



The Research Director  
Communities, Disability Services and  
Domestic and Family Violence Prevention Committee  
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11 November 2015

Dear Colleague,

***Domestic and Family Violence Protection and Another Act Amendment Bill 2015***

We welcome and appreciate the opportunity to make a submission on the *Domestic and Family Violence Protection and Another Act Amendment Bill 2015* ("the Bill").

**PRELIMINARY CONSIDERATION: OUR BACKGROUND TO COMMENT**

The Aboriginal and Torres Strait Islander Legal Service (QLD) Ltd ("ATSILS") provides legal services to Aboriginal and Torres Strait Islander peoples throughout mainland Queensland. Our primary role is to provide criminal, civil and family law representation. We are also funded by the Commonwealth to perform a State-wide role in the key areas of Community Legal Education; and Early Intervention and Prevention initiative (which includes related law reform activities and monitoring Indigenous Australian deaths in custody). As an organisation which, for over four decades, has practised at the coalface of the justice arena, we believe we are well placed to provide meaningful comment. Not from a theoretical or purely academic perspective, but rather from a platform based upon actual experiences. We trust that our submission is of assistance.

We are in support of the proposed amendments. However, we have some concerns in relation to the draft legislation pertaining to ouster orders as follows:

Should this mandatory requirement to consider ouster orders become law, it may automatically follow that such orders will be made in most if not all applications before the court. In that event an increase in respondent homelessness will automatically follow given there is a dire lack of available hostels or shelters for men in Queensland. In fact, many towns or communities have no accommodation facilities whatsoever for male victims and/or perpetrators of domestic violence when so ousted from their homes. Without suitable accommodation in place, should ouster orders be made as a matter of course, the issues of homelessness, unemployment, criminal activity and poverty for men will be exacerbated. The possibility of breach of a domestic violence order is also higher with some homeless perpetrators seeking to return to their homes when no other accommodation can be found. Perhaps instances of domestic violence may decrease, however the overall situation for respondents would not improve. Our suggestion is that either some provision be made in relation to the overall accommodation needs of the perpetrators or that this issue be appropriately addressed in other ways.

We thank the Committee for this opportunity to provide feedback, and wish it every success with its deliberations.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Shane Duffy', written in a cursive style.

Shane Duffy  
Chief Executive Officer