or that everyone will take the abuser's side. There could be cultural or religious reasons. Traditional gender roles can make it difficult for young women of ethnicity to admit to being sexually active. Also, her culture or religion may influence her to stay rather than end the relationship for fear of bringing shame upon her family. It could be pregnancy or being a parent. She may feel pressure to raise her children with both parents together, even if that means staying in an abusive relationship. Also, the abusive partner may threaten to take or harm the children if she leaves.

Adults often do not believe that teens can really experience love. This could be a very young woman in her first relationship. It is something that, as a parent of a teenager, I am becoming more familiar with. I hear stories of very young women in abusive, particularly sexually abusive relationships, who feel that this is normal. I think pornography has a great deal of responsibility for that. If something goes wrong in the relationship, a very young woman may feel like she has no adults to turn to, or that no-one will take her seriously. Violent relationships occurring in a younger age group is of great concern as there is a risk of this violent relationship pattern becoming accepted and entrenched.

There could be language barriers or problems with immigration status. If her citizenship status is undocumented, a woman may fear that reporting the abuse will affect her immigration status. Also, if her first language is not English, it can be difficult for her to express the depth of her situation to others. She may have become financially dependent on her abusive partner. Without money, it can seem impossible for her to leave the relationship. She may have nowhere to go. Even if she could leave, she may think that she has nowhere to go or no-one to turn to once she ends the relationship. She may be disabled, and physically dependent on her abusive partner; she may feel that her wellbeing is connected to the relationship. This dependency could heavily influence her decision to stay in an abusive relationship. Leaving takes great strength, backed by support services and legislation like that we are debating in this house tonight.

I would like to share with members the story of one woman who found the strength to leave. Her name is Roia Atmar. Around 20 years ago, Roia was hospitalised for three months after her then husband doused her in turpentine and set her on fire. She suffered horrific injuries, but in the hospital she realised for the first time she

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could leave her abuser, thanks to the vigilance and the support of her family. She says she received excellent support from police and social workers, and that it is possible to find happiness after abuse. Her family did not know about the abuse until she was in hospital because her ex would portray her as the best thing on the planet that happened to him, that he loved and adored her and that they had a perfect family, so that is what everybody thought. And he never left her alone with anyone, so she could not talk to them. They were married for about five years. Roia says that he was quite controlling from the moment they met, but the abuse really started after she had her first child, and it just escalated from there and got worse.

Roia had no idea that leaving was an option. She had married at the age of 14 in Afghanistan, and later came to Australia. She had no family or friends here. She was not allowed to go to school and have a job. The story her husband was feeding her and the children was that he could do anything he wanted to them. She had no idea police could get involved and care, or that anybody else could care. If she had known she had the option, she would have left a long time ago. She had not realised that she could leave, and it was only when she was in hospital after he had tried to kill her that she learned this was an option. But when she did find out, she made up her mind to leave and never went back.

In conclusion, I would like to acknowledge our government, as have others, for appointing the first Minister for Prevention of Family and Domestic Violence, the member for Fremantle; and to congratulate the member for Armadale for his work on raising funds and awareness of the issue of domestic and family violence. I, too, attended the Ride Against Domestic Violence high tea last Sunday, and was greatly moved by the bravery of the speakers and their ability to speak out against the terrible abuse and pain they had suffered, and their sharing of their experience of family and domestic violence. I have no hesitation in supporting the Domestic Violence Orders (National Recognition) Bill 2017. I thank the Attorney General for bringing it to the house.

MS S.E. WINTON (Wanneroo) [9.21 pm]: I, too, rise to briefly contribute to the debate on the Domestic Violence Orders (National Recognition) Bill 2017—a most important bill. Firstly, I would like to acknowledge the Attorney General for bringing this bill to this house. It is an urgent bill, and I have been privileged to listen to the contributions of members from both sides of the house. It is good to see the broad support for its speedy passage through this place.

Members know that WA Labor took a strong platform of reforms and commitments on domestic violence to the election. Not even six months into our term, we have been absolutely clear about the priorities that this government values. Those priorities, for which we have a clear mandate, are shared and lived by our community. We are getting on with the job of delivering on those. Before I briefly talk about the importance of this bill, I, too, want to place on the record that our government is the first to have appointed a Minister for Prevention of Family and Domestic Violence. That act will be significant for the entire life of this Parliament. Listening to the debate tonight, it is quite clear that domestic violence is a complicated issue in our community. It is really wonderful that we now recognise the importance of the issue by having a minister dedicated to that cause.

The McGowan government has also moved to introduce family and domestic leave for public sector employees. I was delighted that the member for Bunbury touched on that. Members have talked lots—I will too—about victims having to quickly flee from violent situations. But we also need to recognise that domestic violence has a cumulative impact, and we need to provide every support possible to women to make long-term arrangements to try to get them out of those situations. The provision of and acknowledgment that they can access domestic violence leave in their workplace is an important support mechanism for the mainly women who are trying to escape and rebuild their lives with their families.

We are also recommissioning the Western Australia Police specialist domestic violence investigation unit. We will be progressing a whole suite of commitments, which many members have talked about tonight. We will apply a multifaceted approach to the domestic violence problem in our community. We know that domestic violence touches us all individually and also as a community. Some of us have personal stories to tell about friends or people in our community whom we know who have been impacted. Many of us as members of Parliament working in our communities have stories to tell about people we have met with or tried to support through the process. As a teacher, I have seen children who are impacted and caught up in the scourge of domestic violence. Colleagues on both sides of this place who were police officers know too well, and have shared their stories of, the impact of domestic violence that they have seen in their workplaces. Nurses, doctors and health professionals also bear the brunt of the fallout from helping victims and trying to put their lives back together again. We have also heard about support agencies that are under pressure in trying to cope with the growing demands of abusive environments that many women and children in our community find themselves.

I look forward to debating the various initiatives as they pass through this place, but, of course, tonight we are debating quite specific and important legislation. The National Domestic Violence Order Scheme was agreed to by all the state leaders in the Council of Australian Governments meeting back in late 2015, and rightly so. Victims

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of crime seek refuge and flee their homes, and many of them choose homelessness. Some even make the difficult and courageous decision to go interstate to escape the violence. Those victims who do so have to apply to the court in the new state to have their domestic violence orders registered. It is a stressful burden and requires the protected person to engage again and again with court and law enforcement processes.

We often talk about red tape and green tape, but rarely do we talk about—I do not know what kind of tape we should call it—the tape that does not really support the victims. I am really happy that this Labor government is introducing many, many initiatives that put the victims of crime first as our priority in the legislation that we bring to this place. This bill seeks to change that and help with that bureaucratic tape. Once the NDVOS is established, we will see recognised orders become enforceable across Australia. Many women are not aware that they need to register when they go interstate and those that do know that may not want to bother as a result of experiences with the legal system or fear and trauma that comes with that. Some do not want to participate in that process for fear of alerting the offenders to their moving interstate.

This matter is urgent. Sadly, WA is lagging behind every other state on this matter. We are the only jurisdiction that is yet to enact enabling legislation. Not to have this legislation would cause this state great reputational risk, but, most importantly, it can create practical issues for victims of domestic violence. Also, it would send the wrong message to our community that we do not prioritise this important issue in our community. The situation we find ourselves in is serious. Domestic violence is not a new phenomenon and the increasing rates cause the government great alarm. We need to acknowledge that two-thirds of the 32 000 assaults reported last year were related to family and domestic violence and three in five assault victims in this state are now women. Last year, WA Police received 50 755 domestic violence incident reports in WA. Sadly, in 2016, 19 people lost their lives. It is interesting to note that in 2008 there were 31 816 domestic violence incident reports. The increase has been staggering.

It is not surprising that in an article in *The West Australian* of 10 July, Anglicare stated that domestic violence levels in this state are at crisis point. We are in crisis, members; we know that. Figures from the Australian Bureau of Statistics reveal that family and domestic violence cases across Western Australia have reached their highest levels on record. Anglicare chief, Ian Carter, is quoted as saying that there is a connection between the end of the mining boom and the increase in family and domestic violence; it is at epidemic levels. Very often and through the stories we have heard tonight, sadly, it is related to people's financial situation. The stress many families face through unemployment at the moment has a direct link to an increase in domestic violence in this state.

I want to take a moment to highlight a couple of statistics, some of which have been highlighted by various members throughout the day. Those of particular interest to me are that, on average in Australia, at least one woman a week is killed by a partner or former partner. It is a shame that being killed by a shark seems to get more media attention than this sad statistic in our country. It is quite staggering when we think about it. One in three Australian women has experienced physical violence since the age of 15. I find that statistic frightening. I have three daughters and I am being told that, statistically, one of my three daughters faces the prospect of domestic violence in her life. Of the women who experience violence—this is another very, very frightening statistic—more than half the number have children in their care. I have teenage daughters and my eldest daughter is 21 years old. Eight out of 10 women aged 18 to 24 were harassed on the street in the past year. Domestic or family violence against women is the single largest driver of homelessness for women. We talk about homelessness a lot but in the debate about that, the link between domestic violence and homelessness is not made enough. Another interesting statistic is that the combined health, administration and social welfare cost of violence against women has been estimated to be \$21.7 billion a year, with projections suggesting that if no further action is taken to prevent violence against women, costs will accumulate to \$323 billion over 30 years. It is quite staggering. It is not only a huge social issue, but also it has huge economic impacts that we need to deal with.

A number of members have talked about the trauma that results from domestic violence, particularly from a police officer's view of the world. I note that my colleague the member for Southern River, a fellow teacher, highlighted the trauma of domestic violence for children. Although the data I have talked about suggests there were 50 750 violent incident reports, I do not think it tells the true story of the impact on our children of domestic violence in our community. I am sure many members could remember being children themselves. Although they may not have experienced domestic violence, I am sure they all have a memory, as I do, of parents fighting. I remember being in a bedroom thinking that the end of the world was nigh listening to my parents fighting about something. Children are particularly sensitive so I cannot imagine what it is like as a child to not only hear squabbling or arguing—that was traumatic enough for me and has left a lasting impression I have to confess—but also witness violence against your mother. It is interesting that the Ombudsman's 2015 report, which has been mentioned a few times tonight by members, states that during that investigation period, WA Police reported that it had responded to 1 055 000 for assistance from the Western Australian public. Therefore, although there were

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50 000 formal domestic violence incidents, there is an incredible number of domestic violence incidents in the community that those statistics do not capture. Those one million calls for assistance probably did not register as calls that the police attended. However, if members can remember what it was like to be a child, I would suggest that the impact of that kind of domestic violence on children is significant. As a former teacher, I know that teachers see that every day. We do not need to see bruises or physical evidence of violence. We can see the impact on kids who are experiencing traumatic environments at home. Children's exposure to family violence can take many forms. Overhearing violence is traumatic for children and has an impact on their learning. Children might intervene on behalf of a parent or other person. They might experience the aftermath of violence, such as being cared for by a parent who is distressed or withdrawn, or helping to care for a hurt or distressed parent and having to become the parent themselves. They might see evidence of injuries or property damage, or have to or clean up the mess that is left behind. Of course, children are often asked to not tell anyone about the event. These are all important issues that are having a huge impact on our community.

I have had the experience of teaching in schools around the state. I want to touch briefly on a couple of stories. This is a diverse range of stories but they all have to do with domestic violence. I lived and taught in a town in the Kimberley for three years. I have to confess that some of the things I saw and some of the violence towards women and children has left a long-lasting impression on me. Some of the things that happen in these communities are the result of the way in which people try to cope with domestic violence. There was a roadhouse at the entrance to the town. The roadhouse was quite busy in the evening, because that was often when the local Aboriginal women, mainly elders, would buy their food for the night. Over that three-year period, I would observe these women, and I would have conversations with my students and say, "Why do your mums and nannas and elders go to this shop late at night to spend \$6 on a can of baked beans when they could go to the local supermarket during the day and get much better value for their money?" For three years, I had been judging these people quite mistakenly, thinking how silly they were to make these wrong economic decisions.

[Member's time extended.]

Ms S.E. WINTON: One day, when I was teaching my year 7 students economics, I asked them this question, and they explained to me that the women had to hide their money from the men, so they would wait until the men were drunk and they would then take their money and go and buy food. They knew that they would not be able to get as much value for their money if they went to the roadhouse, but that was the only way in which they could try to keep their money to pay for food for their family. That was their way of overcoming the domestic violence that was gripping their household. I suggest that there are many stories about similar actions taken, not just in families in the Kimberley but also in households all over the metropolitan region, by women who are trying to do the best they can in the circumstances.

I have also taught in what are called the "leafy green" suburbs. I have experienced the trauma and impact on children in the school setting when restraining orders have been placed by mothers on fathers. I acknowledge the member for Vasse's earlier comment that domestic violence does not discriminate or seek out socioeconomic circumstances—it reaches all of us.

I am delighted to support this bill and its fast passage so that WA can join the national scheme that will be launched on the International Day for the Elimination of Violence Against Women, or White Ribbon Day, on 25 November this year.

I would like to conclude by saying that this debate today is only the first of many debates that we will have in this place, led by the Attorney General, on the subject of domestic violence. I commend this bill to members, but I also look forward to debating the further initiatives of the Mark McGowan government that will address the crisis of domestic violence in our community.

MS J.M. FREEMAN (Mirrabooka) [9.41 pm]: I also rise to debate the Domestic Violence Orders (National Recognition) Bill 2017. I welcome the establishment of a national system that is intending to enhance victim safety and perpetrator accountability by providing consistent, instantaneous legal protection across jurisdictional boundaries. It is an important piece of legislation and will ensure the safety of people who seek domestic violence orders and protection.

We know that the full potential benefits of the national domestic violence order scheme will be realised only once the final information-sharing system is in place. We also know that it will be pursued with vigorous accountability because Western Australia has the state's first dedicated Minister for Prevention of Family and Domestic Violence. This side of the house is extraordinarily proud of that. We know that she and the Attorney General, who need to be congratulated on this legislation, will pursue that information sharing to its fruition.

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Mr John Quigley; Mr Sean L'Estrange; Mr David Templeman; Mr Peter Katsambanis; Dr Tony Buti; Dr Mike Nahan; Mr Terry Redman; Mr Simon Millman; Mrs Liza Harvey; Ms Libby Mettam; Mr Mark Folkard; Mr Kyran O'Donnell; Ms Emily Hamilton; Mr Terry Healy; Mr Donald Punch; Mrs Lisa O'Malley; Ms Sabine Winton; Ms Janine Freeman; Mr Matthew Hughes

At the public hearing of the Victorian Royal Commission into Family Violence, commissioner Marcia Neave said in her opening statement that the causes of family violence are deeply embedded in community attitudes about gender and about what is and is not legitimate and appropriate between intimate partners and within families. It must be recognised that this debate is a debate about power and control, but it is also a debate about gender. As long as the status of young women is not taken into account in our communities, we will continue to struggle with violence against people who are held to be less in our community and who do not have equal status.

The member for Wanneroo went through the statistics, but I want to reiterate them. According to some of the statistics, in 2014 one woman died every week in Australia due to domestic violence assaults. We also know that—I think this is really interesting—in New South Wales, which has a significantly larger population than Western Australia, 24 women were killed in 2014 in family and domestic violence related incidents. So, it is particularly concerning that in 2016, 19 people in WA lost their lives through family and domestic violence. That illustrates what the member for Wanneroo was trying to highlight. We have an issue that needs addressing across a broad range of policy, legislative and community action so we can ensure that our community is safe. Not only did those 19 people lose their lives, the impact on their families and children is ongoing. The transfer of violence restraining orders over state borders needs to be taken very seriously. It needs to be ensured that if a woman comes from another state to seek protection, having left the home of the perpetrator, that there are services and protections for them when they arrive here. Our refuges are probably overtaxed already and many do great work to assist people to stay in their homes. That is very important for children, because, as we know, if they can be kept at school and there is some normality, it helps the family cope with such an upheaval.

I want to share an example of something that happened in my office about three years ago. A woman turned up with her two children. She had been put on a plane from Sydney by the department because she said she could flee a violent relationship and stay with her daughter in Perth. She told me she was in my office because she had nowhere to go. On arriving and going to what she thought was her daughter's address, her daughter no longer resided there. No-one in the department phoned to check that the woman could connect and have secure accommodation. There she was from Sydney with her two children in my office desperate for accommodation. Can I say, thank goodness for our refuges. I was able to ring up and speak to a number of the providers of the great services offered in our women's refuges. I was particularly assisted by the Patricia Giles Centre.

That brings me to one of the reasons I want to talk this evening on this bill. I want to talk about a woman who was a champion in this area—championing social justice and championing human rights. I believe that domestic violence is a human rights issue and that this woman is at the heart of some of the labour movement's commitment to these areas—that is, Pat Giles. Patricia Jessie Giles, better known to us all as Pat Giles, died last week. She was 88 years of age. I had the great privilege of visiting her a number of times in her nursing home. I know she died peacefully, but she also struggled in the later stages of her life as she lost her strength through the debilitating illnesses of Alzheimer's disease and dementia. As we know, Pat was an activist and a former Australian senator. She was the president of the International Alliance for Women for three terms, ending in 2004. The reason that we in the labour movement loved Pat is that we had lots to do with her and she was always a great mentor and sponsor. She would find opportunities for women and promote them. She would not just encourage them; she would promote and sponsor them into areas. Many women in this place and in others had that encouragement, sponsorship, warmth and capacity-building from Pat. What is really recognised is what she did throughout the community. Pat was the founder of the Patricia Giles Centre. I found out that it originally opened in Marangaroo. The centre was established in 1989 to provide accommodation and counselling services for women and children affected by domestic violence. It later got its permanent home in Joondalup. The service now includes culturally specific services and support groups. After a number of years of operation, it was named after Pat to recognise the strong work she did.

Pat had a working career as a qualified nurse. She was a great mother and grandmother. She was an organiser for the Hospital Employees' Industrial Union of Western Australia. She was absolutely integral in changing the way nursing homes operate in Western Australia. I always remember that when I was on the Health Employees Superannuation Trust Australia board, one of the other trustees was from St John of God Health Care. We used to have a few blues with St John of God in our time, and I am certain in Pat's time too. Almost on meeting me and finding out the union that I came from, a very senior member of the St John of God board said to me, "Do you know Pat Giles?" and I said that I did. He said that she was an amazing woman to work with because she knew how to make people understand an issue so they knew it was important to argue for change in their organisations. That is pretty amazing coming from an employer. I think that is testament to her.

We all know that Pat founded the Women's Electoral Lobby in Perth. She was an inaugural member of the Women's Liberation Movement, which was pretty cool. It was a precursor to the Women's Electoral Lobby. She

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returned to study her bachelor of arts and graduated in 1974. It would have been pretty challenging at the time. She told great stories of how, as a mature-aged student, she was embraced by the younger students. She was elected as the Australian Labor Party senator for Western Australia in 1981. She also led the delegation to the United Nations Decade for Women's meetings in the 1980s.

I want to talk about one of the things I love about Pat's story. Even in her retirement from politics, she continued to be active in women's rights issues and she pursued equality and increasing the status of women in our society. She served three terms as president of the International Alliance of Women. I want to tell members a story about Pat. Her commitment to combating domestic violence was evident not only in the Pat Giles centre, but also her international advocacy for the issue. One great demonstration of this was in 2003 when Pat went to the Dominican Republic to discuss this issue, despite having had major surgery and being in a wheelchair. At the time, I remember when she was at Osborne Park Hospital and I went to visit her a couple of times. It had been a pretty harrowing surgery; she had a spinal fusion. However, she had made a commitment that as the president of the International Alliance of Women she was going to go to debate and discuss violence against women. Pat, in her style—in the way she always did things—went there not only to talk about the issue, but she also took documents to help people set up refuges based on the Pat Giles centre. The documents included constitutions and staffing requirements—all those sorts of things. It was her manual on how to set up a refuge for women escaping violence. That drew directly from her experience establishing the Pat Giles centre, with others. That is the sort of person Pat was. She did the work on the ground as well as the policy framework. We are here today debating this sort of legislation because of people like Pat Giles. I wanted to take this opportunity to remember her. Helen Creed is also a bit of a legend for me and a fantastic role model for women. She was a secretary of the miscellaneous workers' union, now United Voice, a president of UnionsWA and a senior official in the Australian Council of Trade Unions in her time. She described Pat in the book *Among the Chosen: The life story of Pat Giles*, as —

... 'almost like the mother of the modern labour movement' —

The labour movement is proud to stand at the forefront of the issue of family and domestic violence and the response to it in that practical, on-the-ground way in which one can actually make a difference to people's lives around what is such a serious issue. We do not just want to stand up and say that it is wrong and that it is not something we like in our society—we want to do stuff that makes practical sense to how people can address these things in our community. We have done that in the labour movement through the introduction of paid domestic violence leave provisions. It is a particularly proud thing to know that this government has also introduced 10 days of family and domestic violence leave for public sector employees. A recent paper published in December 2016, headed "Economic Aspects of Paid Domestic Violence Leave Provisions", by the Australia Institute's Centre for Future Work states —

When we consider data regarding the incidence of domestic violence, the likely utilisation of leave, and the benefits to employers of pro-actively supporting employees to escape and prevent it, it is clear that the extension of this provision will impose negligible costs on employers—and more likely will result in cost savings, not to mention safer, more humane workplaces.

That is the sort of thing the labour movement does. That is why Pat was proud to have been a contributor to the labour movement and to the betterment of women in our community.

I want to briefly talk about domestic violence and multicultural communities. I want to make sure that we do not make any assumptions that it is any worse in diverse communities. As we have all highlighted in this place, it can happen to any woman. A study titled "Evaluation of the Preventing Violence Against Women and Their Children" by the Centre for Social Impact, released in February 2016, stated that there are no indicators and there is no research to say that there is any more domestic violence in multicultural communities, but there are greater complexities. I want to talk about the submission by inTouch Multicultural Centre Against Family Violence to a Senate inquiry. It relied on its 30 years of experience in working with culturally and linguistically diverse communities and women who are victims of family violence to argue that the current models of practice do not work for all of their CALD clients. It went on to talk about CALD clients experiencing unique barriers and disadvantages, with the compounded impact of so many factors placing them in really high-risk groups. In the submission it listed the barriers that prevent women from CALD backgrounds from accessing services or assistance relating to family and domestic violence. Some of those barriers include the traditional gender roles that occur in some communities, the stigma of blame and a lack of financial independence.

[Member's time extended.]

Ms J.M. FREEMAN: Another barrier is a lack of knowledge of Australian law. The member for Bicton pointed that out in her telling of the story of the Afghani woman who came here when she was very young on an arranged marriage. There is a lack of knowledge of the services available, and even when there is knowledge of the services,

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they may not be suitable, given language differences. CALD women can also be at greater risk due to loneliness and isolation or threat of isolation from family or the community and, most of all, the stigma of being shamed and dishonoured by family, coupled with a view that domestic violence or violence in relationships is a family issue and should be kept behind closed doors.

I was recently visited by a Somali who had left her relationship. She was totally ostracised from her community because of that. I have also been approached by service providers in the community when they have been dealing with people from the Iraqi community, including a woman who had left her relationship. There was pressure from others in the community for her to return to her violent relationship. The whole view that it is a family and a cultural issue and it has to be dealt with in that closed community harks back to the issues that the member for Bunbury raised when he said that he was sent out as a young social worker or the issues raised by the member for Kalgoorlie about what occurred all those years ago. We have to ensure that our services embrace all those different community and cultural differences that occur.

One of the biggest issues is the threat to withdraw people's visas. Threatening to use someone's visa to withdraw the right to live in Australia if that person retaliates against domestic violence or leaves or threatening to remove children from that person is quite acute and does occur. When people have come into my office to talk about their concerns about these situations, I can tell members of Parliament that we can assist them to apply for permanency under the family violence provisions. The Australian government provides assistance for people concerned about their visas. We also have to be aware that if people are New Zealand citizens on a working visa, on a skilled migration visa or on an international student visa whereby they have come in on their partner's visa and are victims of domestic violence, those visas can be removed from them. That is an inequity because it means that they are often trapped in violent relationships because to leave means that they can lose their right to stay in Australia. That is wrong and needs to be fixed.

A recent report about Australian CALD communities and frontline workers referred to the impact on frontline workers who are dealing with domestic violence in CALD communities. The research noted that because of a clash in emerging cultural understandings, many frontline workers or practitioners reported not knowing how to respond to women from CALD communities who are victims or survivors of domestic violence. These practitioners found it very difficult. They were fearful of offending the client and maintaining cultural sensitivity. It is really vital that our frontline workers—our police and our service providers—reflect the communities they have to deal with, particularly given the importance of this issue. I congratulate those frontline workers for all the work they do. They do amazing work when dealing with issues that we can stand here and talk about. It must be really challenging to be confronted with people in great need.

I also note that two community projects were recently conducted—Strengthening Healthier Indian Families Together and the Hamdel project with the Iranian community. They both had the aim of developing a primary prevention model for CALD communities.

The independent evaluation done by Swinburne University recommended that great care needs to be taken to ensure that strategies do not put people at increased risk of harm. It is pretty interesting that an evaluation of a community project recommended that those working in CALD communities ensure that the strategies do not increase the risk. We need to ensure that we work with our communities but that we do not make assumptions. It went on to state that strong community development principles of empowerment and a strengths-based approach need to be followed and that a flexible approach that acknowledges variation both within and between culturally and linguistically diverse communities is essential.

I congratulate the government on bringing forward this piece of legislation. I congratulate the government on having our first Minister for Prevention of Family and Domestic Violence. I congratulate it on joining the national Our Watch program. I have talked about the family and domestic violence leave. I particularly congratulate it on the RSPCA Pets in Crisis program. Most of all, I congratulate it for acknowledging the great work that the Patricia Giles Centre does by awarding it a grant to provide practical assistance. I commend this bill to the house and I wish it a speedy way forward.

MR M. HUGHES (Kalamunda) [10.06 pm]: I, too, rise to make a relatively brief contribution to the discussion of the Domestic Violence Orders (National Recognition) Bill 2017, given the lateness of the hour. We have established that domestic and family violence is a significant problem in this state and across Australia. It behoves this house, as a Legislative Assembly, to engage in whatever way it can with the processes that are being put in place at the instigation of the Council of Australian Governments to ensure that we tackle this problem from as many different angles as we possibly can.

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I want to reminisce a little bit by wondering what produces a change in a son who is born into a family and who is doted on and nurtured and encouraged to become an adult to be one of the males in our society who are the instigators of domestic violence against women and children. It is well documented in many reports that have come before many Legislative Assemblies across this nation of ours. There is no doubt that the vast majority of dangerous, abusive and violent behaviour that occurs in the privacy of homes is committed by men against women and that children, too, are either victims of physical and emotional abuse by the perpetrator or witnesses to that kind of abuse being handed down—I have probably used the wrong term—to the mother in the family. As a justice of the peace, I had an opportunity to sit for a period on the violence restraining order court at the Central Law Courts. The documents I have before me are full of statistics and I will refer to some of them a little later during my speech. As a justice sitting with another justice in the Magistrates Court, I was appalled at the extent to which women came tentatively to the court, often having paid a visit to the emergency department of a hospital. The physical evidence of the abuse was there for all to see—blackened eyes, broken teeth and broken arms. The tragedy is that they came to that court seeking a violence restraining order when, in fact, the restraint had not been given to them. They were there because they had been beaten up by their partner.

As we have heard this evening, the Ombudsman has gone through the process of looking at 30 family and domestic violence fatalities notified to him, and the report is there for us to read, “A report on giving effect to the recommendations arising from the *Investigation into issues associated with violence restraining orders and their relationship with family and domestic violence fatalities*”. The report is 279 pages long and has 54 recommendations. We heard from the member for Bunbury about the nine principles that ought to invest in the ways in which we deal with issues of family domestic violence. Given that reports by the Ombudsman can often be buried on library shelves, we might just hear what he has to say, because we are talking about the implementation of an instrument that we are saying is good and sufficient in this state and ought to be good and sufficient in other states without the necessity for the victim of violence in the family to have to re-state why they are in harm’s way and need to be protected by the instruments that the state can provide, and violence restraining orders are one of those instruments.

In the foreword to his extensive report—which I urge members to read, along with its 54 recommendations, if they find time during the next major recess—the Ombudsman states —

As Western Australian Ombudsman, I undertake an important responsibility to review family and domestic violence fatalities. Arising from this work, I identified the need to undertake a major own motion investigation ...

So it is something that he has instigated. In respect of the investigation, he states —

Through that investigation, I found that a range of work had been undertaken by state government departments and authorities to administer their relevant legislative responsibilities, including their responsibilities arising from the *Restraining Orders Act 1997*. I also found, however, that there is important further work that should be done. This work, detailed in the findings of the FDV Investigation Report, includes a range of important opportunities for improvement for state government departments and authorities, working individually and collectively, across all stages of the VRO process.

The issuing of a violence restraining order is one aspect of this process. There is much that precedes it in respect of how we get people into courts to seek violence restraining orders. There are many examples of women who are in receipt of restraining orders cancelling them because their partners plead with them that things have changed and they are often concerned that they are denying their children an opportunity to have the presence of a father. I will not stray into the debate about marriage equality, the sanctity of marriage and what that does to children; gay people are apparently not in a position to look after children in a nurturing way. I can tell members, from my experience, that there are many, many heterosexual couples who do not know what love is. It is not so much the power of love but the love of power in a power relationship in which the odds are always stacked in favour of the man, the abuser—and it is men. The men in this Assembly need to recognise that and we need to do something about it in our interactions with our sons and our grandsons.

With regard to the debate about the attitude of males to women, we all can recall the sign behind Tony Abbott—and thank goodness for Amanda Vanstone—that read, “Ditch the Witch”. That said it all. I think the attitude towards women is at the base of the problems we face. The way in which our boys become men in an environment like that creates the problems. That is my view. As a 29-year-old coming to this state and driving down Greenmount Hill past the tavern that is now the subject of a debate about whether it should be demolished or not, I saw a sign saying “Skimpies”. People could come in and see naked women while they drank their beer. I can still go past that same tavern today and see the same message. What does that say, apart from objectifying women? That

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is at the base of the problem we have in the way we engage with domestic and family violence. “Ditch the Witch” and skimpy barmaids are closely connected in this swirling world of misogyny, and we have to do something about it. The Human Rights Commission produced a report in January 2017 and provided it to the United Nations rapporteur. We need to understand that the work we are doing this evening in passing this legislation is in effect part of a national plan to reduce violence against women and their children. The national plan to reduce violence against women and children is a 12-year plan, from 2010 to 2022, which aims to coordinate across Australia’s jurisdictions. The plan seeks to achieve six national outcomes. I am not so bothered with the question of whether we have the resources for the delivery of the effects of this bill so that we can join in the national approach. If we pass this legislation, the government will make sure that the technology will be there to put these things in place. According to the Human Rights Commission report published in January 2017, the six national outcomes are —

1. Communities are safe and free from violence
2. Relationships are respectful
3. Indigenous communities are strengthened
4. Services meet the needs of women and their children experiencing violence
5. Justice responses are effective

This is what we are trying to do with this bill —

6. Perpetrators stop the violence and are held to account

The foreword to the Ombudsman’s report states —

I have also found that Aboriginal Western Australians are significantly overrepresented as victims of family violence, yet underrepresented in the use of VROs. Following from this, I have identified that a separate strategy, specifically tailored to preventing and reducing Aboriginal family violence, should be developed. This strategy should actively invite and encourage the full involvement of Aboriginal people in its development and be comprehensively informed by Aboriginal culture.

That was part of the briefing we received at lunchtime today. The extent of child abuse in Aboriginal communities is something that this Parliament needs to address squarely as part and parcel of the whole issue of family and domestic violence. I would like to turn to the words of a woman, who remains anonymous. It is in the second part of the Ombudsman’s report. This is the voice of a victim. She said —

“... the police encouraged me to get a VRO so they could help me.

The involvement of the police in assisting victims is important. The document continues —

Without it, it was hard for them to keep him away from me and the abuse would continue. They also advised me it could escalate matters, which in my case it did, the VRO and going to the police was a betrayal for my ex-husband. From my ex-husband’s view “police are dogs and you don’t go to the cops”.

The work we are doing today in making sure that violence restraining orders can be applied from one jurisdiction to another is only part of the process. Women place themselves at risk even seeking a violence restraining order. The report continues —

The rage started with him threatening my workplace — that he would burn the building down. Then he smashed through the glass door at my rental, to gain entry as I hadn’t arrived home yet. I was reporting that first breach at the police station. But my ex was looking for me ... I had so many missed calls from family, trying to warn me that he was looking for me.

Women are pursued and harassed. A violence restraining order is a piece of paper, though it provides police with an instrument for an arrest or breaches, and it is not going to save women from a person determined to find them. Escape to another jurisdiction is probably essential. The ability for there to be inter-jurisdictional recognition of perpetrators is an important aspect of this bill.

I hope I am making a little sense, but the statistics are alarming. Let us just remind ourselves of some we have already heard this evening. On average, one woman a week is killed by her partner or a former partner. We have heard this previously this evening. One in three Australian women have experienced physical violence since the age of 15. One in five Australian women have experienced sexual violence. One in four Australian women has experienced physical or sexual violence by an intimate partner. Women are at least three times more likely than men to experience violence with an intimate partner. Women are five times more likely than men to require medical attention or hospitalisation as a result of intimate partner violence, and five times more likely to report fearing for their lives, as this woman has. Of women who experience violence, more than half have children in their care.

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Violence against women is not limited to the home or intimate relationships. Every year in Australia over 300 000 women experience violence—often sexual violence—from someone other than a partner. From a recent report we also know that women in our places of learning are subject to violent sexual harassment. It is a disgrace. It is to do with the education of boys and the signals we give them for the kind of language we use to describe women and our relationships with them. Every time we denigrate women—this so often happens in the political process—we give people licence to do the same in their immediate environment.

Young women aged 18 to 24 years of age experience significantly higher rates of physical and sexual violence than women in older age groups. There is growing evidence that women with disabilities are more likely to experience violence. We know Aboriginal and Torres Strait Islander women experience far higher rates and more severe forms of violence compared with other women.

We are here to do something we could have done earlier. The previous government had the opportunity. We may not have been debating this this evening. It is urgent. We want to be partnered with the rest of Australia in this process. The Domestic Violence Orders (National Recognition) Bill 2017 provides three main outcomes: it defines the orders recognised under the National Domestic Violence Order Scheme; it sets out the legal consequence of that recognition; and it provides for information sharing between jurisdictions. We will get the technology right, do not worry about that. The national scheme will recognise orders made by courts and police that relate only to family and domestic violence. Once recognised, an order will become enforceable in each participating jurisdiction, as if it were had been locally made. Let us get behind this. The International Day for the Elimination of Violence Against Women—White Ribbon Day—is on the horizon. Typically, I have learnt, Western Australia is lagging behind the rest of Australia. We will fix that by ensuring the passage of this legislation as a matter of urgency. Members, I commend the bill to the house.

Debate adjourned, on motion by **Mr D.A. Templeman (Leader of the House)**.