

**Submission  
No 141**

## **COERCIVE CONTROL IN DOMESTIC RELATIONSHIPS**

**Organisation:** Women's Community Shelters

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## SUBMISSION TO THE NEW SOUTH WALES JOINT SELECT COMMITTEE INQUIRY ON COERCIVE CONTROL

Dear Committee Members,

### **About Us**

Women's Community Shelters (WCS) was incorporated in 2011 to work with local communities to establish new crisis accommodation shelters for women and children who are homeless or leaving domestic and family violence. We presently have seven shelters in New South Wales, and are working towards opening a further two shelters in 2021. WCS also provides affordable, transitional housing for women and children leaving our shelters, community engagement activities, and respectful relationships programs aimed at eliminating domestic and family violence. In 2019, we provided accommodation to 370 people in our shelters, for over 20,000 bed nights. Seventy-three percent of the women who seek our assistance identify domestic and family violence as the reason for seeking assistance from our network.

Our casework model supports women to access a range of services, including police and justice services. This may involve supporting shelter residents to report abuse to police, seek an AVO, attend Court (for Family, Civil or Criminal matters), address child protection matters, and otherwise seek protections available to them.

Women's Community Shelters is a member of DV NSW and the CEO of WCS is the Deputy Chair of DV NSW.

### **Supporting Women experiencing Domestic and Family Violence**

Supporting women and children who have been subjected to violence and abuse is the work our caseworkers and Shelter Managers do every single day. It is dedicated, it is professional, and it is life-saving, homicide prevention. The stories and experiences are as unique as each individual, however the overwhelming thread underpinning them all is the experience of 'coercive control' they have navigated in their relationships. The women who have called our shelters home have described that experience in words like 'I'm constantly walking on eggshells', 'I never know what's going to set him off', 'he changes the rules on me all the time', and disturbingly frequently – 'I've always felt he will kill me one day, it's only a matter of time.' The abuse recounted includes physical and sexual abuse, emotional abuse, name-calling and degradation, stalking and technological surveillance, financial extortion and coerced debt.

Women may sometimes struggle to name the pattern of behaviours which are so damaging, but all recount living in fear, losing their own sense of self, and having their version of reality denied, overwritten and replaced with their abusers'. They recount children witnessing acts of abuse against them, and witnessing their abusive partner harm their children physically and emotionally. A frequent question from women who have experienced this is 'why isn't the controlling behaviour illegal? It was the worst part of what I lived through'.

We have seen the language of coercive control, understood within the Domestic and Family Violence sectors for a number of years, crest over into the Australian public narrative recently. We welcome this awareness and broader discussion, and see this cultural shift as a necessary part of the next steps in working to eliminate domestic and family violence from Australian society.

### **Criminalising Coercive Control**

Domestic and family violence offences as currently drafted, investigated and prosecuted in NSW, do not represent the lived reality of women's and children's experiences of domestic and family violence. Incident-based offences are too narrow to capture the pattern of behaviour in a relationship where a partner uses abuse. The controlling, threatening and fear which go on between any incidents is frequently akin to living in a form of 'intimate terrorism', to use the words of the 2015 Australian of the Year, Rosie Batty. This behaviour, in WCS' view, should be criminalised. It is significantly harmful in and of its own right, in addition to having strong preceding links to domestic homicide or familicide.

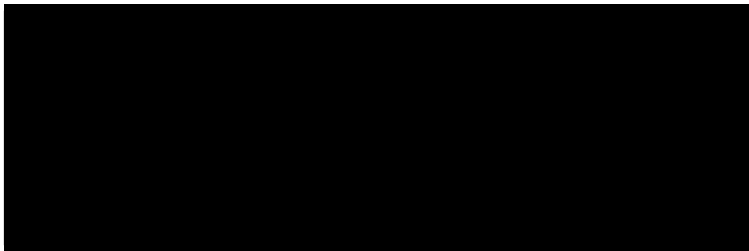
### **How should we do it?**

WCS is of the view that coercive control should be criminalised, paying significant attention to the process by which Scotland recently implemented their legislation. In NSW, we must:

- Consult widely on drafting and implementation with the Domestic and Family Violence, Women's Health and Women's Legal sectors, who have an extensive history in supporting women experiencing domestic and family violence
- Partner with the above sectors, who are long-standing subject matter experts, to deliver training and education in the new offence
- Not rush it – develop a timeline of investment for significant training for NSW Police, justice and Court officials to develop an in-depth understanding of coercive control, the new offence, evidence gathering and prosecution
- Consider procedural responses in police stations and Courts which are trauma-informed and enhance women's safety
- Invest adequately in resourcing women's domestic and family violence-related services to assist in response, prevention and education for women, children and communities
- Consider the unique circumstances of Aboriginal, Torres Strait Islander and other First Nations communities in NSW and ensure that extensive consultation and input is included to minimise potential adverse consequences under any new laws.

WCS also recommends that NSW strengthen the language around coercive control in ADVOs to ensure commonly-understood definitions and enhance protections.

I thank the Committee and Secretariat for the opportunity to provide a late submission, and look forward to advancing a safer NSW for women and children.



Annabelle Daniel  
Chief Executive Officer