

**Submission
No 1**

COERCIVE CONTROL IN DOMESTIC RELATIONSHIPS

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Date Received: 27 November 2020

The discussion paper is quite detailed and it would therefore be difficult for many people to understand and provide feedback. Perhaps, a draft bill should be made available for feedback purposes.

Some comments on the discussion paper:

The definition of coercive control on the surface appears problematic - particularly if it is to be used as the basis for punishing a perpetrator.

I note that:

Some aspects of the definition are already included as criminal offences, such as sexual assault, stalking, and general assault - which is good!

The definition of coercive control includes some potentially questionable aspects:

1. 'Suggesting that friends and family are not in fact supportive'.

Are people are not allowed to express a negative opinion about friends and family, whether true or false, even in the heat of the moment?

2. 'Questioning a partner's memory of events and agreements (i.e. gaslighting), or threatening self-harm or suicide'.

Are people not allowed to question a person's recollection of events? Also, are you suggesting that irrational behaviour should be criminalized?

3. 'Threatening to take the victim's children away, to send them to state care or to institute court proceedings to deny the victim access to the children'.

Are you suggesting that irrational behaviour should be criminalized?

4. 'Withholding or controlling access to resources, including money'.

There are some circumstances where controlling access to family money is necessary to protect the family from a partner who has a gambling, drinking, shopping or drug addiction or a cognitive impairment.

If a person is unhappy in their current relationship and the relationship is not characterized by violence or threats of violence - the unhappy person should just leave their relationship, what's stopping them? Why create further legal complexity for investigating Police and further demand for their services?

The state should instead focus its attention and resources on providing support to people who need to escape relationships that involve violence and threats of violence.

A coercive control offence is regulatory over-reach.