National Principles to Address Coercive Control in Family and Domestic Violence



We acknowledge and pay respects to all Aboriginal and Torres Strait Islander peoples across Australia, who are the Traditional Owners and Custodians of the land and waters and of the oldest continuous living culture on Earth. We pay respects to Elders past and present. We acknowledge the positive legacy left by ancestors – which is lore and strength of culture.

Artwork: 'Strong Together' – Dunguludja Yapaneyepuk by Bayadherra

Dunguludja Yapaneyepuk, meaning 'strong together' in Yorta Yorta language, depicts the establishment and implementation of genuine and respectful relationships within the community to advance resilience, strength and personal growth of victim-survivors of coercive control. The full story of this artwork is available at www.ag.gov.au/coercivecontrol

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Foreword

Everyone deserves to live free from family and domestic violence.

We know that this violence is almost always underpinned by coercive control, and has traumatic and pervasive immediate and long-term impacts on victim-survivors, their families and communities.

The National Principles to Address Coercive Control in Family and Domestic Violence respond to growing momentum across Australia and internationally to better recognise and respond to coercive control in intimate partner and other family relationships. The National Principles have been developed and endorsed by all Australian governments.

Effective action against coercive control must be grounded in a shared and consistent understanding of this dynamic. Our vision is that, with this shared understanding, we can work together to identify and address this insidious issue, support victim-survivor safety and healing, and reinforce perpetrator accountability.

At their core, the National Principles establish that perpetrators exert power and dominance over victim-survivors using patterns of abusive behaviours over time that create fear, and deny a victim-survivor their liberty and autonomy. The National Principles provide a compelling case for why coercive control must be stopped.

We thank all who have contributed to these National Principles, either through participation in consultation processes, or through contributions to the growing evidence base and advocacy on this issue. We particularly thank those victim-survivors and their families who have shared the experiences and insights embedded within this document. We recognise your strength, courage and resilience.

We acknowledge those who have experienced, or continue to experience, coercive control. We also acknowledge those who have not survived. Endorsed by the Standing Council of Attorneys-General on 22 September 2023

The Hon. Mark Dreyfus MP KC Attorney-General, Australian Government

The Hon. Michael Daley MP Attorney General, New South Wales

The Hon. Jaclyn Symes MP Attorney-General, Victoria

The Hon. Yvette D'Ath MP Attorney-General and Minister for Justice and Minister for the Prevention of Domestic and Family Violence, Queensland

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Introduction

Coercive control is almost always an underpinning dynamic of family and domestic violence.

The Australian Government and state and territory governments recognise that understanding and identifying coercive control is fundamental to effectively responding to family and domestic violence. To support this endeavour, the National Principles to Address Coercive Control in Family and Domestic Violence (the National Principles) set out a shared understanding about the common features and impacts of coercive control, and guiding considerations to inform responses.

Consistent and clear understanding of coercive control will make it easier for governments, non-government organisations, frontline services, law enforcement, the judiciary, academic institutions, businesses, families and the community to work together to identify and address this insidious issue, support victim-survivor safety and healing, and reinforce perpetrator accountability.

A consistent understanding is intended to support:

- increased understanding of the gendered and intersectional drivers and dynamics of coercive control
- increased understanding of how coercive control is experienced by, and therefore impacts, victim-survivors, and how this varies across cohorts of people
- framing, coordination and enhancement of approaches across the domains of prevention, early intervention, response, recovery and healing
- institutions and systems recognising and understanding harmful behaviours they may not be challenging in their current procedures and processes

- clear, consistent and inclusive public messaging about what coercive control is and the need for a whole-of-society, coordinated response to it
- victim-survivors recognising and describing their own experiences
- perpetrators self-identifying and taking steps to address their harmful behaviours, and holding themselves to account.

The National Principles are not prescriptive in regard to the implementation of laws, policies and initiatives to prevent and respond to coercive control across states and territories. They provide a foundation to build wider awareness of coercive control within the community, while providing flexibility to allow governments and non-government organisations to design their own tailored approaches. Approaches should be informed by, and aligned with, these National Principles.

Responses to coercive control should be developed and considered within the context of broader international, national and jurisdiction-specific policy and legislative frameworks relevant to family and domestic violence. This includes international instruments such as the Convention on the Elimination of All Forms of Discrimination Against Women and the Convention on the Rights of the Child, as well as national frameworks including the National Agreement on Closing the Gap (Closing the Gap), the National Strategy to Prevent and Respond to Child Sexual Abuse 2021-2030, Safe and Supported: The National Framework for Protecting Australia's Children 2021-2031 and the National Plan to Respond to the Abuse of Older Australians (Elder Abuse) 2019-2023.

The National Plan to End Violence against Women and Children 2022–32 (the National Plan) is the overarching national policy framework that will guide actions towards ending violence against women and children over the next 10 years. The National Principles are aligned with, and informed by, the National Plan.

The National Principles view coercive control through the lens of family and domestic violence and focus on behaviour perpetrated by intimate partners or family members, such as by parents or caregivers against children or young people, by adult children or grandchildren against parents or elders, or by siblings. Family relationships also include other relatives, extended family networks, cultural kinship relationships and family of choice relationships.

Whilst beyond the scope of this work, it is acknowledged that coercive control can also be perpetrated in the context of broader gender-based violence and other circumstances where there are unequal power relationships but the perpetrator is not an intimate partner or family member. This may include a perpetrator who is an employer or colleague, a teacher, or a friend. It may also include a perpetrator who is a paid or unpaid non-familial carer, a housemate, or a resident or worker in an institutional, housing or medical setting (such as within a mental health facility, aged care facility, specialist disability accommodation or residential out-of-home care). It is also recognised that some of these out-of-scope relationships may fall within the policy or legislative definitions of 'family' in some jurisdictions.

The knowledge base about coercive control is continually evolving and expanding. This document is based on the current nationally agreed understanding of coercive control, and may change in the future.

Terminology

The language used to describe coercive control is complex and continues to change.

There is no single set of terminology that suits all situations and people. The terms included within the National Principles are not intended to be exclusionary or cause harm to the reader. Throughout this document, people who use coercive control are referred to as perpetrators and people who have had coercive control perpetrated against them are referred to as victim-survivors. The term 'victim-survivor' includes both adults and children and young people, and seeks to recognise differences in preferences around terminology held by those who have experienced or are experiencing coercive control. In using this term, it is also important to acknowledge that some people who experience coercive control do not survive. The term 'victim-survivor' is also gender neutral. Using this language does not diminish the fact that coercive control is overwhelmingly gendered, with men disproportionately represented as perpetrators and women as victim-survivors.

Guide to reading the National Principles

This document is divided into two sections.

Section One, 'National Principles' (pages 1–7) presents the seven National Principles in two subsections:

- 'A shared understanding of coercive control and its impacts' (National Principles 1-4)
- 'Guiding consideration to inform responses' (National Principles 5-7)

Section Two, 'National Principles in Depth' (pages 8–31), provides context and information to better understand each National Principle.

Help and support

The National Principles to Address Coercive Control in Family and Domestic Violence contain descriptions of family and domestic violence that may be distressing to some readers. For information, support and counselling, please refer to <u>page 32</u> for a list of support services. If you or someone close to you is in distress or immediate danger, please call 000.

National Principles on a page

A shared understanding of coercive control and its impacts

The Australian Government and state and territory governments agree the following National Principles about coercive control and its impacts.

1 Shared understanding of the common features of coercive control

A shared understanding of the common features of coercive control is foundational to effectively identifying, preventing and responding to family and domestic violence.

2 Understanding the traumatic and pervasive impacts of coercive control

Coercive control has traumatic and pervasive immediate and long-term impacts on victim-survivors, their families and communities. A common understanding of these impacts should be used to inform policies and practices across the domains of prevention, early intervention, response, and recovery and healing.

3 Taking an intersectional approach to understanding features and impacts

Victim-survivors are not a homogenous group, and have diverse personal identities, backgrounds and experiences. An intersectional approach, which recognises these differences and the role of multiple and compounding forms of structural discrimination and inequality, should underpin policies or initiatives to address coercive control. Such an approach should also recognise the strength and resilience of diverse identities.

4 Improving societal understanding of coercive control

Limited or incomplete understanding of coercive control within society, and community attitudes and behaviours that condone, minimise or excuse coercive control, can limit the effectiveness of interventions, impact how victim-survivors recognise and understand their experiences, and compromise safety. Improved societal understanding of coercive control is an important part of policies and initiatives to address coercive control.

Guiding considerations to inform effective responses

The Australian Government and state and territory governments agree the following National Principles should guide the development of effective responses to coercive control.

5 Embedding lived experience

Centring the diverse lived experiences of victim-survivors by embedding their views and experiences in policy development, service design and delivery, and evaluation is critical to ensuring that initiatives to address coercive control are effective for all victim-survivors.

6 Coordinating and designing approaches across prevention, early intervention, response, and recovery and healing

Approaches addressing coercive control are more effective when roles and responsibilities in each part of the service system are clearly understood and services are coordinated to support victim-survivor safety, hold perpetrators to account and provide avenues for behaviour change.

7 Embedding the National Principles in legal responses to coercive control

The development and implementation of legal responses, including any specific coercive control offence, should be underpinned by the shared understanding of coercive control established by the National Principles. Considerations of whether to undertake legislative reform is a matter for individual governments to determine, and should include steps to mitigate potential adverse consequences.

Section One: National Principles

A shared understanding of coercive control and its impacts

The Australian Government and state and territory governments agree the following National Principles about coercive control and its impacts.

National Principle 1

Shared understanding of the common features of coercive control

A shared understanding of the common features of coercive control is foundational to effectively identifying, preventing and responding to family and domestic violence.

The following are common features of coercive control:

- Coercive control is almost always an underpinning dynamic of family and domestic violence. Perpetrators exert power and dominance over victim-survivors using patterns of abusive behaviours over time that create fear and deny liberty and autonomy.
 - Behaviours or behaviour patterns that do not exhibit these characteristics, such as a victim-survivor's use of retaliatory violence or self-defence against a perpetrator, are not coercive control.

- Perpetrators can use physical or non-physical abusive behaviours, or a combination of both.¹ All abusive behaviours are serious. An absence of physical abuse does not diminish the seriousness of non-physical behaviour and its impacts for the victim-survivor.
- Perpetrators can use many different types of abusive behaviours to exert power and dominance.
 - Perpetrator behaviours can be subtle and insidious, and individually targeted and tailored to the victim-survivor. This can mean that the manipulative and coercive nature of the behaviour is only visible to the perpetrator and victim-survivor, which can further isolate the victim-survivor.
 - Perpetrator behaviours may escalate, or they may use different behaviours before, after and during relationship separation.
 - Perpetrators can exploit victim-survivors during life events such as pregnancy or after the birth of a child.
 - To facilitate their abuse, perpetrators can misuse or manipulate services, systems and processes (such as within the legal, child protection or social service systems). This is referred to as systems abuse.

¹ Behaviour categories and examples are included at Box 1.1 on page 12.

- Perpetrators can also exploit technology to facilitate their abuse. With technology embedded and integrated into everyday life, technology facilitated coercive control can be particularly pervasive.
- Most perpetrators engage in coercive control in a methodical and deliberate way. However, whether a perpetrator consciously connects their individual abusive behaviours to an overarching strategy or not, a victim-survivor may still experience coercive control.
- Coercive control is a gendered issue. While people of all genders, including men and women (cisgender and transgender) and non-binary people, can perpetrate or be victim-survivors of coercive control, overwhelmingly it is perpetrated by cisgender men against cisgender or transgender women.
- Perpetrators can exert power and dominance over victim-survivors in current and former intimate partner relationships. Coercive control can also be perpetrated in broader family relationships, such as against children or young people by parents or relatives, against parents or elders by adult children or grandchildren, or between siblings. Broader family relationships also include extended family networks, cultural kinship relationships and family of choice relationships.
 - Coercive control is particularly prevalent in relationships where there is an imbalance of power. This imbalance is often gendered, but can also involve perpetrators manipulating or exploiting circumstances where a victim-survivor is reliant on the perpetrator, for example due to disability, age or financial circumstances.
 - Perpetrators can use coercive control against victim-survivors of all ages, including children and young people, and older people.
- Gendered and intersectional power imbalances create and reinforce structural discrimination and inequalities. These drivers compound each other and influence the perpetration, experience and impacts of coercive control.

For a detailed explanation of National Principle 1, go to page 8.

National Principle 2

Understanding the traumatic and pervasive impacts of coercive control

Coercive control has traumatic and pervasive immediate and long-term impacts on victim-survivors, their families and communities. A common understanding of these impacts should be used to inform policies and practices across the domains of prevention, early intervention, response, and recovery and healing.

It is important to recognise the following points about the impacts of coercive control:

- The strengths, resilience and adaptability of victim-survivors, and the protective actions they often take to keep themselves and their children safe in family and domestic violence situations, should be recognised and commended.
- The impacts of coercive control are pervasive, and can be physical, emotional, psychological, spiritual, cultural, social and financial. They are also intersecting and cumulative, rather than incident specific.
- Misunderstandings of coercive control can mean society can often regard emotional and psychological behaviours as having less serious impacts than physical behaviours. However, the impacts of coercive control are serious regardless of the abusive behaviours used.
- A perpetrator's exertion of power and dominance through fear and denial of liberty and autonomy can prevent victim-survivors from seeking and receiving support, or leaving a relationship.
 Systemic issues and inadequate community responses can reinforce this entrapment and entrench impacts.
- The impacts of a perpetrator's use of coercive control can vary across different stages of a victim-survivor's life. For example:
 - Impacts can be compounded for older people who may already experience reduced autonomy and independence
 - Children and young people can experience unique and lifelong traumatic impacts as victim-survivors of coercive control in their own right.

- Impacts should always be considered through an intersectional lens. While there is growing acknowledgement that coercive control has significant short-and long-term impacts on all victim-survivors, there is a need to better acknowledge how the nature and severity of those impacts can differ across cohorts of people. Intersectionality is discussed further in National Principle 3.
- In intimate partner contexts, coercive control often does not end when a relationship ends, and there is heightened risk that perpetrators will increase or escalate abusive behaviours against victim-survivors during and after relationship separation.
- Coercive control is a significant risk factor for intimate partner and child homicide, with coercive control often present in cases where the perpetrator has killed their partner and/ or children. The risk and fear of homicide is significantly gendered, and is particularly acute during and after relationship separation.

For a detailed explanation of National Principle 2, go to page 14.

National Principle 3

Taking an intersectional approach to understanding features and impacts

Victim-survivors are not a homogenous group, and have diverse personal identities, backgrounds and experiences. An intersectional approach, which recognises these differences and the role of multiple and compounding forms of structural discrimination and inequality, should underpin policies or initiatives to address coercive control. Such an approach should also recognise the strength and resilience of all victim-survivors.

An intersectional approach to understanding the features and impacts of coercive control should recognise:

• There are multiple and compounding forms of discrimination and inequalities within society, which shape the practices, policies and behaviours of organisations and communities. Understanding how the context of discrimination and inequality affects specific cohorts of people is critical as it affects:

- the prevalence of coercive control, perpetrator behaviours and the severity of impacts.
- the availability, accessibility and quality of services, which limits a victim-survivor's access to justice and support and can entrench the impacts of coercive control.
- Structural forms of discrimination and inequality increase the risk that services and legal systems will minimise, doubt or ignore a victim-survivor's experiences, or misidentify victim-survivors as perpetrators of coercive control.
 - Women victim-survivors are at high risk of being misidentified as perpetrators.
 - Victim-survivors from specific cohorts, including Aboriginal and Torres Strait Islander women, women with disability, women from culturally and linguistically diverse backgrounds and LGBTQIA+ peoples, are at particular risk of the justice sector, services and the broader community either misidentifying them as the perpetrator, or not holding the perpetrator accountable.
 - Being misidentified as the perpetrator has significant detrimental and harmful impacts for victim-survivors, increasing their contact with the criminal justice system and potentially resulting in unwarranted orders or sanctions being taken out against them. This further limits their capacity and willingness to seek and access support from services, police and the justice system, placing them at further risk of harm.
- Perpetrators can manipulate or exploit structural discrimination and inequality to exercise power and dominance over victim-survivors.
- To ensure policies, practices and interventions addressing coercive control reflect intersectional concerns, and respond to structural discrimination and inequalities, they should be developed and designed in partnership with diverse cohorts of victim-survivors, and embed their lived experiences. This is discussed further in National Principle 5.
- Perpetrators are not a homogenous group. The types of abusive behaviours perpetrators use, their ability to recognise the impacts of their violence and their ability to engage with justice systems and family violence services will also be impacted by intersectional factors.

For a detailed explanation of National Principle 3, go to page 17.

National Principle 4

Improving societal understanding of coercive control

Limited or incomplete understanding of coercive control within society, and community attitudes and behaviours that condone, minimise or excuse coercive control, can limit the effectiveness of interventions, impact how victim-survivors recognise and understand their experiences, and compromise safety. Improved societal understanding of coercive control is an important part of policies and initiatives to address coercive control.

Key issues related to societal understanding of coercive control include:

- Coercive control is not consistently recognised, understood or responded to within society.
 - Coercive control is often not recognised as a dynamic that almost always underpins family and domestic violence. The common features and impacts of coercive control, including its gendered dimensions, and the influence of structural discrimination and inequality, are also not well understood.
- A shared understanding of coercive control should be embedded at a broad society and institutional level to ensure coercive control is appropriately identified and addressed.
 - Enhanced understanding of coercive control across society is important for supporting the safety of victims-survivors, and for the broader community to hold perpetrators to account.
 - Limited or incomplete understandings of coercive control impact the effectiveness of interventions by service and response systems, given these systems reflect the norms, attitudes and behaviours present within broader society.

- The community and broader service and response system, including law enforcement and the courts, can typically focus on physical violence and single or episodic acts of violence in isolation, rather than considering patterns of physical and non-physical abusive behaviour over time and their cumulative impacts. This can make it easy for perpetrators to hide their actions from systems and can lead to a perpetrator's subtle and highly contextualised abuse, and the compounding impact of coercive control, being overlooked and/or minimised.
- Incident-based responses, assumptions and stereotypes, and structural inequality and discrimination, heighten the risks of misidentifying the victim-survivor as the perpetrator.
- Social norms, attitudes and behaviours and poor societal understanding of the dynamics, features and impacts of coercive control can lead to victim-blaming, and prevent victim-survivors from seeking help.
- Limited and incomplete understandings, victim-blaming, and language used to describe coercive control can shape whether victim-survivors recognise their own experiences as family and domestic violence.
- Poor societal understandings of coercive control can be exploited by perpetrators, and also create an environment where perpetrators may find it more difficult to recognise, or seek help to address, their behaviours.

For a detailed explanation of National Principle 4, go to page 19.

Section One: National Principles

Guiding considerations to inform effective responses

The Australian Government and state and territory governments agree the following National Principles should guide the development of effective responses to coercive control.

National Principle **5** Embedding lived experience

Centring the diverse lived experiences of victim-survivors by embedding their views and experiences in policy development, service design and delivery, and evaluation is critical to ensuring that initiatives to address coercive control are effective for all victim-survivors.

Lived experience can be embedded by recognising:

- Engaging with the lived experiences of victim-survivors is essential to inform policies and initiatives to address coercive control.
 - This involves engaging with diverse victim-survivor experiences across different backgrounds and age groups, recognising the strength and resilience of communities, and embedding an intersectional lens across the design, implementation and monitoring and evaluation of policies and initiatives to address coercive control.
 - For example, Aboriginal and Torres Strait Islander victim-survivors have unique lived experiences and perspectives on coercive control and the challenges and efficacy of policies and initiatives to address it. These perspectives are informed by community-led

responses to family and domestic violence and resistance to racism and colonisation and should inform tailored and culturally safe initiatives for their communities.

- Children and young people have unique experiences and perspectives as victim-survivors in their own right, which should be reflected in policies and initiatives alongside the lived experience of adult victimsurvivors.
- Effective consultation with adult and child victim-survivors should be culturally safe, family and domestic violence informed, trauma-informed and strengths-based, with appropriate safeguards to reduce the risk of retraumatisation.
- Some victims are killed by the perpetrator. Systemic review of the experiences and interactions with services and institutions by these victims, and those who have died by suicide, should also inform future policy and practice.
- Coercive control often impacts the community surrounding a victim-survivor, and family members or friends can provide distinct perspectives to inform policy approaches.

For a detailed explanation of National Principle 5, go to page 22.

National Principle 6

Coordinating and designing approaches across prevention, early intervention, response, and recovery and healing

Approaches addressing coercive control are more effective when roles and responsibilities in each part of the service system are clearly understood and services are coordinated to support victim-survivor safety, hold perpetrators to account and provide avenues for behaviour change.

Coordinating and designing approaches should be aligned with the National Principles and the National Plan and include the following considerations:

- A shared understanding of coercive control and a commitment to victim-survivor safety creates a foundation for coordinated approaches.
- A whole-of-society approach is needed to address coercive control. Governments, the family and domestic violence sector, community or sporting organisations, places of worship, businesses, workplaces, health services, media, academic institutions, communities and families all have roles to play to support the safety of victim-survivors and hold perpetrators to account.
- All sectors and jurisdictions involved in addressing coercive control should work together to minimise duplication and gaps in services, while ensuring that new approaches build upon, improve or complement existing initiatives.
- Approaches should incorporate understanding of the specific challenges and intersectional experiences of victim-survivors and how that impacts their service, safety and recovery needs.
 - Approaches should take account of structural inequalities and discrimination which result in systems and structures being more likely to misidentify certain cohorts of victim-survivors as perpetrators. This is discussed further in National Principle 3.

- Direct engagement with perpetrators is critical in moving perpetrators towards accountability and behaviour change.
- Coordinated approaches should strongly focus on prevention to address the gendered and intersectional drivers of coercive control. Action should also occur across early intervention, response, recovery and healing domains.
- Approaches across all sectors and systems should be underpinned by ongoing, comprehensive education and training in coercive control, including its common features and its gendered and intersectional drivers and impacts. Training in areas such as disability awareness and cultural competency is also vital.
- A shared understanding of coercive control is important to obtain the comprehensive and accurate data needed to underpin evidence-based approaches.

For a detailed explanation of National Principle 6, go to page 24.

National Principle 7

Embedding the National Principles in legal responses to coercive control

The development and implementation of legal responses, including any specific coercive control offence, should be underpinned by the shared understanding of coercive control established by the National Principles. Considerations of whether to undertake legislative reform is a matter for individual governments to determine, and should include steps to mitigate potential adverse consequences.

Governments should recognise and consider that:

- All states and territories have existing legal mechanisms available for responding to family and domestic violence.
- Each state and territory government is responsible for determining whether coercive control should be a specific criminal offence, and the form this legislation could take.
 - There are arguments for and against criminalising coercive control.

- Consultation is the cornerstone of effective legal responses to ensure they meet the needs of victim-survivors.
- Legal responses are an important part of victim-survivor safety and perpetrator accountability. However, they are only one approach and sit alongside other efforts to address coercive control across the prevention, early intervention, response, recovery and healing domains.
- A specific coercive control offence is only one example of a legal response to address coercive control, amongst other criminal offences and civil actions.
- Governments should consider the issues highlighted in the National Principles when considering legal responses to coercive control.
- Legal responses are most effective when they have comprehensive implementation and change management support. This includes education and training on coercive control in sectors implementing or enforcing these laws. Other important areas for training include cultural competency and disability awareness training.
- Decisions about whether to undertake legislative reform, and the development and implementation of any coercive control legislation (including an offence), should take steps to mitigate the following concerns:
 - increased engagement with the criminal justice system may increase or entrench disadvantage for certain cohorts of people that are already overrepresented in the system, or experience barriers to justice. This includes Aboriginal and Torres Strait Islander peoples, LGBTQIA+ people, people with disability, people with mental illness, people who misuse substances and people from culturally and linguistically diverse backgrounds.

- a criminal justice response may have a deterrent effect on reporting of coercive control. Current criminal justice system responses can fail to respond to family and domestic violence in trauma-informed, victim-survivor centred ways. Victim-survivors may not disclose or report coercive control in circumstances where their trust in a just outcome has been eroded, or due to the risk of retraumatisation. A victim-survivor may also desire a non-punitive approach to ending the abuse.
- legislation can be manipulated or exploited by perpetrators as part of systems abuse.
- the risk of misidentification of the predominant aggressor within the justice system.

For a detailed explanation of National Principle 7, go to page 27.

Section Two: National Principles in Depth

A shared understanding of coercive control and its impacts

National Principle 1

Shared understanding of the common features of coercive control

Coercive control is almost always an underpinning dynamic of family and domestic violence. Perpetrators exert power and dominance over victim-survivors using patterns of abusive behaviours over time that create fear and deny liberty and autonomy.

Behaviours or behaviour patterns that do not exhibit these characteristics, such as a victim-survivor's use of retaliatory violence or self-defence against a perpetrator, are not coercive control. Understanding this distinction is important to avoid misidentification of victim-survivors of coercive control as perpetrators. Other examples include use of aggression or abuse in the home by children and young people due to challenges regulating emotions and/or actions, or when children and young people are manipulated to use behaviours against a family member by an adult perpetrator.

When identifying coercive control, it is important to avoid focusing on single acts of abusive behaviour and to instead consider abuse within the relationship as a whole. This includes considering how abusive behaviours are used and repeated during and often after a relationship; building up over time to have a controlling effect.

Perpetrators can use physical or non-physical abusive behaviours, or a combination of both. All abusive behaviours are serious. An absence of physical abuse does not diminish the seriousness of non-physical behaviour and its impacts for the victim-survivor.

When the community thinks of family and domestic violence, they often think exclusively of physical behaviours such as physical assault, which can be easier to identify and describe. Conversely, coercive control can often be incorrectly referred to as involving only non-physical behaviours, such as emotional or psychological abuse. However, coercive control can be both.

Perpetrators can use many different types of abusive behaviours to exert power and dominance.

Perpetrators may use behaviours concurrently, and in different combinations. A non-exhaustive list of behaviour categories and examples has been included in <u>Box 1.1</u> for reference, however, it is important to recognise that understanding coercive control is not about identifying different 'types' of behaviour, but understanding how these behaviours are used in patterned ways against a victim-survivor, and their cumulative impact. A perpetrator may also be deliberately unpredictable with their choices of behaviour. They may use excessive affection, attention and praise at the start of a relationship to establish a commitment and build a sense of trust that is then manipulated and betrayed.

Perpetrator behaviours can be subtle and insidious, and individually targeted and tailored to the victim-survivor. For example, a perpetrator can target their abusive behaviours in ways they think will most successfully establish power and dominance. They might test and use a range of different behaviours which may change over time, or as a person's circumstances change.

Perpetrator patterns of behaviour can be established incrementally and may therefore be less visible or identifiable by others. A perpetrator's abusive behaviours might also have a specific meaning for the victim-survivor but appear harmless to others outside the relationship. This can mean that the manipulative and coercive nature of the behaviour is only visible to the perpetrator and victim-survivor, which can further isolate the victim-survivor and can make it more challenging for them to disclose their experience of abuse and be believed. For example, if a perpetrator had previously threatened to set fire to a victim-survivor's belongings, flicking a cigarette lighter in public could be a threat, but seem harmless to an onlooker. Similarly, a perpetrator using technology-facilitated abuse may communicate something seemingly innocuous that reflects the victim-survivor has been stalked or monitored. It is therefore important to consider how a perpetrator's behavioural patterns are received and experienced by the victim-survivor.

Perpetrators can adapt their behaviours to target the particular circumstances of certain cohorts of people. For example, they may use behaviours against Aboriginal and Torres Strait Islander victim-survivors to separate them from their connection with Country. Perpetrators might prevent victim-survivors from cultural and linguistically diverse backgrounds from practising their spiritual or cultural traditions. They may also exploit structural disadvantages and inequalities (discussed further in National Principle 3). Perpetrator behaviours may escalate, or they may use different behaviours before, after and during relationship separation. For example, a perpetrator might hide financial assets or extend legal processes to enact financial abuse or manipulate the family law and child support system. The risk of a perpetrator killing their partner or ex-partner is particularly high at the point of separation, and is discussed further in National Principle 2.

Perpetrators can exploit victim-survivors during life events such as pregnancy or after the birth of a child. During these times, victim-survivors may have limited or decreased access to financial resources (particularly if accessing parental leave or time off work), or may be isolated from their regular networks.

To facilitate their abuse, perpetrators can misuse or manipulate services, systems and processes (such as within the legal, child protection or social service systems). This is referred to as systems abuse. In this context, 'systems' refers to Australian, state and territory government institutions and processes including law enforcement, family court, civil and criminal courts, family and domestic violence protection orders processes, child protection, immigration, health and welfare systems and private industry, including banking. Examples include a perpetrator:

- making false reports to police, child protection, or other government agencies, including to purposely cause the system to misidentify the victim-survivor as a perpetrator
- abusing guardianship or powers of attorney provisions
- making retaliatory or baseless applications for protection orders
- abusing the terms of parenting orders or using threats related to child custody arrangements to manipulate victim-survivors into remaining connected to the perpetrator
- deliberately accessing all legal services within an area so that a victim-survivor is prevented from using them, blocking access to legal services or preventing a victim-survivor from being alone with legal representatives
- forcing victim-survivors to falsify information to government agencies, then using this to threaten them

- using the victim-survivor's mental health against them in legal proceedings or making false claims to health or other professionals about their mental health
- making false allegations in family law proceedings, using legal processes to deliberately prolong proceedings or coaching children and young people to lie to the police or courts
- falsifying, manipulating, or withholding child support payments as a way to financially control an ex-partner
- making threats to cancel a visa to force deportation of a victim-survivor who is a temporary visa holder.

Perpetrators can also exploit technology to facilitate their abuse. Technology-facilitated abuse is an overarching term that captures all abuse that occurs online or through other digital technology. It is where a perpetrator uses digital technology to enable, assist or amplify abuse of a person or group of people. Examples include:

- hacking a victim-survivor's account and falsely representing or surveilling them
- creating fake social media accounts and making malicious posts about a victim-survivor or creating social media accounts in the victim-survivor's name
- using digital tracking technology and spyware to monitor and surveil a victim-survivor's movements
- sharing or threatening to share intimate images or videos of a victim-survivor without their consent.

With technology embedded and integrated into everyday life, technology-facilitated coercive control can be particularly pervasive. It is important to understand the nature, characteristics and dynamics of this issue, particularly the scale and speed with which technology can be used to magnify and exacerbate abuse. Societal misunderstandings of how technology features in coercive control can also result in trivialising or minimising the experiences of victim-survivors. It is important that responses to technology-facilitated coercive control do not seek to deprive a victim-survivor of technology: rather, responsibility should remain with the perpetrator and the objective should be to enable victim-survivors to engage with technology safely.

Most perpetrators engage in coercive control in a methodical and deliberate way. However, whether a perpetrator consciously connects their individual abusive behaviours to an overarching strategy or not, a victim-survivor may still experience coercive control.

The focus should be on the impact of the behaviours on the victim-survivor. It should also be recognised that each time a perpetrator uses abusive behaviours they are making a choice to do so, and have responsibility for their abuse and its consequences.

Coercive control is a gendered issue.

While people of all genders, including men and women (cisgender² and transgender) and non-binary people, can perpetrate or be victim-survivors of coercive control, overwhelmingly it is perpetrated by cisgender men against cisgender or transgender women.

Perpetrators can exert power and dominance over victim-survivors in current and former intimate partner relationships. Coercive control can also be perpetrated in broader family relationships, such as against children or young people by parents or relatives, against parents or elders by adult children or grandchildren, or between siblings. Broader family relationships also include extended family networks, cultural kinship relationships and family of choice relationships.

A perpetrator may use coercive control in intimate partner relationships of all types, including against cisgender heterosexual men and women, LGBTQIA+ people of all sexualities and genders, and in monogamous, polyamorous and other diverse relationship structures. Perpetrators may use coercive control within a marriage, engagement, or a de facto, dating or casual relationship. Coercive control may begin, continue or escalate after separation.

Perpetrators can also co-opt family members and friends, and multiple perpetrators may work together, to exert power and dominance over victim-survivors or otherwise reinforce the main perpetrator's control. This is particularly prevalent in circumstances where extended families share a home.

² Cisgender describes a person whose gender identity corresponds to their sex assigned at birth.

Coercive control is particularly prevalent in relationships where there is an imbalance of power. This imbalance is often gendered, but can also involve perpetrators manipulating or exploiting circumstances where a victim-survivor is reliant on the perpetrator, for example due to disability, age or financial circumstances. Perpetrators can use coercive control against victim-survivors of all ages, including children and young people, and older people. The unique impacts across different age groups are discussed in National Principle 2.

Often coercive control is considered in the context of adult relationships only. However, children and young people are victim-survivors of abuse in their own right and may be directly targeted, coerced to participate in abusive behaviours or witness violence towards another family member. The perpetrator will often be in a position of authority as a parent, caregiver or older relative.

Coercive control can be perpetrated against older people within the home and in circumstances where the older person is reliant on their partner or a family member for their care. For example, an adult child performing caring duties for an older person may restrict access to their medical treatment, phones or computers, or limit their social interactions. They may also undermine their autonomy by suggesting to other people that they are experiencing cognitive decline and are unable to make decisions for themselves.

Gendered and intersectional power imbalances create and reinforce structural discrimination and inequalities. These drivers compound each other and influence the perpetration, experience and impacts of coercive control.

Drivers of coercive control are deeply rooted in unequal power dynamics, structures, systems and conditions.

Gendered drivers against women are expressed in Our Watch's Change the Story³ as:

- condoning violence against women
- men controlling decision-making and limiting women's independence in public and private life
- rigid gender stereotyping and dominant forms of masculinity
- male peer relations and cultures of masculinity that emphasise aggression, dominance and control.

These gender inequalities and rigid gender norms are underlying conditions for violence against women. Gender inequality exists when unequal value is afforded to people on the basis of gender, including women, men, and non-binary people and there are unequal distributions of power, resources and opportunities. Rigid, binary and hierarchical ideas of sex, gender and sexuality resulting in cisgenderism/cisnormativity and heteronormativity have a significant impact on perpetration against LGBTQIA+ people.

Gendered drivers are not the only, and not always the most significant, driver of a perpetrator's abuse. Gendered drivers and other power imbalances or abuses of power and privilege can intersect to create compounding forms of inequality and discrimination. Intersectional drivers include racism, ageism, classism, ableism, heteronormativity, cisgenderism, transphobia, biphobia and homophobia, and the ongoing trauma and intergenerational effects of colonisation for Aboriginal and Torres Strait Islander communities. This is discussed further in National Principle 3.

In some communities, drivers of coercive control may relate more to historical, cultural, and social dynamics than traditional gendered drivers, which results in unique perpetration and experience of coercive control, such as through the use of lateral violence between family members within Aboriginal and Torres Strait Islander communities.

There are a range of reinforcing factors that are not direct drivers of coercive control, but interact with them and can contribute to the increased likelihood of a perpetrator's abuse, or exacerbate impacts for a victim-survivor. These factors include:

- condoning of violence in general
- experience of, and exposure to, violence
- factors that weaken prosocial behaviours (behaviours intended to help other people) such as neighbourhood poverty, natural disasters, alcohol and gambling
- resistance and backlash to prevention and gender equality efforts.

How discrimination and inequality influences coercive control is discussed further in National Principle 3.

³ Our Watch. (2021). Change the story: A shared framework for the primary prevention of violence against women in Australia (2nd ed.). Melbourne, Australia: Our Watch, p 36

Box 1.1 – Perpetrator behaviour categories and examples

Perpetrators may use the below behaviours concurrently, and in different combinations.

Physical abuse. A perpetrator can inflict intentional bodily injury. This might involve physical assault including non-fatal strangulation. It can also include use of weapons, or destruction of property.

Sexual violence and coercion. Sexual violence and coercion refers to sexual activity that happens where consent is not freely given or obtained, is withdrawn or the person is unable to consent due to their age or other factors. It occurs any time a person is forced, coerced or manipulated into any sexual activity. Such activity can be sexualised touching, sexual abuse, sexual assault, rape, sexual harassment and intimidation and forced or coerced watching or engaging in pornography. Sexual violence can be non-physical and include unwanted sexualised comments, intrusive sexualised questions or harassment of a sexual nature.

Monitoring a victim-survivor's actions. Perpetrators can monitor a victim-survivor's actions by accessing emails, text messages and social media. A perpetrator could also have cameras, audio listening or tracking devices in the house or within items such as handbags, children's toys, phones or vehicles. They could stalk an adult or child victim-survivor or demand victim-survivors send images of where they are at particular times. They could also engage family or friends to follow a victim-survivor and report back to the perpetrator.

Restricting a victim-survivor's freedom, bodily autonomy or independence. Perpetrators may withhold care, medication, disability aids, or access to gender affirming care or hormonal medications for gender diverse people. They may prevent or restrict access to basic security, such as food, housing, healthcare or clothes, or may deny children and young people the right to schooling. Perpetrators might withhold identity documents, change passwords and lock victim-survivors out of accounts. They might also hide, destroy or restrict use of devices such as computers or mobile phones; prevent the victim-survivor from driving, working or studying; or control who they marry. A perpetrator may also deny a victim-survivor's privacy by not allowing unsupervised conversations.

Regulating and micro-managing victim-survivor actions. Some perpetrators control activities like what a victim-survivor wears, how they do their hair, when they should exercise, what roles they perform in the home and what they eat. A perpetrator may also control how a victim-survivor expresses their sexuality.

Social abuse and isolation. Perpetrators can deliberately isolate a victim-survivor from their social support networks or otherwise control their social activities. They might stop the victim-survivor from making or seeing friends and family, prevent a child from participating in social activities or convince them that their family or friends don't want to see them. They might also create an uncomfortable or unsafe environment for friends and family when they visit, or force someone to participate in social activities against their will.

Threats and intimidation. Perpetrators can use threats and intimidation relating to all other behaviour categories. A perpetrator may also threaten to take away children and young people or withhold contact without a reasonable excuse, threaten suicide or self-harm as a means to manipulate the victim-survivor, threaten to report them to child safety authorities, threaten to infect them with an infectious disease, or threaten to shame or embarrass the person in their community. This can also include threatening a person with socio-cultural or other consequences to force them into marriage. A perpetrator could threaten to put an older person or person with disability in a care facility. They could also threaten someone's visa or migration status, for example by threatening to withdraw sponsorship or have them deported.

Emotional or psychological abuse, including verbal abuse. A perpetrator may use verbal abuse to make frequent belittling comments about a victim-survivor. They may deliberately humiliate or degrade them, highlight and build upon their insecurities or undermine their sense of confidence and capability. Gaslighting is a particularly prevalent example of emotional or psychological abuse, and involves a perpetrator saying things to minimise their behaviour or accountability, and make a victim-survivor question their judgement, memory, sanity or sense of reality. Emotional or psychological abuse can also involve a perpetrator being unpredictable in their behaviour, which may include switching rapidly between kindness and abuse.

Cultural, spiritual and religious abuse.

A perpetrator may use a person's culture, spirituality or religion to control them, or may exert their own culture, spirituality or religion upon them. This could include controlling how they practice their culture, spirituality or faith, or criticising, shaming or belittling their beliefs. A perpetrator may deny a victim-survivor access to contraception or medical intervention on the basis of their culture, spirituality or religion. A perpetrator may not allow a victim-survivor to speak in their language of choice or observe cultural practices or religious holidays, or may force them to convert to their religion.

Financial and economic abuse and exploitation.

A perpetrator may control a victim-survivor's finances or use those finances for their own gain. They may force them to withdraw superannuation or share accounts or may take out loans or max out credit cards in the person's name. A perpetrator may also withhold child support payments or deliberately force a victim-survivor into financial debt through legal systems abuse. They may also refuse to let the person see financial information like bank statements, not allow them to be involved in household financial decision-making, or refuse their name on mortgage or recognition of asset ownership. Dowry abuse, such as violence or other harmful behaviours related to the giving of gifts by one family to another before, during or after a marriage, can also be a form of financial abuse.

Reproductive coercion and abuse. A perpetrator may interfere with a victim-survivor's freedom to make decisions about their reproductive health. They may hide, interfere with, control access to, or dispose of contraception, refuse condom use or remove a condom without consent. A perpetrator may also pressure or force a victim-survivor to become pregnant, continue with or terminate a pregnancy, or coerce them to undertake a sterilisation procedure.

Lateral violence. Sometimes known as horizontal violence or intra-racial conflict, lateral violence is a product of a complex mix of historical, cultural and social dynamics and discriminations. It often occurs when a number of people work together to attack or undermine another individual or group. A perpetrator may use a range of behaviours including gossiping, jealousy, bullying, shaming,

blaming others, social exclusion, family feuding and physical violence. Perpetrators may pressure or manipulate family members or other parts of a kinship structure to target a victim-survivor.

Within Aboriginal and Torres Strait Islander communities, colourism, or questioning a person's Aboriginal or Torres Strait Islander identity, is a form of lateral violence.

Animal abuse. A perpetrator may harm animals, particularly when a victim-survivor has a strong emotional connection to a pet or when the animal has a service or support role for the person.

Substance use coercion. A perpetrator may keep a victim-survivor from meeting treatment and recovery goals or deliberately encourage or facilitate their dependence on substances (such as alcohol, tobacco and other drugs). A perpetrator may pressure a victim-survivor to take substances, block access to or sabotage treatment, prevent access to harm minimisation or deliberately withhold substances so the person goes into withdrawal. A perpetrator may also degrade or shame the victim-survivor for their substance use, or threaten to report substance use to police to exert control.

Child abuse. A perpetrator may use behaviours resulting in emotional, physical, sexual or other harm to the child or young person's health, survival, development or dignity. Behaviours within all categories can be perpetrated against children and young people as victim-survivors in their own right.

Identity-based abuse. Identity-based abuse is commonly perpetrated against LGBTQIA+ people. A perpetrator can pressure a victim-survivor to conform to gender norms, take or withhold medications or undergo surgery they do not want, can commit 'corrective' rape, and can threaten to 'out' the person's gender, sexuality, intersex status or HIV status. The perpetrator may also leverage homophobia, biphobia, transphobia and cisgenderism to exert control, for example by telling the person that they won't be believed because of their gender or sexuality. Identity-based abuse can be perpetrated in intimate relationships as well as other family relationships.

National Principle **2**

Understanding the traumatic and pervasive impacts of coercive control

The strengths, resilience and adaptability of victim-survivors, and the protective actions they often take to keep themselves and their children safe in family and domestic violence situations, should be recognised and commended.

This acknowledgement should not be taken to imply that a victim-survivor is responsible for preventing violence. The responsibility for using violence and its impacts on adult and child victim-survivors sit with the perpetrator.

The impacts of coercive control are pervasive, and can be physical, emotional, psychological, spiritual, cultural, social and financial. They are also intersecting and cumulative, rather than incident specific.

As abusive behaviours are used and repeated throughout a relationship, each incident generates or heightens fear. Over time, a perpetrator's overall behaviour patterns have the effect of diminishing a victim-survivor's liberty and ability to exercise autonomy. The effects on a victim-survivor can persist well after the immediate threat has been minimised and can be life-long. The specific impacts on a victim-survivor are unique, which can contribute to making coercive control more difficult to identify and illustrates the importance of looking at behaviours across the totality of the relationship.

While it is important to acknowledge the devastating impact of coercive control, it is also important to recognise that recovery and healing is possible and victim-survivors require a coordinated response that extends beyond crisis response. This is discussed further in National Principle 6.

Physical impacts

Coercive control can contribute to overall poorer physical health. This can be from the direct physical effects of abuse such as broken bones, cuts, bruises, sleep deprivation, erratic sleep patterns and miscarriage. Health impacts sustained through non-fatal strangulation can be immediate or delayed and may include stroke, brain damage, miscarriage, heart attack and delayed death, sometimes weeks or months after an incident. Physical effects of abuse can also interact with psychological effects, and lead to or exacerbate long term chronic health problems including migraines, skin disorders, hypertension and digestive problems. Coercive control can also contribute to harmful coping strategies, such as reliance on alcohol or other drugs, or self-harm.

Emotional and psychological impacts

Coercive control can have traumatic effects on a victim-survivor and can contribute to poorer mental health. Victim-survivors' experiences of chronic fear can manifest as a state of hypervigilance, or a feeling of 'walking on egg-shells'. A perpetrator's abusive behaviours can undermine independence, sense of personhood and identity, dignity, self-confidence and sense of self-worth and feelings of security. Behaviours such as gaslighting can cause a victim-survivor to question their judgement, memory, sanity or sense of reality.

A victim-survivor can also be affected by memory loss; blocking off memories of abuse as a psychologically protective measure. This can make it difficult for victim-survivors to engage with services and supports, or recount their experiences to support services or the justice system, particularly where the services are not family and domestic violence informed and trauma-informed.

A perpetrator's abuse can contribute to, or exacerbate, a victim-survivor's mental illness or condition, including anxiety disorders and depression. Victim-survivors can experience post-traumatic stress disorders related to their experience of coercive control.

Spiritual and cultural impacts

As a result of a perpetrator's actions, a victim-survivor may be excluded from faith-based, spiritual and cultural activities. Their connection to their spiritual or cultural community, or their broader sense of belonging and identity may be compromised. They may also experience stigmatisation or isolation from their communities. This can be further exacerbated when prominent members of a spiritual community do not believe the victim-survivor, minimise their experience or protect or support the perpetrator.

Social impacts

Abusive perpetrator behaviour can result in victim-survivors experiencing isolation from family, friends and other social networks or connections. In the long term, victim-survivors may lose or distance themselves from existing relationships, lose confidence in their social abilities and find it difficult to trust people or develop new relationships. For some Aboriginal and Torres Strait Islander or culturally and linguistically diverse victim-survivors, social isolation may include being ostracised from their communities or facing payback – an action under customary law in which retribution is determined and carried out by community members. Perpetrator behaviours may also lead to reputational damage for victim-survivors, as a perpetrator can seek to discredit or undermine a person's character or personal or professional competency.

Social impacts can be compounded for communities where extended family and kinship ties are particularly significant, such as within Aboriginal and Torres Strait Islander communities or where there may already be limited social connection, such as for recent migrants who may have reduced social networks and language barriers.

Financial impacts

A victim-survivor may experience short-and long-term financial consequences from abuse. This might include loss of employment and income, debt or loss of financial security, as well as longer term entrenched disadvantage, poverty and homelessness. Financial impacts can result from a perpetrator's immediate actions or can be a secondary impact from the longer term physical and mental health effects of abuse.

Misunderstandings of coercive control can mean society can often regard emotional and psychological behaviours as having less serious impacts than physical behaviours. However, the impacts of coercive control are serious regardless of the abusive behaviours used.

There is not a 'hierarchy' of behaviour types that lead to more serious impacts than others. The impacts of coercive control, and the fear and loss of autonomy and liberty it generates, are always serious.

A perpetrator's exertion of power and dominance through fear and denial of liberty and autonomy can prevent victim-survivors from seeking and receiving support, or leaving a relationship. Systemic issues and inadequate community responses can reinforce this entrapment and entrench impacts.

The cumulative impacts of a perpetrator's abusive behaviours can result in 'entrapment' and make it overwhelmingly difficult for a victim-survivor to leave an intimate partner relationship or extricate themselves from the control of another family member. Victim-survivors experience entrapment through three dimensions:

- 1. The social isolation, fear, and coercion that the perpetrator's behaviours create.
- 2. A lack of effective safety options. For example, some victim-survivors are at risk of homelessness if they escape coercive control, so without access to appropriate accommodation options may remain in an unsafe situation.
- Exacerbation of the above two dimensions by intersectionality and structural inequalities. This is discussed further in National Principle 3.

The cumulative impacts of coercive control over time can also result in a victim-survivor internalising negative messages and narratives from the perpetrator, which can erode their sense of self and self-esteem. This can also present a significant barrier to help seeking or leaving a relationship.

Unhelpful responses and attitudes that ignore or minimise abuse or blame the victim-survivor are discussed further in National Principle 4.

The impacts of a perpetrator's use of coercive control can vary across different stages of a victim-survivor's life.

For example, impacts can be compounded for older people who may already experience reduced autonomy and independence related to factors including lack of employment, economic and housing insecurity. In cases where an adult child is the perpetrator, a reluctance to call attention to the behaviour can keep older people from self-reporting their experiences. This reluctance can relate to fear of isolation and risk of estrangement from their children and/or grandchildren, financial dependence on their abuser, feelings of shame, or a lack of knowledge that their experiences constitute abuse or what services and legal avenues may be available. The impacts are particularly pronounced when the adult child or relative acts as a carer for the older person. Fear of judgement from broader family and community can also reinforce silence.

Children and young people can experience unique and lifelong traumatic impacts as victim-survivors of coercive control in their own right. They can experience the physical, emotional, psychological, social and financial impacts that adult victim-survivors can. In addition, trauma caused by a perpetrator's abuse can affect a child or young person's physical, mental and social health and development, including their educational and employment outcomes. It can also have severe effects on behaviour, and increases the risk of issues with mood regulation, impulse control, self-perception, attention and memory.

A perpetrator's abuse can also adversely impact a child or young person's future relationships. For example, it can normalise violence against women and influence attitudes towards gender equality. Childhood experience of abuse is also linked to an increased risk of children perpetrating abuse as adults. Children and young people who have experienced family and domestic violence are also more likely to have other forms of abuse perpetrated against them, including child sexual abuse, other physical and emotional abuse and/or neglect. Children and young people who experience abuse are also more likely to have family and domestic violence perpetrated against them as an adult.

Perpetrators may actively undermine the bond between a protective parent and their child or their abuse may make it difficult for the protective parent to be emotionally or physically present for their children. This disruption of the parenting relationship can have other adverse effects on a child's development. A perpetrator's abuse can also impact a child or young person's housing security, which can result in homelessness or unsafe housing environments, and can disrupt a child's schooling and support networks. These effects on the parenting relationship and housing security can have cascading adverse impacts on child protection, youth justice and parenting dispute outcomes. A perpetrator's actions to undermine a parent-child relationship differs from a parent restricting a perpetrator's access to a child or young person to keep them safe. This distinction should be recognised to avoid misidentification of the perpetrator.

Impacts should always be considered through an intersectional lens.

There is growing acknowledgement that coercive control has significant short-and long-term impacts on all victim-survivors. There is a need to better acknowledge how the nature and severity of those impacts can differ across cohorts of people, and are compounded in specific settings or circumstances or by gendered and other inequalities. Intersectionality is discussed further in National Principle 3. In intimate partner contexts, coercive control often does not end when a relationship ends, and there is heightened risk that perpetrators will increase or escalate abusive behaviours against victim-survivors during and after relationship separation.

The perpetrator may perceive the end of the relationship as a threat to their control and domination over the victim-survivor, and will often escalate abusive behaviours to attempt to re-establish, maintain or increase control. After a relationship ends, perpetrators may have ongoing contact with the victim-survivor through extended family relationships, parenting relationships, and community and social connections. Perpetrators can also manipulate friends and family to maintain contact with the victim-survivor and can adopt new behaviours to continue their abuse. Technology can be used to stalk, monitor and otherwise exert control over the victim-survivor. This ongoing contact and further abuse can compound trauma for victim-survivors.

Coercive control is a significant risk factor for intimate partner and child homicide, with coercive control often present in cases where the perpetrator has killed their partner and/ or children. The risk and fear of homicide is significantly gendered, and is particularly acute during and after relationship separation.

Research and case reviews indicate that in intimate partner relationships where a perpetrator kills their partner and/or children, the perpetrator has often used coercive control.

The risk of a perpetrator killing their partner, former partner and/or children is particularly acute during and after relationship separation and is linked to a realisation by a perpetrator that they have lost, or are at risk of losing, control over a relationship. This can also be true in the case of forced marriage, where ending the relationship, or refusing a marriage, can result in 'honour killings'.

National Principle 3

Taking an intersectional approach to understanding features and impacts

There are multiple and compounding forms of discrimination and inequalities within society, which shape the practices, policies and behaviours of organisations and communities. Understanding how the context of discrimination and inequality affects specific cohorts of people is critical.

Victim-survivors are not a homogenous group, and have diverse personal identities, backgrounds and experiences.

Power imbalances and forms of discrimination and inequality in society can exist within government, policing, healthcare, legal and service responses and can include gender inequality and rigid gender norms, sexism, racism, colonialism, ableism, ageism, classism, heteronormativity, cisgenderism, transphobia, biphobia and homophobia.

These multiple forms of discrimination do not exist in isolation, and when they interact and compound each other, this is understood as 'intersectionality'. For example, a woman with disability who is culturally and linguistically diverse would experience overlapping and compounding barriers related to multiple aspects of her identity. Similarly, an Aboriginal and Torres Strait Islander person who identifies as LGBTQIA+ and lives in a regional area would experience compounding discriminations and inequalities. An intersectional lens recognises the gendered drivers and dynamics of coercive control and other compounding structural discriminations and inequalities that influence how coercive control is experienced across the Australian community.

Intersectional discriminations and inequalities impact the prevalence of coercive control, perpetrator behaviours and the severity of impacts, as well as the availability, accessibility and quality of services. This limits a victim-survivor's access to justice and support and can further entrench the impacts of coercive control. Responses to coercive control should consider and account for the experiences of discrimination and inequality by victim-survivors and perpetrators from diverse cohorts. Examples include, but are not limited to, the following:

- Aboriginal and Torres Strait Islander people are impacted by colonisation, overcriminalisation and overincarceration, disempowerment, intergenerational trauma, systems abuse and racism, and reduced access to culturally safe and appropriate services.
- Culturally and linguistically diverse communities are also impacted by racism, as well as shame and stigma associated with family and domestic violence in some communities. Services may not provide culturally-sensitive support or appropriately cater for language-based needs such as interpreter access.
- **Migrant and refugee communities** are affected by racism, impacts of trauma from refugee experiences, and may have high levels of dependence on a perpetrator for requirements such as interpreter support, financial support, or visa sponsorship. Compared to citizens and permanent residents, people on temporary visas have limited access to government-funded support such as housing and income support payments.
- LGBTQIA+ people are impacted by homophobia, transphobia, biphobia, cisgenderism, gender binarism and heteronormativity, and may not seek help for fear their experiences may not be validated or believed. LGBTQIA+ people may experience reduced access to services due to providers focusing on family and domestic violence perpetrated by cisgender men against cisgender women.
- **People with disability** are impacted by ableism and often dismissed as passive, burdensome or lacking in capacity for autonomous decision making. Support services may be inaccessible or not provided. Their experiences may be less visible in society and victim-survivors may be dependent on their abuser for care.
- **People living in regional, rural and remote areas** experience inequitable access to supports and services compared to metropolitan Australia.
- People who have been incarcerated, are on bail or parole or have a criminal record face ongoing stigma and exclusion from some services and employment opportunities.

- **Children and young people** face ageism, lack of recognition of their autonomy and failure to acknowledge their status as victim-survivors in their own right. Services may not be designed to be age-appropriate.
- Older people experience ageism and difficulty accessing services. Their experiences may be less visible in society, and victim-survivors may be dependent on their abuser for care.
- Men who are victim-survivors of coercive control face circumstances where services may not be wellequipped to identify and support them. They may also experience shame and disbelief from family and community, including in relation to rigid gender stereotyping and beliefs associated with masculinity.

Discrimination and inequality also impacts the availability, accessibility and quality of services for perpetrators seeking to change their behaviours.

While recognising these modes of oppression, it is also important to acknowledge a victim-survivor's identity as a source of strength and resilience that should be celebrated and harnessed in addressing intersectional impacts.

Structural forms of discrimination and inequality increase the risk that services and legal systems will minimise, doubt or ignore a victim-survivor's experiences, or misidentify victim-survivors as perpetrators of coercive control.

These issues can arise due to insufficient knowledge and engagement with intersectional experiences of coercive control, or through inappropriate imposition of biases and assumptions on a particular relationship.

Women victim-survivors are at high risk of being misidentified as perpetrators.

Victim-survivors from specific cohorts, including Aboriginal and Torres Strait Islander women, women with disability, women from culturally and linguistically diverse backgrounds and LGBTQIA+ peoples, are at particular risk of the justice sector, services and the broader community either misidentifying them as the perpetrator, or not holding the perpetrator accountable.

For example, police, other first responders and service providers may:

• fail to recognise the use of self-defensive or retaliatory violence by the victim-survivor

- fail to recognise when a perceived lack of cooperation may be based on prior adverse experiences with first responders or service providers, particularly for Aboriginal and Torres Strait Islander victim-survivors who are likely to be impacted by overincarceration and overcriminalisation of their community
- incorrectly assume the person with stronger communication or English language skills is not the perpetrator, fail to obtain the account of a victim-survivor who does not speak English, or rely on interpretation provided by a perpetrator
- incorrectly assume that the physically more masculine presenting person in a relationship is the perpetrator
- incorrectly assume that an adult carer, who is also the child of a woman with disability, could not be a perpetrator
- accuse a person with disability who communicates in a diverse or disjointed way as being misleading or untrustworthy in their reports of coercive control.

Being misidentified as the perpetrator has significant detrimental and harmful impacts for victim-survivors, increasing their contact with the criminal justice system and potentially resulting in unwarranted orders or sanctions being taken out against them. This further limits their capacity and willingness to seek and access support from services, police and the justice system, placing them at further risk of harm. Misidentification is discussed further in National Principles 4 and 7.

Perpetrators can manipulate or exploit structural discrimination and inequality to exercise power and dominance over victim-survivors.

These barriers can provide tools and contexts that perpetrators exploit to exercise power and dominance and compound harm (see <u>Box 1.2</u> for examples). They can also impact a victim-survivor's ability to recognise coercive control, and their ability, confidence or willingness to seek help.

To ensure policies, practices and interventions addressing coercive control reflect intersectional concerns, and respond to structural discrimination and inequalities, they should be developed and designed in partnership with diverse cohorts of victim-survivors, and embed their lived experience. The effectiveness of policies and initiatives to address coercive control will depend on whether they reflect the experiences, strengths and needs of the victim-survivors, perpetrators and communities they seek to support.

National Principles 5 and 6 provide further detail on the importance of engagement with victim-survivors, and the importance of incorporating understanding of the specific challenges and intersectional experiences of all communities.

Perpetrators are not a homogenous group. The types of abusive behaviours perpetrators use, their ability to recognise the impacts of their violence and their ability to engage with justice systems and family violence services will also be impacted by intersectional factors.

As such, an intersectional lens is also needed when assessing the risk that a perpetrator poses and determining appropriate accountability, support needs and behaviour change interventions.

Box 1.2 – Perpetrator exploitation of discrimination and inequality

Examples of abusive behaviours perpetrators may use to exploit discrimination and inequality include, but are not limited to:

- threatening to report an Aboriginal or Torres Strait Islander victim-survivor as a neglectful parent or caregiver, deliberately playing on a fear of racist policies such as the Stolen Generations and ongoing disproportionately high rates of removal of Aboriginal and Torres Strait Islander children from their families
- taking advantage of inadequate mobile phone coverage and/or landline services or limited service provision in geographically isolated communities
- threatening a victim-survivor's visa or migration status, for example by threatening to cancel visas, withdraw sponsorship or have the person deported
- using societal discrimination against LGBTQIA+ people to perpetrate identity-based abuse
- relying on discriminatory community attitudes against victim-survivors with disability to discredit their claims and experiences, or threaten them with a risk of not being believed or being institutionalised.

National Principle 4

Improving societal understanding of coercive control

Coercive control is not consistently recognised, understood or responded to within society.

Coercive control is frequently not recognised as a dynamic that almost always underpins family and domestic violence. The common features and impacts of coercive control, including its gendered dimensions, and the influence of structural discrimination and inequality, are also not well understood.

A shared understanding of coercive control should be embedded at a broad society level and institutional to ensure coercive control is appropriately identified and addressed.

Enhanced understanding of coercive control across society is important for supporting the safety of victim-survivors, and for the broader community to hold perpetrators to account. Improved understanding can assist to create an environment where a perpetrator's abusive behaviours are not tolerated, condoned, minimised or excused, and can also assist perpetrators to recognise, address and hold themselves accountable for their behaviour choices.

Limited or incomplete understandings of coercive control impact the effectiveness of interventions by service and response systems, given these systems reflect the norms, attitudes and behaviours present within broader society. The value of increased societal understanding of coercive control extends to all members of the community, and across a wide variety of systems, sectors and practitioners, such as within justice (including law enforcement, the legal and courts system and family law), child protection, health, education, immigration, human and social services, housing, media and communications and private enterprise. The community and broader service and response system, including law enforcement and the courts, can typically focus on physical violence and single or episodic acts of violence in isolation, rather than considering patterns of physical and non-physical abusive behaviour over time and their cumulative impacts. This can make it easy for perpetrators to hide their actions from systems and can lead to a perpetrator's subtle and highly contextualised abuse, and the compounding impact of coercive control, being overlooked and/or minimised.

These incomplete understandings or biases can be reflected in the broader service and response system. Incident-based responses fail to recognise the full extent of a perpetrator's coercive control and their various actions across these systems. This can lead to first responders failing to gather adequate evidence to support interventions to protect a victim-survivor. It can also mean a perpetrator's exploitation of key systems, including domestic violence orders, family court and child protection systems, can be overlooked or not denounced.

Incident-based responses, assumptions and stereotypes, and structural inequality and discrimination, heighten the risk of misidentifying the victim-survivor as the perpetrator.

Incident-based responses can lead to first responders or other service providers or systems failing to recognise when someone is using physical force or other behaviours against a perpetrator to protect themselves and other family members, often children and young people. Retaliatory aggression against a perpetrator can occur after a victim-survivor experiences a build-up of abusive behaviours. Services and systems responding to coercive control can then misidentify the person most in need of protection and charge the victim-survivor incorrectly as the predominant aggressor.

Service providers, police and court officials can have unconscious biases or make assumptions about how a victim-survivor ought to behave in response to abuse, or how they should behave in their engagement with first responders and other services. For example, it may be incorrectly assumed that the first person to report an incident is the victim-survivor, even though a perpetrator may be the person making the first report. Misidentification can also occur in circumstances where a victim-survivor is agitated (which is a normal response to trauma), or appears uncooperative with first responders based on prior negative experiences. Perpetrators may present as calmer, more cooperative and more convincing, often in a deliberate attempt to persuade others that they are not abusive. Perpetrators are often good at hiding their abuse and being friendly to other people in the community to create a positive image of themselves.

Perpetrators can also have a deeply ingrained belief that they are not using abuse when they are accused of coercive control. They may deny, excuse or minimise their abusive behaviour. Perpetrators can claim they are the victim-survivor themselves and will approach services for support to validate their belief and shift blame to the victim-survivor. The consequences of incident-based responses and misidentification can be catastrophic. These responses can contribute to situations where victim-survivors who have reported their experiences to police are later killed by their abuser. The ways discrimination and inequality also contribute to misidentification is discussed in National Principle 3. The issue of misidentification in policing, and civil and criminal justice responses is discussed further in National Principle 7.

Social norms, attitudes and behaviours and poor societal understanding of the dynamics, features and impacts of coercive control can lead to victim-blaming, and prevent victim-survivors from seeking help.

Gendered and intersectional drivers of coercive control, together with limited community understanding of coercive control's dynamics and impacts, can lead to victim-blaming. Victim-blaming can include focusing on the actions of the victim-survivor rather than the perpetrator's abusive behaviour, or falsely believing that a victim-survivor who does not end a relationship with a perpetrator is partly responsible for the abuse continuing. This is often linked to a belief that abuse will always end after a relationship ceases, without recognising the additional safety risks to a victim-survivor during and post-separation.

Within some communities, there are views that family and domestic violence is a private matter that should not be discussed publicly, which creates a culture of silence and feelings of shame or disloyalty around discussing or disclosing abuse. Victim-survivors may be dissuaded from telling others about the abuse they are experiencing or may not seek support. They may be afraid of not being believed, being blamed for the perpetrator's abusive behaviours, or having their experiences dismissed, diminished or excused. Community attitudes can sometimes value and reward a perpetrator's coercive control, for example by framing some abusive behaviours as 'romantic' or an appropriate reflection of gender roles.

Limited and incomplete understandings, victim-blaming, and language used to describe coercive control can shape whether victim-survivors recognise their own experiences as family and domestic violence.

Some victim-survivors may not recognise the dynamics of coercive control or identify their experience as family and domestic violence. For example, someone who is a victim-survivor of a perpetrator's abusive behaviour may mistake their experience as being a normal part of a relationship or family dynamic. This view can be reinforced by victim-blaming attitudes of friends and family.

Coercive control may not be well understood within all communities or cohorts of people based on how it is described. For example:

- Language used can fail to connect with the experiences of some culturally and linguistically diverse and Aboriginal and Torres Strait Islander women, particularly those living in more remote settings.
- Descriptions of coercive control may not resonate amongst members of the LGBTQIA+ community in instances where community awareness is focused on coercive control perpetrated by cisgender men against cisgender women in intimate partner relationships, or the impact of gender inequality is only discussed in the context of these dynamics.
- When coercive control awareness is exclusively focused on intimate partner relationships, victim-survivors who experience coercive control in broader family relationships may not recognise their experience as abuse.
- Children and young people may not realise they are experiencing coercive control if community education focuses exclusively on adults, and fails to acknowledge children and young people as victim-survivors in their own right.

There are also unique barriers for enhancing understanding of coercive control amongst certain cohorts of people. For example, refugees and newly arrived migrants can lack the social networks that can facilitate understanding that they are experiencing coercive control. People with disability may be told, overtly or covertly, that experiences of coercive control are a normal part of caregiving.

Poor societal understandings of coercive control can be exploited by perpetrators, and also create an environment where perpetrators may find it more difficult to recognise, or seek help to address, their behaviours.

Perpetrators can exploit a lack of understanding by service providers and workers within different systems. For example, the perpetrator may present as being concerned about a victim-survivor's mental health but may actually be seeking to manipulate a worker to inadvertently collude in their abuse. Perpetrators may also make false, negative claims about the victim-survivor to services and within social networks to damage their reputation and reduce their credibility.

Community apathy or lack of understanding can be exploited by the perpetrator to gaslight the victim-survivor into doubting or minimising their own experience. For example, victim-blaming attitudes are often reinforced or exploited by perpetrators to reduce a person's confidence that anyone will believe or help them.

All jurisdictions recognise and are actively responding to these identified gaps in understanding and responses.

Service providers, police and the justice system (including the family law system) are also taking steps to improve their understanding of coercive control and share best practice approaches. This includes the work of specialist services which have advocated for improved recognition of, and responses to, coercive control.

Section Two: National Principles in Depth

Guiding considerations to inform effective responses

National Principle 5

Embedding lived experience

Engaging with the lived experiences of victim-survivors is essential to inform policies and initiatives to address coercive control.

Centring the lived experience of victim-survivors involves understanding and embedding their views and experiences throughout every step of the process in policy development, service design and delivery, and monitoring and evaluation. This is essential to ensure that approaches to address coercive control are family and domestic violence informed, trauma-informed, and meet the diverse needs of victim-survivors.

There are many pathways through which the lived experience of victim-survivors may be embedded in the development of policies and initiatives. Victim-survivors may:

• Share insights as clients into the strengths and weaknesses of their service experience. Their insights contribute to improving service delivery, and help paint a collective picture of the many different experiences and journeys through the system.

 Act as advocates and amplify collective positions to influence policy and service design or broader system reform. They may also help identify service gaps, barriers and potential adverse consequences of proposed initiatives.

Work in the family and domestic violence sector as practitioners, leaders, advisors, researchers, administrators and various other roles where their lived experience informs their work.

Initiatives informed by diverse lived experience are more likely to be culturally safe, inclusive, accessible and tailored to the diverse needs and strengths of communities.

The experiences of victim-survivors are informed by a broader intersectional context, influenced by factors including class, race, gender, sexuality, disability and age. It is therefore important to engage with diverse victim-survivor experiences across different backgrounds and age groups, recognise the strength and resilience of communities, and embed an intersectional lens across the design, implementation, and monitoring and evaluation of policies and initiatives to address coercive control. Failing to recognise the compounding discrimination and inequalities that shape a victim-survivor's experience risks perpetuating barriers in policy design and service delivery. For example, Aboriginal and Torres Strait Islander victim-survivors have unique lived experiences and perspectives on coercive control and the challenges and efficacy of policies and initiatives to address it. These perspectives are informed by community-led responses to family and domestic violence and resistance to racism and colonisation. Coercive control in Aboriginal and Torres Strait Islander communities is also not just about the dynamics between a victim-survivor and perpetrator; there are other complex and interconnected drivers of violence that can change the way coercive control is perpetrated and experienced, such as through the perpetration of lateral violence.

Recognising the strength of culture and connection to Country is key to centring the voices of Aboriginal and Torres Strait Islander victim-survivors. Their peoples and communities have their own ways of describing coercive control and the knowledge and understanding of how to address it in culturally and context appropriate ways. Aboriginal and Torres Strait Islander perspectives should inform tailored and culturally safe initiatives for their communities, as without meaningful consultation, collaboration and partnership they cannot be effective.

Children and young people have unique experiences and perspectives as victim-survivors in their own right, which should be reflected in policies and initiatives alongside the lived experience of adult victim-survivors. The views of children and young people are regularly overlooked, or only considered as an 'add-on' to a parent. They should have access to family and domestic violence informed and trauma-informed supports that take into consideration their age, cultural background, developmental capacity and individual circumstances.

Policies and initiatives that are designed without taking into account the experiences and perspectives of children and young people risk failing to meet their needs. As discussed in National Principle 1, children and young people are victim-survivors in their own right, and should be engaged with directly to share their views.

Effective consultation with adult and child victim-survivors should be culturally safe, family and domestic violence informed, trauma-informed and strengths-based, with appropriate safeguards to reduce the risk of re-traumatisation.

Being family and domestic violence informed and trauma-informed involves:

- providing environments that are physically, psychologically, culturally and emotionally safe and accessible for victim-survivors to share their experiences and insights, and do not cause further harm
- establishing safeguards and processes that are age and developmentally-appropriate, particularly when engaging with children and young people
- using a victim-centred approach to consultation to avoid risk of re-traumatisation, particularly where victim-survivors are still experiencing coercive control
- building trust, appropriately managing expectations and being responsive to individual needs, values and concerns.
- acknowledging people's strengths, protective actions and acts of resistance, and recognising the courage it takes for people to share personal experiences and insights
- recognising that people are experts in their own lives and futures and supporting empowerment and collaboration to develop solutions
- providing equitable and inclusive access to people with diverse needs, including methods to overcome language barriers such as translators or providing accessibility equipment for people with disability
- acknowledging and respecting the many aspects of a person's identity
- recognising that a person's ability to engage may vary across time, place or personal circumstances, including health, family responsibilities or changing risks to safety. Victim-survivors may not be able, or want, to share their lived experiences due to trauma, fear or their own healing and recovery needs. Acknowledging the strength of those who share their lived experiences should not create an expectation or pressure on victim-survivors to share their own experiences.

Cultural safety involves creating environments where there is respect for culture and beliefs, freedom from discrimination and no challenge or denial of a victim-survivor's identity. For example, for Aboriginal and Torres Strait Islander people, providing cultural safety involves consulting in a manner that acknowledges the history of Aboriginal and Torres Strait Islander peoples and their treatment in Australia and that is respectful of their culture and beliefs.

Some victims are killed by the perpetrator. Systemic review of the experiences and interactions with services and institutions by these victims, and those who have died by suicide, should also inform future policy and practice.

Some people who have coercive control perpetrated against them do not survive. Their experiences and interactions with services and institutions, reflected in coronial findings and through insights from family members and friends, should inform policies and initiatives to address coercive control.

Coercive control often impacts the community surrounding a victim-survivor, and family members or friends can provide distinct perspectives to inform policy approaches.

Family and friends may witness the enduring psychological, social and economic impacts of coercive control on their loved ones, and may have directly or indirectly participated in the process of recovery and healing. They may also experience secondary trauma. As such, they can provide distinct perspectives on areas for system reform.

National Principle 6

Coordinating and designing approaches across prevention, early intervention, response, and recovery and healing

A shared understanding of coercive control and a commitment to victim-survivor safety creates a foundation for coordinated approaches.

In considering coordinated approaches, the Australian, state and territory governments, and others involved in addressing coercive control, should still have flexibility to design their own tailored interventions, while also ensuring actions are grounded in a mutual understanding. A whole-of-society approach is needed to address coercive control. Governments, the family and domestic violence sector, community and sporting organisations, places of worship, businesses, workplaces, health services, media, academic institutions, communities and families all have roles to play to support the safety of victim-survivors and hold perpetrators to account.

Jurisdictions, systems and sectors can all take sustained, collective action to address coercive control. For example:

- **Governments** can work in partnership with communities to design, implement and improve policies, services and systems across the spectrum of prevention, early intervention, response, and recovery and healing domains across portfolios such as policing, the justice system (including family, civil and criminal courts), child protection, housing, employment, immigration and health and welfare systems.
- The specialist family and domestic violence sector can provide expert care and support to victim-survivors that is family and domestic violence and trauma-informed, integrated and coordinated. The sector can also provide education to identify the signs of coercive control, and deliver perpetrator interventions to support changes to harmful attitudes and abusive behaviours.
- **Community organisations** can support locally-led, culturally safe, and place-based responses that reflect intersectional experiences. They can also build on community strengths in designing responses. Supporting such responses is particularly valuable for Aboriginal and Torres Strait Islander peoples, through mechanisms such as Aboriginal Community Controlled Organisations.
- **Sporting organisations** can embed gender equality and respectful relationships in their networks and communities.
- Businesses and workplaces can create policies and cultures that promote gender equality and respect, and support staff who are victim-survivors. Some businesses may have specific opportunities, such as banks and other financial institutions which can implement policies to help prevent financial abuse. Industry can support action related to technology-facilitated abuse. For example, technology companies can adopt approaches that build safety into the development of services and products.

- Media can help by publicly challenging gender inequality and stereotypes and the power imbalances that drive coercive control, raising awareness of the common features and impacts of coercive control, and supporting perpetrator accountability by not perpetuating victim-blaming narratives.
- Schools and universities can integrate prevention and early intervention, particularly to support children and young people to understand healthy and respectful relationships and feel safe and supported to make disclosures in an education environment.
- Academic institutions can help build the evidence base around coercive control and inform effective policies and initiatives.
- The health sector can deliver trauma-informed and accessible services and support victim-survivors with their short-and long-term health and wellbeing.
- **Communities and families** can support the long-term cultural change that is needed to stop coercive control.

These systems and sectors are intersecting and mutually reinforcing. The criminal justice system can be an important pillar of an effective response to coercive control, and has significant functions in terms of perpetrator accountability, but alone is not sufficient to address coercive control, and needs to work in conjunction with other systems.

All sectors and jurisdictions involved in addressing coercive control should work together to minimise duplication and gaps in services, while ensuring that new approaches build upon, improve or complement existing initiatives.

A significant diversity of services is required to provide holistic support to victim-survivors of coercive control. These extend beyond family and domestic violence services to broader socio-economic supports, such as safe, secure and affordable housing, safe access to technology, health provision, disability support and provision of interpreters. Action and coordination are necessary at all different levels, from national through to local government.

Coordinated approaches can help provide continuity of support for victim-survivors across the spectrum of their different service needs. They can improve the safety of victims-survivors by supporting more accurate risk assessments and enable better identification of a perpetrator's manipulation across different systems, including policing, the family court, child protection and health and social welfare services.

Approaches should incorporate understanding of the specific challenges and intersectional experiences of victim-survivors, and how that impacts their service, safety and recovery needs.

Approaches should take account of structural inequalities and discrimination which result in systems and structures being more likely to misidentify certain cohorts of victim-survivors as perpetrators. This is discussed further in National Principle 3. The importance of embedding a diversity of lived experience is discussed in National Principle 5.

Coordinated approaches are important for breaking down some of the complex and diverse barriers that victim-survivors face when accessing support across the service system. They can also reduce the number of times victim-survivors are asked to repeat their experience and decrease the possibility of a perpetrator's abusive behaviour being overlooked.

Direct engagement with perpetrators is critical in moving perpetrators towards accountability and behaviour change.

Holding perpetrators to account means recognising and reinforcing that the responsibility to stop abusive behaviour belongs to the person using it, not the person experiencing it. Approaches to address coercive control should focus on centring the victim-survivor's experience and safety needs first. They should seek to shift community attitudes that place the onus on victim-survivors to end the abuse, and instead focus on perpetrator accountability. Adequate supports are needed for perpetrators to recognise their abusive behaviours and access appropriate services. Positive engagements that encourage non-violent ways of relating to others are more likely to lead to longer and more committed engagement in accountability and behaviour change work among perpetrators.

Perpetrator accountability also involves engaging with and researching the experiences of perpetrators to identify motivations, abusive behaviour choices, and the tools and systems they use to perpetrate coercive control. This understanding will inform the design of appropriate initiatives. Strengthening the capacity of the intervention system to engage and retain perpetrators in interventions that respond to their risks and needs and produce accountability and behaviour change outcomes is vital for victim survivor safety. Additionally, engaging with perpetrators at the earliest possible juncture is important to prevent long-term perpetration. Such efforts need to be flexible, tailored, and evidence-based in order to respond effectively to the risks and needs of individual perpetrators.

Coordinated approaches should strongly focus on prevention to address the gendered and intersectional drivers of coercive control. Action should also occur across early intervention, response, recovery and healing domains.

The priority areas for coordinated action align with the National Plan and refer to the four domains of prevention, early intervention, response, and recovery and healing. Comprehensive and connected efforts across these domains are important to meet the needs of victim-survivors, perpetrators and the community. All efforts to address coercive control should consistently focus on the perpetrator's patterns of abusive behaviours and the impact they have on victim-survivors. Examples of activities within these four domains are provided below. Further information on these domains is outlined in the National Plan.

Prevention

Prevention initiatives are designed to stop coercive control before it starts by addressing its underlying gendered and intersectional drivers. This requires changing the social conditions that give rise to this violence and influence a perpetrator's choices and behaviours, and reforming the institutions and systems that excuse or justify such violence. Prevention initiatives seek to create generational, cultural and attitudinal change and require long term, ongoing commitment.

Examples of prevention initiatives include education programs on respectful relationships and consent, particularly for young men and boys, to target the gendered drivers of violence against women. They may also include broader awareness-raising initiatives and workplace educational programs aimed at recognising and addressing coercive control drivers. Prevention efforts should engage men across all stages of life and across multiple settings.

Early intervention

Early identification aims to identify and support individuals who are at high risk of experiencing or perpetrating coercive control and prevent it from reoccurring. Examples of early intervention include initiatives to strengthen awareness and identification of a perpetrator's coercive control, and improve societal understanding of the various settings and situations in which coercive control is perpetrated.

Response

Response refers to efforts and programs used to address existing violence.

Examples of response efforts include development and support for a specialist workforce to work with perpetrators (such as through men's behaviour change programs), strengthening police response and workforce training, and addressing systems abuse in the family law and other sectors. Legal responses are discussed further in National Principle 7.

Recovery and healing

Recovery is an ongoing process that enables victim-survivors to be safe, healthy and resilient and to have economic security and post-traumatic growth. Recovery efforts go beyond the immediate threat and enable long term healing.

Recovery recognises that victim-survivors need additional, often lifelong, supports to recover and heal from trauma and the short-and long-term impacts of coercive control. These impacts are discussed further in National Principle 3.

Recovery is different in profile and duration for each victim-survivor and is complex when a person is still enduring coercive control post-separation from the perpetrator.

Within many Aboriginal and Torres Strait Islander communities, there are calls for increased focus on community-led healing approaches to address family and domestic violence, that support both the victim-survivor and perpetrator in a culturally appropriate and safe way to prevent further harms, rather than focusing on punitive measures. Approaches across all sectors and systems should be underpinned by ongoing, comprehensive education and training in coercive control, including its common features and its gendered and intersectional drivers and impacts. Training in areas such as disability awareness and cultural competency is also vital.

Education and training across these areas will be most effective when informed by the lived experience of victim-survivors (discussed further in National Principle 5). Education and training should also be evidence-based and underpinned by the expertise of the specialist family and domestic violence sector. It should be tailored appropriately for the audience, recognising there are varying levels of awareness and understanding of coercive control across sectors and systems.

Cultural competency in relation to the experience of Aboriginal and Torres Strait Islander peoples is an essential component of effective education and training. Training and education should seek to increase the capability of workforces to effectively respond to the interconnected and compounding forms of violence experienced by Aboriginal and Torres Strait Islander victim-survivors. This is particularly relevant for workers that directly engage with victim-survivors and perpetrators, such as police, legal and justice professionals and frontline service providers.

A shared understanding of coercive control is important to obtain the comprehensive and accurate data needed to underpin evidence-based approaches.

A shared understanding will support the collection of consistent data, which will build the knowledge-base on coercive control, including new and emerging perpetrator abusive behaviours and intersectional experiences. Better data can also support the design, implementation and evaluation of evidence-based initiatives.

Data and research can also help address evidence gaps. For example, research to date has primarily focused on intimate partner relationships, however there is comparatively less known about coercive control within broader family relationships, which can reduce visibility for those victim-survivors. Data and research can also help to identify any potentially adverse consequences that may arise from particular approaches to addressing coercive control. In Aboriginal and Torres Strait Islander communities, increasing access to locally relevant data can help inform community-led decision-making and development and is consistent with government commitments under Priority Reform 4 (Shared Access to Data and Information at a Regional Level) under Closing the Gap.

National Principle 7

Embedding the National Principles in legal responses to coercive control

All states and territories have existing legal mechanisms available for responding to family and domestic violence.

Victim-survivors of coercive control can use existing state and territory legal mechanisms to report and seek protection from authorities. In many jurisdictions, coercive control is mostly dealt with in the civil legal system (for example, through protection orders) and the family law system. In some jurisdictions, coercive control is also addressed through the criminal justice system.

Each state and territory government is responsible for determining whether coercive control should be a specific criminal offence, and the form this legislation could take.

State and territory governments are at different stages of considering whether or how to develop and implement a specific coercive control offence. Considerations take into account cultural, geographic and socio-economic differences across jurisdictions. The Australian Government does not have jurisdiction to create a coercive control offence at a national level.

The Australian, state and territory governments recognise that there are arguments for and against criminalising coercive control. While the National Principles remain neutral on whether criminalisation should, or should not, form part of a legal response to coercive control, arguments for and against are briefly summarised below for context. Arguments for criminalisation include that a specific offence will support recognition of the patterned nature of abuse, improve victim-survivor safety, increase perpetrator accountability, provide recourse for victim-survivors and reinforce within the community that coercive control is unacceptable and must be taken seriously.

Arguments against criminalisation include that while coercive control must be recognised and addressed, criminalisation does not offer an appropriately flexible and nuanced approach to dealing with this issue, and could lead to adverse outcomes. Possible adverse outcomes include overincarceration, re-traumatisation, potential avenues for manipulation and exploitation by perpetrators and reinforcing misidentification. This is particularly the case for cohorts of people who experience discrimination in the justice system. This is discussed further in National Principle 3.

Consultation is the cornerstone of effective legal responses to ensure they meet the needs of victim-survivors.

Safe and meaningful consultation should inform any development and implementation of legal responses, including new offences, to ensure they effectively meet the needs of victim-survivors. This includes direct engagement with victim-survivors, as discussed in National Principle 5. It also includes engagement with family and domestic violence services, and cohorts of people that may be disproportionately or adversely impacted.

Consultation between jurisdictions is also important to share learnings and ensure consistency of safety outcomes for victim-survivors.

Legal responses are an important part of victim-survivor safety and perpetrator accountability. However, they are only one approach and sit alongside other efforts to address coercive control across the prevention, early intervention, response, recovery and healing domains.

Legal responses are positioned alongside non-legislative approaches and activities across different sectors and systems. They form an important part of a suite of tools to address coercive control that spans across all domains. This is discussed further in National Principle 6.

A specific coercive control offence is only one example of a legal response to address coercive control, amongst other criminal offences and civil actions.

Within the legal system, there are existing criminal laws, as well as civil actions such as protection orders, that aim to protect victim-survivors from further violence, intimidation or harassment. These vary across jurisdictions.

Legal responses to coercive control can also consider the application of, and improvements to, existing legislation and legal mechanisms that are not explicitly focused on responding to coercive control but may impact a victim-survivor's experience of it. This includes legislation across immigration, child protection, child support, employment, social services, family law, surveillance devices, telecommunications, housing and health.

Governments should consider the issues highlighted in the National Principles when considering legal responses to coercive control.

Development of legal responses to coercive control, including any specific coercive control offence, should consider the various issues highlighted throughout the National Principles. Examples of specific considerations are outlined in <u>Box 1.3</u>.

Legal responses are most effective when they have comprehensive implementation and change management support. This includes education and training on coercive control in sectors implementing or enforcing these laws. Other important areas for training include cultural competency and disability awareness training.

Consideration should be given to how legal responses will be implemented and managed, particularly through education and training. Poor responses to coercive control are not always driven by the absence of legislative options, but failures or difficulties in applying the laws by police and courts. Education and training initiatives also provide an opportunity to influence the culture and attitudes across law enforcement and justice systems. Training and education should focus on how best to hold perpetrators to account, protect victim-survivors and support access to justice. Wherever possible, available data should be used to inform their design and evaluation. Decisions about whether to undertake legislative reform, and the development and implementation of any coercive control legislation (including an offence), should take steps to mitigate the following concerns:

Increased engagement with the criminal justice system may increase or entrench disadvantage for certain cohorts of people that are already overrepresented in the system, or experience barriers to justice.

This includes Aboriginal and Torres Strait Islander peoples, LGBTQIA+ people, people with disability, people with mental illness, people who misuse substances and people from culturally and linguistically diverse backgrounds.

There are particular community concerns about how legal responses, including criminalising coercive control, may interact with existing structural inequalities discussed under National Principle 3 and increase overincarceration, institutionalisation, or overrepresentation in child protection matters, for these cohorts of people. For example:

- Some people with disability who are victim-survivors, particularly those with cognitive or psychosocial disability, are at increased risk of institutionalisation or incarceration when engaging with the criminal justice system. This risk is enhanced when reporting non-physical forms of abuse under criminal laws.
- LGBTQIA+ people (particularly trans people and LBQ+ women) are arrested, incarcerated and placed under supervision at higher rates than cisgender heterosexual people. LGBTQIA+ people are overrepresented in both women and men's prisons and in the juvenile justice system.
- Children and young people from some culturally and linguistically diverse populations are overrepresented in child protection systems.

Aboriginal and Torres Strait Islander people are overrepresented in both the criminal justice system and in child protection matters, stemming from the impacts of colonisation and racism. These issues are further compounded by high rates of Aboriginal and Torres Strait Islander deaths in custody, and high rates of child removal as compared to the general population. Adverse experiences with the criminal justice system are also a significant source of intergenerational trauma. In line with targets under Closing the Gap, criminal justice approaches should not contribute to this overrepresentation, while also seeking to achieve a reduction in family and domestic violence rates experienced by Aboriginal and Torres Strait Islander women and children.

Any new criminal justice measure, including any coercive control offence, needs to be carefully designed and implemented to support perpetrator accountability and uphold victim-survivor safety, while also ensuring it does not introduce new, or exacerbate existing, risks to communities and individuals.

A criminal justice response may have a deterrent effect on reporting of coercive control.

Current criminal justice system responses can fail to respond to family and domestic violence in trauma-informed, victim-survivor centred ways. Victim-survivors may not disclose or report coercive control in circumstances where their trust in a just outcome has been eroded. This includes circumstances where they may have had previous negative experiences with the justice system (or other related systems such as the child protection system), where structural discrimination and inequality has eroded trust in the system, where there is a low likelihood of a family and domestic violence conviction being successful or if they fear additional safety risks from criminal justice involvement. For example:

- Aboriginal and Torres Strait Islander victim-survivors may be reluctant to seek legal support for coercive control for a range of reasons, including racism, lack of cultural safety, previous negative experiences with the criminal justice system, fear their children will be removed and fear of homelessness.
 Victim-survivors may also fear that a perpetrator who is incarcerated may then die in custody.
- Women who have been imprisoned and have been in contact with police for other matters may not call the police because of experiences of arrest and victimisation by the system.
- Victim-survivors who have been removed from their parents' care as children, or have had their own children removed from their care may not report abuse based on a fear of negative child protection involvement.

- Victim-survivors who have previously reported violence but have not been protected by police or court intervention may choose not to report.
- Victim-survivors may wish to avoid reporting abuse for fear of escalation of abuse following police or court intervention.
- Some communities may mistrust or have limited confidence in first responders, such as police, resulting from a lack of cultural safety.

Victim-survivors may also not disclose or report coercive control due to the risk of re-traumatisation. Retraumatising experiences include:

- Adult or child victim-survivors being disempowered, dismissed and made to feel shame or blame, including through cross-examination processes.
- Long delays and navigating multiple and often complex systems, which can cause uncertainty and increased anxiety for the victim-survivor.
- High evidentiary thresholds, which may re-traumatise victim-survivors and/or invalidate their experiences where the offence is not prosecuted or conviction is not achieved.
- Engagement with the justice system without appropriate accompanying service support.

A victim-survivor may also desire a non-punitive approach to ending the abuse. This is particularly the case when a criminal justice outcome could result in incarceration or a criminal record for their partner or family member, and where this may have flow on impacts, for example limiting a perpetrator's future employment opportunities because of a criminal record, which can then have implications for household income.

Legislation can be manipulated by perpetrators as part of systems abuse.

This risk, and the potential for systems abuse to further erode a victim-survivor's trust in the legal system, should be considered in the introduction of new legislation.

The risk of misidentification of the predominant aggressor within the justice system.

Misidentification is discussed further in National Principles 3 and 4.

Misidentification of the victim-survivor as the perpetrator and the perpetrator as the person in need of protection should be considered in the design and implementation of any justice response, including any new laws. Situations where misidentification can occur across legal systems include when police first respond to a report, when victim-survivors and/or perpetrators are in court, or during engagement with legal service providers.

As discussed in National Principles 3 and 4, misidentification of a victim-survivor as a perpetrator can happen, for example, when first responders or other services providers and systems consider individual behaviours or events (for example, a single act of physical violence) in isolation, rather than a perpetrator's patterns of behaviours across a relationship or when they act on the basis of ingrained biases, such as assumptions about how victim-survivors or perpetrators ought to behave or what they look like. A shared understanding of coercive control is critical to better position first responders and the justice sector to accurately identify the perpetrator and victim-survivor when enforcing legislation.

Incorrect identification of the perpetrator and the person most in need of protection can result in serious negative consequences for victim-survivors. This can include safety risks, involvement by child protection agencies, loss of housing and income support as a result of criminal justice involvement, mistrust of police and legal systems, long and complicated court proceedings including through the family court system, and negative effects on health and wellbeing. These contribute to an erosion of confidence in the legal system by victim-survivors and the community.

Box 1.3: Embedding the National Principles in Legal Responses

National Principle One

Legal responses should consider the common features of coercive control, including how to capture patterns of abusive behaviour rather than just single incidents. Responses should also consider different types of behaviour used by perpetrators, including those that are subtle and insidious, and mechanisms through which behaviour can be facilitated, including abuse of systems and use of technology. Legal responses should also consider whether and how proposed laws will apply within intimate partnerships and broader family relationships, as well as how legal systems can be manipulated and weaponised as part of a perpetrator's abuse.

National Principle Two

Legal responses to coercive control should consider the different ways victim-survivors can be impacted, and the cumulative nature and overall seriousness of impacts. Those designing and implementing legal responses should also consider the increased risk of a perpetrator in an intimate partner context escalating their behaviours during and after a relationship separation or pregnancy, or killing a partner or child.

National Principle Three

Intersectional experiences and the various ways structural discrimination and inequality impacts prevalence, perpetrator behaviour and severity of impacts should be considered in any legal response to coercive control.

National Principle Four

Legal responses should be supported by sector-specific and community-wide education and training to ensure that new laws are developed and implemented effectively and consistently in a way that counters victim-blaming, recognises pattern-based behaviour and avoids assumptions and stereotypes that can lead to misidentification.

National Principle Five

Victim-survivors from different cohorts of people have particular insights into the efficacy of civil and criminal justice responses, and potential adverse consequences from these mechanisms. Victim-survivors have individual experiences of coercive control and interactions with the justice system, and can provide views on the types of civil and criminal law responses that have been most effective.

National Principle Six

Each jurisdiction, where applicable, should align the legal responses within their own jurisdiction in a way that best supports coordinated service system responses.

Help and support

If you, or someone you know, need help, the following services are available to assist

Family, domestic and sexual violence support

1800RESPECT

National family, domestic and sexual violence support counselling service. This service is free and confidential. Available 24 hours, 7 days a week.

1800 737 732, www.1800respect.org.au

Men's Referral Service

For men in Australia who are concerned about their use of violence or abusive behaviours. Available 8am to 9pm (Monday–Friday); 9am to 6pm (Saturday and Sunday).

1300 766 491, <u>www.ntv.org.au</u>

Sexual, Domestic and Family Violence Helpline

For anyone in Australia whose life has been impacted by sexual, domestic or family violence. Available 24 hours, 7 days a week.

1800 943 539

Rainbow Sexual, Domestic and Family Violence Helpline

For anyone from the LGBTQIA+ community whose life has been impacted by sexual, domestic and/or family violence. Available 24 hours, 7 days a week.

1800 497 212

Say It Out Loud

A national resource for LGBTQ+ communities and service professionals working with people who have experienced sexual, domestic and family violence.

www.sayitoutloud.org.au

Well Mob

Social, emotional and cultural wellbeing online resources for Aboriginal and Torres Strait Islander people.

www.wellmob.org.au

My Blue Sky

Provides free legal and migration advice to people in, or at risk of, all forms of modern slavery in Australia, including forced marriage. Available 9am to 5pm (Monday–Friday).

(02) 9514 8115, www.mybluesky.org.au

Blue Knot Helpline and Redress Support Service

A trauma specialist phone and webchat service for adult survivors of complex childhood trauma and their personal and professional supporters. Available 9am to 5pm, 7 days a week.

1300 657 380, www.blueknot.org.au/

Mental health support and advice

MensLine Australia

Free telephone counselling support for men with concerns about mental health, anger management, family violence, addiction, relationship, stress and wellbeing. Available 24 hours, 7 days a week.

1300 78 99 78, <u>www.mensline.org.au</u>

Kids Helpline

A free counselling service for young people aged between 5 and 25. Available 24 hours, 7 days a week.

1800 55 1800, www.kidshelpline.com.au

Beyond Blue

Information and support for anxiety, depression and suicide prevention for anyone in Australia. Available 24 hours, 7 days a week.

1300 22 4636, www.beyondblue.org.au

ReachOut

ReachOut provides mental health information, support and resources to anyone in Australia aged under 25 years.

www.au.reachout.com

13YARN

Phone service for the Aboriginal and Torres Strait Islander community. Available 24 hours, 7 days a week.

13 92 76, www.13yarn.org.au/

1800 ELDERHelp

A free call phone number that automatically redirects callers seeking information and advice on elder abuse with the phone service in their state or territory.

1800 353 374

Open Arms – Veterans & Families Counselling

Mental health support for Navy, Army and Air Force personnel, veterans and their families. Available 24 hours, 7 days a week.

1800 011 046, www.openarms.gov.au

Other support

Translating and Interpreting Service (TIS National)

Telephone and on-site interpreting services in over 150 languages. Available 24 hours, 7 days a week.

131 450, www.tisnational.gov.au/

eSafety Commissioner

A complaints-based reporting scheme for cyberbullying of children, serious adult cyber abuse, image-based abuse (sharing, or threatening to share, intimate images without the consent of the person shown) and illegal and restricted content.

www.esafety.gov.au/report www.esafety.gov.au/women

Crisis support and suicide prevention

Lifeline

For anyone in Australia experiencing a personal crisis. Available 24 hours, 7 days a week.

13 11 14, www.lifeline.org.au

National Suicide Call Back Service

Telephone and online counselling for anyone in Australia affected by suicide. Available 24 hours, 7 days a week.

1300 659 467, www.suicidecallbackservice.org.au

