



Meeting of

Attorneys-General



NATIONAL PRINCIPLES TO ADDRESS COERCIVE CONTROL

CONSULTATION DRAFT



FOREWORD BY ALL ATTORNEYS-GENERAL

[to be developed after public consultation]

[to include an acknowledgment of victim-survivors and those who have not survived]

HELP AND SUPPORT

Please refer to page 29 for [a list of support services](#).

INTRODUCTION

Each person is entitled to safety from family and domestic violence, no matter where they live in Australia.

Coercive control is a pattern of abusive behaviour that is often a significant part of a perpetrator's use of family and domestic violence. The Australian Government and state and territory governments recognise that understanding and responding to coercive control is an important part of preventing and responding to family and domestic violence.

State and territory governments have primary responsibility, and accountability, for how they respond to coercive control in their areas of Australia, including any criminal or civil laws they may choose to put in place to address coercive control. This can allow for responses to be tailored to meet the needs of the people and the communities they directly affect. The Australian Government has responsibility for the Australian family law system, which assists people to resolve the legal aspects of family relationship issues. Access to family law systems and services that enable safe and prompt resolution of family law matters is an important step to victim-survivor safety.

However, a shared consistent understanding of coercive control is an important component of supporting victim-survivor safety. This shared understanding supports:

- governments, non-government organisations, front line services, law enforcement, the judiciary, academic institutions, businesses and the community to work together to identify and address coercive control
- framing of prevention, early intervention, response and recovery approaches
- clear and consistent public messaging
- victim-survivors to recognise and describe their own experiences
- perpetrators to self-identify and take steps to address harmful behaviours
- increased understanding of the impact of gender inequality on coercive control.

Inconsistent or unclear understandings of coercive control can create confusion for victim-survivors and the broader community. It can also make it difficult for individuals and private, public and civil institutions to work together to address coercive control and support victim-survivor safety.

The National Principles help create a shared national understanding of coercive control and outline a mutual understanding across the Australian Government and state and territory governments about coercive control and how to respond to it.

The National Principles can be used by policy makers and service providers across government and non-government sectors. They provide flexibility to allow the Australian Government, state and territory governments, civil society and businesses to design their own tailored approaches to preventing and responding to coercive control.

The National Principles are also a tool to support wider awareness of coercive control by members of the broader community as well as legal professionals, police, health providers and other service providers who work with victim-survivors and perpetrators.

The knowledge base about family and domestic violence, including coercive control, is expanding all the time. These National Principles are based on the current nationally agreed understanding of coercive control, and might change in the future.

Responses to coercive control should be developed and considered within the context of broader government policy frameworks that include family and domestic violence, including the *National Plan to End Violence against Women and Children 2022–32* (the National Plan) and relevant state and territory frameworks.

This document considers coercive control in the context of family and domestic violence and therefore focuses on this behaviour within family or domestic relationships and settings. Coercive control can sometimes also be described in the context of family, domestic and sexual violence, and broader gender-based violence, both of which extend to violence outside family and domestic relationships and settings. However, this broader consideration is beyond the scope of this work.

This document recognises that there are many different forms of abusive behaviours that can form part of a perpetrator's use of family and domestic violence. These behaviours can be physical and non-physical in nature, including physical and non-physical forms of sexual abuse.

TERMINOLOGY

There is no single set of terminology that suits all situations and people. No exclusion or harm of people is intended in the terms used in this document.

The language used to describe experiences of family and domestic violence, including coercive control, is complex and continues to change.

Throughout this paper, people who use coercive control are referred to as perpetrators and people who have experienced or are experiencing coercive control are referred to as victim-survivors. The term 'victim-survivor' 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.

GUIDE TO READING THE NATIONAL PRINCIPLES

This document is divided into two parts. The first part is called 'National Principles' (pages 3–10). It presents the eight National Principles together with short background sections. The second part is called 'National Principles In Depth' (pages 11–28), where the National Principles are repeated alongside detailed explanations. The background and detailed explanations help to explain each National Principle, but are not designed to provide a comprehensive summary of available evidence on coercive control.

NATIONAL PRINCIPLES

A COMMON UNDERSTANDING OF COERCIVE CONTROL AND ITS IMPACTS

NATIONAL PRINCIPLE 1: COMMON FEATURES

The Australian Government and state and territory governments recognise the following common features of coercive control:

- Coercive control is often a significant part of a person's experience of family and domestic violence.
- Coercive control involves perpetrators using abusive behaviours in a pattern over time in a way that creates and keeps power and dominance over another person or persons.
- As part of this pattern, perpetrators may use physical or non-physical abusive behaviours, or a combination of the two. The specific behaviours can look different in each relationship.
- In intimate partner relationships, coercive control is most often used by cisgender male perpetrators against women (both cisgender and transgender) who are their current or former partner, and their children.
- Coercive control can be used by or against people of all genders, sexual orientations, cultures and classes. People of all ages may also have coercive control perpetrated against them, including children and young people.
- Coercive control is most often identified in the context of intimate partner relationships, it can also be used by perpetrators in broader family relationships (including cultural kinship and family of choice relationships).
- Family and domestic violence, including coercive control, is driven by gender inequality within society. Gender inequality can also combine with other forms of inequality and discrimination, which can influence a victim-survivor's experience of coercive control.

It is important to understand how abusive behaviours are used as part of a pattern that results in the perpetrator having power and control over a victim-survivor. Types of behaviours that perpetrators can use as part of their patterns of abuse include physical abuse (including sexual abuse), monitoring a victim-survivor's actions, restricting a victim-survivor's freedom or independence, social abuse, using threats and intimidation, emotional or psychological abuse (including spiritual and religious abuse), financial abuse, sexual coercion, reproductive coercion, lateral violence, systems abuse, technology-facilitated abuse and animal abuse.

Coercive control may be perpetrated in current or former intimate relationship structures and broader family relationships. For example, it may be perpetrated within a marriage, de facto, dating or casual relationship, or engagement. A perpetrator may also be a parent or caregiver through birth, adoption or fostering, a grandparent, a sibling, an extended family member or an adult child. Coercive control may be perpetrated within cultural kinship connections and family of choice relationships.

Children and young people have unique experiences of coercive control and should be considered victim-survivors in their own right. They may be directly targeted, may witness abusive behaviour, or may be exploited by perpetrators as a way of asserting power and control over a parent or caregiver.

Gender inequality in public and private life is an underlying condition for violence against women to occur. Gender inequality can also combine with other forms of inequality and discrimination, including racism, ageism, classism, ableism, transphobia, biphobia and homophobia, and ongoing impacts of colonialism for Aboriginal and Torres Strait Islander communities.

[For a detailed explanation of National Principle 1, see below at page 11.](#)

NATIONAL PRINCIPLE 2: IMPACTS

The Australian Government and state and territory governments recognise that coercive control has significant short and long term harmful impacts on victim-survivors and communities.

- The effects of coercive control can build up and become worse over time.
- Coercive control can affect a victim-survivor's whole life, and take away their independence, dignity, sense of self-worth, identity, feeling of security and health and wellbeing.
- Escalation of patterns of coercive control is a significant factor in intimate partner homicide cases.
- Coercive control is one of the factors that can keep victim-survivors trapped by perpetrators in relationships.
- In an intimate partnership context, coercive control does not always end when a relationship is ended, with perpetrators' abusive behaviour at risk of increasing during and after separation.

Coercive control can contribute to poorer physical health, as well as mental illness, including anxiety, depression and post-traumatic stress disorders, and can contribute to harmful coping strategies, such as reliance on alcohol or other drugs, or self-harm.

As a result of the perpetrator's actions, victim-survivors can be isolated from family and friends, lose jobs, income and financial security and find it difficult to trust people or develop new relationships. This has a personal, as well as a broader community, impact.

The way a perpetrator uses coercive control can effectively trap a victim-survivor and make it very difficult to seek help. A person who is trying to leave a relationship with a perpetrator is at increased risk of homelessness, particularly if the perpetrator has used coercive controlling behaviours to make them financially dependent. The nature of coercive control means that the negative effects increase over time, as patterns of behaviour are established and maintained—a cumulative impact.

[For a detailed explanation of National Principle 2, see below at page 16.](#)

NATIONAL PRINCIPLE 3: COMMUNITY UNDERSTANDING

The Australian Government and state and territory governments recognise that coercive control has not been consistently recognised, understood or responded to as family and domestic violence.

- The community, legal system, law enforcement bodies and courts can have a focus on physical violence and single acts of violence, rather than a pattern of abuse over time.
- Community attitudes, and perpetrator behaviours that are controlling and isolating, can prevent victim-survivors from understanding that they are experiencing abuse or from seeking support.

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

Misunderstanding of coercive control in the community can be a significant barrier that can prevent coercive control from being identified, reported and addressed.

The Australian community can more easily recognise visible physical violence as family and domestic violence, and can overlook or dismiss the non-physical abusive behaviours that are often part of coercive control.

The Australian Government and state and territory governments recognise that if family and domestic violence responses focus exclusively on single acts of violence and don't adequately consider the broader pattern of coercive control, individual behaviours used by perpetrators can seem less significant and may not be taken seriously.

Service providers, police and the justice system (including the family law system) are all taking steps to improve their understanding of coercive control and share best practice approaches (including the work of specialist services who have advocated for reform). While ongoing efforts are being made to address coercive control, the Australian Government and state and territory governments recognise that making incorrect assumptions about victim-survivors has led to inconsistent responses.

While victim-survivors are the experts in their own lives, some victim-survivors find it difficult to recognise that what they are experiencing is coercive control, or that it is family and domestic violence. Some people may not recognise their own experience in the way coercive control is often described.

Limited community understanding of coercive control can lead to victim-blaming attitudes and practices. This can mean that victim-survivors who *do* recognise their experience as coercive control may not tell other people about it or seek support because they are afraid of not being believed, being blamed for the perpetrator's behaviours, or having their experiences dismissed.

[For a detailed explanation of National Principle 3, see below at page 18.](#)

CONSIDERING THE IMPACTS OF DISCRIMINATION AND INEQUALITY ON DIFFERENT EXPERIENCES OF COERCIVE CONTROL

NATIONAL PRINCIPLE 4: EFFECTS OF DISCRIMINATION AND INEQUALITY

The Australian Government and state and territory governments recognise that discrimination and inequality within the practices, policies and behaviours of organisations, institutions and communities can impact a victim-survivor's experience of coercive control. These issues must be considered in any policies or solutions to address coercive control.

- Discrimination and inequality can underpin barriers that victim-survivors face in accessing justice and support, impact a victim-survivor's ability, confidence or willingness to seek help, as well as the quality of support they receive; and increase the negative effects coercive control has on victim-survivors.
- Discrimination and inequality can create an environment where perpetrators feel enabled and empowered to use coercive control.
- Discrimination and inequality can increase the likelihood of victim-survivors being misidentified as the perpetrator of family and domestic violence.

Discrimination and inequality exist in many of the practices, policies and behaviours of organisations, institutions and communities, and can occur across government, policing, medical, healthcare, legal and service responses. This means that some people can be given more advantages whereas others are unfairly disadvantaged.

While gender inequality drives family and domestic violence, including coercive control, gender inequality is not the only factor in every family and domestic violence context where a perpetrator uses coercive control.

Discrimination and inequality can be linked to many different parts of a person's identity or their circumstances, including race, ethnicity, cultural background, religion or spirituality, age, gender, sexuality, class, ability, geographical location, and migration status.

Discrimination and inequality create an environment where perpetrators feel enabled and empowered to use coercive control. They also provide additional tools that perpetrators can use as part of their pattern of behaviour. For example, perpetrators may deliberately play on a fear of racist policies that have historically supported child removal, such as from Aboriginal and Torres Strait Islander peoples, by threatening to report the victim-survivor as a neglectful parent or carer.

Discrimination and inequality in availability and accessibility of services can also increase the difficulties for victim-survivors who are trying to access justice and support. For example, some victim-survivors may not be eligible to access some supports based on factors such as visa status, or fear negative consequences from telling someone about their experience of coercive control or trying to seek justice or support.

[For a detailed explanation of National Principle 4, see below at page 20.](#)

HOLISTIC ASSESSMENT OF SYSTEMS REFORM ISSUES

NATIONAL PRINCIPLE 5: LIVED EXPERIENCE

The Australian Government and state and territory governments recognise the importance of ensuring that the lived experience of victim-survivors, including children and young people, informs policies and solutions to address coercive control.

Working with victim-survivors and listening to their voices and experiences is essential to ensure that approaches to address coercive control meet their needs effectively. This includes engaging directly with children and young people.

It is important that victim-survivors' perspectives are considered throughout every step of the process of designing, implementing and evaluating initiatives to address coercive control. They are best placed to help identify areas for system reform, service gaps, barriers, and any unintended consequences of future initiatives.

Working with victim-survivors, including children and young people, should be trauma-informed. This involves, for example, providing environments that are safe for victim-survivors to share their insights, and recognising the strength it takes for people to share personal experiences.

Incorporating the voices of victim-survivors with diverse backgrounds, identities and circumstances is critical to ensure that initiatives achieve their objectives.

Some people who have coercive control perpetrated against them do not survive. There are significant lessons learned from these deaths, including important insights from family members, and these should also inform policies and solutions to address coercive control.

[For a detailed explanation of National Principle 5, see below at page 22.](#)

NATIONAL PRINCIPLE 6: COORDINATED APPROACH TO PREVENTION, EARLY INTERVENTION, RESPONSE AND RECOVERY

The Australian Government and state and territory governments recognise the importance of coordinated approaches to addressing coercive control.

- Approaches should be based on a shared understanding of coercive control.
- Governments, civil society, businesses, academics, communities and families all have roles to play to support the safety of victim-survivors and accountability of perpetrators.
- There is no single approach to addressing coercive control, but all areas involved in addressing family and domestic violence should work together to reduce duplication and gaps in services.
- Actions should be evidence-based, trauma-informed and occur across prevention, early intervention, response and recovery.
- Approaches should focus strongly on education and training.

Addressing coercive control and creating a society that supports victim-survivor safety and perpetrator accountability needs involvement from everyone within society to be effective. Coordination across all government and non-government areas that are involved in addressing family and domestic violence is essential. The justice system alone is not sufficient to address coercive control, and needs to work with other systems involved in the lives of children, young people and adults, such as health, education and social services.

Comprehensive and connected efforts across prevention, early intervention, response and recovery are important to meet the needs of victim-survivors, perpetrators and the community.

Primary prevention involves substantial ongoing commitment to addressing the gendered drivers of family and domestic violence. This involves changing the social attitudes, structures and conditions that can influence a person's use of coercive control or enable the community to excuse this behaviour. Evidence-based primary prevention initiatives are needed to stop coercive control before it starts.

Early intervention can stop coercive control from occurring or escalating by identifying and supporting people who are more likely to use coercive control and people who are at a higher risk of having coercive control used against them by a perpetrator.

Response efforts aim to support victim-survivors and hold perpetrators accountable and can reduce the risk that perpetrators continue using coercive control against victim-survivors.

Recovery efforts go beyond the immediate threat and enable long term healing. Services that support recovery should prioritise victim-survivors feeling safe, healthy and supported as they recover from the short and long term impacts of coercive control.

Education and training initiatives are important to effectively implement prevention, early intervention, response and recovery efforts. Strong, accurate data is important to inform the shared understanding of coercive control, and to support the design and implementation of evidence-based efforts to address coercive control.

[For a detailed explanation of National Principle 6, see below at page 23.](#)

MATTERS TO CONSIDER WITH RESPECT TO ANY FUTURE CRIMINALISATION

NATIONAL PRINCIPLE 7: CRIMINALISATION OF COERCIVE CONTROL

Whether coercive control should be a specific criminal offence, and the form this may take, is a matter for individual state and territory governments to determine. State and territory governments agree that the development and implementation of any specific coercive control offence should involve consideration of the National Principles to Address Coercive Control. It is also only one part of a broader approach to addressing coercive control.

All states and territories have criminal and civil laws that respond to family and domestic violence. State and territory governments are at different stages of considering whether or how to develop and implement a specific coercive control offence.

Whether coercive control should be a specific criminal offence, and the form this may take, is a matter for individual state and territory governments to determine. The Australian Government cannot create a coercive control offence at the national level.

A specific coercive control offence is also only one example of a legal response to coercive control. For example, there are existing civil laws, such as protection orders, that aim to protect victim-survivors from further violence, intimidation or harassment. Legal responses must be positioned alongside non-legislative approaches, as part of a coordinated approach to addressing coercive control that spans across prevention, early intervention, response and recovery areas.

[For a detailed explanation of National Principle 7, see below at page 25.](#)

NATIONAL PRINCIPLE 8: UNINTENDED CONSEQUENCES OF CRIMINALISATION

State and territory governments agree that the decision to criminalise, and the development and implementation of any coercive control offence, should involve careful consideration of unintended consequences for victim-survivors and perpetrators, particularly those already disadvantaged by the justice system. This includes the risk of victim-survivors being misidentified as perpetrators of family and domestic violence or further traumatised through difficult criminal justice processes, and the risk of increasing the over-representation of Aboriginal and Torres Strait Islander peoples in the criminal justice system.

Any coercive control offence needs to be carefully designed and implemented to identify and reduce unintended risks to victim-survivor safety. Consultation with victim-survivors and communities affected by discrimination and inequality, particularly Aboriginal and Torres Strait Islander peoples, is important.

State and territory governments recognise that there are some people who are already at a higher risk of being disadvantaged by the justice system because of discrimination and inequality. This includes, but is not limited to, Aboriginal and Torres Strait Islander peoples, LGBTQIA+ people, people with disability, mental illness or substance abuse issues, people from culturally, linguistically and faith diverse communities, people with low socio-economic status, sex-workers, and people who live in rural, regional or remote areas of Australia.

There are particular community concerns about how criminalising coercive control may increase the risks of over-incarceration, institutionalisation, or involvement with child protection for people from these groups. Any efforts to criminalise coercive control must be attentive to how criminal justice responses can create and increase risks for these groups as they increase contact with the criminal justice system.

Aboriginal and Torres Strait Islander peoples are over-represented in the criminal justice system and are particularly at risk of experiencing unintended consequences of criminalisation. Any coercive control offence must support justice for these groups, and not worsen discrimination and inequality.

State and territory governments agree that misidentification of the perpetrator of family and domestic violence is a significant potential issue that must be addressed in the design and implementation of any criminal justice response, including any new laws. Situations where misidentification can happen include when police first respond to a matter, when people go to court, or when non-specialist service providers become involved.

If developing a specific coercive control offence, state and territory governments recognise the need to consider how police and other law and justice professionals could be supported to apply the legislation. This includes training on how to recognise coercive control and accurately identify the person most in need of protection. Police, frontline services, the justice sector and other relevant professionals need to be equipped to recognise patterns of coercive control and respond effectively.

Careful consideration is also needed on how to reduce re-traumatisation for victim-survivors going through the criminal justice process.

[For a detailed explanation of National Principle 8, see below at page 27.](#)

NATIONAL PRINCIPLES IN DEPTH

A COMMON UNDERSTANDING OF COERCIVE CONTROL AND ITS IMPACTS

NATIONAL PRINCIPLE 1: COMMON FEATURES

The Australian Government and state and territory governments recognise the following common features of coercive control:

- Coercive control is often a significant part of a person's experience of family and domestic violence.
- Coercive control involves perpetrators using abusive behaviours in a pattern over time in a way that creates and keeps power and dominance over another person or persons.
- As part of this pattern, perpetrators may use physical or non-physical abusive behaviours, or a combination of the two. The specific behaviours can look different in each relationship.
- In intimate partner relationships, coercive control is most often used by cisgender male perpetrators against women (both cisgender and transgender) who are their current or former partner, and their children.
- Coercive control can be used by or against people of all genders, sexual orientations, cultures and classes. People of all ages may also have coercive control perpetrated against them, including children and young people.
- Coercive control is most often identified in the context of intimate partner relationships, it can also be used by perpetrators in broader family relationships (including cultural kinship and family of choice relationships).
- Family and domestic violence, including coercive control, is driven by gender inequality within society. Gender inequality can also combine with other forms of inequality and discrimination, which can influence a victim-survivor's experience of coercive control.

People who experience coercive control in a family or domestic relationship are experiencing family and domestic violence. The person who experiences coercive control is never to blame for the abuse they experience. The person using abusive behaviour makes a choice to do so and is responsible for their actions, the consequences and taking action to address their use of coercive control.

A person who uses coercive control exerts power and dominance over the person they are using their pattern of abusive behaviours against, by threatening, humiliating, undermining or isolating them.

A victim-survivor may experience coercive control regardless of whether or not a perpetrator consciously makes decisions around the selection of tactics and the reasons for using them.

Coercive control involves a person using abusive behaviours that form a pattern over time. When identifying coercive control, it is important to look at how abusive behaviours are used and repeated throughout a relationship (and after it has ended) and how these build up over time to have a controlling effect, rather than focusing on single acts of abuse. It is also important to recognise the patterns of behaviour across different relationships to understand the history of a perpetrator's behaviour.

There are many examples of individual behaviours a perpetrator may use as part of the pattern of behaviour that makes up their unique perpetration of coercive control. Examples of behaviours have been included for reference, but it is important to recognise that understanding coercive control is not only about identifying different 'types' of behaviour, but about understanding how these behaviours are used as part of a pattern of behaviour that results in the perpetrator having power and control over a victim-survivor.

When people think of family and domestic violence, they often think of physical violence such as pushing or punching. As part of their pattern of abusive behaviours, a person who uses coercive control may use physical abuse. However, patterns of behaviour may also be non-physical, or may be a combination of physical and non-physical.

Behaviours cross into multiple categories and include but are not limited to:

Physical abuse (including sexual abuse). Direct physical assault, including physical abuse, can be a part of the pattern of abuse that makes up coercive control. This might involve physical assault, including strangulation, use of weapons, or destruction of property. Physical abuse may be used early in the relationship so the victim-survivor is scared that it will happen again.

Monitoring a victim-survivor's actions. This could include things like accessing emails, text messages and social media. It could also involve having cameras or audio listening devices in the house or within items such as children's toys, using tracking apps on phones or vehicles, stalking adult or child victim-survivors, demanding victim-survivors send images of where they are at particular times, or engaging family or friends to follow a victim-survivor and report back to the perpetrator.

Restricting a victim-survivor's freedom or independence. This could include things like neglecting or withholding care, such as medication or disability aids, or preventing or restricting access to basic security, such as food, housing, medical or healthcare, or clothes. It might involve changing passwords and locking victim-survivors out of social media, email or bank accounts, hiding or destroying devices, threatening a person's visa security, or preventing the victim-survivor from learning how to drive or accessing a motor vehicle. In the case of gender diverse people, this can include restricting access to gender affirmative care or hormonal medications.

Social abuse. This includes actions by a perpetrator that isolate a victim-survivor from their social support networks. It could involve stopping or forbidding the victim-survivor from making or seeing friends, family and community, moving the victim-survivor away from friends and family to make it difficult to visit, convincing the victim-survivor that their family or friends don't want to see them, or creating an uncomfortable environment for friends and family when they visit.

Using threats and intimidation. This could include things like threatening to remove children or withhold contact, threatening to report to child safety authorities, threatening to harm children, pets, support animals or other family members, threatening to infect a victim-survivor with an infectious disease such as COVID-19, or seeking to shame or embarrass the person in their community. In the case of LGBTIQ+ people, threats to 'out' their sexuality, gender orientation, or HIV status can be used. In the case of people with disability this can include threatening to put them in an institution.

Emotional or psychological abuse, including spiritual and religious abuse. This could include things like making frequent belittling comments to or about a victim-survivor, gaslighting them (saying things to make them question their judgement or sense of reality), repeatedly texting, emailing or calling them, or highlighting and building on a victim-survivor's insecurities. It could also include things like controlling what a victim-survivor wears, eats, drinks, how they do their hair, what exercise they do, who they spend time with or controlling how they practice their culture, spirituality, sexuality or faith.

Financial abuse. This involves actions to control a victim-survivor's access to, use of, or ability to control their finances. It could include things like removing a victim-survivor's access to finances, forcing the victim-survivor to withdraw superannuation, taking out loans or maxing out credit cards in the victim-survivor's name. It could involve refusing to let someone see financial information like bank statements, not allowing them to be involved in household financial decision-making, or restricting their access to work or study. Dowry abuse, such as demands for further money or gifts from a woman and her extended family, can be a form of financial abuse in some cultural contexts.

Sexual coercion. This could include making a victim-survivor engage in sexual acts they are not comfortable with, taking explicit photos and threatening to share them publicly, forcing them to watch or engage in pornography, or coercing them to engage in sex with other people.

Reproductive coercion. This involves behaviour that interferes with a victim-survivor's freedom to make decisions about their reproductive health. This could include hiding or disposing of a victim-survivor's contraceptive, pressuring a victim-survivor into pregnancy, forcing them to continue or terminate a pregnancy, or forcing or coercing a person into sterilisation.

Lateral violence. This involves abuse used by people in positions of powerlessness as a result of disadvantage, discrimination and oppression who direct their dissatisfaction towards others within their family or community. It often occurs when a number of people work together to attack or undermine another individual. It may include a range of behaviours including gossiping, bullying, shaming, blaming others, or social exclusion.

Systems abuse. This involves misusing or manipulating services and processes, such as legal processes, child protection processes or policing. This could include threatening to make false reports to police or child protection, falsely accusing the victim-survivor of being a perpetrator, obtaining a family violence order on the basis of false accusations, applying for parenting orders for shared care or primary care as a means of controlling the victim-survivor, deliberately accessing all legal services within an area so that a victim-survivor is not able to engage any of these services, making false allegations in family law proceedings and using legal systems to prolong family law proceedings on purpose.

Technology-facilitated abuse. This involves the perpetrator using technology as a tool to further the types of abuse referenced above. Examples of behaviours include creating fake social media accounts and making hurtful posts about a victim-survivor, creating social media accounts in the victim-survivor's name, or sharing or threatening to share intimate images or videos of a person without their consent (this is known as image-based abuse).

Animal abuse. This involves the perpetrator harming, or threatening to harm, animals, most commonly where a victim-survivor has a strong emotional connection to the animal, such as a pet.

Perpetrators can choose behaviours that they think will most hurt and gain power over the person they are using them against. A perpetrator might test and use different behaviours to decide what strategies are most effective to control the person. This might change over time, as a person's circumstances change. Perpetrators might also use different behaviours when the victim-survivor is at home, at work, out in public, or using different services (for example, as part of a court process).

The behaviours a perpetrator might use can also have a specific meaning for the person they are used against that might not be obvious to others outside the relationship. For example, if someone using coercive control had previously threatened to set fire to a victim-survivor's belongings, flicking a cigarette lighter in public could be a threat but may seem harmless to people outside the relationship.

Perpetrators adapt their coercive controlling behaviours to particularly target some groups of people in the community. This can include sharing images of young women without their consent, withholding care from older Australians and people with disability, and threatening to 'out' or disclose the gender identity or sexual orientation of LGBTIQIA+ people.

In intimate partner relationships, coercive control is most often used by cisgender male perpetrators and disproportionately impacts women (both cisgender and transgender) and their children.

Perpetrators can use coercive control against anyone.

1. People of all genders, including men, women and people who are transgender, gender-diverse or non-binary, may use coercive control, or have coercive control used against them.
2. Coercive control may be used in intimate partner relationships of all types, including between cisgender heterosexual men and women, in the relationships of LGBTIQIA+ people of all genders, and in monogamous, polyamorous and other diverse relationship structures.
3. Coercive control may be perpetrated in a wide range of intimate relationship structures. For example, it may be perpetrated within a marriage, de facto relationship, dating partnership, casual relationship or engagement. Coercive control can be used by a perpetrator in a current or former relationship and may begin, continue, or escalate, after separation.
4. Coercive control may also be used within broader family relationships. A perpetrator may, for example, be a parent or caregiver through birth, adoption or fostering, a grandparent, a sibling, an extended family member or an adult child. Coercive control may be perpetrated within cultural kinship connections in Aboriginal and Torres Strait Islander communities and family of choice relationships, for example within LGBTIQIA+ families.
5. Coercive control can be perpetrated against people of all ages. Children and young people have unique experiences of coercive control and are victim-survivors in their own right, whether they are directly targeted, have witnessed violence towards another family member or are otherwise exposed to the effects of violence.

Within each of these relationships, the behaviours used to establish power and dominance will be different. Behaviours can also be used in settings outside the home. For example, family members or intimate partners may use behaviours against victim-survivors in their workplace, or through perpetration of systems abuse.

Within different relationship contexts, there is also potential for a victim-survivor to have coercive control perpetrated against them directly by multiple perpetrators, or for there to be 'enabling' relationships, where violence by a perpetrator is condoned by others such as the parent of a spouse or a family member.

Using abusive behaviour is always a choice, but there are a range of social attitudes, structures, systems and conditions that can influence a person's use of, and experience of, family and domestic violence, including coercive control. Gender inequality in public and private life is an underlying condition for violence against women to occur. Gender inequality is expressed in four distinct but interconnected ways: condoning of violence against women, men's control of decision-making and limits to women's independence in public life and relationships, rigid gender roles and stereotyped constructions of masculinity and femininity, and male peer relations that emphasise aggression and disrespect towards women. These gendered drivers arise from discriminatory historical, economic and social structures, norms and practices. Gender inequality affects relationships between people, communities, social groups, institutions and the structures of society.

It is important to acknowledge that gender inequality also impacts LGBTQIA+ communities and influences their experience of coercive control. In particular, rigid, binary and hierarchical ideas of sex, gender and sexuality have a significant impact on the violence that is perpetrated against LGBTQIA+ people and communities.

Gender inequality is not the only, and not always the most significant factor in every family and domestic violence context where a perpetrator uses coercive control. Gender inequality can also combine with other forms of inequality and discrimination, including racism, ageism, classism, ableism, transphobia, biphobia and homophobia, and ongoing impacts of colonialism for Aboriginal and Torres Strait Islander communities. There are a range of reinforcing factors that can interact with gender inequality and other forms of inequality and discrimination, and can contribute to the likelihood, or worsen a victim-survivor's experience of, family and domestic violence, including coercive control. These reinforcing factors include, but are not limited to:

- condoning violence within communities, which can lead to a 'normalisation' of abusive behaviour
- experience of, or exposure to, family and domestic violence (particularly during childhood)
- actions that seek to uphold or re-establish gender inequality, which create an environment where there is a heightened risk of perpetrators using abusive behaviour
- factors that weaken prosocial behaviours (behaviours intended to help other people) and therefore can reduce empathy, respect and concern for victim-survivors. This includes stress, financial distress, disadvantage and isolation, natural disasters and crises (such as the COVID-19 pandemic), male-dominated settings and harmful use of alcohol and other drugs.

The presence of these reinforcing factors is associated with increased risk of coercive control being used. However, the presence of these reinforcing factors does not directly lead to coercive control and does not excuse or justify a perpetrator's behaviour.

NATIONAL PRINCIPLE 2: IMPACTS

The Australian Government and state and territory governments recognise that coercive control has significant short and long term harmful impacts on victim-survivors and communities.

- The effects of coercive control can build up and become worse over time.
- Coercive control can affect a victim-survivor's whole life, and take away their independence, dignity, sense of self-worth, identity, feeling of security and health and wellbeing.
- Escalation of patterns of coercive control is a significant factor in intimate partner homicide cases.
- Coercive control is one of the factors that can keep victim-survivors trapped by perpetrators in relationships.
- In an intimate partnership context, coercive control does not always end when a relationship is ended, with perpetrators' abusive behaviour at risk of increasing during and after separation.

Everyone has a right to live their life free from harm, violence, abuse, neglect or exploitation.

Coercive control has harmful impacts on the health and wellbeing of the person who experiences it, and can take away their independence, dignity, sense of self-worth and identity.

Coercive control can also contribute to poorer physical health, as well as mental illness, including anxiety and depression. Some victim-survivors can experience complex post-traumatic stress disorders. Coercive control can also contribute to harmful coping strategies, such as reliance on alcohol or other drugs, or self-harm.

Coercive control does not always end when an intimate partner relationship ends. It may become worse, with the perpetrators' abusive behaviour at risk of increasing both during and after separation. In current and former relationships, escalation of patterns of coercive control is a factor in intimate partner and child homicide cases.

The social consequences are often significant. As a result of the perpetrator's actions, victim-survivors can be isolated from family and friends, lose jobs, income and financial security and find it difficult to trust people or develop new relationships. This has a personal, as well as a broader community, impact.

The way a perpetrator uses coercive control can effectively trap a victim-survivor and make it very difficult for them to seek help. For example, a person who has financial abuse used against them as part of a pattern of abusive behaviour may not have access to money or a bank account, or may be prevented from accessing employment. A person who is trying to leave a relationship with a perpetrator is at increased risk of homelessness, particularly if the perpetrator has used coercive controlling behaviours to make them financially dependent.

The nature of coercive control means that the negative effects increase over time as patterns of behaviour are established and maintained. This is known as cumulative impact. For example, constant criticism of a person's friends and family may not immediately result in those relationships ending, but can damage a person's relationships over time, eventually leading to social isolation.

Coercive control can have traumatic impacts on children and young people. Trauma from coercive control can affect health, behavioural and educational outcomes, including leading to problems with mood regulation, impulse control, self-perception, attention and memory. Coercive control can also adversely impact a young

person's future relationships. For example, it can influence their ideas about gender norms and their attitudes towards the use of violence within relationships. These effects can persist in adult life.

Coercive control can also impact a victim-survivor's relationship with their children, as perpetrators may target the relationship to damage their bond with each other. The other effects of coercive control may also make it difficult for the victim-survivor to be emotionally present for their children. In addition to the personal impact of coercive control on victim-survivors, it also has a community impact, including effects on friends, family, employers and other social relationships through the effects of social isolation.

NATIONAL PRINCIPLE 3: COMMUNITY UNDERSTANDING

The Australian Government and state and territory governments recognise that coercive control has not been consistently recognised, understood or responded to as family and domestic violence.

- The community, legal system, law enforcement bodies and courts can have a focus on physical violence and single acts of violence, rather than a pattern of abuse over time.
- Community attitudes, and perpetrator behaviours that are controlling and isolating, can prevent victim-survivors from understanding that they are experiencing abuse or from seeking support.

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

A lack of recognition or understanding of coercive control within the community, and condoning, minimising or excusing it, can be a significant barrier that can prevent coercive control from being identified, reported and addressed.

The Australian community can more easily recognise visible physical violence as family and domestic violence, and can overlook or dismiss the non-physical abusive behaviours that are often part of coercive control. A focus on physical violence can also mean people focus on *single acts* of violence, and overlook a pattern of behaviours over time.

The Australian Government and state and territory governments recognise that if family and domestic violence responses focus exclusively on single acts of violence and don't adequately consider the broader pattern of coercive control, individual behaviours used by perpetrators can seem less significant and may not be taken seriously. Incident based responses can lead to a failure to recognise when someone is using force in self-defence against a perpetrator after experiencing a long-term build-up of abusive behaviours or to protect themselves or others. This can result in those responding to coercive control, such as police or non-specialist service providers, and court officials across state and territory courts and within the family court system, having difficulties identifying the person most in need of protection, charging victim-survivors incorrectly as perpetrators, as well as other harmful, inadequate or inconsistent responses.

Service providers, police and the justice system (including the family law system) are all taking steps to improve their understanding of coercive control and share best practice approaches (including the work of specialist services who have advocated for reform). While ongoing efforts are being made to address coercive control, the Australia Government and state and territory governments recognise that making incorrect assumptions about victim-survivors has led to inconsistent responses. For example, service providers, police and court officials may believe that a victim-survivor is always passive and does not stand up to the perpetrator. When the victim-survivor does not look or act this way, for example if they use force to resist coercive control, this may result in a failure to recognise coercive control, or the victim-survivor being mistakenly identified as the perpetrator of family and domestic violence.

While victim-survivors are the experts in their own lives, some victim-survivors find it difficult to recognise that what they are experiencing is coercive control, or that it is family and domestic violence. For example, someone who is experiencing coercive control may mistake their experience as being a normal part of a relationship. This view is often influenced by the perpetrator themselves, and can also be supported by the attitudes of friends and family and reinforced by underlying social attitudes, structures, systems and conditions that support gender inequality. Some people may not recognise their own experience in the way

coercive control is often described. For example, if community awareness is only focused on coercive control perpetrated by cisgender men against cisgender women in heterosexual intimate partner relationships, or the impact of gender inequality is only discussed in the context of these dynamics, people who experience coercive control in other intimate relationship structures, and people who experience coercive control in broad family relationships, may not recognise their experience as coercive control.

Limited community understanding of coercive control can lead to victim-blaming attitudes and practices, such as thinking that a victim-survivor who does not end a relationship with a perpetrator is partly responsible for the abuse continuing (which is not true) or focusing on the actions of the victim-survivor rather than the behaviour of the perpetrator. This can mean that victim-survivors who *do* recognise their experience as coercive control may not tell other people about it or seek support because they are afraid of not being believed, being blamed for the perpetrator's behaviours, or having their experiences dismissed, excused or made to seem less important. This view is again often strengthened by perpetrators, who may try to reduce a person's confidence that anyone will believe or help them. Perpetrators are often good at hiding their abuse, blaming the victim-survivor, and being friendly to other people in the community to create a positive image of themselves.

Within some communities, victim-survivors may also feel shame about admitting to their experience of coercive control, based on harmful community attitudes such as family and domestic violence being a private matter or incorrect ideas about who can and cannot experience coercive control. They may also feel a sense of loyalty towards the perpetrator.

CONSIDERING THE IMPACTS OF DISCRIMINATION AND INEQUALITY ON DIFFERENT EXPERIENCES OF COERCIVE CONTROL

NATIONAL PRINCIPLE 4: EFFECTS OF DISCRIMINATION AND INEQUALITY

The Australian Government and state and territory governments recognise that discrimination and inequality within the practices, policies and behaviours of organisations, institutions and communities can impact a victim-survivor's experience of coercive control. These issues must be considered in any policies or solutions to address coercive control.

- Discrimination and inequality can underpin barriers that victim-survivors face in accessing justice and support, impact a victim-survivor's ability, confidence or willingness to seek help, as well as the quality of support they receive; and increase the negative effects coercive control has on victim-survivors.
- Discrimination and inequality can create an environment where perpetrators feel enabled and empowered to use coercive control.
- Discrimination and inequality can increase the likelihood of victim-survivors being misidentified as the perpetrator of family and domestic violence.

Discrimination and inequality exist in many of the practices, policies and behaviours of organisations, institutions and communities, and can occur across government, policing, medical, healthcare, legal and service responses. This means that some people can be given more advantages whereas others are unfairly disadvantaged.

While gender inequality drives family and domestic violence, including coercive control, gender inequality is not the only, and not always the most significant factor in every family and domestic violence context where a perpetrator uses coercive control. Gender inequality can also combine with other forms of inequality and discrimination to impact a victim-survivor's experience.

Discrimination and inequality can be linked to many different parts of a person's identity or their circumstances. Discrimination and inequality can be because of incorrect assumptions and beliefs about things like race, ethnicity, cultural background, religion or spirituality, age, gender, sexuality, class, ability, geographical location, and migration status. Sexism, racism, ableism, ageism, classism, transphobia and homophobia are examples of discrimination that result in inequality and disadvantage. Where a person experiences multiple forms of discrimination and inequality targeted to different aspects of their identity or circumstances, these can interact to create new and increased forms of disadvantage. This is known as intersectionality.

Discrimination and inequality particularly impact the way groups such as Aboriginal and Torres Strait Islander peoples, people who are from culturally and linguistically diverse communities, people who are migrants or refugees, people who live on temporary visas, LGBTQIA+ people, people with disability and people who live in rural, regional or remote areas of Australia experience coercive control. For example, understanding the experience of coercive control for Aboriginal and Torres Strait Islander communities requires considering the context of colonisation, intergenerational trauma, systems abuse and racist policy and practice.

Discrimination and inequality create an environment where perpetrators feel enabled and empowered to use coercive control. They also provide additional tools that perpetrators can use as part of their pattern of behaviour. For example, perpetrators may:

- deliberately play on a fear of racist policies that have historically supported child removal from Aboriginal and Torres Strait Islander peoples, by threatening to report the victim-survivor as a neglectful parent or carer
- use poor service provision in geographically isolated communities to control victim-survivors, and take advantage of inequalities in mobile phone coverage and/or landline services
- use a victim-survivor's alcohol or substance use to justify keeping them under surveillance or monitoring their whereabouts
- threaten a person's visa or migration status, for example by threatening to withdraw sponsorship or have them deported
- use community discrimination against LGBTQIA+ people, by threatening to reveal a person's gender, sexuality or HIV status, or by trying to shame, change, minimise or silence their identity
- rely on discriminatory community attitudes against victim-survivors with disability, to discredit their claims and experience, claim they will not be believed when seeking help, or may risk being institutionalised
- report victim-survivors to authorities, following through on threats such as those outlined above.

Discrimination and inequality in availability and accessibility of services can also increase the difficulties for victim-survivors who are trying to access justice and support. For example:

- Some victim-survivors may not be eligible to access some supports based on factors such as visa status or lack of income.
- Support services may be inaccessible for victim-survivors with disability.
- People living in rural, regional and remote areas may have limited or non-existent service options, as their geographical isolation has not been addressed in service responses.
- Services may not be appropriately designed or funded to cater for the needs of all victim-survivors, for example they might not be age appropriate for victim-survivors who are children, or may not include access to an interpreter.
- Non-specialist services may not be culturally safe, including for Aboriginal and Torres Strait Islander peoples, people from culturally and linguistically diverse communities and LGBTQIA+ people.

These barriers are often manipulated by a perpetrator to continue their abuse. The effects of coercive control build over time with the repeated pattern of behaviours, so if a person is unable to access justice and support, the long term impacts on them can be worse.

Victim-survivors may also fear other negative consequences from telling someone about their experience of coercive control or trying to seek justice or support. For example, victim-survivors may fear the involvement of child protection organisations or may fear being discriminated against by police or government agencies. This is a particular concern for Aboriginal and Torres Strait Islander communities, due to experiences of colonisation and Stolen Generations. It is also a concern for other people against whom there has been a history of discrimination, such as for LGBTQIA+ people, people with disability and people with a history of alcohol and substance misuse.

HOLISTIC ASSESSMENT OF SYSTEMS REFORM ISSUES

NATIONAL PRINCIPLE 5: LIVED EXPERIENCE

The Australian Government and state and territory governments recognise the importance of ensuring that the lived experience of victim-survivors, including children and young people, informs policies and solutions to address coercive control.

Working with victim-survivors and listening to their voices and experiences is essential to ensure that approaches to address coercive control meet their needs effectively. This includes engaging directly with children and young people.

Victim-survivors who are impacted by coercive control have specific expertise that comes from lived experience. They have first-hand knowledge of the strengths and weaknesses of systems and initiatives that are intended to support them.

One of the cross-cutting principles of the National Plan is that ‘the diverse lived experiences of victim-survivors are informing policies and solutions’. It is important that victim-survivors’ perspectives are considered throughout every step of the process of designing, implementing and evaluating initiatives to address coercive control. Victim-survivors are best placed to help identify areas for system reform, service gaps, barriers, and any unintended consequences of future initiatives.

Working with victim-survivors, including children and young people, should be trauma-informed, which involves:

- providing environments that are physically, psychologically, culturally and emotionally safe for victim-survivors to share their insights, and do not cause any further harm
- building trust through consistent practice, appropriate managing of expectations and being responsive to individual needs, values, concerns and wishes
- recognising the strength and courage it takes for people to share personal experiences and insights from their experiences
- recognising that people are experts in their own lives and futures
- acknowledging people’s strengths, protective actions and supports, and acts of resistance
- providing equitable and inclusive access to people with diverse needs and from diverse backgrounds
- acknowledging how different aspects of people’s identities or circumstances interact
- 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.

There is no ‘one size fits all’ approach to addressing coercive control. Initiatives that are informed by diverse lived experience are more likely to be culturally safe, inclusive, accessible, and tailored to the diverse needs of different communities. Incorporating the voices of victim-survivors with diverse backgrounds, identities and circumstances is critical to ensure that initiatives achieve their objectives.

Some people who have coercive control perpetrated against them do not survive. There are significant lessons learned from these deaths, including important insights from family members, and these should also inform policies and solutions to address coercive control.

NATIONAL PRINCIPLE 6: COORDINATED APPROACH TO PREVENTION, EARLY INTERVENTION, RESPONSE AND RECOVERY

The Australian Government and state and territory governments recognise the importance of coordinated approaches to addressing coercive control.

- Approaches should be based on a shared understanding of coercive control.
- Governments, civil society, businesses, academics, communities and families all have roles to play to support the safety of victim-survivors and accountability of perpetrators.
- There is no single approach to addressing coercive control, but all areas involved in addressing family and domestic violence should work together to reduce duplication and gaps in services.
- Actions should be evidence-based, trauma-informed and occur across prevention, early intervention, response and recovery.
- Approaches should focus strongly on education and training.

Addressing coercive control and creating a society that supports victim-survivor safety and perpetrator accountability needs involvement from everyone within society to be effective. Governments, civil society, businesses, academics, communities and families all have important roles to play in achieving this goal. For example, one of the key roles of government (which includes law and justice systems) is to design, implement and improve policies and services to improve safety and address coercive control. Communities and families play a powerful role in supporting the long-term cultural change that is needed to stop coercive control. Businesses can also play a critical role in supporting victim-survivors. For example, banks can implement policies to help prevent financial abuse.

There is no single approach to addressing coercive control. However, coordination across all government and non-government areas that are involved in addressing family and domestic violence is essential. The justice system alone is not sufficient to address coercive control, and needs to work with other systems involved in the lives of children, young people and adults, such as health, education and social services. Coordinating efforts, and sharing learnings, knowledge or research can help to reduce duplication and gaps in services. It is also important for breaking down some of the barriers that victim-survivors face when accessing support from legal and community services. This includes reducing the number of times victim-survivors are asked to repeat their experience.

The priority areas for action under the National Plan are evidence-based and span the continuum of prevention, early intervention, response and recovery. 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 pattern of behaviour and the impact it has on victim-survivors, including children.

Primary prevention involves substantial ongoing commitment to addressing the gendered drivers of family and domestic violence. This involves changing the social attitudes, structures and conditions that can influence a person's use of coercive control or enable the community to excuse this behaviour. This includes gender inequality and other forms of inequality and discrimination. Examples of primary 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. Evidence-based primary prevention initiatives are needed to stop coercive control before it starts.

MATTERS TO CONSIDER WITH RESPECT TO ANY FUTURE CRIMINALISATION

NATIONAL PRINCIPLE 7: CRIMINALISATION OF COERCIVE CONTROL

Whether coercive control should be a specific criminal offence, and the form this may take, is a matter for individual state and territory governments to determine. State and territory governments agree that the development and implementation of any specific coercive control offence should involve consideration of the National Principles to Address Coercive Control. It is also only one part of a broader approach to addressing coercive control.

All states and territories have criminal and civil laws that respond to family and domestic violence. Victim-survivors who experience coercive control can use these legal mechanisms to report and seek protection from authorities. State and territory governments are at different stages of considering whether or how to develop and implement a specific coercive control offence.

Whether coercive control should be a specific criminal offence, and the form this may take, is a matter for individual state and territory governments to determine. The Australian Government cannot create a coercive control offence at the national level.

Legal responses are only one part of broader efforts to address coercive control. Legal responses must be positioned alongside non-legislative approaches, as part of a coordinated approach to addressing coercive control that spans across prevention, early intervention, response and recovery areas. A specific coercive control offence is also only one example of a legal response to coercive control. For example, there are existing civil laws, such as protection orders that aim to protect victim-survivors from further violence, intimidation or harassment.

The development of any specific coercive control offence involves consideration of the following issues highlighted in the National Principles:

- **Common features** of coercive control, including how to capture patterns of behaviours and the types of relationships where coercive control can be perpetrated.
- **Impacts** of coercive control, including undermining a victim-survivor's sense of self and wellbeing, the increased risk of coercive control at the end of a relationship, and the risk that coercive control can escalate to intimate partner homicide. Legal responses to coercive control should take into account the seriousness of these impacts.
- The lack of **understanding** of coercive control by the community, law enforcement, the justice sector, and victim-survivors themselves. It is vital that legal responses to coercive control are supported by education and training initiatives to ensure that new laws are implemented effectively and consistently.
- The **effects of discrimination and inequality**, recognising that some people have an increased risk of coercive control being used against them by a perpetrator, and experience barriers to accessing justice or are more likely to be misidentified or criminalised. It is important to consider how the effects of discrimination and inequality will interact with any legal response to coercive control.
- Using victim-survivors' **lived experience** to inform the development, implementation and evaluation of any coercive control offence. Victim-survivors have a particularly important role to play in helping to identify any unintended consequences of criminal justice responses.

- **A coordinated approach** to addressing coercive control, where everyone within society has a role to play, and actions are taken across prevention, early intervention, response and recovery. This includes strengthening the evidence base to support a clear national picture of coercive control, which may involve using data to inform the design of any legal response, as well as ongoing data collection to measure its use, impact and effectiveness following implementation.
- **Potential unintended consequences** of criminalisation, including the risk of misidentification of the perpetrator, re-traumatisation of victim-survivors during the criminal justice process, or exacerbated risks to safety of victim-survivors created by their perpetrator being charged.

NATIONAL PRINCIPLE 8: UNINTENDED CONSEQUENCES OF CRIMINALISATION

State and territory governments agree that the decision to criminalise, and the development and implementation of any coercive control offence, should involve careful consideration of unintended consequences for victim-survivors and perpetrators, particularly those already disadvantaged by the justice system. This includes the risk of victim-survivors being misidentified as perpetrators of family and domestic violence or further traumatised through difficult criminal justice processes, and the risk of increasing the over-representation of Aboriginal and Torres Strait Islander peoples in the criminal justice system.

Any coercive control offence needs to be carefully designed and implemented to identify and reduce unintended risks to victim-survivor safety. Consultation with victim-survivors and communities affected by discrimination and inequality, particularly Aboriginal and Torres Strait Islander peoples, is important. Without this, laws intended to protect victim-survivors could instead increase barriers to justice and worsen experiences of coercive control.

State and territory governments recognise that there are some people who are already at a higher risk of being disadvantaged by the justice system because of discrimination and inequality. This includes, but is not limited to, Aboriginal and Torres Strait Islander peoples, LGBTQIA+ people, people with disability, mental illness or substance abuse issues, people from culturally, linguistically and faith diverse communities, people with low socio-economic status, sex-workers, and people who live in rural, regional or remote areas of Australia.

There are particular community concerns about how criminalising coercive control may increase the risks of over-incarceration, institutionalisation, or involvement with child protection for victim-survivors and perpetrators from these groups. For example, perpetrators who use criminal laws against migrant and refugee women on temporary protection visas as an act of systems abuse can place the visa status of the victim-survivor in jeopardy. Victim-survivors with cognitive or mental health conditions are at increased risk of institutionalisation when engaging with the justice system, due to experiences of discrimination. This risk is enhanced when reporting non-physical forms of abuse under criminal laws. Any efforts to criminalise coercive control must be attentive to how criminal justice responses can create and increase risks for these groups as they increase contact with the criminal justice system.

Aboriginal and Torres Strait Islander peoples (both victim-survivors and perpetrators) are over-represented in the criminal justice system and are particularly at risk of experiencing unintended consequences of criminalisation. Any coercive control offence must support justice for these groups, and not worsen discrimination and inequality.

State and territory governments agree that misidentification of the perpetrator of family and domestic violence is a significant potential issue that must be addressed in the design and implementation of any criminal justice response, including any new laws. Situations where misidentification can happen include when police first respond to a matter, when people go to court, or when non-specialist service providers become involved.

Misidentification can happen when only individual behaviours or events are considered (for example, a single act of physical violence) rather than a pattern of behaviours across a relationship that amounts to coercive control. This is a key reason why having a shared understanding of coercive control is so important. Due to this focus on single acts, victim-survivors who use physical force in self-defence in response to coercive control are particularly at risk of being misidentified as the perpetrator of family and domestic violence and they may be charged with an offence.

Misidentification can also be based on other biases. For example, the victim-survivor may appear to be agitated, which is a normal response to trauma, or may appear to not be cooperative, based on prior experiences of discrimination or inequality. Perpetrators, on the other hand, may appear to be calmer, more cooperative, and more convincing. Victim-survivors from diverse groups, including Aboriginal and Torres Strait Islander, disabled, culturally and linguistically diverse and LGBTQIA+ communities, are at risk of being misidentified as the perpetrator if assessments are based on stereotypes or other incorrect understandings of coercive control. For example, it may be wrongly assumed that the physically larger of two men in a relationship is the perpetrator or that a person who is a disabled person's carer could not be a perpetrator.

Misidentification results in negative consequences for victim-survivors. This can include safety risks, involvement by child protection agencies, loss of housing and income support, mistrust of police and legal systems, long and complicated court proceedings, and negative effects on health and wellbeing.

If developing a specific coercive control offence, state and territory governments recognise the need to consider how police and other law and justice professionals could be supported to apply the legislation. This includes how to recognise coercive control and accurately identify the person most in need of protection. State and territory governments recognise the importance of ensuring the implementation of any criminal justice response, including any new offence, is supported by training, education and consideration of policies and practices to allow professionals to put this knowledge into practice. Police, frontline services, the justice sector and other relevant professionals need to be equipped to recognise patterns of coercive control and respond effectively.

State and territory governments also recognise the need to address other risks or potential negative effects on victim-survivors related to their experiences within the justice system. This should include careful consideration of how to reduce re-traumatisation for victim-survivors going through the criminal justice process (for example, when being interviewed or giving evidence in court). Training and education for judicial officers, legal practitioners and other professionals should focus on how best to protect victim-survivors and support access to justice.

HELP AND SUPPORT

The descriptions of family and domestic violence in these National Principles may be distressing to some readers. Help is available. If you, or someone else, is in immediate danger please contact Police or Ambulance on Triple Zero (000). If you, or someone you know, need help, then the following services are available to assist:

CRISIS SUPPORT AND SUICIDE PREVENTION

Lifeline	For anyone in Australia experiencing a personal crisis. Available 24/7.	13 11 14 www.lifeline.org.au
National Suicide Call Back Service	Telephone and online counselling for anyone in Australia affected by suicide.	1300 659 467 www.suicidecallbackservice.org.au

FAMILY, DOMESTIC AND SEXUAL VIOLENCE SUPPORT

1800RESPECT	National sexual assault, domestic and family violence counselling service. This service is free and confidential. Available 24/7.	1800 737 732 www.1800respect.org.au
Sexual, Domestic and Family Violence Helpline	For anyone in Australia whose life has been impacted by sexual, domestic or family violence. Available 24/7.	1800 943 539 www.fullstop.org.au
Rainbow Sexual, Domestic and Family Violence Helpline	For anyone from the LGBTIQ+ community whose life has been impacted by sexual domestic and/or family violence. Available 24/7.	1800 497 212 www.fullstop.org.au
Well Mob	Social, emotional and cultural wellbeing online resources for Aboriginal and Torres Strait Islander People.	www.wellmob.org.au
Men's Referral Service	For anyone in Australia whose life has been impacted by men's use of violence or abusive behaviours. Available 7 days.	1300 766 491 www.ntv.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.	(02) 9514 8115 www.mybluesky.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 24/7.	1300 78 99 78 www.mensline.org.au
Kids Helpline	A free counselling service for young people aged between 5 and 25. Available 24/7.	1800 55 1800 www.kidshelpline.com.au
Beyond Blue	Information and support for anxiety, depression and suicide prevention for anyone in Australia.	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
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 & their families. Available 24/7.	1800 011 046 www.openarms.gov.au

OTHER SUPPORT

Translating and Interpreting Service (TIS National)	Phone and on-site interpreting services in over 150 languages.	131 450 www.tisnational.gov.au/
--	--	---