

**ANSWERS TO QUESTIONS ON NOTICE – PROFESSOR MARILYN MCMAHON
AND MR PAUL MCGORRERY**

Question 1: Whether you have a view on whether provisions with respect to sentencing regimes need to be amended and if so, what that might look like and how?

Answer 1: We do not have the relevant expertise in NSW sentencing legislation to speak to the value of any potential amendments.

Question 2: How might the challenges of creating an offence of coercive control be overcome?

Answer 2: We have identified a number of potential challenges inherent in creating any offence, and especially a coercive control offence, but there are solutions to those challenges. The first fundamental element of successfully introducing a coercive control law is transparent and broad consultation with stakeholders, something this Committee is already undertaking and which should be applauded. We hope that continues through to transparent and broad consultation on iterative drafts of any proposed legislation. From there, as we indicated in our submission, the key ingredients of successful law reform in this space will be dependent on:

- proper drafting of a new offence;
- awareness-raising in the community about the nature of coercive control and, in particular, its criminal nature;
- education and training for those in a broad range of vocations whose work comes into contact with domestic and family violence (based on best practice adult education methods and not, for example, passive online modules); and
- finally, funding the domestic and family violence sector with the resources it needs to properly respond to clients' needs, thereby removing the almost perpetual state of fiscal uncertainty that this sector experiences. The economic cost of domestic and family violence alone should trigger adequate governmental investment in its prevention and response, but the human rights breaches and lifelong damage to victims make it irresponsible to leave the sector underfunded.