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Victims face long waits

Extra domestic violence magistrate plea as average delay passes seven months

**PAUL WESTON AND
ALEXANDRIA UTTING**

LEGAL eagles want an additional magistrate appointed at the Southport domestic violence courts after fresh figures revealed victims were waiting on average seven and a half months for a hearing.

Experienced Coast lawyers say an additional magistrate would take the load from the two dedicated magistrates who often work through to 7pm.

Criminal lawyer Michael Gatenby said it was common to take several months to negotiate a dispute before it was listed for trial.

"An order only runs for two years so before you know it almost half the order has elapsed before the matter even makes it to hearing," he said.

Mr Gatenby said the domestic violence courts were clogged with trials that were not being delisted despite aggrieved people requesting matters be set aside.

"Prosecution has directions not to discontinue any domestic violence matter," he said.

"Even where they don't believe they have reasonable

prospects of success or an aggrieved person doesn't want to continue and wants to see their partner, for example, they have to prosecute. Another magistrate, or even two magistrates, would ease the load."

From November 2015 to October last year, 3530 protection order applications were lodged in the Southport specialist court.

Despite 95 per cent being finalised by consent, withdrawn or dismissed, there can still be

on average about 60 cases waiting for a court date.

As of last October, 56 matters were waiting for a hearing

as the number of monthly protection order applications continued to exceed 300.

Hannay Lawyers solicitor Danielle Heable said the first listing for a temporary protection order trial this year was not until June.

"The court staff are doing everything to ensure matters progress smoothly but it is what it is, unfortunately," she said. "We can't expect more because the courts are constrained to work with the resources they have."

Southport MP Rob Molhoek believed the policing reforms undertaken after the

shocking deaths of Tara Brown and Karina Lock in late 2015 and the appointment of a specialist court explained the increase in protection orders.

"The specialist domestic violence court at Southport is a victim of its own success," Mr Molhoek said. "The Government needs to see how it can be better resourced."

"I don't think it's that domestic violence is on the rise. I just think more people are speaking up."

Gold Coast Community Legal Centre director and principal solicitor Victoria Shiel said volunteer resources were

struggling to cater for the spike in domestic violence applications.

"Family law problems including domestic violence for the past two years has been 54

per cent of our problem type, which is 15 per cent higher than the state average," Ms Shiel said.

"Over 50 per cent of clients assisted in family matters have indicated they are at risk or experiencing domestic violence."

Two lawyers are working full-time on family violence matters from the community legal centre's new offices in Railway St, Southport.