

# COERCIVE CONTROL FACTSHEET

## WHAT IS COERCIVE CONTROL?

It is repeated patterns of physical or non physical behaviour used by one person against another person to hurt, scare, intimidate, threaten or control that person.

It creates in the person it is being carried out against a sense of fear, taking away their freedom and independence. The person often feels trapped and afraid, their self confidence and self-esteem slowly worn away by repeated abuse. This often leads to the person feeling like they cannot get assistance or leave the relationship.

The impacts of coercive control on a person can be emotional physical, psychological, cultural, social and financial or any combination of these.

## SIGNS OF COERCIVE CONTROL

Some of the signs of coercive control may be obvious, however others can be very subtle.

They include but are not limited to behaviours that fall under the following categories:

- **Physical Abuse:** Any sort of threat or harm involving bodily contact.
- **Emotional Abuse:** Trying to make you doubt yourself, which may involve mental, psychological or non-physical abuse.
- **Financial Abuse:** Controlling your money, limiting your access to assets / property, not including in financial decision making.
- **Sexual Abuse:** Sexual behaviour without consent.
- **Social isolation or cultural Abuse:** Not letting you practice your faith or spirituality in ways that you want to.

- **Harassment, Stalking or Tracking:** Any actions or behaviours that make you feel forced into doing something you don't want to do, including things sexual or private, checking your phone, your computer and your social media, make you feel like you're being watched, or like you can't act like yourself because you'll be punished.

- **Behaviour that intimidates or Humiliates:** including explicit threats or warnings of harm or capacity to harm the person or children or other family members.

The end of a relationship does not always mean the end of the coercive control. In some cases the abuse continues or gets worse, for example manipulating co-parenting arrangements or child support payments.

## LEGISLATION

*Crimes Legislation Amendment (Coercive Control) Act 2022 (NSW):*

Creates a new offence in s. 54D of the *Crimes Act 1900* (NSW) relating to abusive behaviour towards current and former intimate partners

### Key Points:

- The offence applies only to intimate partners, excluding other family members or individuals under care.
- The offence applies only to adults aged 18 or older at the time of the conduct, with no age restrictions on the victim.
- The prosecution must prove a 'course of conduct' (rather than specific incidents), detailing the time period and nature of behaviours.
- The offending must involve behaviour in NSW, though it can also include actions from other locations.

- A victim of coercive control may not be automatically entitled to support payments, eligibility depends on the circumstances.
- Bail laws for coercive control cases: the accused or the person charged must satisfy the court that Bail should be granted.
- While the maximum penalty for the offence is 7 years imprisonment, most cases will remain in the Local Court with a maximum sentence of 2 years.
- A defence exists if the course of conduct was reasonable under all the circumstances.

## OTHER POSSIBLE LEGAL REMEDIES

1. Apprehended Domestic Violence Order (ADVO) – an application can be made by either the NSW Police or the victim.

2. Injunction under the *Family Law Act 1975* (Cth) - The Federal Circuit and Family Court of Australia can grant injunctions that are appropriate for the welfare of a child.

## WHAT CAN YOU DO?

If you think you are experiencing coercive control:

- Contact a confidential support service for advice; and/or
- Speak to a lawyer and obtain legal advice.

If you are concerned someone you know is experiencing coercive control:

- Provide a safe space for the person to talk to you;
- Listen with kindness and acknowledgement;
- Direct them to confidential support services and organisations that can assist and/or suggest they seek legal advice.

## DOMESTIC VIOLENCE SUPPORT

### Local services:

Bondi Beach Cottage P: (02) 9365 1607

The Deli Women and Children's Centre  
P: (02) 9667 4664

Junction Neighbourhood Centre P: 02 9349 8200

JewishCare P: 1300 133 660

The Inner City Legal Centre provides free legal assistance and can be contacted on (02) 9332 1966.

### Other Services:

Lifeline provides 24-hour crisis support.  
P: 13 11 14

1800 Respect national helpline.  
P: 1800 737 732

Headspace provides free online and phone counselling for people aged 12-25.  
P: (03) 9027 0100

Women's Crisis Line  
P: 1800 811 811

Relationships Australia  
P: 1300 364 277

NSW Domestic Violence Line  
P: 1800 656 463

Men's Referral Service P: 1300 766 491  
Offers services to support men concerned about their behaviour to change what they are doing and keep women, children and communities safer.