

APS Response to National Principles to Address Coercive Control Consultation Draft

11 November 2022

submitted to <https://consultations.ag.gov.au/families-and-marriage/coercive-control/consultation/subpage.2022-09-09.8378782679/>

Please indicate your level of agreement with the following statements:

Question	Response
1. The draft National Principles effectively describe the common features of coercive control.	<i>Agree</i>
2. The draft National Principles effectively describe the impacts of coercive control.	<i>Disagree</i>
3. The draft National Principles effectively describe the key issues associated with a lack of understanding of coercive control.	<i>Disagree</i>
4. The draft National Principles effectively describe the impact of discrimination and inequality in the context of coercive control.	<i>Disagree</i>
5. The draft National Principles effectively describe the importance of listening to and working with victim-survivors of family and domestic violence.	<i>Disagree</i>
6. The draft National Principles effectively describe the key elements needed to effectively address coercive control.	<i>Agree</i>
7. The draft National Principles effectively describe the key issues to consider when deciding whether or how to criminalise coercive control.	<i>Disagree</i>
8. The draft National Principles effectively describe the potential unintended consequences of criminalisation.	<i>Agree</i>
9. The draft National Principles are inclusive of a diverse range of experiences and voices.	<i>Disagree</i>

(Response options: Strongly Agree, Agree, Disagree, Strongly Disagree)

Would you like to provide more information about your answers?

1. The APS supports Principle 1 but suggests that greater emphasis could be placed on the second point (e.g., mentioning subjugation, intimidation or threats). The text also switches between common features and specific populations which makes it difficult to follow. The Principle should also recognise that each victim-survivor's experience is unique and that there is no exhaustive list of what coercive control looks like.

2. Principle 2 does not adequately describe the psychological impact of coercive control. Framing potential effects in terms of mental illness and diagnosable conditions is too narrow and exclusionary. For instance, there can be long-term traumatic effects of coercive control on relationships, self-confidence, participation in valued activities and mental health without ever meeting the criteria for PTSD.

3. Principle 3 could focus more on social attitudes and the importance of understanding what constitutes healthy and respectful relationships. Preventing coercive control is predicated on a deep understanding of the social, cultural and contextual factors which shape perceptions of what is acceptable in an intimate relationship. Similarly, understanding socio-cultural variation in help-seeking preferences is essential in developing responsive pathways for both victim-survivors and (would-be) perpetrators.

4. Principle 4 should note that discrimination/inequality means that coercive control can be missed/misidentified because of insufficient socio-cultural knowledge and engagement, or through the inappropriate imposition of socio-cultural assumptions on a particular relationship.

5. The APS supports Principle 5 but underscores the need for the lived experience of victim-survivors and others affected to be integrated into the genuine co-production of policies and initiatives to address coercive control. Importantly, research involving perpetrators is needed to gain a holistic understanding of how to prevent coercive control. This also includes developing evidence-based and psychologically-informed approaches to help (would-be) perpetrators.

6. The APS commends the commitment to primary prevention in Principle 6. We encourage governments to articulate how they will support community understanding through the dissemination of accessible resources. This Principle could also articulate that communities and families can be empowered not only to support (potential) victim-survivors but also participate in longer-term cultural change to reduce the antecedents and drivers of coercive control.

7 and 8. Principles 7 & 8 could be combined. There is little point in criminalisation if social, mental health and community service systems are not appropriately resourced. The implementation of coercive control legislation should be accompanied by reforms to anti-discrimination legislation and supportive community-building efforts to ensure that disadvantaged groups are not subjected to additional challenges when seeking help. Timely psychological assessment may assist in minimising the misidentification of the victim-survivor and systems abuse. Multidisciplinary approaches based on therapeutic jurisprudence or restorative justice should be considered to promote positive outcomes for both victim-survivors and perpetrators.

8. The Principles should recognise the need to engage with perpetrators to ensure all possible insights are used to address coercive control. We must work towards evidence-based opportunities for perpetrators and would-be perpetrators to change their behaviour. We also need more engagement with young people who are learning about relationship dynamics so that we can develop effective prevention initiatives.

Do you have any suggestions as to how governments could promote the final National Principles to increase awareness and understanding of coercive control?

We must directly address the development of potentially harmful attitudes about relationships in childhood and adolescence and seek instead to promote a healthy understanding and awareness of what constitutes respectful relationships. For instance, in a representative survey of 1,000 Australian men aged 18-30 (The Men's Project & Flood, 2020), those endorsing 'traditional masculine stereotypes' were significantly more likely to be perpetrators of all forms of bullying and violence. Furthermore, 37% of respondents believed they 'deserve to know' where their wives/girlfriends are at all times, and 27% believed they 'should always have the final say about decisions' in their relationships. Such attitudes have the potential to contribute

to the dynamics of coercive control including through a sense of dominance or entitlement. However, it is important to acknowledge that coercive control is not found exclusively between male-female intimate partners and can occur in many types of relationships.

At its core, psychology is a profession that is focussed on prevention and early intervention. We suggest that the National Principles are used to facilitate open and inclusive conversations about harmful attitudes that may lead to controlling behaviours and promote respect in intimate relationships. We suggest that this promotion is done in tandem with the current work to educate Australia's school-aged children about sexual consent and other mental health and youth wellbeing promotion initiatives.

We also encourage collaborative work to operationalise the Principles in forms which are accessible and meaningful to young people at developmentally-relevant points. Public health and psychologically-informed frameworks may be particularly beneficial.

Do you have any other feedback on the draft National Principles?

The APS commends the work of SCAG in working towards national consistency in addressing coercive control. Consistent with the *National Plan to End Violence against Women and Children*, we support long-term social and systemic change. The APS is ready and willing to work with the governments in the implementation of these initiatives. There are two additional issues we would like to draw to the attention of SCAG:

1. The additional challenges faced by rural and remote Australians

There are unique challenges faced by victim-survivors living in rural and remote Australia which should be acknowledged and addressed in the Principles. These include:

- Geographic separation may already limit the amount of social support and contact victim-survivors have outside the coercive relationship.
- The difficulty of remaining anonymous when seeking help in small or isolated communities, particularly where the perpetrator is well known or respected. This is exacerbated when victim-survivors are from culturally and linguistically diverse backgrounds or are not well known, or where the perpetrator purposefully destroys the victim-survivor's reputation and relationships.
- Large distances between regional centres may mean it is almost impossible to find a safe shelter in a geographically accessible place.

In addition to previous recommendations, we highlight the need for:

- Targeted community-wide campaigns helping people to identify signs of potential coercive control and to provide appropriate support to victim-survivors.
- Improved internet connectivity and digital literacy to enable those who seek help to get it.
- Sufficient interpreters/translators and language resources to build community awareness in culturally and linguistically diverse groups.
- Victim-survivors of coercive control to see a psychologist without a mental health diagnosis or GP referral via a dedicated MBS item.

2. Use of psychological assessment and evidence

Irrespective of the legislative pathways chosen by states and territories, compassion and respect for victim-survivors and consideration of their safety is paramount. A trauma-informed approach should be taken evidenced by best practice and research. Investigative, legal and judicial entities should also fully consider the psychological impact that these processes have on those experiencing coercive control, beyond the trauma and distress that they have likely already experienced. Other considerations include:

- **Importance of timely psychological assessment:** due to the complexity and the effects of coercive control, it may be difficult for a victim-survivor to realise and understand, let alone articulate in legal proceedings, the dynamics of the relationship and the full impact. It is critical, therefore, that psychologists are available to make a timely, thorough and trauma-informed psychological assessment of victim-survivors (and ideally perpetrators), to fully elucidate the context, intent and impact of the behaviours. This may also help to accurately identify the person most in need of protection if systems abuse is occurring.
- **Importance of the admissibility of psychologists' expert evidence:** the role of expert evidence, including from psychologists, should be recognised. Psychological evidence can provide insight into the context of coercive behaviour and may help to explain retaliatory or compliant behaviour of victim-survivors who are trying to maximise their own or others' safety.

References omitted due to length but are available on request.