

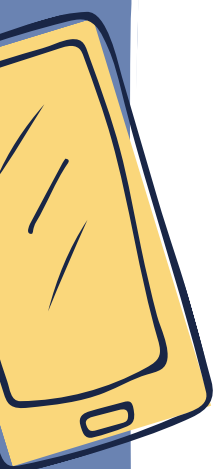
COERCIVE CONTROL IN FAMILY LAW MATTERS



Prevalence

Approximately 64% of filing parties in parenting only matters in the FCFCOA allege they have experienced family violence.

While this statistic is not the whole picture - for example, it excludes matters which don't end up in court - it provides some relevant background to the need for NSW's new coercive control legislation.



Difficult to define

One of the most common forms of coercive control today is monitoring. This can include tracking someone's phone, tracking their vehicle, or installing surveillance systems within the family home. Often, victims are not aware that this type of behaviour can be abusive and consider it normal.

However, it is difficult to draw the distinction between conduct within a relationship that is acceptable, and conduct that deserves a custodial sentence. Also, perfectly acceptable behaviour like concerns about security, or strict budgeting can be difficult to distinguish from unlawful behaviour such as surveillance or financial control.



Reach

The coercive control offence is restricted to current or former intimate partners. This restriction has been questioned as coercive control can exist outside of domestic relationships, however, the majority of coercive control is perpetrated by current or former intimate partners.



Ongoing feedback

The legislation establishes a task force, which provides training, monitors and provides education and resources relating to the coercive control offence. Also the task force will evaluate the offence's implementation and its reception by the public.

