

**Submission
No 91**

COERCIVE CONTROL IN DOMESTIC RELATIONSHIPS

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NSW Attorney General

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INTRODUCTION

My name is Jess Hill, and I'm an investigative journalist and author who has been writing about domestic abuse and violence since 2014. My work has been awarded two Walkley awards and three Our Watch awards; my book on domestic abuse in Australia, *See What You Made Me Do*, was awarded the Stella Prize in 2020. This book, which is now a bestseller in Australia, is being adapted into a 3-part series for SBS, due for broadcast in May 2021, and a 10-part audio series with the Victorian Women's Trust. Since the book was released in 2019, I have provided training and education on coercive control for magistrates, police, psychiatrists, lawyers, hospitals, business, news teams at the ABC and the general public. I'm an outspoken advocate for the criminalisation of coercive control, and I have also advocated specifically for a revisioning of how we police domestic abuse, and the structure of our family law system. I hold that in criminalising coercive control, we must reassess how each part of our system responds to and protects victim survivors, and how it can strike a balance between accountability and reintegration (where possible) of perpetrators.

SUBMISSION

I understand that the terms of reference posit specific questions for the committee to answer, and that this inquiry will receive many submissions that go into fine detail about points of law and other issues relevant to introducing new legislation, as well as systemic reforms. I share many of the same concerns, hopes and attitudes as others contributing to this inquiry; specifically Paul McGorrery and Marilyn McMahon, Angela Lynch, and others. Rather than repeat what their submissions will articulate, I want to

focus mine on fleshing out the nature of coercive control, so that the committee has a technical as well as visceral understanding for what it looks and feels like.

Before I address the definition of coercive control, I want you consider this comparison, to get a sense of why it's so vital that we change our frame on what we consider to be the most severe forms of domestic abuse.

I was talking to a psychologist a few months ago, who works in the psych ward of a hospital on the NSW south coast. She told me that in 2019, she had at least four cases where a wife was admitted by their husband to the hospital for three weeks of intensive psychiatric treatment. These women would tell this doctor that they were anxious, depressed, they had no friends, they were terrible to live with. But when this psychologist dug a little deeper into what was going on in their relationships, she discovered all four were being horrifically abused and controlled by their husbands. These men had essentially gaslit these women so relentlessly that they were convinced they were losing their minds. In three of these cases, when the women came out of hospital, they returned home to find their husbands had changed the locks and had initiating family court proceedings.

On one woman's file, the doctor wrote clearly that there was no evidence whatsoever of mental disorder or illness. But when a family court report writer evaluated this woman for her custody dispute, an evaluation that took around an hour, they diagnosed her with borderline personality disorder and recommended that sole custody be granted to the father. That woman ended up losing custody of her children.

This is just one aspect of how coercive control can ruin lives. This is why so many women who have been subjected to coercive control, but not experienced physical violence, say I wish he'd just hit me. Or, even more horribly, these victim survivors speak of being 'jealous' of women who were hit, because at least they had something to show the world they were being abused.

1. What would be an appropriate definition of coercive control?

It's important that this question be answered thoroughly, because a deep understanding of coercive control is essential if we are to design legislation and system reforms to

respond to it. There will be detailed submissions on what should or shouldn't be included - many in the sector are, for example, alarmed at the notion of parental alienation being included in the definition of coercive control, because it is both a contested theory, and one that is weaponised by abusers against their former partners in the family law courts. In my submission, however, I want to focus chiefly on fleshing out the nature of coercive control.

In heterosexual relationships, it's an almost strictly gendered kind of domestic abuse, mostly perpetrated exclusively by men. (In same-sex relationships, however, both men and women perpetrate this type of abuse.) Research from the United States shows that it's experienced by around 60-80 per cent of women who seek help. Domestic violence services commonly say they don't see anything *other* than coercive control. It is vitally important to recognise that coercive control *may or may not* include physical or sexual violence. It is not a type of abuse that leads up to physical violence, or that is separate from physical violence. If it is used, physical violence forms just one part of the coercive control environment. The thing to understand about coercive control is that actual violence isn't necessary - though it is inflicted by many coercive controllers, and can be sadistic in its extremes. The system is held in place by the *believable threat of violence* - which may be directed towards the victim-survivors (adults and/or kids), their pets, or even in the form of suicide threats from the perpetrator themselves. For many, physical violence may be rare, minor, or not used at all.

Since Rowan Baxter murdered Hannah Clarke and their three children in February last year, 'coercive control' has become a subject of intense media interest.

Rowan Baxter has become an exemplar for coercive control, because he's shown exactly how dangerous controlling and degrading abuse can be, even where physical violence is absent. This, to many, has really exemplified just how dangerous controlling/paranoid behaviour can be, because in lieu of physical violence, the focus has moved to the other behaviours that are so typical of coercive control.

There was a searing interview with Hannah Clark's parents in the Guardian last year; in it, they list the coercive controlling behaviours Rowan Baxter exhibited, which include:

He isolated Hannah from her family and friends and limited her access to them.

He deprived Hannah of basic needs such as food, clothing and sleep.

He controlled her daily life: where she could go, who she could see, what she must wear.

He prevented her from attending doctors for her medical needs.

Baxter belittled Hannah with insults about her figure and her mothering ability.

He made up rules for her to obey and punished her for disobeying his rules.

He stalked her, monitoring her location using mobile phone tracking software and devices and followed her to different locations.

He tracked other members of her family, spied on them and confronted them in public places.

He had threatened to kill his previous wife and son.

He threatened to kill himself as a means of trying to force Hannah to stay with him.

He printed and shared intimate photos of Hannah.

He destroyed mobile phones and his children's watches. He destroyed household goods; he threw away toys belonging to his children as punishment for not putting them away.

These are not just red flags for physical violence or domestic homicide – they are incredibly harmful forms of abuse in their own right. They are also criminalised under coercive control charges across the UK.

Coercive control is a type of abuse that is still little understood by the public. That's largely because the justice system – and the media – has for decades largely focused on domestic violence as a series of mostly physical and sexual incidents of violence. In more recent years, we have begun to define domestic violence as 'more than just physical' – expanding our definitions and our reportage to include abuse that is also

emotional, financial, spiritual, psychological. But what we have only just begun to describe – and what has become much more evident since the criminalisation debate began - is something the domestic violence sector has understood since the 1970s: more often than not, the abuse in these intimate relationships follows a plotline that is so predictable, many in the sector can basically finish a woman's story before she's halfway through telling it. It's so predictable, that people say it's as though perpetrators have all been studying from the same handbook.

Coercive control is the model for understanding what this typical plotline looks like. Victim survivors often say that when they hear coercive control explained, it's like a lightbulb moment – especially for those who never thought of what they went through as 'domestic abuse, because they were never or rarely physically assaulted. In fact, the majority of coercive control victims do not know they are being abused, because they are commonly made to believe that they are the crazy ones, and they are to blame.

I'm talking about a system of abuse that never switches off – even during the 'good times'. Coercive controllers dominate their victims by isolating them, micro-managing their behaviour, intimidating and belittling them, withholding necessary resources like money or transportation, abuse of children and/or pets. humiliating and degrading them, monitoring their movements, gaslighting them and creating an environment of confusion, contradiction and extreme threat. This is, as Evan Stark describes it, a system of abuse that is essentially about depriving the victim(s) of their liberty. I tend to describe it as a system of entrapment – the ultimate goal is to reduce the victim to a state of compliance and dependency. Abuse is the means; entrapment is the end.

Each of these classic coercive control techniques can look different depending on the relationship, but they essentially all create the same effect. Consider one of the primary techniques of coercive control: isolation. Isolation can be overt: telling you that you cannot leave the house, or forbidding you from seeing friends or family. Or it can be concealed as caregiving: *it's just you and me against the world, nobody understands what we have, they're no good for you, you should stop spending time with them.* Or they may just make always need you to be around suddenly the moment you say you're planning to go out. Or maybe they are so awful when friends come round that those friends stop coming round. Or, as was the case with 16-year-old Zach, a coercive controller may turn your friends against you: Zach would text his girlfriend's friends secretly, saying that she hated them and that she talked about them behind their backs.

Similarly, coercive controllers may be overt in their abuse, like Nelson, who after meeting his girlfriend Jasmine at the age of 17, gradually broke down her self-esteem with degrading and controlling comments about what she wore and ate, and ended up forcing her and their new baby to sleep in the car, threatening that if she went to her mother's place, he would kill or harm people she knew and loved. That's overt. But for many, coercive control is masked, at least initially, as 'caregiving' – the partner who wants you to text not just when you arrive home after a night out, but throughout the day, because they want to make sure you're safe. Or like Patricia McLean said of her ex-husband, Don McLean – he of the world's most punishing karaoke track, American Pie – he would choose the cars she was allowed to drive, and always lease them in his name, he would lose his temper if he walked into the room and found her on the phone, and a most insidious form of abuse – he would come up behind her when she had almost finished a long, painstakingly-created piece of calligraphy, which was her artform, and pretending to massage my shoulders, would move her arm so the work would smudge. This is a kind of gaslighting – where the victim is double-guessing themselves constantly as to why this apparent act of caregiving feels so much like sabotage. Others couldn't explain much in the way of abuse – they have changed their behaviour to accommodate the needs of their partner, like the woman I spoke to the other day, who has to spend an hour preparing the house for when her husband comes home from shift-work, down to making sure the mat in the kitchen is in exactly the right place. She knows that if she doesn't, there will be consequences. It's just easier to comply.

That's why, rather than understanding domestic abuse as an incident of assault, Evan Stark argues that it should be understood as a form of hostage taking. In this environment, even relatively minor acts of physical abuse – a slap on the knee that's a bit too hard, a pinch – can carry much greater threat than an outsider would be able to infer. In this environment, the threat is ever-present – even when the perpetrator is being 'nice'. As one former perpetrator told me, 'If you've only got two modes of communicating with someone— one of which is a polite request, the other being violence—the polite request *is* the threat of violence. And so you can then maintain the self- image of a person who is unfailingly polite, while everyone responds very quickly and actively to everything you ask for.'

In coercive control, physical and sexual violence may or may not be used, but when it is, it is just one of many tools the perpetrator uses to gain greater power over their partner, coerce them to behave in a certain way, win an argument or demonstrate dominance. These attacks, which are often extremely degrading - like the man who rapes his partner and tells her he's doing it because she deserves it, or because she secretly likes it - are attacks on a person's sense of self-worth, their sense of dignity. They are done to shame the victim. They are not just assaults, in the way we might imagine a stranger assault, and they're not just violence: what we're talking about is a fundamental crime against the victim's sense of self, against their dignity. Ultimately, domestic abuse and coercive control is not a form of abuse defined by incidents. It is, as I've said, a pattern of entrapment.

I don't use the term 'entrapment' loosely. Perhaps one of the most confounding aspects of coercive control is that it is observed not just in intimate relationships, but in practically any situation of captivity: kidnappers, hostage-takers, pimps, cult leaders. Amnesty International has declared the techniques of coercive control 'the universal tools of coercion and torture.' And as the Harvard psychiatrist Judith Herman has written, 'The [coercive] methods that enable one human being to enslave another are remarkably consistent.'

In fact, it was in a situation of literal entrapment - the prisoner of war camps in North Korea in the 1950s - that sociologists first learned exactly what coercive control was, how it worked, and the effect it could have even on people trained to resist torture.

I've included in this submission an explanation of how we first came to understand coercive control, in order to give you the greatest possible scope for understanding it.

In the late 1950s, after the end of the Korean War, America learned that many of American soldiers who were taken prisoners had cooperated with the enemy in unprecedented ways: informing on fellow prisoners, making false confessions to made-up atrocities, even defecting to China after they were released.

The reaction in America was swift and heated: these soldiers had been brainwashed. People at the highest positions of government, including the head of the CIA, were

convinced that the Communists had some fancy brainwashing machine that literally emptied out a man's mind, and installed new thoughts and memories on it.

But there was one man who was not convinced. Albert Biderman, a social scientist with the US Air Force.

He wanted to get to the bottom of what had happened. So he conducted extensive interviews with returned POWs, and his suspicions were confirmed: there was no magic mind control. In fact, there was nothing fancy about these techniques – they had been used for centuries. They were the universal methods of training compliance, eradicating autonomy and overriding an individual's sense of self.

To win the soldier's 'hearts and minds', the Communists induced what Biderman called DDD: Dependency, Debility and Dread. To do this, they used eight distinct techniques, which I will outline. He had no category for physical abuse; actual violence wasn't "a necessary nor particularly effective method" in getting a prisoner to be compliant. They only needed to instill the *fear* of violence.

What Biderman's Chart of Coercion showed was that acts of cruelty that appeared to be isolated, were actually connected. Only when these acts were seen together did the devastating picture of coercive control become visible. People could barely believe it when Biderman started testifying to congressional committees about this. They were shocked that people could be manipulated so easily. But Biderman was clear: it was not the physical torture that was most pernicious about these camps.

This Chart of Coercion became quite famous in the 1970s, when Amnesty published it as the universal techniques of coercion. In the 1980s, Diana Russell – basing her analysis on the enormous collection of testimonies gathered from women who had fled to the recently opened refuges – showed that the basic techniques used by in POW camps were virtually identical to those used by perpetrators of domestic abuse. What we know now is that this model of coercive control – the same one that is used in domestic abuse - is deployed by practically anyone who trades in captivity: kidnappers, hostage-takers, pimps, cult leaders. None of these perpetrators go to abuse school, and yet, time and again, they spontaneously recreate the techniques of coercive control.

I also include this origin story to show you that there is nothing uniquely weak or helpless – or masochistic – about victims of coercive control. Their responses are no better or worse than other captives – even trained soldiers. In fact, what makes things even worse for domestic abuse victims, is that compared to prisoners of war, they are being wooed, manipulated and trapped by someone they have no reason to suspect. They are not kidnapped or captured; they are ‘taken prisoner gradually, by courtship’. In fact, the courtship can be so intense, survivors commonly describe it as ‘love-bombing’. They feel the most loved, the most respected, the most admired they’ve ever felt. They feel the most excitement for the future. They feel all the radical hope that accompanies an electric type of love.

THE CHART OF COERCION

Typically as Biderman and Russell identified, the coercive control followed a particular pattern: Isolation, Monopolisation of Perception, Enforcing Trivial Demands, Inducing Debility and Exhaustion, Demonstrating Omnipotence, Alternating Punishments with Rewards, Degradation, and Threats. This chart is used to anatomise coercive control in all the various contexts it’s observed in, from domestic abuse to cults, trafficking and kidnapping scenarios.

Establishing trust is the initial stage of coercive control. As Biderman observed, the ‘most insidious’ and effective technique the communists used in the North Korean POW camps was what he called ‘false friendship’. ‘When an American soldier was captured by the Chinese, he was given a vigorous handshake and a pat on the back.’ The enemy ‘introduced himself as a friend of the “workers” of America . . . This display of friendship caught most Americans totally off-guard.’ Once the victim’s guard is down and trust is established, the abusive process can begin. In domestic abuse, this is often referred to as ‘love-bombing’ – a whirlwind romance that gets serious very quickly, and may start out like a fairytale. Even in the absence of this, there is generally a period in the relationships where intimacy and trust is established.

After that, the first step is **ISOLATION**. There are obvious elements to this – cutting the victim off from supportive family and friends, or setting up a worldview that pits him and her against the world, and denigrates her friends and family as outsiders who will never understand what they have. Alternatively he may collude with her family, especially if there’s a fractured family relationship to exploit. They may even

testify on his behalf. This isolates the victim entirely, because who's going to believe her when her own family says she's crazy? Would *you* believe her?

Then he **MONOPOLISES HER PERCEPTION**. *He* redirects her attention away from *his* abuse to *her* faults: if she wasn't so *this*, he wouldn't be so *that*. This can make a lot of sense to her, especially if, like many perpetrators, he seems to love and care for friends and family. If she's the only one he's attacking, it must be *she* who is provoking him. She's so busy trying to figure out what she is doing wrong – or how she can help him – she doesn't notice what he's doing to her. As one advocate said in that British study, victims get to the point where they start to believe that they are the cause of the abuse so wholeheartedly that they find it hard to see him as being guilty of any crime, even when clear crimes – like physical violence – are committed. Evan Stark describes it as 'creating a patriarchy in miniature'... in the 19th century, women's obedience to men was divinely ordained – if women disobeyed, it followed on logically that they should be punished. That was just the logic of the time – the natural way of things. Coercive control establishes this same kind of logic, only it operates like a bubble inside the relationship, contrary to the social norms outside it. The victim starts to live in a kind of altered reality – one that is constructed and continually reinforced by the perpetrator. That's why isolation is so essential – supportive connections may challenge this phony logic. They must be removed or degraded to the point where the victim no longer trusts their observations.

Coercive controllers **INDUCE DEBILITY AND EXHAUSTION**. Most insidiously, this is done through gaslighting. For the uninitiated, gaslighting a term for when an abuser denies, fabricates and manipulates situations to make his partner doubt her own memory and perception. As she becomes more confused and anxious, she starts to believe his interpretations of events are more reliable than her own. Some perpetrators will go to extreme measures – moving keys and money, so the victim feels she is going insane.

Another common way of inducing debility by coercing or even forcing the victim to take pain medication or illegal drugs. What better way to reduce a person to compliance, make it harder for them to leave *and* render her testimony utterly unbelievable? Alternatively, victim-survivors may be literally kept awake at night, berated over perceived wrongdoing, even kicked out of bed in the middle of the night by

their partner, who has been lying in the dark stewing over some betrayal, real or imagined.

Then, in order to train their partner to be compliant, the abuser starts to **ENFORCE TRIVIAL DEMANDS**. *He might* forbid her from wearing skirts or speaking to other men. In that British study I mentioned earlier, one perpetrator hid gold coins around the house for his partner to ‘discover’ as she did the housework. When he got home from work in the evening he would hold out his hand for the coins. If she had not found the correct number of coins, it would mean she had not cleaned properly, and he would punish her. In this way, demands may be woven into the everyday fabric of life, in which even the most bizarre demands soon become seen as normal. But other demands may be arbitrary and spontaneous; these rules are ever-changing and often contradictory; but to avoid punishment, she must know them by heart. The effect of this is different – it doesn’t just lower standards, it makes victims hypervigilant, and trains them to ditch their own perspective, and see the world through the perpetrator’s eyes. Children too must know these rules – in a coercive control environment, they are often subject to the same processes as their victim parent. One nine-year-old, who was a keen gamer, told me that he learned to read his father’s face like an algorithm, to predict when his father was in a dangerous mood. ‘It was really random. If the sky wasn’t blue enough, he’d get angry... The rules would be valid for ten seconds, and you’d be abiding by them, but then the new rule would state that you’re doing something wrong, just so he could get mad at you.’ Victims obey perpetrator’s demands not because they are weak or flawed or codependent, but because they are rightly fearful of what will happen if they don’t.

To make resistance seem futile, the *coercive controller must prove that no matter what the victim does, escape is impossible. To do this, he must demonstrate his **OMNIPOTENCE***. *He may* subject her to relentless monitoring, install cameras around the house, or even install surveillance software on her phone, and literally spy on her conversations and track her movements. Surveillance is incredibly common – one private security group that works with refuges to sweep women’s cars and checks phones for spyware said that at one refuge in Victoria, around 85 per cent of the women there were being tracked in some way. As one survivor told the BBC this week, ‘He would drop snippets into conversations, such as knowing about a friend’s baby. Really private things that he shouldn’t have known about. If I asked him how he knew these things, he’d say I told him and accuse me of losing it.’ All of this is done to make her feel like no matter what

the victim does, he will always be right behind her, and she will never be safe. This can make victims sound crazy, and further isolate them from support or help.

As coercive control escalates, each abusive strand is woven so tightly and imperceptibly that it's almost impossible to actually describe what's happening to outsiders. Without proof, it's her word against his – and her story is so crazy, it sounds implausible.

One of the most important and dangerous elements of coercive control is not abusive at all. This is what Biderman called '**ALTERNATING PUNISHMENTS WITH REWARDS**'. Aside from extreme situations, in which the abuse is unrelenting, the perpetrator will at times profess their love, offer gifts, show kindness and express remorse. Periods of kindness, no matter how short, bond the victim to her abuser. Even if she is reminded only momentarily of the man she fell in love with, she may be duped into letting her guard down, and sharing things –perhaps even erotic photographs – that the abuser may later use against her: perhaps by threatening to publish them online, or threatening to present them in court.

There are two more techniques: THREATS and DEGRADATION.

THREATS are the binding element of coercive control. They are what render a woman captive and tell her that if she leaves, she will be putting not only herself, but possibly her friends, family and children in danger. It's an atmosphere of threat they create, but they may never make those threats directly – which makes those threats even more difficult to explain, especially in court.

Lastly, the victim is DEGRADED. Sometimes degradation goes so far, it reaches a level of dehumanisation. Evan Stark explains that women in his practice 'have been forced to eat off the floor, wear a leash, bark when they wanted supper, or beg for favours on their knees'. In many of these sickening scenarios, both the perpetrator and their victim were known to friends and families as friendly, regular people.

Mothers who are being abused will frequently risk their lives to defend their children. But others may be so thoroughly dominated that they allow or enable the abuse of their children, or even punish them for trying to defend themselves. This is why it is especially important, in situations where a victim of abuse has also victimized their child, to identify whether they were doing so in the context of coercive control. How much agency did they have? Why did they do it? Evan Stark talks about sitting down with a

mother and son, who told him about the time she held his hand on the stove. The father had threatened her, that if she didn't do it, he would do worse. Both mother and son knew what she had done was the best action possible. But what might a court think? What might child protection think? What would you think?

Many women will spend months or years trying to rationalise the insane abuse being perpetrated against them. Even after the abuse becomes extreme – even when it becomes physical - they may not actually see that they are a victim of domestic abuse.

They may, in fact, regard themselves as the strong one – the only one who can help a troubled man face his demons.

Women stay in coercive control relationships for a multitude of reasons. Because they want to fix their partner. Because they can't afford to leave. Because they are afraid of what he'll do once he's out of her line of sight – once she loses that umbilical, almost psychic connection to him. Because they are afraid that they and their children will be impoverished as a result. Because they cannot bring themselves to wait in a boarding house or motel for the several days it can take to get a bed in a refuge. Because they love him and believe he will change.

But even when it looks like they are just staying, women are almost never passive in the face of their abuse. Most women push and fight back against their abusers, even in the face of terrifying consequences. Even when they feel like they've surrendered their agency, they are still constantly strategizing; the minute-to-minute calculations required to survive can take every last ounce of mental energy they have. Resistance doesn't disqualify them from being a victim – it is a basic survival instinct. **The fact of victim-survivor resistance must be accounted for in any legislation to criminalise coercive control.**

Children too are entrapped by coercive control. They are not just exposed, or witnesses to this abuse: their experience of it is *symmetrical* to the experience of their abused parent. A recent study by UK researcher Emma Katz found that children who had lived through coercive control where no physical violence was present had all the same resultant harms as children who had witnessed or experienced direct physical or sexual abuse.

These children have to develop their own strategies to survive – not just physically, but psychologically. As Judith Herman writes, these children ‘must find a way to preserve a sense of trust in people who are untrustworthy, safety in a situation that is unsafe, control in a situation that is terrifyingly unpredictable, power in a situation of helplessness’. In too many cases, this develops into complex trauma – a developmental disorder that is fundamentally caused by chronic betrayal. This is why any interventions directed at the adult victims must always consider and include their children.

The most important thing for you, as legislations, to keep front of mind is that coercive control often doesn’t end with the relationship, and the choice to end the abuse cannot be made by the victim – that is in the hands of the perpetrator. After the home is taken out of the picture, the legal system can stand in as the perfect stage for coercive control to continue. This is especially true if there are kids involved. Our family law system – with its culture bent very strongly towards ordering ongoing contact with both parents – is a perfect ecosystem for abusers to control, terrify, humiliate and even bankrupt their victims. What’s even more difficult, especially when considering intervention orders, is that coercive controllers may make no assaults or threats against their victim for months or years, but the threat may remain just as great – and the victim still needs protection.

What are the advantages and/or disadvantages of creating an offence of coercive control?

Prosecuting domestic abuse as a series of related/unrelated incidents is an antique approach to this problem. We have known about and defined coercive control since the 1970s, but have kept this incident-based framework nonetheless.

Using an incident-based lens, police are more likely to mistake victim for perpetrator – especially if the victim has engaged in violent resistance. They are also more likely to miss critical risk factors, because unless they are trained to ask the right questions, they are unlikely to get the answers they need to discover the coercive control. Most victim-survivors do not know they are being subjected to coercive control, and will not

volunteer information that police require, simply because they don't see it as relevant. Police in the UK are trained to ask different questions: *is there anything your partner asks you to do that makes you feel ashamed? What's the first thing you think about when you wake up in the morning? Do you feel like there will be consequences if you defy your partner?* Training on coercive control laws in the UK is really angled at shifting the paradigm on how police and the judiciary understand domestic abuse, what questions they ask, what evidence they look for, and how they interpret the behaviour of victim-survivors.

Under current domestic violence laws, coercive controllers that come before a court may have one incident of violence to their name, or something that sounds minor, like destruction of property. But these seemingly low-risk offenders can actually be the most dangerous. As one senior British police officer explained in a 2017 study, "it always surprises first responders and frontline officers, when you have a "low risk" incident, they are likely to be the murders'. Two other senior officers in the room agreed that domestic homicides are almost always initially (incorrectly) assessed as 'low risk' cases." How we define risk is vital. To quote Evan Stark again: 'the level of control an offender is exercising is a far better way to ration scarce police resources than the level of violence'.

The promise of cultural change

On a macro level – and what can't be so easily quantified – is the shift in culture that can accompany a new law like this. Consider the criminalisation of marital rape, which was legislated state by state between the mid-1970s and the early 1990s. Prior to this law reform, husbands had immunity, based on the historical notion that wives were the property of their husbands, and once they were married, women had no right to refuse sex with their husbands – they had given consent on their wedding day. It was colloquially known as 'wifely duty'.

Many argued against the criminalisation of marital rape – from men's groups to feminist advocates. Interestingly, some feminist advocates opposed to the criminalisation of

marital rape shared similar reservations with some who are opposed to criminalising coercive control - that the offence would be too hard to prove, and conviction rates would be low. In hindsight, they were right: the offence *is* hard to prove, and conviction rates *are* low. But does anyone regret the criminalisation of marital rape? Perhaps this is not a law that functions as well as people had hoped (it should be noted here that there are several indicators from overseas that suggest that coercive control laws can function far more effectively). But the change in the culture that accompanied the change to the law was immense. We now have adults who have grown up in an era in which a husband was never permitted by law to enforce sex with his wife, and it was never just an accepted social norm that a woman gives a forever consent on her wedding day. Do some men still rape their wives? Yes. Do some operate under the mistaken idea that their wives don't have the right to refuse? Yes. But they are considered vintage attitudes, out of step with social norms. The very notion that women have a *choice* as to whether they have sex with their husbands – that was the big cultural change that came with criminalising marital rape.

Criminalising coercive control requires a far more sophisticated piece of legislation, and widespread systemic reform to match. However, it is this promise of seismic cultural change that should be kept in focus as we debate whether to criminalise coercive control.

Already, in the five years since it was criminalised in England and Wales, we have seen similar cultural shifts happening in the UK. Popular television and radio dramas like *The Archers* and *Coronation Street* have written coercive control storylines, broadcasting complex stories about domestic abuse to nationwide audiences. When journalists report a case of domestic abuse, they no longer just report the incident – they report what was presented to court, which is, in coercive control cases, the total arc of the relationship: the non-physical abuses along with the physical.

This education is priceless: the best defence against being drawn into a relationship of coercive control is knowing what it looks like. It also speaks to a gigantic paradigm shift in our culture – that if we are to criminalise this behaviour, we are saying once and for all that the history of one partner (typically a man) oppressing and

entrapping another (typically a female) is over. By criminalising coercive control, we are drawing a red line under that tradition of power-over in relationships.

What does the experience overseas tell us?

In Scotland, coercive control was criminalised last April. By late last year, there had been almost a thousand charges, and the vast majority are being prosecuted. The Scottish law has to demonstrate that there was a pattern of abusive behaviours – 2 or more incidents that a reasonable person would think would have caused the victim/survivor to suffer physical or psychological harm (including fear, alarm and distress). Unlike other jurisdictions, they have listed typical behaviours to give some shape to what can seem like an amorphous form of abuse. This list includes behaviours like:

- Isolating a person from friends and family
- Depriving them of basic needs
- Monitoring them through online communications tools or spyware
- Taking wages and benefits
- Threats to reveal or publish personal information
- Threats to harm a child
- Threats to hurt or kill
- Criminal damage (like destruction of property)

And other complex issues that are very important – and difficult – for the system grapple with, such as:

- Forcing (or coercing) the victim to take part in criminal activity like shoplifting, or abuse/neglect of the children in order to encourage self-blame and prevent disclosure to authorities

The list is not prescriptive, because authorities are aware that coercive control is bespoke to each relationship: the distinct behaviours/techniques may be quite different, even if the overarching architecture of coercive control is the same.

In 2019, I had a conversation with Detective Superintendent Gordon McCreadie (then the national lead for domestic abuse in Scotland). The genius of their legislation, he said, is that all of the harms are included under the one charge (instead of separating it from physical assault, as is the case in England and Wales). Physical, sexual, psychological, control, threats, surveillance – they are all considered equal. And there needn't be *any* physical or sexual violence present for a charge to be laid. Also, critically, the law does not make a distinction between those who *intended* to cause physical or psychological harm and those who were reckless as to whether the behaviour would cause harm. That speaks to what we know about perpetrators – that some use coercive control instrumentally, as a *modus operandi* in all of their relationships, while others recreate the same techniques of coercive control spontaneously – almost unconsciously. Whether it is instrumental or instinctive does not matter to the victim – the harm is the same.

Some have posited that coercive control laws across the UK have had low conviction rates. In England and Wales, that may have been the case, particularly because the law there requires the victim to prove they were impacted by the offender's behaviour. In Scotland, it is the offender's behaviour that is the focus; it is not necessary to prove it had a particular impact on the victim.

According to Scotland's Specialist Domestic Violence Prosecutor, Anne Marie Hicks, as of early 2020 (11 months after the offence was introduced) coercive control cases had an 81 per cent conviction rate. That is almost equal, she says, to the conviction rate for domestic violence offences under the previous legislation (which was 83%). As she told me in December 2019, charges are assessed on the basis of "whether a reasonable person would consider that course of behaviour to be likely to cause harm. It's an objective test; it doesn't require us to prove a victim was harmed. I think that's one of the real strengths of our law," she said, "that it focuses on the behaviour of the perpetrator."

One pressing concern in Australia is that coercive control will be too hard to prove. That's far from the case in Scotland. In fact, a much broader range of evidence is now deemed admissible – text messages, financial records, testimony from victims and their friends and family, photographs, and so on. Because of the many ways in which

coercive control is evidenced, Hicks says the vast majority of offenders are entering guilty pleas – about 95% of convictions for coercive control by early 2020 were based on guilty pleas, which means the vast majority of cases didn't go to trial. For these victim-survivors, this means they did not have to endure the retraumatisation of the court process.

What non-legislative activities are needed to improve the identification of and response to coercive and controlling behaviours both within the criminal justice system and more broadly?

Briefly, and this question requires deep consideration, we need to reassess the response from every part of the system, from the capability of frontline responders like police and family violence helplines, to transforming the various systems perpetrators use to inflict systems abuse into safe and responsive systems for victim-survivors.

ATTACHMENT 1

I have attached a recent article I wrote for *Meanjin* on the fundamental shortcomings of police, in which I advocate for a specialised frontline police force to respond to domestic abuse, much as we have specialised firefighters for fires, and paramedics for medical emergencies. In reassessing our response to domestic abuse – the number one law and order problem in this country – we have a once-in-a-generation opportunity to redesign the systems that respond to it, instead of just settling for incremental change.

ATTACHMENT 2

I have also attached a pdf of my 2019 book, *See What You Made Me Do*; the final chapter, *Fixing It*, details two successful strategies for reducing domestic abuse: justice reinvestment and focused deterrence. Both have fundamental elements in common, particularly the offer of 'reintegrative shaming' for offenders – the chance to accept help and stop their abusive behaviour, matched with the deterrent of a united justice system intent on prosecuting recalcitrant offending. These are community-level approaches that have got remarkable results, both overseas and in Australia. If we're serious about stopping domestic abuse, these are the kinds of strategies state governments should be advocating for and funding.

A THIN BLUE LINE

Is domestic-abuse policing fit for purpose?

Jess Hill

IN THE SIX years I've been writing about domestic abuse, I've lost count of the horror stories victim-survivors have told me about police. I've also sat with many who say a cop saved their life.

Maybe that's why I can't get this quote out of my head. It's from an anonymous senior sergeant in rural Victoria, who was surveyed for an academic study on policing attitudes: 'Family violence is ... a love or hate thing,' they said, '[police officers] are either fine to do it or they hate it. Because it's a grey area and it's not that fun like it is to go and catch a crook ... It's not as black and white.'

This senior sergeant is describing the front-desk lottery. When a victim walks into a police station, or has the cops show up on their doorstep, they have no idea whether that cop will protect and support them or dismiss and even blame them. Police chiefs might say all the right things about family violence, but the fact remains: our police response to domestic abuse is inconsistent at best, and dangerous—even fatal—at worst.

Eleanor, also from Victoria, survived years of coercive control, as well as horrific physical and sexual violence from the father of her children. The goriest parts of her trauma will not be relayed here, but this single anecdote telegraphs the threat and depravity of her husband: 'I remember the

paint colour that Luke had picked out for the hallway—it was called shipwreck blue, which I find quite ironic now, because that described our relationship. Luke came home and noticed that I had spilt two drops of paint on the hallway carpet. I remember this vividly: I was standing on the tiles and Luke screamed at me, grabbed me by the hair and shoved my head into the carpet where the drops of paint were. He screamed at me, "Look what you've done, you stupid fucking dumb slut." When Eleanor told him she was leaving, he told her he would kill her and throw her into a dam. She had no reason to doubt him.

The day she left, Eleanor went straight to a police station to report her husband's abuse. She said she was leaving with the kids, and that she was afraid. The policeman on the front desk said, 'Oh, great, I wish more women would do what you're doing now,' but didn't write anything down. The next time Eleanor heard from police, they were calling to say her husband had reported her and the kids as missing. 'So, I had to present to the police station to prove that me and the children were not in fact missing. And this guy I got on the counter was really arrogant. He was like, 'Well, maybe he just wants to see his kids.' Eleanor asked her mum, who had come with her, to go outside for a minute.

'Then I whispered to the guy and said, "But he raped me, I can't go back." And he said to me, "What do you want me to do about it?" And I just looked at him, and said, "I don't want you to do anything about it." And I walked out.'

Eleanor went to court, got an intervention order, and then contacted police for a third time. The cop she spoke to on the phone took a brief statement and told Eleanor she would speak to the senior detectives. 'She rang me back and said, "Look, I've spoken to the guys upstairs and they've just sort of said, have you really thought about this? Are you sure you want to go down that path? Do you really want your children to know that their father's a rapist?"'

Eventually, after going back to police a fourth time, Eleanor met a senior constable who finally took her seriously, and sat with her on several occasions, over many months, to take her statement. 'If it wasn't for her, it would never have got to where it did. Even just the process of doing that statement was really good for me. By the end of it, I felt validated. That policewoman and her colleague were the polar opposite of the other police I dealt with.' Eleanor's ex-husband was charged with 13 separate offences, including rape and assault. The only change for which Luke was convicted was for recklessly causing injury 'the day he kicked me with his steel-capped boots while I was on the floor wrapping Christmas presents for our children'. When he was deemed unsuitable for a men's behaviour-change program (after becoming enraged during the evaluation), the magistrate gave him a conviction and a two-month suspended sentence.

The cops who 'love' responding to family violence and protecting victims are exceptional. They know how fraught it can be for victims when police show up on their doorstep, and they don't expect the red carpet. Their assistance doesn't hinge on whether a victim is polite or cooperative. They give

out their personal numbers in case victims want to make a statement after hours. They deal with extremely complex cases, where the line between perpetrator and victim is near impossible to discern. Their senses are prickly to the sinister signs of coercive control: surveillance, isolation, degradation, compliance, paranoia and fear. I've driven through the night with cops like this, on 'ridealongs' granted by police media to showcase their best responders. These are the cops police leaders want us to see as the norm.

There are more cops on the 'love' side than there used to be. They are scattered across local area commands like phosphorescence, specks of light for people trapped in the dark. In some areas, those scattered points of light clump together, and light the way for anyone who steps into the police station. But they are not yet the norm. That opening quote from the senior sergeant? It was gleaned in a general-attitudes survey of 204 Victorian police officers, who—in a rare act of candour—volunteered their honest opinions on family violence. 'On the whole,' concluded a later study of the survey, genuine 'victims of family violence existed for officers only on a purely hypothetical plane, drowned out for the most part by a steady procession of imposters, liars and timewasters, presenting what were regarded as highly suspect claims to victim status.' Said one senior officer:

You're an adult, do it yourself ...
[I]f you think he's going to hit you, then leave. Don't stay around and call us and expect us to come and kick him out of your house and do something proactive about it ... That's the most frustrating part about it ... I refuse to regard them as a victim when they've got a say in what actually happens to themselves.

Here's what it looks like when you report abuse to a cop on the wrong side of the love-hate divide. It looks like Olga Edwards

walking into Hornsby Police Station in December 2016 to report that her husband, John, had physically attacked their two kids. It looks like the senior constable on that front desk wrongly recording Olga as the victim, writing off her serious allegations of child abuse as ‘no incident recorded’, and noting that Olga may have been making a vexatious report in order to influence Family Court proceedings—based on nothing more than a report made by John himself months earlier. It looks like a senior constable with 18 years on the force who has never read the standard operating procedure for domestic violence.

It looks like John Edwards—a man with a 40-year history of violence and intimidation towards six former partners and ten children—getting a gun licence because a police database report had failed to pick up on the 15 recorded incidents of assault, intimidation and stalking. It looks like John legally purchasing five weapons, hiring a car to disguise himself, stalking his daughter on her way home from school to find out their new address, and shooting his teenage kids, Jack and Jennifer, as they clung to one another underneath Jack’s bedroom desk. It looks like Olga living in that house for months afterwards ‘because it still had some of Jack and Jenny in it’. It feels like pain too unbearable to survive. It looks like Olga suiciding five months later.

I could list case after case where procedural errors, bias, victim-blaming and negligence from police have been links in a chain that led to women and children being murdered. That this is still the case can come as a shock to people who need police protection. After their mother, Joy Rowley, was murdered by her estranged partner—a man she was only briefly intimate with—her children released a chillingly blunt statement. ‘All our friends think you call the police when you’re in danger and they help you,’ it read. ‘We know that’s not how it works. It’s like Russian roulette, sometimes you get someone

who will help. Sometimes, like mum, you get someone who doesn’t take you seriously.’ Joy’s children were clear: no amount of fiddling at the edges was going to fix this. ‘It’s the culture and the lack of accountability of police that needs to change.’

• • •

Frank Caridi knows what it’s like to live in fear. He grew up in a migrant Italian family with an abusive father in 1960s Australia, a time when ‘there was just no system for recognising domestic abuse’. He remembers one day fleeing the house on foot with his mother, and sitting with her on a stranger’s front fence. ‘I could see my mother’s mind going through her options as to what to do,’ he says. ‘As an immigrant, far from her family and with no person to turn to, she despairingly grabbed my hand and we went back home.’ As he grew older, Caridi started to intervene and provoke his father in order to redirect his anger away from his mother and towards him. ‘It was the only way I could help.’ Caridi decided that when he was old enough, he would find a way to protect people like his mother. ‘That’s why I joined the police,’ he says. ‘To help people.’

Until 2019, Caridi was a sergeant in the Victoria Police. He felt he had no choice but to retire after the inquest into the Bourke Street Mall attack, after calling out police for failing to stop James Gargasoulas when they had the chance. Caridi was on duty the day Gargasoulas stabbed his own brother. Caridi knew it would be dangerous to approach him in a marked police car; Gargasoulas had been involved in several high-speed police chases in the past. So he made several requests to the Critical Incident Response Team—which responds to armed sieges and violent offenders—to ‘box in’ Gargasoulas in unmarked cars. The CIRT refused to engage, assist or attend because there was no proof that Gargasoulas was still armed.

Nine hours later, Gargasoulas plowed his car into pedestrians on Bourke Street in Melbourne’s CBD, seriously injuring 27 and killing six people, including a three-month-old baby boy and a ten-year-old girl.

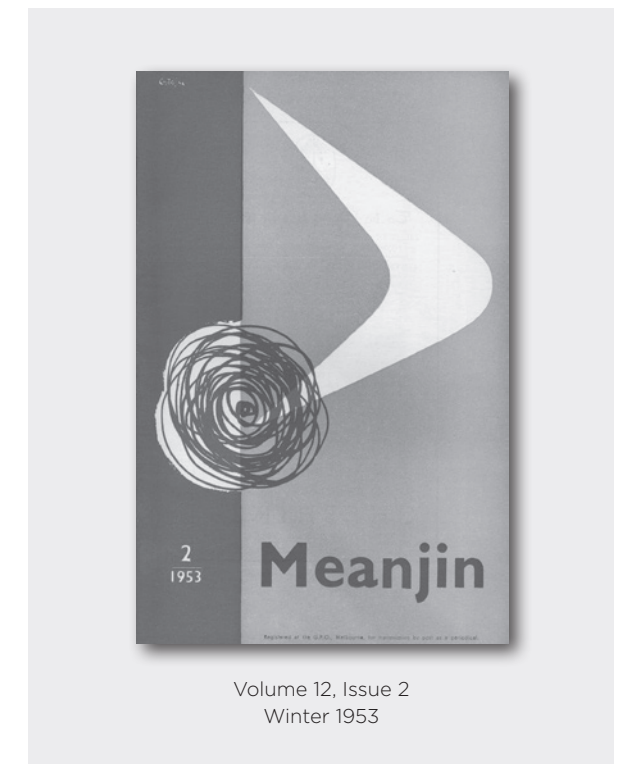
In a letter to Victoria Police published by the *Age*, Caridi said Victoria Police had ‘failed catastrophically’ in its mission to protect the public. ‘To this day, I am still troubled by the refusal from colleagues to assist in my desperate attempt to apprehend an unremorseful and unhinged murderer who, after savagely attacking his own brother with a knife, was left free to roam the streets and wreck [*sic*] havoc.’ After openly declaring his intention to criticise Victoria Police at the coroner’s inquest, he had to fight his employers in court for the right to choose his own legal advice (instead of lawyers already defending the police units he intended to criticise). When Victoria Police issued Caridi with a ‘certificate of appreciation’ for his actions on the day, acknowledging him for ‘embodying the highest standards and values of Victoria Police’, he sent it back.

Some may think Caridi has an axe to grind. But he didn’t seek out this interview. He contacted me privately to chat about my book *See What You Made Me Do*, and to share his thoughts on domestic abuse and problems within the police force. When I asked if he’d be willing to be interviewed about it, I didn’t expect him to say yes, despite his previous public comments. It’s still rare to hear a member of police, serving or retired, speak out publicly about the police, and rarer still for them to candidly and precisely assess why the force so often fails victims of domestic abuse.

Speaking to me via Zoom during the sixth week of lockdown in Melbourne, Frank Caridi was a picture of typical COVID-19 chic: big comfy tracksuit, dark hair slightly dishevelled, facial hair at lockdown o’clock. Like all Melburnians, he was only allowed to go outside for exercise for an hour each day.

Aside from that, he was spending much of his time trying to organise a permit to travel interstate to help his parents: his mum, now 90 and in a nursing home, had fallen out of bed and fractured her hip, and his father, who manages her medication and washes her clothes, had broken his wrist.

During his 29 years in the force, Caridi was one of those cops who loved responding to family violence. ‘I was not there to win popularity contests,’ he says. ‘I was there to provide a service that was never offered to my mother. I don’t miss the culture of policing, but I do really miss helping people. I miss seeing the relief on victims’ faces when you tell them you are going to fix their problem and give them their life back. I miss being a “circuit breaker” for people who were at the early stages of a volatile relationship, but just couldn’t see it yet—whether they wanted me there or not.’ He saw family violence call-outs as the perfect opportunity to



identify a problem and try to find a solution, whether that be pressing charges, applying for an intervention order, or referring the victim and perpetrator to specialist help. 'I had a no-nonsense approach to domestic abuse,' he said. 'It was, you [perpetrators] need to either step up and fix this or walk away. Otherwise we will impose strict safeguards to prevent this escalating.'

Unfortunately, says Caridi, 'a lot of police don't see it that way. They think, *This is a waste of my time, I'm just gonna write this off, or I'll just write it down, downplay it, and move on. Job's done. Let's move on, and let's go give out some tickets or something.*' As a supervisor, he would often attend domestic violence call-outs shortly after the first police responders had arrived, to review their decisions (as is police policy). 'By the time you get there, they've already sort of worked out: *Yeah, we're going to write this off. You know, he's going to go stay with his mate, she doesn't want anything done.* And as someone who's gone through it, who can see the signs—that the energy in this house is volatile—I was always like, *No, no, no, that's not going to happen. He needs an order, and she needs some counselling.*'

This wasn't an occasional intervention. 'I frequently had to direct subordinates to follow correct procedures,' says Caridi, 'constantly fighting a culture of downplaying an incident and ignoring warning signs in an attempt to avoid work that was seen as futile.' This is not a straight condemnation of his peers. The police he's talking about are predominantly on general duties, who tend to be 'snowed under with all the work nobody else wants to do.' They're not just responding to family violence, but road traffic, breath testing—the list goes on. 'So there's a lot of pressure,' says Caridi, 'and when you're not coping, you find these areas where you kind of just go, *I'm just gonna write this off, because I've got all this other stuff I've got to do.* That's the reality. And dealing with family violence does take time.'

As Caridi spoke, the testimonies of numerous victims swirled through my mind. The 38 times Kelly Thompson called police before her ex-partner murdered her. The everyday battles women would fight just to get the most basic protections, such as getting police to arrest their abusers for breaching intervention orders. Said one Queensland woman, Susan, in a survey of 65 victim-survivors, 'I hate to use the term, but I feel I'm just getting cock-blocked everywhere.' She was being threatened and had reported many protection-order breaches to police. 'I said ... to this [police officer] this morning ... "you guys have ignored every single complaint [I] have made for the last six months and they're just getting worse. His behaviour is escalating. What's it going to take for me to be noticed? Do I have to show up here black and blue?"'

Showing up black and blue is exactly what police understand. As Susan continues: 'A victim has suffered injuries? Easy, the offender is charged, an intervention order is issued ... no dispute,' says Caridi. 'It's the subtle, coercive control incidents that police—who reflect the wider community—find it difficult to accept as "real" domestic violence.' At incidents like this, instead of focusing on the perpetrator's unacceptable behaviour, Caridi says that many of his peers and subordinates would instead assess whether the victim was 'worthy' of their time:

You hear things like 'she's a scrote [worthless person]', 'they're druggies', 'she's as bad as him', 'she's a rude bitch'. When the victim is in a heightened emotional state, making demands, acting resentful, or the couple is low-income, it all impacts the way the incident is managed. The end result is, 'Why should I do her any favours?' 'This doesn't deserve my time' or 'They'll be back together in a couple of weeks anyway.' There's this culture where police feel: 'I'm here to do you a service, and you're yelling at me, you never called

us in the first place. So that's fine, you know, I'm not going to waste my time, if you're not going to even appreciate it.' So, they'll write things off.

Caridi frames the role of police with disarming clarity.

As police, we're not there to ascertain whether the victim 'deserves' our help. The police work for the state, which has determined that this type of behaviour [domestic abuse] is socially unacceptable. When police see other socially unacceptable behaviour, like driving without a seatbelt, they're happy to give out tickets. That person is hurting nobody but themselves, yet there is no question about giving out a ticket, because that behaviour is socially unacceptable. It should be the same with domestic abuse: in all its forms, it's not socially acceptable, and therefore requires intervention.

Intervening was 'never a waste of time,' says Caridi. Even if it only lasted a couple of days, for some perpetrators that would be the wake-up call they needed: a clear signal that their abuse was no longer a secret, and that there would be consequences if they didn't stop. At the very least, it was vital to record even 'low-risk' incidents such as verbal abuse or evidence of stalking or surveillance. 'Then we could monitor it to see how things go, and probably follow it up.'

It wasn't the victims who made Caridi's job difficult—even when they yelled at him, cursed him for showing up, or blamed him in court for starting trouble they never asked for. 'As a policeman,' he says, 'I found the biggest obstacle was the organisation itself.' The problem stems not just from an individual officer's personal bias and frustration, but how their work is recognised and rewarded. 'In performance reviews,' says Caridi:

they don't even look at how many domestic violence cases you've gone to,

and what you've done to resolve it. They look at how many infringement notices you've issued, how many briefs for criminals you've processed. But family violence doesn't even come into the equation. So, police kind of go, 'Why am I wasting my time doing all the paperwork for this? I could be out executing that warrant on that druggie or giving out tickets for people not wearing a seatbelt, but instead I'm stuck doing this, because these people can't get their act together.'

For his zero-tolerance approach towards family violence, Caridi says he was frequently told he was not a 'team player'. He says:

On one occasion, I was counselled for putting a fellow sergeant on report regarding the way he wrote off an incident involving the domestic abuse of a child. It was around the same time that Luke Batty was murdered. I initiated an investigation and handed it to someone to follow through. I was then overridden by another supervisor, who just saw it as 'surely a parent has a right to discipline their child, this is no offence, we're writing it off'. I was absolutely appalled by it, so I went on paper and said, 'Look, this is wrong, and needs to be addressed. We can't do this.' I was counselled over that, you know, I was dragged over the coals. Because you don't question the brotherhood.

This is a familiar story for police who seek to hold other police accountable. In Queensland, senior constable Lyn Jones says she was targeted for investigation by the ethical standards committee after she made a statement supporting a victim's compensation claim against Queensland Police for breaching her privacy. The policeman in question was Neil Punched, whom Queensland Police kept on duty for several years after Julie, the victim, first complained that he had leaked her private details to

Julie's violent ex-partner, who was a former school friend of his.

Fearing for her family's life, Julie was forced to move twice. Punchard, on the other hand, was defended by Queensland Police for several years, until a sustained campaign from Julie and the media finally moved them to bring charges against Punchard for nine counts of computer hacking. He pleaded guilty and was convicted in 2019, and sentenced to two months in jail, wholly suspended. That conviction was set aside in September 2020 by a magistrate who expressed concern for Punchard's future job prospects if a conviction led to him being sacked by Queensland Police. Queensland Police are now appealing that decision. Caridi sees many of the elements of coercive control at the core of police culture.

A lot of it's about, *You will fall into line with how we are and what we do, or you'll be outed*. Years ago there was a culture of bullying. That's an overt act. Can't do that anymore. So it becomes a covert type of thing. You become ostracised. You don't get recognised for doing anything of merit. Then they micro-analyse everything you do. And then when they've got enough of a list of things that you've done wrong, you get ambushed.

Caridi says the fundamental problem with the police response to domestic abuse is that the culture is incompatible with the crime.

Police culture is: Hey, I'm a policeman. I want to catch bad guys. I want to do death rolls over the bonnet of a car and run down the street and disarm a bomb in the middle of the main highway and save 100,000 people. I didn't join to be a counsellor, or to sit here and get yelled at by the victim when I'm trying to do the right thing by her.

[Most first responders] want a quick fix: you've gone through a red light, here's a ticket, problem solved. Or you've broken into a home, we're going to interview you, arrest you—problem solved, gone. Family violence is a long-term thing that will have ebbs and flows. It needs constant re-evaluation and assessment. You can't just go in, fix it, move on and be done. It really doesn't work like that. It's complex, and you need to go in without judgement—you need to realise there are a whole bunch of reasons why that victim keeps going back. That's normal human behaviour. So these are totally difference processes, and we're just throwing them into the same category. And it's just not working.

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Domestic abuse is core business for police. In Victoria alone, police responded to a record 88,214 family violence incidents in January to June 2020, which consumed 40–60 per cent of frontline police time. In some areas across Australia, the percentage is even higher. This is not just some niche task that some police resent doing—this is the number-one law and order problem in this country.

Senior leaders at Victoria Police have for years now spoken about family violence being a top priority. From Christine Nixon to Ken Lay and Graham Ashton, successive commissioners have changed protocols, increased training and delivered blunt statements to their workforce on the new, no-nonsense approach to policing domestic violence. In 2018 Victoria Police announced a new five-year strategy to pursue family violence 'as urgently as terrorism': family violence investigative units would be staffed with detective and intelligence practitioners, and 208 additional specialist family violence

police were deployed across the state. There is trauma-informed training at the new Centre of Learning for Family Violence that focuses on explaining to police that coercive and controlling behaviours can be equally, if not more, traumatising for a victim than physical forms of violence.

Yet these problems persist. It is not the specialist officers, by and large, who are failing victims of domestic abuse. It is those frontline officers and old guys in middle-management who, no matter how much training they get, continue to 'hate' dealing with family violence.

I want you to consider a parallel. Imagine if a large percentage of firefighters resented putting out bushfires. They like riding in the truck and attending house fires, but they just *hate* bushfires. When they show up at a grassfire, they don't reach for their hoses, but instead turn to each other and say, '*Look, it's not like the forest is on fire, it's just a little grassfire. Let's just leave it. It'll probably burn out on its own. Besides, maybe the bloke who set this grass on fire had good reason to do it.*' If just *one* story like that hit the media, the nation would reel. There'd be calls for an immediate inquiry. The firefighters themselves would likely be fired, if not criminally charged.

So why doesn't this happen? Because firefighters want to fight fires. That's why they're firefighters.

So why don't we take the same approach to policing family violence? Why don't we just accept that some police have neither the skill nor the will to deal with family violence? Those same police may be otherwise excellent at their jobs: they might do exceptional work investigating fraud or theft or other violent crimes. Why do we keep forcing them to do work they deeply resent? It's not good for them, and it's certainly not good for victims.

We have major structural problems in the way we deal with domestic abuse, including the fact that around 80 per cent of it goes

unreported. Women don't report for lots of reasons, but a big one is the feeling that police won't take them seriously. Too often, their fears are well founded: it's hard to get police interested unless there has been an assault, or there is a clear and direct threat of homicide. Even then it's a crapshoot. But we also have a major structural problem in the police force: a good number of police in forces across the country simply did not join the police to respond to family violence, they resent having to do it and too often they put victims in increased danger.

There is a simple way to fix this, if we can look at the problem with fresh eyes. We don't get cops to fight fires or drive ambulances, because that's considered specialist work. So why don't we just take the police who love responding to family violence—cops such as Frank Caridi, and so many others—and create a parallel force? I'm not talking about making specialist family violence units, but an entirely new family violence force: one in which the front desk is *always* manned by police with a complex understanding of domestic abuse and family violence.

This isn't some utopian fantasy. It's a proven model that's existed across Latin America (and various other countries) for 35 years. They are known as 'women's police stations', but according to Australian researcher Professor Kerry Carrington, their real name has been lost in translation. 'The UN translated it wrong. The literal translation is "police for women and families"'

Carrington spent three years studying how these stations work in Argentina, where they were first established in the 1980s, after the fall of Pinochet. She explains that:

They emerged in a period of redemocratisation in Latin America. In the 1980s, the military and police were seen as the most brutal violators of women—they were the ones who abducted them, raped them, tortured them. You know *The*

Handmaid's Tale? That's partly based on Argentina, where young women were kept in captivity, made to have babies for officers, and then their babies were stolen. So, in the period of redemocratisation, they established women's police stations, a gender policy unit, social development for women—a broad package of policy measures to end violence and inequality for women. It was about feminising an incredibly masculine culture, and to turn around this incredible hatred and distrust to police.

Today there are 128 women's police stations in the capital, Buenos Aires, staffed by more than 2000 women's police officers. Some are male, but each station is headed by a female cop.

These stations have all the powers of regular police—they conduct investigations, they can make arrests—but that's where the comparison ends. Their structure is completely different—they report to the police minister via their own Commissioner for Women's Police, not the head of the common police—and their mission is different too. Their primary purpose is not to enforce the law; it's to protect the victims. 'The police there are completely guided by what the woman wants to do,' says Carrington. No matter is too trivial—they are there to listen and protect, not to decide whether a law has been broken. 'If victims want them to, they will investigate and do what ordinary police do, make cases and go to the magistrate to get orders. The woman might want something else: she might just want them to go to her house with her and kick him out. Or they might want the police to go around and talk to him. They're very victim-centred.'

Importantly, these police stations don't look like police stations. Instead of a cold, grey room where the cop on the front desk is standing behind a protective screen, these 'stations' are usually converted houses,

brightly painted, and furnished for comfort. There's always a female cop on the front desk, and victims can access all of the services they need under one roof—lawyers, social workers, psychologists, financial and medical aid. 'When you enter them, you go into a living room,' says Carrington, 'and there's a separate room for children, where they will be cared for while women are interviewed.' This specialist police force doesn't wait for victims to come to them—they go out and find them:

They go to hospitals, and if there's a woman who looks like she's been beaten, they'll go and ask her about it. They even stand outside churches when the congregations come out on Sunday, and hand out flyers that say 'domestic violence is a crime', and give them to women, saying, 'If you ever want to talk.' They're just amazing—they're not frightened of the local minister. They know where the pockets of resistance are.

The women's police in Buenos Aires even organised a public march to end violence against women, which drew a massive crowd of 70,000 people. This community outreach is a big part of their power.

They form incredible links with the community. At Christmas time, they get in their police cars and take donated toys to children in the barrio. They have roving units that go to remote and rural areas of Argentina to hand out information. When you drive in a women's police car it's an amazing feeling—everyone's waving and saying hello. They don't do that to other police.

Across the world, women's police stations are becoming increasingly popular. The model has spread to Bolivia, Ecuador, Ghana, India, Kosovo, Liberia, Nicaragua, Peru, the Philippines, Sierra Leone, South Africa,

Uganda and Uruguay. In 2011 a UN Women evaluation found that in Latin America women's police stations enhanced women's access to justice, increased the likelihood of conviction, and gave women greater access to other services like counselling, health, legal, financial and social support. They were also incredibly well received by the community—in Brazil, Nicaragua, Ecuador and Peru the majority of people believed they had reduced violence against women.

This alternative system of policing is literally saving lives. A five-year study from Brazil, where these stations originated, showed barrios that hosted police stations for women saw their domestic homicide rate drop by 17 per cent. In metropolitan areas, the drop was much bigger: among women aged 15–24, domestic homicides were halved.

Carrington insists that establishing a parallel police force like this in Australia wouldn't be expensive. They are there to respond to victims, not to detain perpetrators, so they don't need cells. This means they can be set up virtually anywhere: 'You can convert houses, units, churches, community halls—there's all sorts of ways you can do it.'

This model of policing makes perfect sense to Frank Caridi. 'Assign people who are committed to that job, and who have their training centred around that job. Make it a committed, dedicated service, as opposed to just something that's thrown on top of everything else. That's what makes sense to me.' As a society, we need to confront some hard truths. Police—as they are now—cannot be relied on to protect women and children from violent men.

There is momentum in New South Wales, Queensland and South Australia to criminalise coercive control, a course-of-conduct

offence that would require police to investigate not just a single incident but the entire arc of the relationship—a move that could see controlling behaviour such as surveillance, isolation and financial abuse treated as seriously as physical violence. This is a vital development: coercive control is not only terrifying and traumatic for victim adults and children—the 'worst part' of the abuse, according to many—it is also the most reliable predictor of future homicide. In Scotland, where coercive control was criminalised in 2019, the crime and protection lead for Police Scotland Gillian MacDonald called the new offence 'ground-breaking': 'For the first time, it will allow us to investigate and report the full circumstances of an abusive relationship.'

Criminalising coercive control would create more protections for victims whose perpetrators can't be charged under current laws. As in Scotland, new laws can only be effective if police (and the judiciary) undergo face-to-face training. But even this is still just incremental change, at a time when domestic abuse is becoming more prevalent than ever.

A truly reformed policing culture—from which misogyny and victim-blaming attitudes are banished—will take years to eventuate, if that's even possible. Women and children can't afford to wait that long. They need a system they can rely on now. More to the point, there are police who want to do this work, and who are hindered by colleagues who don't. We should make it easier for them to do it. •

Jess Hill is an investigative journalist and author. Her debut book, *See What You Made Me Do*, is on domestic abuse in Australia, and was awarded the 2020 Stella Prize.