

**Submission
No 78**

COERCIVE CONTROL IN DOMESTIC RELATIONSHIPS

Organisation: Enough is Enough Anti-Violence Movement

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To the Coercive Control Committee,

Enough is Enough was formed in 1994 by Ken Marslew following the tragic and violent murder of his son, university student Michael. From this, *Enough is Enough* has worked with both victims and offenders to reduce the impact crime and violence has within our community.

Enough is Enough provides psychology and counselling, as well as developing education programs delivered in schools, juvenile justices, prisons, community corrections and in our office located at Jannali. Further, our staff are trained in the NSW Community Corrections EQUIPS suite of programs and our service takes direct referrals from both NSW Victims Services and NSW Community Corrections.

Enough is Enough (through our CEO Ken) has been an active member of:

- Premier's Council on Crime Prevention
- Attorney General's Victims Advisory Board – 15 years of service
- Victims Support Australasia
- Corrective Service Restorative Justice Advisory Committee
- NSW Sentencing Council
- Young Offenders Advisory Council
- NSW State Parole Authority

After reading the Attorney General's *'Discussion paper on Coercive Control'*, *Enough is Enough* supports the criminalisation of coercive control and would like to submit our services 27 years of experience working with both victims and offenders of crime, particularly domestic violence.

Enough is Enough fully comprehends the importance of early intervention in the prevention of domestic violence and the escalation of abusive behaviour. Maintaining a deep understanding of coercive control and clarifying it with clients, both victims and offenders, can help identify behaviours within relationships before the escalation of abuse. This helps identify and target potential offenders to enrol and support them into behavioural change programs, limiting the chances for further abuse or intensified abuse.

There is no doubt of the effects that coercive control has on victims of domestic abuse as effectively highlighted by Jess Hill in *'See What You Made Me Do'*, "Coercive controllers don't just abuse their partners to hurt, humiliate or punish them. They don't use violence to seize power in a moment or gain advantage in a fight. Instead, they use particular techniques, - isolation, gaslighting, surveillance - to strip the victim of their liberty and sense of self...total

domination” (Hill 2019, pg21). This impact and harm caused by coercive control cannot be determined by individual offences assessed separately. But through a comprehensive understanding of consistent and overbearing controlling behaviours.

In the Attorney Generals discussion paper (section 7.13) he discusses the scope and impact for harm to be evaluated through broad and narrow terms.

Broadening the definition of harm, to an objective standard of reasonableness assessing the impact of all behaviours combined, rather than actual harm suffered from individual behaviour, allows the legal process to effectively evaluate the extent of harm coercive control has on a victim.

Enough is Enough has deeply experienced the effect coercive control has on victims, an area of domestic abuse which is consistently under-reported and under-criminalised. In particular, victims suffering the consequences of financial abuse or debt, to be worked off through ‘Work Development Orders’. This creates heightened financial stress for victims already suffering from abusive relationships. Criminalising this aspect will significantly reduce the harm and impact on victims suffering this form of financial abuse, potentially helping victims out of financial stress, poverty, homelessness and unemployment.

There further are many aspects of coercive control that are yet to be criminalised that have devastating and destructive effects on victims.

Particularly:

- Social isolation,
- Withholding children
- Technological abuse
 - Less overt systems of stalking and harassment
 - Tracking on cars/mobile phones,
 - Consistent contact through technology
- Psychological abuse
 - Threats
 - Controlling behaviours like clothing and appearance
 - Gaslighting

These forms of abuse, which at this stage have extremely high burdens of proof to even qualify for AVO’s, have ongoing and consistent effects on individuals which can lead to other psychological stresses and concerns such as learned helplessness, or a habit of tolerance. Tolerating such levels of abuse which are not criminalised, result in limited help-seeking skills and lack of support as well as reducing the likelihood of reporting escalated abuse.



Criminalising coercive control can further help our legal system, support services, mental health services and primary prevention services better understand domestic abuse. Further, they can accurately report, collect data, identify trends and find gaps within our society to fill with education, safety networks, prevention programs and rehabilitation programs to effectively reduce the impact of domestic abuse.

Domestic abuse is one of the biggest health concerns for women and children, and the impact it has on our society is truly devastating. *Enough is Enough*, through years of experience, feel that criminalising coercive control is the next step in helping our society be free of domestic abuse.

Sincerely,
The team at Enough is Enough.

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