

LEGISLATIVE ASSEMBLY

Crimes Legislation Amendment (Coercive Control) Bill 2022

First print

Proposed amendments

No. 1 Commencement

Page 2, clause 2, lines 5–8. Omit all words on the lines. Insert instead—

- (1) The provisions of this Act, other than Schedule 1, 2[3] and [5], 3 and 4, commence on the earlier of the following—
 - (a) 1 February 2024,
 - (b) a day or days appointed by proclamation.
- (2) Schedule 1[1], to the extent it inserts section 54HA, commences on the earlier of the following—
 - (a) 12 December 2022,
 - (b) a day appointed by proclamation.
- (3) Schedule 1 (other than Schedule 1[1] to the extent it inserts section 54HA), 2[3] and [5], 3 and 4 commence on the earlier of the following—
 - (a) 1 July 2024,
 - (b) the day or days, not earlier than 1 February 2024, appointed by proclamation.

No. 2 Coercive Control Implementation and Evaluation Taskforce

Page 5, Schedule 1[1]. Insert after line 37—

54HA Coercive Control Implementation and Evaluation Taskforce

- (1) The Minister must establish a Coercive Control Implementation and Evaluation Taskforce.
- (2) The taskforce is to include the following members appointed by the Minister—
 - (a) the Secretary of the department in which this Act is administered, who is to be the chairperson of the taskforce,
 - (b) a representative of the NSW Police Force,
 - (c) the chair of the Domestic and Family Violence and Sexual Assault Council,

-
- (d) a member from the domestic and family violence sector with substantial expertise and experience in domestic and family violence service delivery.
- (3) The main purposes of the taskforce are as follows—
- (a) to consult with stakeholders, including reference groups established under this section, about the offence under section 54D (the *coercive control offence*) and related matters,
- (b) to provide advice about, and monitor, training, education and resourcing in relation to the coercive control offence,
- (c) to provide advice about the commencement dates of, and interaction between, the definition of *domestic abuse* in the *Crimes (Domestic and Personal Violence) Act 2007*, section 6A and the coercive control offence,
- (d) to evaluate implementation of the coercive control offence and resourcing in relation to the coercive control offence,
- (e) to monitor the operation of this Division, including—
- (i) the practical application of defences to the coercive control offence, and
- (ii) resourcing in relation to the operation of the Division,
- (f) to provide advice to the Minister about other matters related to a matter in paragraph (a)–(e) or the coercive control offence.
- (4) The chairperson of the taskforce must convene the first meeting of the taskforce within 1 month after the commencement of this section.
- (5) The taskforce must establish reference groups to consider, and provide advice and recommendations to the taskforce about any of the following matters—
- (a) the impact of this Division on specific communities,
Examples— Aboriginal persons, the LGBTIQ+ community
- (b) particular elements of the Division.
- (6) A reference group must consist of members who have expertise in, or legal knowledge of, the subject matter for which the reference group is established.
Examples of sectors, groups and organisations from which members of reference groups might be drawn— the domestic and family violence sector, the legal profession, the Judicial Commission of NSW, Aboriginal organisations and groups, the culturally and linguistically diverse sector, LGBTIQ+ groups, the disability sector, youth and childrens groups, victims and survivors of sexual or domestic and family violence and the families of victims and survivors
- (7) In carrying out its purposes, the taskforce must consult with any reference group that is relevant to the particular purpose.
- (8) The taskforce must give the Minister a report in relation to its main purposes—
- (a) at least once in each 6 months during the period between the commencement of this provision and the commencement of the coercive control offence, and
- (b) at least every 12 months after the commencement of the coercive control offence.
- (9) The Minister must ensure a report under subsection (8) is tabled in each House of Parliament within 21 days after receiving it.
- (10) The taskforce ceases to operate, and this section is repealed, on the day on which, under section 54I(4)(c), the report about the third review about this Division is tabled in the Legislative Assembly.

No. 3 **Review of Division**

Page 5, Schedule 1[1], proposed section 54I(2), line 43. Omit “the review”. Insert instead “a review under this section”.

No. 4 **Review of Division**

Page 6, Schedule 1[1], proposed section 54I(3), lines 8 and 9. Omit all words on the lines. Insert instead—

- (3) A review under this section is to be undertaken—
 - (a) for the first review—as soon as possible after the period of 2 years from the commencement of this Division, and
 - (b) for the second and third reviews—as soon as possible after the period of 2 years from the last review under this section.

No. 5 **Review of Division**

Page 6, Schedule 1[1], proposed section 54I(4), lines 10 and 11. Omit all words on the lines. Insert instead—

- (4) A report on the outcome of a review under this section is to be tabled in each House of Parliament within—
 - (a) for a report about the first review—within 3 years after the commencement of this Division, and
 - (b) for a report about the second review—within 3 years after the report about the first review was required to be tabled under paragraph (a), and
 - (c) for a report about the third review—within 3 years after the report about the second review was required to be tabled under paragraph (b).