



Engender
Equality

ADVOCATES FOR CHANGE

Submission to the National Principles to Address Coercive Control

November 2022

For further information in relation to this submission please contact:

Tess Moodie – Project Coordinator - Advocates for Change
Engender Equality

03 6278 9090

advocates@engenderequality.org.au

Introduction

Engender Equality is Tasmania's state-wide specialist family violence service, providing frontline counselling and support to all people affected by family violence and abuse, alongside advocacy, community education and training to address gender inequality and gendered violence in all its forms. Established in 1987, we are Tasmania's leader in promoting gender equality and addressing family violence to benefit the whole community. We welcome the opportunity to comment on the draft *National Principles to Address Coercive Control* ('the Draft Principles').

We provide:

- Trauma-informed and evidence-based counselling
- Locally sourced information
- Specialised, world-class, evidence-based resources
- Education and support for individuals and groups affected by violence
- Community training and education
- Referral, where appropriate
- Advocacy for systemic change to gender inequity and violence against women

About the Advocates for Change

The Advocates for Change¹ is a program run by Engender Equality that consists of a team of approximately 30 victim-survivor advocates from around Tasmania with diverse backgrounds, identities, and experiences. The program commenced in 2018 with resourcing from the Our Watch Media Advisory Program². We have since developed and adapted it as a standalone program funded within our organisation. The program is coordinated by a Project Coordinator with lived experience of family and sexual violence who initially joined the program as an advocate at its commencement.

The program is guided by the Experts by Experience framework³, and is underpinned by an intersectional feminist framework, trauma-informed and strengths-based approach. It provides a powerful platform and continuation of healing for victim-survivors of family, domestic and sexual violence. Advocates for Change use their stories and experiences to educate, inform, bring systemic change, and join in the fight for the prevention and reduction of gender-based violence. They do this by engaging in media advocacy, public speaking, lobbying for legislative change and engaging in opportunities in systemic advocacy and informing policy and practice.

Engender Equality has gained respect from government departments and other organisations in Tasmania as the leaders in embedding the voices of lived experience across work in the sector in Tasmania and have been engaged in consultancy and training for other organisations who are establishing similar programs.

Previous work on addressing coercive control

Engender Equality has made a commitment to addressing coercive control, including the development of a key resource for professionals called 'Breaking the Trap'⁴. This resource is available through our website and is a comprehensive training and practice tool for all professionals, frontline workers and

¹ <https://engenderequality.org.au/advocacy>

² <https://media.ourwatch.org.au/resource/voices-for-change-a-media-advocacy-program-for-the-prevention-of-violence-against-women-implementation-guide/>

³ <https://safeandequal.org.au/working-in-family-violence/service-responses/experts-by-experience-framework/>

⁴ <https://engenderequality.org.au/shop>

other key people who respond to and support victim-survivors or work with perpetrators to address their use of coercive control.

Consultation process

For the purposes of preparing this submission, comprehensive feedback was obtained from the Advocates for Change and individual victim-survivors who are clients of the organisation (who expressed a specific wish to provide feedback) in October 2022. This process involved holding two online Zoom consultations of 2-3 hours duration, one individual session and obtaining three written submissions from victim-survivors.

General Comments

Engender Equality welcomes the Attorney General's commitment to addressing coercive control in Australia, the development of the Draft Principles and the opportunity to provide feedback from victim-survivors. We acknowledge and support the importance of victim-survivor voices being captured to ensure the Draft Principles are informed by lived experience in a nuanced way.

Response and Feedback to the Draft Principles

We provide our feedback to respond to the survey questions provided in the online feedback form but provide additional comment to supplement the questions due to the complex nature of coercive control and the depth of feedback provided by the victim-survivor advocates.

Question 1: Do the Draft National Principles effectively describe the common features and impacts of coercive control (Principle 1,2)?

i. Principle 1

- a. The overall description could be strengthened by specifically using the word 'insidious' (meaning of insidious is: "proceeding in a gradual, subtle way, but with very harmful effects"). Coercive control is insidious, and it is due to this nature it is often unidentifiable.
- b. Using 'pattern of behaviour' may imply that because it is a pattern it is easily recognisable. It is important to mention it can comprise more subtle abuse techniques and there may not be an identifiable pattern.

'Coercive control, by definition, is the sum of its parts. I think it is really important to note that not all of those parts are necessarily going to be severe or alarming acts of violence, in isolation from one another. It may be the sum of countless small acts over time which chip away at the health, wellbeing, safety and autonomy of victims. The type of abuse I have experienced, if you looked at most of the incidents in isolation, would appear petty and minor. The cumulative effect of them over time, however, is immense' – victim-survivor advocate

- c. There can be a perception of "scales of severity" about family violence with detrimental assumptions based on rating severity of different forms of family violence, i.e., assumptions that physical violence is the most serious, and coercive control being at the lesser end of the spectrum. The Draft Principles need to explicitly state that coercive control can be as harmful as physical abuse, and in many cases more so.
- d. Perpetrators may have a deeply ingrained belief they are not using abuse when they are accused of coercive control. They will deny, excuse or minimise their behaviour.

Perpetrators often claim they are the victim themselves and will approach family violence counselling services for support to validate their belief and shift blame to the victim-survivor as a perpetrator.

- e. Perpetrators may make claims the victim-survivor is using parental alienation when they report coercive control. It is common for abusers to self-identify as victims. A protective parent (victim-survivor) may be accused of parental alienation in the Family Court.

*‘This idea creates a smokescreen that protects perpetrators who utilise coercive control, and it also can be used as a mechanism of coercive control in and of itself, in the form of gaslighting a victim.’ – **victim-survivor advocate***

- f. Grooming is a component of coercive control. Grooming of the victim-survivor is used in the initial stages of courtship, often in the form of “love bombing” and using charm to convince the victim-survivor they are a ‘good guy’. Perpetrators may also groom people around them to reinforce their ‘good guy’ persona and discredit the victim when they speak out.
- g. Coercive control is not only acts of abuse. Coercive control includes acts of kindness combined with acts of cruelty/control/abuse. This may be used in the stages in the Cycle of Violence⁵ or behaviour may quickly swing between kind and cruel within minutes or seconds. Perpetrators who are fathers may alternate between being dangerous and acting admirably, quite often in quick succession.
- h. Perpetrators are skilled at knowing how they can use coercive control to remain under the level of being charged under law, especially if they are police officers (or otherwise involved in the justice system) themselves.

4

*‘The very high bar that is currently set for behaviour to be considered abusive allows perpetrators to get away with ongoing abuse because they can fly under the radar. They can do just enough to terrorise you without breaking any laws, or by only pushing the boundaries of law breaking.’ – **victim-survivor advocate***

- i. **Sexual coercion.** The way this paragraph describes coercion as ‘engage in sexual acts they are not comfortable with’ fails to outline how a victim-survivor may feel inclined to perform sex acts to ‘keep the peace’, i.e., sexual acts to prevent or reduce the use of coercive control or to prevent it escalating into physical violence or murder. For people being subjected to coercive control, sex may be willingly offered even under exploitative conditions.

Stealthing should also be named as a form of sexual coercion.

- j. **Technology assisted abuse.** Should mention surveillance of phone calls and using tracking devices on other devices, children’s toys, motor vehicles etc.
- k. **Restricting a victim-survivors freedom or independence.** In addition to ‘hiding or destroying’ devices, there is also ‘restricting use’. This restriction of freedom may also include restricting access to health care for children, social activities for children, and taking them to school.
- l. **Lateral violence.** Can also include:

⁵ <https://safechoicesttas.org.au/news/the-cycle-of-violence>

- i. inciting children to use violence against the mother by using coercive control against them or antagonising children or making them emotionally dysregulated which drives the use of physical violence.
- ii. stalking and monitoring by other people (friends and family) related to the perpetrator.

m. Emotional or psychological abuse. Can also include:

- i. the perpetrator cheating with other people to provoke negative emotional reactions.
- ii. non-consensual sharing of medical conditions or past trauma history of the victim-survivor to discredit or minimise their disclosures of abuse to friends, family, neighbours, e.g., 'it was because she was abused years ago, it is because she is like that.'
- iii. threats or attempts of suicide by the perpetrator
- iv. behavioural control of victim-survivor – victim-survivor must submit, comply or adhere to demands due to fear of punishment.
- v. sleep deprivation or control of sleeping patterns.
- vi. Controlling food and diet; providing unhealthy food when victim-survivors are trying to lose weight or are managing health issues, restricting food to make a victim-survivor lose weight or using food to humiliate and maintain control (victim-survivors having to “left overs” or home brand food while the abuser eats good quality food.)

5

n. Financial abuse and/or systems abuse. Includes:

- i. post-separation financial abuse in the form of extra financial stress caused by the cost of lawyer's fees.
- ii. withholding or refusing to pay child support payments.

'If they have been victims of financial abuse, their ex-partner is actively avoiding child support obligations, they have to leave and start again- chances are they won't have \$30 plus grand available to employ a lawyer in any court, including family court.' – **victim-survivor advocate**

o. Systems abuse. Also includes:

- i. refusing to engage in processes to assist the separation process, e.g., mediation.
- ii. refusing to do supervised visits or not attending scheduled visits.
- iii. coaching children to lie to court therapists.

'My experiences of coercive control have been minimized over and over again- by lawyers, courts and police. I have been told that most of the incidents are not serious enough to warrant any meaningful legal action. This

is often in the face of these professionals actually empathising with my situation, seeing exactly what is happening, but being constrained by systems that do not recognise or deal with this type of abuse properly.’ – victim-survivor advocate

- p. **Lack of focus on the common features and impacts of coercive control post separation.** It is recommended that a separate paragraph be added to outline common features and tactics of post-separation coercive control. Post-separation coercive control can look different to coercive control used in a current relationship and can escalate post-separation.

National Principle 1 (pg. 3) dot point 6 should read *“Coercive control is most often identified in the context of intimate partner relationships, **both during the relationship and post-separation.**”*

‘Coercive control increases when the relationships ends, leaving the victim in a state of confusion, there is manipulation, intimidation, gaslighting, projection, undermining the mother’s ability to parent.’ – victim-survivor advocate

‘A victim-survivors safety risk increases dramatically at that time, but we are forced time and time again to repeat and try to prove our stories in order to get even basic help. Accessing services can be difficult as its not physical abuse it’s not considered ‘dangerous’ or an ongoing risk to you or your child/ren.’ – victim-survivor advocate

More examples of post-separation abuse should be included, such as:

- using friends and family to continue the use of power and control.
- hiding financial assets to cause financial abuse.
- dragging out legal processes to financially abuse.
- manipulating the child support system.
- using children in their coercive control tactics.

Examples given by a victim-survivor were:

- *‘Utilising children to control victim survivor, such as utilising the child’s best interests as leverage to force the victim to undertake certain actions (e.g. I will only allow the child to go to that special event he wants to go to, if you agree to ****insert something that benefits the abuser****)*
- *Legal abuse (taking out FVO’s restraining orders etc based on spurious claims)*
- *Reversing the victim/ aggressor roles to portray themselves as the victim*
- *Withholding child support by refusing to pay or not declaring income or hiding assets in order to avoid child support obligations*
- *Damaging property or refusing to return clothing or possessions purchased by the victim and sent with the child etc.*
- *Forcing ongoing contact with the victim via repeated disingenuous mediation requests, legal threats, court proceedings etc.*
- *Refusing contact for the victim with their child when in the perpetrator’s care.*
- *Lying in court documents to damage the reputation of the victim*
- *Stalking and harassing the victim ‘*

The risk of being murdered post-separation is high. It may be implied that leaving a relationship is the way to end coercive control, instead of specifically calling for perpetrator accountability to not use abuse.

- q. For all the descriptions of types of violence (shown in bold in Principle 1), it is recommended that short case studies be included, perhaps in a coloured box after each description. This will assist the reader to interpret and translate guidelines into real life examples.
- r. **Add reproductive control and coercion.** The impacts of this form of control over a woman’s body autonomy can have significant health and psychological impacts. Medical professionals need more education on how coercive control can be used in this context and setting. This can include:
 - i. Forced or coerced contraception or restricting a woman’s access to contraception. Refusal to use a condom. Disposing of or hiding contraception leading to unwanted pregnancy. Coerced into using unsafe contraceptives, such as the contraceptive pill when the woman has health contraindications.

‘During the course of my marriage I was coerced into staying on unsafe contraceptive pills, one was leading me to being on the path of stroke.’ – victim-survivor advocate

- ii. Forced or coerced termination or refusal to access termination.
- iii. Forced or coerced sterilisation.

‘I was coerced into signing consent papers for tube removal, he had promised for months he would have a vasectomy, then after watching our son’s traumatic birth decided I could further be punished by having my tubes removed.’ – victim-survivor advocate

ii. Principle 2

- a. Abuse to children to be included in the paragraph about post-separation escalation of abuse.

Question 2: Do the draft National Principles effectively describe the key issues associated with a lack of understanding of coercive control? (Principle 3).

- i. Again, discuss the misconception about the abuse ending when relationships end and explicitly state how post-separation coercive control appears. Post-separation needs to be emphasised throughout the document to ensure the severity of it is not diluted. The myth that ending the relationship will end the abuse needs to be highlighted.

‘The impact of this is that abuse is taken less seriously by authorities when the relationship ends, which can be a fatal mistake. Studies have shown that abuse often escalates post-separation, and that homicides still occur after relationship ends. I think that failing to address post-separation abuse as being as big a problem and so often as dangerous a problem as abuse within a relationship, leaves a gaping hole for victims to fall through.’ – victim-survivor advocate

- a. Paragraph 4 (pg. 18). It is important to name up court mandated therapists and lawyers, which often go unidentified when referring to the ‘legal system’ and both require extensive education about coercive control.

- b. Court mandated therapists may unintentionally condone or perpetuate coercive control by perpetrators who use systems abuse. Court therapist questionnaires do not include specific questions about coercive control or interrogate the extent or severity of it. There is no clear structure for making a complaint against a court mandated therapist should they dismiss claims of or contribute to coercive control.
- c. All service providers should commit to professional development to keep up to date with research and know how to identify, respond, and refer in the cases of coercive control. Often lawyers do not receive any specialised training about coercive control in a family law context. Generic family violence courses (like DVAAlert⁶) are vital, but they do not cover coercive control in sufficient depth.
- d. Self-represented litigants in the Family Law Court can be directly cross examined by the perpetrator, which enables the use of coercive control in a court room environment to further intimidate and threaten a victim-survivor.

*‘Judges need to be more knowledgeable, dig deeper about the complexity of children’s experiences of coercive control. They need to listen to mothers who have experienced coercive control and not dismiss the allegations.’ - **victim-survivor advocate***

- ii. Victim-survivors are often not taken seriously when identifying coercive control or sharing their experience. They should always be centred as the experts on their lives and should not experience the positioning of coercive control as less serious to other forms of violence. Poor community responses contribute to the gaslighting effect that coercive control has.
- iii. Employers also have a role to play. They should be educated on basic tools for supporting victim-survivors and be confident to make bystander interventions to perpetrators.

Question 3: Do the Draft National Principles adequately describe the importance of listening to and working with victim-survivors (principle 5)

- i. Paragraph 1, pg. 22 should read ***‘This includes engaging directly with children and young people as victim-survivors in their own right.’***
- ii. Victim-survivors may still be enduring coercive control even when they have moved into advocacy roles or being consulted by government or organisations about lived experience. One of the advocates said:

*‘I am a person in this situation. I am tethered to my abuser by family court orders and I am required to try to co-parent with him while he actively counter-parents. I cannot escape my abuser and have been forced to try to live my life as best I can while the abuse is ongoing. At times this has felt like living a nightmare.’ – **victim-survivor advocate***

- iii. The last paragraph mentions some victim-survivors do not survive. This is important, but it is also necessary to mention the lifelong impacts including psychological injury victim-survivors may have. Only mentioning death as the worse outcome may minimise those still surviving and dealing with the impacts of trauma every day.

⁶ <https://www.dvalert.org.au/>

- iv. The importance of lived experience advocates being part of the prevention and response to coercive control cannot be understated. This may include provision of peer supports that are complementary to formal supports, such as healing and recovery programs that enable capacity building, connection to community, stress management and life skills.
- v. It should be mentioned that there are many victim-survivors employed in the sector who have lived experience and the stigma that surrounds disclosure may be a challenge for them.
- vi. It was suggested that advocates with lived experience be employed directly within the Child Safety system because:

*‘No one will understand, support and advocate better than someone with lived experience and a victim-survivor may be more likely to listen to one.’ – **victim-survivor advocate***

Question 4: Do the Draft National Principles effectively describe the key elements needed to effectively address coercive control? (Principle 6)

- i. Language of ‘recovery’ should be amended to ‘recovery and healing’ to align it with recommendations made by victim-survivors when formulating the National Plan to End Violence Against Women and Children 2022-2023⁷.
- ii. Recovery is not an end point. Recovery is different in profile and duration for each victim-survivor and is often lifelong. It should be mentioned that recovery is difficult and complex when a victim-survivor is still enduring coercive control post-separation. Many who are trying to recover remain bound to the perpetrator due to family law proceedings or custody/access arrangements with children.
- iii. Recovery can be hindered by post-separation abuse.

*‘Healing is not straightforward. It’s up and down, back and forth, a few loops thrown in, it’s constant work to keep moving forward.’ – **victim-survivor advocate***
- iv. The notion of recovery should mention a focus on the reduction of fear, reduction of the use of coercive control long term and improvement in health in a holistic way.
- v. This Principle does not centre perpetrator accountability. It needs to mention interventions and supports for perpetrators to stop using coercive control and changing the culture to make it easier for perpetrators to reach out for help.
- vi. This Principle does not mention of children specifically. Children need early intervention and supports and are often further victimised by a system that supports children to spend time with known perpetrators of coercive control. This is particularly important in preventing the intergenerational cycle of abuse.
- vii. With regards to victim-survivors being asked to repeat experiences, there should be self-agency in deciding whether to repeat telling experiences (victim-centred approach), and consideration should be given to ensuring that repeating experiences is productive or will assist recovery or positive outcomes.

⁷ <https://www.dss.gov.au/women-programs-services-reducing-violence/the-national-plan-to-end-violence-against-women-and-children-2022-2032>

- viii. Training undertaken by frontline responders, service providers and legal representatives should include specialised training in coercive control, not only trauma-informed practice.
- ix. The provision of government funded Safe at Home⁸ measures, e.g., installing security cameras, screen doors should be treated as a matter of priority for victim-survivors who have experience coercive control, as an equal threat compared to the use of physical violence.
- x. The difficulty in prosecuting family violence where there is no evidence of physical violence needs to be acknowledged and addressed. In addition, anyone who alleges family violence should not be able to be cross examined by their abuser in court.

'I was cross examined and had to cross examine my abuser in a family court as both of us were self-represented. As a result of this experience of cross examination, I have suffered PTSD, was sedated for a couple of months, had to close our family business, and have been unable to return to work for the past 18 months.' – **victim-survivor advocate**

- xi. Acknowledging the need for the commitment by government to fund and resource specialist family violence services and fund more research about coercive control.
- xii. The importance of sectors and services working together collaboratively cannot be understated. Presently there is lack of cohesion and mutual respect between sectors and systems.

'The current system is trying to apply legal solutions to what is predominantly a psycho-social problem. This is not working, especially when law enforcement are ignoring advice from psychologists, social workers and experts in family violence. It is dangerous and needs to change.' – **victim-survivor advocate**

- xiii. *Specialist services offer a unique and highly valuable perspective in the system response and yet they remain heavily burdened by demand and grossly under resourced. As the system response that understands and can advocate for greater awareness and consideration of coercive control, specialist services must be recognised and valued for the role they play.*

Question 5: Do the Draft National Principles effectively describe the key issues to consider when deciding whether or how to criminalise coercive control, including potential unintended consequences of criminalisation like misidentification of primary aggressor? (Principle 7, 8)?

- i. The mention of police as perpetrators⁹ is missing from this Principle. Police perpetration of family violence can lack appropriate responses and reporting to police when the perpetrator is a police officer can be very difficult. Police officers may know the law well and avoid being charged for their use of coercive control.
- ii. This Principle mentions the misidentification of primary aggressor¹⁰ by police but it fails to mention that this misidentification may be used in a non-criminal context in the family law court system in attempt to shift blame away from a perpetrator. If there are no formal charges or a conviction made against a perpetrator prior to Family Law Court proceedings, it can be difficult to make claims or prove the use of coercive control in these proceedings. Victim-

⁸ <https://www.safeathome.tas.gov.au/services/financial-support-for-victims/keeping-women-safe-in-their-homes>

⁹ <https://www.abc.net.au/news/2020-10-21/dozens-of-victoria-police-officers-charged-with-family-violence/12757988>

¹⁰ <https://www.anrows.org.au/project/accurately-identifying-the-person-most-in-need-of-protection-in-domestic-and-family-violence-law/>

survivors are often told to be co-operative in the Family Law Court to facilitate resolution of child custody or properly settlement, without mentioning their experience of coercive control. Given the Family Law Court is often the first point of contact in post-separation proceedings, this system can be manipulated in systems abuse as part of coercive control and result in victims being accused as perpetrators.

‘My experiences of coercive control have been minimised over and over again – by lawyers, courts and police. I have been told that most of the incidents are not serious enough to warrant any meaningful legal action.’ – victim-survivor advocate

- iii. Victim-survivors who keep detailed records of coercive control as evidence may be labelled as ‘too educated’, ‘too difficult’, ‘too assertive’ or ‘too articulate’ which creates gaslighting in Family Court proceedings.
- iv. It is difficult for Police Family Violence Order (PFVO) or Family Violence Order (FVO) applications to gain recognition in magistrates courts as proof of family violence. Family violence can be mislabeled in Family Court as a “high conflict separation” instead.
- v. Victim-survivors may be subject to FVO/PFVOs when misidentified as a primary aggressor.
- vi. Women with disability may have their disability weaponised against them to discredit their claims of coercive control when reporting to police. Neurodivergent women or women diagnosed with mental health conditions may be infantilised or gaslit due to their disability, or even institutionalised when having a trauma response to coercive control.
- vii. It is essential that police and all professionals in the criminal justice system have sufficient education about coercive control and be resourced to respond to coercive control. Criminalisation alone will not fix the problem.
- viii. It is necessary to mention the complexities and challenges of getting a FVO/PFVO for coercive control when it is used without physical violence. The need for more education for police and legal system to understand coercive control as a pattern of behaviour instead of single instances of behaviour.
- ix. Victim-survivors may be hesitant to reach out for support if they are fearful of police, court processes or child safety removal of children.
- x. Include criminalised women in the groups of higher marginalised people in paragraph 2, page 10.

Other comments

- i. **Foreword** – can the foreword include a statement by victim-survivors, that is similar to the section in the National Plan to end Violence Against Women and Children 2022-2032 written by ICOS?
- ii. **Introduction section**

In addition to responses to coercive being considered within the context of the framework of the National Plan to End Violence against Women and Children 2022-2032, human rights principles should underpin the Draft Principles. Principles such as Committee on the

Elimination of Discrimination against Women (CEDAW)¹¹ and The Convention on the Rights of the Child (UNCRC).¹²

iii. Inclusion of data

The Draft Principles do not include any data on the prevalence or incidence of coercive control, specifically the high correlation between the use of coercive control and domestic femicide in Australia. The statistics could possibly be inserted as an appendix to the Draft Principles for easy reference.

iv. Lack of focus on the unique tactics involving children, experiences of children, effects and impacts on children

- a. Children are only mentioned in small sentences through the Draft Principles. It was recommended that a separate Principle be drafted for common features and impacts of coercive control on children¹³, due to the unique characteristics of how coercive control may affect children.

‘Children and young people can be direct victims. They can experience it in much the same way as adults do, feeling confused and afraid, living constrained lives, and being entrapped and harmed by the perpetrator.’ – victim-survivor advocate

‘Children may find it hard to comprehend and verbalise their experiences and it is no different to a mother who has experienced coercive control. It is a silent abuse that leaves the victim completely powerless and some commit suicide.’ – victim-survivor advocate

- b. The UN Convention on the Rights of the Child (UNCRC)¹⁴ should underpin inclusion of children as victims in their own right. The abuse of a parent is abuse of a child (not labelling children as only ‘witnesses’). The impacts of coercive control on the mother creates inevitable impacts for children.
- c. Children are often targets in coercive control and this can increase significantly post-separation.

‘He can’t understand why he can’t have any say. He is being forced to spend half of his school holidays with his father, who spends very little of that time actually interacting with him. My son feels angry about it- angry at the courts, angry at his powerlessness and angry that he is being controlled- both by his father and by the system who he feels supports his father.’ – victim-survivor advocate

‘All of the mental health issues that I have developed due to this coercive control have taken away my ability to be fully present for my children. My health has suffered, and my finances have suffered. All of these things take away from the resources I have for parenting my children. My children have been harmed by the abuse I have been subjected to, and this has not been recognised by the legal system at all.’ – victim-survivor advocate

- d. Perpetrators may:

¹¹ <https://www.ohchr.org/en/treaty-bodies/cedaw>

¹² <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>

¹³ <https://lundybancoft.com/articles/assessing-risk-to-children-from-batterers/>

¹⁴ <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>

- i. use tactics to convince children their mother is mentally unwell or use crazy-making tactics to undermine the mother or make the mother seem like a 'bad person'.
- ii. manipulate children into defending the father.
- iii. use children to manipulate the mother or be incited to use verbal or physical violence towards the mother.
- iv. ignore health/safety requirements for children when in their care, e.g., food allergies or intolerances to aggravate health conditions for the mother to manage upon return from access visits.
- v. fail to provide clothing, food, toys, or other necessary items to children in the perpetrator's home during access visits.
- vi. use of sexual abuse or physical violence towards children to control, intimidate or threaten the mother
- vii. manipulate the child safety system. Mothers have children removed due to the perpetrator using violence, or using 'crazy making' tactics to portray the mother as incapable of caring for children.

'The children are torn from the one who is keeping them tighter, you take her away and separate the lids, you cause even more irreparable damage.' - **victim-survivor advocate**

- viii. make threats to children to take mother back to court to instil fear in them.

'...he antagonised our daughter so much, she would have violent outbursts and take them out on me. I was always the target....another way for him to hurt me without ever laying a hand on me.' – **victim-survivor advocate**

'To hear them tell me of the threats and emotional coercion tactics he was using with them in regard to me was just heart shattering. They are still afraid of him, for me, for themselves but most of all for what he may do to me.' – **victim-survivor advocate**

- e. It is important we acknowledge children both as victim-survivors in their own right, but also how they are weaponised in an abusive relationship between parents. Abuse towards children may increase post-separation, they may be victims of gaslighting (similar to the mother), coerced into giving physical affection, experience boundary violations and be manipulated to question their own reality or beliefs about their mother.
- f. The perpetrator may increase their interest or attention in children post-separation when they have been minimally involved in parenting in this past. This is 'performative fathering' and is another tactic used to represent himself as a 'good dad' and counteract any claims that he is abusive or controlling.
- g. Some perpetrators alienate children from mothers to the full extent they have legal sole custody of the children. This can further protect the perpetrator from being identified or brought to account. When the mother tries to take action against the perpetrator for using coercive control or engage in custody legal processes she can be painted as being destructive, trying to cause conflict, accused of abandoning the children and made to look problematic.

- h. Children may be forced to spend time with the perpetrator due to access rights, even if they are not comfortable to or do not feel safe.
- i. The emotional bond between mother and child may become degraded due to the psychological impact on the victim.

*‘...contributes to the strain and emotional distances between the mother and the child. The lack of understanding makes it difficult for mothers and children to engage and makes it difficult to parent.’ – **victim-survivor advocate***

- j. Children who have experienced trauma may have behavioural difficulties that make it difficult for them to attend school or childcare (which can impact the mother’s ability to find or sustain paid employment) and to participate in social activities. The cost of therapy for children who have experienced trauma is predominantly the responsibility of the mother as primary caregiver. Wrap around supports in the education system are vital.
 - k. Therapeutic or counselling services compartmentalise the mother’s experience to the child’s experience. Supports that are restorative to the mother/child relationship are necessary.
 - l. Children may use violence against the mother or other siblings due to learned or normalised behaviours from witnessing violence, or the psychological impacts of experiencing family violence or coercive control. This poses a safety risk to the family, may create damage to rental housing, is socially isolating and often the mother doesn’t reach out for help due to shame, embarrassment, or fear of Child Safety interventions. Coercive control can destroy family connections and fracture bonds between mother and child.
 - m. Children and young people are not educated or equipped to recognise or deal with coercive control. It may be normalised, and children can be groomed or coached by the perpetrator to dismiss it is happening. Children and young people require age-appropriate education. Education about coercive control should be provided to teachers, school psychologists and social workers.
 - n. Professional and therapeutic support for children who have experienced coercive control is vital. Children may be offered supports when they have experienced/witnessed physical violence but may miss being supported when coercive control is the only form of abuse that is used, due to its insidious nature.
- v. National principle 4. Effects of Discrimination and Inequality.
- a. Important to mention the human rights Convention on the Elimination of Discrimination Against Women¹⁵, which underpins the rights for women to have equal rights and live a life free of violence.

¹⁵ <https://humanrights.gov.au/our-work/sex-discrimination/convention-elimination-all-forms-discrimination-against-women-cedaw-sex#rights>

- b. Make reference to the drivers of violence as outlined in Change the Story¹⁶, Changing the Landscape¹⁷, Change the Picture¹⁸ (or possibly in Principle 4).
 - c. Gender inequality in parenting roles creates blame towards the mother if she leaves, and also glorifies the father for being a ‘wonderful dad’ when he has to meet basic needs of children. This can reinforce the dynamic of coercive control.
- vi. Proper resourcing needs to be addressed to ensure the Draft Principles are implemented effectively.

‘The current systems to support victims are already strained. There is a lack of community legal supports, a lack of access to psychologists, waiting lists for family violence counsellors, a lack of safe housing in general, let alone for those fleeing violence. Having increased identification of violence is great, but there needs to be a safety net there for the victims.’ – victim-survivor advocate

- vii. The format of having a summarised version at the start of the document and a further expanded version was questioned. Victim-survivor advocates thought this may pose the risk that someone may only use the summarised version in isolation, which does not give the depth of the expanded version.
- viii. There should be a clear process and time frame for the review of the Draft Principles once they are released. Review should include consultation with victim-survivor advocates.
- ix. A commitment to the creation of a toolkit for identifying, responding, and referring should be made.
- x. Consideration should be given to developing a standardised screening tool for coercive control, which should be developed by experts in consultation with victim-survivors and implemented in courts and by frontline staff who may be screening for family violence.
- xi. The inclusion of research and resources in an appendix which provides a quick reference for readers of the Draft Principles to do more reading.

‘As a community we have responsibility as a whole to do what we can do to stamp out domestic and family violence in all of its forms. We all have a duty to ensure that any and all changes and reforms are implemented fully across systems and services, and that all services are made available in a respectful and trauma informed way to all victim-survivors, therefore not reinforcing the trauma or further driving the impacts.’ – victim-survivor

¹⁶ <https://www.ourwatch.org.au/change-the-story/>

¹⁷ <https://www.ourwatch.org.au/resource/changing-the-landscape/>

¹⁸ <https://www.ourwatch.org.au/resource/changing-the-picture/>

We would like to thank the victim-survivor advocates who collaborated with us for this submission and acknowledge the ongoing and lifelong impacts of coercive control on their lives, health, and wellbeing.

Engender Equality remains committed to addressing coercive control in the community and investing in the ongoing work in the prevention of gender-based violence.

