

The Hon. Natalie Ward
Minister for Women's Safety and the Prevention of Domestic and Sexual Violence
52 Martin Place, Sydney, 2000

Cc/ Hon Minister Speakman, Attorney General
Hon. Michael Daley, Shadow Attorney General

26 July 2022

To the Hon. Natalie Ward,

Re: Urgent request to extend consultation period for the public exposure bill to criminalise coercive control

The NSW Women's Alliance appreciate the opportunity to make comment and provide input on the public exposure draft bill, however we urgently request the NSW Government extend the consultation period to six months.

We note that previous consultation occurred via the Joint Select Committee on Coercive Control on the issue of whether or not to criminalise, however, this was during the Christmas Holiday period at the end of the first year of the COVID-19 pandemic, with submissions due on 29 January 2022. This timing significantly limited the capacity of the Domestic and Family Violence Sector to undertake comprehensive consultation with stakeholders to prepare submissions, with many staff on leave and services struggling with demand due to the impact of COVID-19. Furthermore, the Inquiry did not include consultation on the specific wording of either a definition or proposed legislation.

Members of the NSW Women's Alliance, DVNSW and the undersigned organisations strongly urge that the process to create a separate offence of coercive control is significantly slowed to allow sufficient time for proper consultation, including with priority populations who will be most affected. A failure to engage in proper consultation exposes the very people this legislation is intended to protect to further risk, as perpetrators may position themselves as the victim. There are also risks that if not drafted suitably, the legislation may not have any impact and be under-utilised such as the coercive control legislation in Tasmania.

The well-regarded Scottish model of criminalising coercive control is only perceived as a world leader due to the careful and inclusive consultation process, extended implementation period and the substantial systems reform and cultural change that was undertaken in the years prior to the legislation being introduced. In March 2017, the Scottish Cabinet Secretary Michael Matteson said that the Bill involved, "an unprecedented amount of engagement with stakeholders," to which the

Scottish First Minister Nicola Sturgeon replied, “That’s how the best laws are made” (Scott, 2020, p. 190). The Scottish draft legislation was released for consultation in December 2015 and was not introduced into Parliament until March 2017. It is not possible for the NSW Government to achieve results akin to those of the Scottish Parliament if appropriate time and resources are not invested in consultation with the sector.

Due to the potential impacts of criminalisation of coercive control on First Nations communities in particular, it is essential that thorough and meaningful consultation is undertaken with First Nations people. As Women’s Legal Service NSW noted in their submission to the 2021 Inquiry, the NSW government, “Need to consult with a range of people, communities and organisations including First Nations communities, refugee and migrant communities including women experiencing abuse on temporary protection visas, people with disability, non-binary, trans and gender diverse communities, people in regional, rural and remote areas, children and young people, older women and women with lived experience of prison. This takes significant time when done well but is an imperative part of this process of consultation.

Whilst we appreciate that there will be a state election between now and the Autumn session of parliament, we believe that strong cross-party support for the bill will ensure it is legislated.

The undersigned individuals and organisations endorse the call for the NSW Government to extend the consultation period for the public exposure bill to criminalise coercive control by 6 months.

We look forward to the opportunity to meet and discuss our concerns further.

	Name	Organisation
1	Elise Phillips	Domestic Violence NSW
2	Annabelle Daniel	Women’s Community Shelters
3	DV Jane Wangmann	UTS Law Faculty
4	Yvette Vignando	CEO, South West Sydney Legal Centre (Operating as Justice Support Centre since Dec 2022)
5	Hayley Foster	Full Stop Australia
6	Kate Marijan	Mission Australia Court Support Service
7	Tracy Phillips	Bonnie Support Services Ltd
8	Elyse Cain	NCOSS
9	Thea Deakin-Greenwood	Transforming Justice Australia

10	Cassandra Cutmore	Women's Domestic Violence Court Advocacy Service - New England
11	Jodie Lee	
12	Brigid Lang-Norris	South West Sydney Women's Domestic Violence Court Advocacy Service
13	Lisa Ronneberg	Newcastle Domestic Violence Committee
14	Eleanor Campbell	Bondi Beach Cottage, Womens Counselling and Support
15	Jasmine Chaffey	Women's Domestic Violence Court Advocacy Service - New England
16	Arlia Fleming	Central Tablelands and Blue Mountains Community Legal Centre
17	stefanie Allen	Kingsway Community Care - platform nine
18	Ruth Rozario (Acting CEO)	No to Violence
19	Melanie Gray	Women's Domestic Violence Court Advocacy Service Oxley
20	Rachael Natoli	Lokahi Foundation
21	Cooper Smeaton	Newcastle Domestic Violence Committee
22	Ty Cook	ACON
23	Jayne Clowes	Carrie's Place
24	Bridget Bible	Womens Domestic Violence Court Advocacy Service
25	Shannon Wright	Seniors Rights Service
26	Rosie Batty	Family Violence Prevention Advocate
27	Regan Mitchell	DV Program Manager- Weave
28	Chris Jones	LIVEfree Project - DV Prevention and advocat
29	Trish Connolly	Acting CEO Yfoundations
30	Di Glover	CEO
31	Jane Brock	Executive Officer
32	Riley*, queer survivor who does not wish to be identified, but has not been consulted on the laws by an agency, individual or	

	otherwise (pseudonym used)	
33	Pip Rae	National Child Protection Alliance NCPA
34	Philippa Davis and Dixie Link-Gordon	Women's Legal Service NSW
35	Violet Roumeliotis	Settlement Services International
36	Julie Hathaway	Monaro Hume WDVCS
37	Jasmine Fletcher	Queer and Now
38	Sophie Harley	Newcastle Family Support- Staying Home Leaving Violence
39	Elisabeth Shaw	Relationships Australia NSW
40	Rebecca Driver	Women's Domestic Violence Court Advocacy Service
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42	Juanita Purcell-Loli	Northern Settlement Services
43	Em Williams	Northern Rivers Women's Domestic Violence Court Advocacy Service
44	Sarah Williams	What Were You Wearing Australia
45	Kimberly Maeyaert	SEWACS Moruya
46	Rebecca Furey	Women's Domestic Violence Court Advocacy Service - Macarthur
47	Felicity Flanagan	Catholic Care Integrated Domestic and Family Violence Service
48	Lee-Anne McDougall	Newcastle Pride
49	Hilary Kincaid	Inner City Legal Centre
50	Kerrie Thompson	Victims of Crime Assistance League (Hunter)
51	Kirsten Saines	Catholic Care Staying Home Leaving Violence Service
52	Katherine Lynch	CatholicCare Staying Home Leaving Violence
53	Halie Russell-Shaw	Catholic Care Staying Home Leaving Violence Service
54	Kim McIntyre	CatholicCare DBB
55	Jodie Beugeling	CatholicCare DBB
56	Nicholle Tutt	CatholicCare DBB
57		

58	Julie Grigoriadis	Mt Druitt Family Violence Service
59	Colleen Mullins	Samaritans Brighter Futures
60	Danielle Simmonette	Family Support Newcastle - Family and Relationship Skills program
61	Sally Grimsley-Ballard	Domestic Violence Service Management